

HITESH DABHI

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Reg. No. MAH/1091/1994

Adv. Code :- I 5439

-FORMAT- A (Circular No;28/2021)

**To,
Maharera,
Housefin Bhavan, Near RBI,
E Block, Bandra Kurla complex,
Bandra (East), Mumbai-51, Maharashtra**

TITLE CERTIFICATE

Sub: Title clearance certificate with respect to Plot No.330, bearing CTS NO. 463, 463/1 to 464/4, Jawahar Nagar Co-Operative Housing Society Ltd., Mouje Pahadi, Jawahar Nagar, Goregaon (West), Mumbai – 400 104, Taluka Borivali, in Registration District of Mumbai City and Mumbai Suburban (hereinafter referred as “the said plot”).

[1]. I have investigated the title of the said plot on the request of **M/s. PRINCE HOUSING & HOSPITALITY PVT. LTD., the Developers**, and following documents i.e. :-

1) Description of the property.

ALL THAT piece or parcel of land, hereditaments, and premises, admeasuring 445.90 sq. mtrs. or thereabout, situate lying and being at leasehold Plot No.330, bearing CTS NO. 463, 463/1 to 464/4, Jawahar Nagar Co-Operative Housing Society Ltd., Mouje Pahadi, Jawahar Nagar, Goregaon (West), Mumbai – 400 104, Taluka Borivali, in Registration District of Mumbai City and Mumbai Suburban, together with 10(ten) shares of Rs.10/- each of Jawahar Nagar co-operative Housing society Ltd, bearing Distinctive nos.3481 to 3490 (both inclusive) vide share certificate no. 349, together with building Known as “Krishna Kunj” having ground plus three upper floors and



two garages, constructed on the said leasehold plot, consisting of various tenants hereinafter referred to as **“the said property”**.

2) The documents of allotment of plot.

- (i). lease dated 7th January, 1971 between the Jawahar Nagar CHS Ltd., and Vimlaben C. Desai
- (ii). Death Certificate of Vimlaben C. Desai
- (iii) Registered Release Deed dated 21/12/2010 by Mukesh C. Desai in favour of his four brothers.
- (iv). Registered Development Agreement dated 31st December, 2010 between said Anil Chottalal Desai, Kirit Chottalal Desai, Jayesh Chottalal Desai, And Rajesh Chottalal Desai and M/s. PRINCE HOUSING & HOSPITALITY PVT. LTD. through its directors.
- (v). Share certificate no. 349 in respect of the said plot.
- (vi). Property Card in respect of said plot.
- (vii). Search report dated 18/01/2012 by Ashish Zaveri title investigator from the year 1963 to 2012 and Search report dated 26/4/2018 of Arun Upadhyay Advocate from the year 2006 to 2018 in respect of the said plot.
- (viii). And all the Lease Deeds of Jawahar Nagar society with original owners and release deeds.

3) Property card issued by City Survey Office, Goregaon, showing names of Anil Chottalal Desai, Kirit Chottalal Desai, Jayesh Chottalal Desai, And Rajesh Chottalal Desai as lessee, as per mutation entry no.752 & 753 both dated 07/03/2012.

4) Search report for 30 years taken at Mumbai SRO, Bandra SRO and Goregaon.

[2]. On perusal of the above mentioned documents relating to title of the said plot and all other relevant documents, I am of the opinion that the title of following



Developers is clear, marketable and without any encumbrances.

Owner of the plot ; - Anil Chottalal Desai, Kirit Chottalal Desai, Jayesh Chottalal Desai And Rajesh Chottalal Desai

CTS No. 463, 463/1 to 463/4, Mouje Pahadi Goregaon, Plot No. 330. Jawahar Nagar, Goregaon west

The opinion is based on all above documents as per society's records and instruction received.

[3]. The report reflecting the flow of the title of the owner on the said land is enclosed herewith as annexure.

Place; Mumbai

Date: 17/01/2022

Encl : Annexure.


Hitesh Dabhi
Advocate



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Annexure

FLOW OF THE TITLE OF THE SAID PLOT.

