



Sharma & Associates

Adv. Satish Sharma
B.Com., LL.B.

Adv. Suman Sharma
B.Com., LL.B.

Advocates High Court
FORMAT -A

(Circular No. 28/2021)

To
Maha RERA,
Housefin Bhawan,
Plot No.C-21, E-Block,
Bandra-Kurla Complex,
Bandra (East), Mumbai - 400 051.

LEGAL TITLE REPORT

ALL THAT piece or parcel of land or ground together with building standing thereon known as "Samarpan" and formed with a name and style of "Borivali Samarpan C.H.S. Ltd." lying being and situate at Village Eksar bearing Survey No.184, Hissa No.6 (pt), C.T.S. Nos.1426C (Earlier known as CTS No.1426 (Part)) admeasuring 765.3 sq.mtrs, Taluka Borivali, Mumbai Suburban District in the Registration district and Sub-District of Mumbai City ("said Property").

I have investigated the title of the said Property on the request of Konark Structural Engineers Private Limited ("**Promoter**") and following documents i.e.:

- 1) Description of the Property: ALL THAT piece or parcel of land or ground together with building standing thereon known as "Samarpan" and formed with a name and style of "Borivali Samarpan C.H.S. Ltd." ("**said Society**") lying being and situate at Village Eksar bearing Survey No.184, Hissa No.6 (pt), C.T.S. Nos.1426C admeasuring 765.3 sq.mtrs., Taluka Borivali, Mumbai Suburban District in the Registration district and Sub-District of Mumbai City.
- 2) The documents of allotment of plot:

- (1) Deed of Unilateral Conveyance dated 25th August, 2015 registered before the Sub-Register of Assurances under Sr.No. BRL-6-6877-2015 Dated 25/8/2015.
- (2) Development Agreement dated 7th June, 2021 registered before the Sub-Registrar of Assurances under Sr. No. BRL-5-7812-2021 dated 07/06/2021.
- 3) As per Property Registered Card is in the name of the said Society.
- 4) That the search is taken in respect of the said Property from the year 1972 to 2021 and as per the search report I have not found any adverse remark in respect of the said Property.

On perusal of the above-mentioned documents and all other relevant documents relating to the title of the said Property I am of the opinion that the title of Promoter is clear, marketable and without any encumbrances.

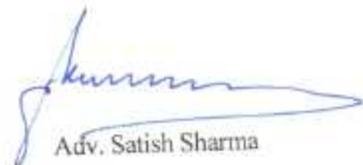
Owners of the land

As per the Deed of Unilateral Conveyance dated 25th August, 2015 registered before the Sub-Register of Assurances under Sr.No. BRL-6-6877-2015 Dated 25/8/2015, Borivali Samarpan Co-operative Housing Society Ltd. is the owner of the said Property.

The report reflecting the flow of title of Konark Structural Engineers Private Limited on the said Property is enclosed herewith as annexure.

Encl : Annexure

Date : 6th May, 2022



Adv. Satish Sharma

Bombay High Court



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FLOW OF THE TITLE OF THE SAID LAND

The brief facts relating thereto are as under:

- (1) By a Deed of Unilateral Deemed Conveyance dated 25th August, 2015 between SHRI DHIRAJLAL VIJUBHAI (HUF) (therein referred to as "the Vendor" of the First Part) of the First Part and M/S. PRATIKSHA CONSTRUCTIONS (therein referred to as "the Confirming Party No.1 of the Second Part), and SHRI CHAMPAKLAL DEVIDAS (therein referred to as "the Confirming Party No.2 of the Third Part) and SHRI BHUPENDRA CHAMPAKLAL DALAL (therein referred to as "the Confirming Party No.3 of the Fourth Part) and Borivali Samarpan Co-operative Housing Society Ltd., (therein referred to as "the Purchasers/Society") of the Fifth Part, whereby the said Property has been sold, transferred and conveyed in favour of the said Society. The said Deed of Unilateral Deemed Conveyance has been executed by District Deputy Registrar of Co-operative Societies, Mumbai City (4), Competent Authority under section 5(A) of MOFA for and on behalf of the Vendor and the Confirming Parties and it has been duly registered before the Sub-Register of Assurances under Sr.No.BRL-6-6877-2015 Dated 25/8/2015.
- (2) Accordingly the said Society is well and sufficiently seized and possessed of All that piece and parcel of land ALL THAT piece or parcel of land or ground along with building known as "SAMARPAN" lying being and situated at Village Eksar bearing Survey No.184, Hissa No.6 (pt), C.T.S. Nos.1426C (earlier known as CTS No.1426 (Part)) admeasuring 765.3 sq.mtrs, Taluka Borivali, Mumbai Suburban District in the Registration district and Sub-District of Mumbai City.
- (3) The public notice for the said Property was issued and published in two local News Papers namely The Free press Journal (English) and Aapla Mahanagar (Marathi) on 23/06/2021 by me, inviting the objections, if any, from the public at large. I have not received any claim or objection in response to the public notice till date.
- (4) That the search is taken in respect of the said Property from the year 1972 to 2021 and as per the search report I have not found any adverse remark in respect of the said Property.

(5) By way of a Development Agreement dated 7th June, 2021 registered before the Sub-Registrar of Assurances under Sr. No. BRL-5-7812-2021 dated 07/06/2021 made and entered into between the said Borivali Samarpan Co-operative Housing Society Ltd., therein called as "Society" of the First Part and M/s. Konark Structural Engineers Private Limited, therein called as "the Developers" of the Second Part and the members of the said Society of the Third Part, the said **Konark Structural Engineers Private Limited** have acquired the development rights of the said Property at or for the price and on terms and conditions mentioned in the said development agreement.

(6) The Property Card is in the name of Borivali Samarpan Co-operative Housing Society Ltd.

(7) I have been informed that there is no litigation concerning the said Property except the case listed hereinbelow:

Sr. no.	Court & Case No.	Parties	Case Summary	Case Status
1.	Bombay High Court Arbitration Petition No.383 of 2021	Konark Structural Engineers Pvt. Ltd. Vs. Borivali Samarpan Co-operative Housing Society Ltd. & Ors.	A Section 9 application under Arbitration and Conciliation Act, 1996 was filed by Konark Structural Engineers Pvt. Ltd. being the developers primarily against Respondent Nos.2 & 3 who were dissenting members for vacating their existing premises (Flat Nos. 003 and 004). Accordingly, the Hon'ble Bombay High Court passed Order dated 26 th November, 2021 thereby directing Respondent No.2 and 3 to vacate their respective premises for the purpose of redevelopment.	Disposed Off

On the basis and subject to what is stated hereinabove, I am of the opinion that the title of the said Property is clear and marketable.

Regards,



Adv. Satish Sharma

Bombay High Court