Plot No.330, bearing CTS NO. 463, 463/1 to 463/4, Jawahar Nagar Co-Operative Housing Society Ltd., Mouje Pahadi, Jawahar Nagar, Goregaon (West), Mumbai – 400 104, Taluka Borivali, in Registration District of Mumbai City and Mumbai Suburban

1. History of the said plot no. 330

1948

➤ Indenture of Lease between Doshi Bai Nanbhoy Jeejeebhoy and ors., and Jawahar Nagar Co-Operative Housing society ltd.,

(a). Mrs. Doshi Bai Nanbhoy Jeejeebhoy (Owner) was absolutely seized and possessed of and otherwise entitled to several pieces of vacant land and/or ground lying and situate Mouje Pahadi, Goregaon (west), Mumbai 400062, admeasuring 72 acres and 29 gunthas bearing various survey numbers. By an indenture of lease dated 13th February 1948, registered with Registrar of Assurances at Mumbai under Serial No. 854 booked on the 19th March, 1948 made between Owner and ors., and the Jawahar Nagar Co-operative Housing Society Ltd., the Owner did demise the aforesaid lands as described therein in the Indenture of Lease.

(b). A Jawahar Nagar Co-operative Housing Society Ltd., has been duly registered under the provisions of Bombay



Co-operative Societies Act 1925, and deemed to have been registered under the provisions of Maharashtra Co-operative Societies Act 1960 (hereinafter for brevity's sake referred to as the "**the said Society**"), under No. B/323/1947 dated 5th September, 1947.

1964

> Indenture of conveyance between J.D. & Company Pvt. Ltd., and Jawahar Nagar Co-Operative Housing society ltd.

(c). By an indenture of conveyance dated 11th day of August, 1964, registered at Bombay under Serial No. 2418 of 1964 and made between J.D. & Company Pvt. Ltd, (therein called the Vendors) of the one part and the Jawahar Nagar Co-operative Housing Society Ltd (therein called the Purchasers) of the other part, the said J.D & Company Private Limited, granted, conveyed, transferred and assured unto Jawahar Nagar CHS Ltd., all those pieces or parcel of lands or grounds situate at Village Mouje Pahadi, Goregaon (west), Mumbai 400062, which is more particularly described in the said Indenture of Conveyance.

(d). The Jawahar Nagar Co-operative Housing Society Limited prepared a layout scheme sub-dividing the lands into several plots and allotted the sub-divided plots to its various members.

(e). The said Society has leased out the said small sub-divided layout Plots on lease hold basis for a period of 998 years with effect from 1st October 1947 at Annual Lease rent of Rs.1/- if demanded, to various Members.

1960-1971

> Acquired of rights, title and interest in said leasehold plot by VIMLABEN CHOTTALAL DESAI in the Jawahar Nagar CHS Ltd.,



(f). The Jawahar Nagar Co-operative Housing society Limited allotted one of the sub-divided **plot no.330, "the said plot"**, more particularly described in the schedule written hereunder to **VIMLABEN CHOTTALAL DESAI**, on a lease for a period of 998 years and also allotted 10(ten) shares of Rs.10/- each of Jawahar Nagar co-operative Housing society Ltd, bearing Distinctive nos. 3481 to 3490 (both inclusive) vide share certificate no. 349. The Jawahar Nagar Co-operative Housing society Ltd., executed the lease Deed dated 07/01/1971, duly registered on 07/05/1971 with the office of sub registrar of assurances under serial no. P/6/1971, in favour of **VIMLABEN CHOTTALAL DESAI** for a period of 998 years, deemed to have commenced from 1/10/1947 on the terms and conditions as mentioned therein. On the said leasehold plot, building known as Krishna Kunj was constructed and rented out to various tenants on rental basis.

1999- 2012

(g). The said **VIMLABEN CHOTTALAL DESAI** expired on 16/09/1999 leaving behind her only surviving legal heirs and representatives being her sons, viz., Anil Chottalal Desai, Kirit Chottalal Desai, Jayesh Chottalal Desai, Rajesh Chottalal Desai And Mukesh Chottalal Desai. Her husband Chottalal (Chottubhai) Desai predeceased the said Vimlaben Desai. Hence her name was deleted and names of Anil Chottalal Desai, Kirit Chottalal Desai, Jayesh Chottalal Desai, Rajesh Chottalal Desai And Mukesh Chottalal Desai were inserted as legal heirs of original Lessee in the property register cards as Lessees on 07/03/2012.

(h). By the registered Release Deed dated 21st December, 2010, Mukesh Chottalal Desai released and relinquished all his 1/5th undivided shares, right, title and interest in respect of the aforesaid leasehold plot and structure standing thereon as well as 10 shares of the said society in favour of his four brothers. Based upon the said release



deed, the name of Mukesh C. Desai was deleted from the records of the property card on 07/03/2012 and since then the said ANIL CHOTTALAL DESAI, KIRIT CHOTTALAL DESAI, JAYESH CHOTTALAL DESAI, and RAJESH CHOTTALAL DESAI have been Owners/Lessees of the said property till date.

2010

➤ ***Development Agreement dated 31st December, 2010 between ANIL CHOTTALAL DESAI, KIRIT CHOTTALAL DESAI, JAYESH CHOTTALAL DESAI, and RAJESH CHOTTALAL DESAI JAYANTILAL and M/s. PRINCE HOUSING & HOSPITALITY PVT. LTD., and its directors for redevelopment of the said property.***

(i). By a Registered Development Agreement dated 19th May, 2011 December, 2010 entered and executed between said **Anil Chottalal Desai, Kirit Chottalal Desai, Jayesh Chottalal Desai, And Rajesh Chottalal Desai (Owners/Lessees)** and **M/s. Prince Housing & Hospitality Pvt. Ltd., through its Directors (Developers)**, registered on 19/05/2011 bearing Sr. No. BDR-11/4501/2011 and Registered Power of Attorney dated 19th May, 2011 bearing Sr. No. BDR-11/4502/2011, the Owners granted irrevocable Development rights in respect of the said property being plot no. 330 alongwith Krishna Kunj building for consideration and upon certain terms and conditions incorporated therein for redevelopment of the said property by demolishing the existing building and to construct new building on the said plot as per rules and regulations of MCGM and applicable DCR..

(j). Thus **M/s. PRINCE HOUSING & HOSPITALITY PVT. LTD.**, is the Developer of the said property by virtue of the aforesaid Agreement for Development and entitled to



develop the said property under the said Agreement for redevelopment.

(k). Till date the said Development is still valid, subsisting, effective and operative and not terminated or cancelled.

Sr. No. 2

1. Property card issued by City Survey Office, Goregaon, showing names of Anil Chottalal Desai, Kirit Chottalal Desai, Jayesh Chottalal Desai, And Rajesh Chottalal Desai as lessee, as per mutation entry no.752 & 753 both dated 07/03/2012 in respect of CTS. No. 463, 463/1 to 463/4, Pahadi Goregaon (w), Mumbai - 400 104

2. Search report for 30 years dated 18/01/2012 by Ashish Zaveri title investigator from the year 1963 to 2012 and Search report dated 26/4/2018 of Arun Upadhyay Advocate from the year 2006 to 2018 in respect of the said plot taken from Sub Registrar's office at Mumbai Suburban/Mumbai.

3. Registered Development Agreement dated 19th May, 2011 December, 2010 entered and executed between said Anil Chottalal Desai, Kirit Chottalal Desai, Jayesh Chottalal Desai, And Rajesh Chottalal Desai (Owners/Lessees) and M/s. Prince Housing & Hospitality Pvt. Ltd., through its Directors (Developers), registered on 19/05/2011 bearing Sr. No. BDR-11/4501/2011 and Registered Power of Attorney dated 19th May, 2011 bearing Sr. No. BDR-11/4502/2011 from Owners to the Developers.

4. No pending litigations.

Place ; Mumbai

Date: 17/01/2022



**Hitesh Dabhi
Advocate**



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