

Dhiren Hemendra Nandu

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FORMAT - A (as per Circular No.28/2021)

To

MahaRERA

Sub : Title Clearance Certificate with respect to the Plot No.775 in Dadar-Matunga Estate of the Brihanmumbai Mahanagarpalika situated at Tilak Road, Dadar (East), Mumbai 400014 within the limits of island city of Mumbai in the registration sub-district and district of Mumbai City bearing Cadastral Survey No.530/10 of Matunga Division admeasuring about 475.76 sq mts ("Plot") with a fully tenanted building presently of ground plus four upper floors (as also a garage in the compound) assessed to municipal taxes under "F-North" Ward No.6500(27) Street No.12 known as "Tuljaram Bhuvan" (the 'Property')

I] I have investigated the title of the captioned **Property** on the request of Messrs **NETTHEIM BUILDERS LLP** having their office at Umrigar Building, Ground Floor, Plot No.764-E, Tilak Road, Dadar (East), Mumbai 400014 on the basis of the following documents i. e. :

i) Description of the Property contained in various registered documents,

ii) The documents of allotment of the Plot :

- (1) Agreement to Lease dated 6th October 1931 registered under No.4310
- (2) Lessee dated 3rd April 1957 registered under No.3898
- (3) Deed of Release dated 5th July 1957 registered under No.4733
- (4) Indenture dated 30th April 1977 registered under No.851/77
- (5) Indenture dated 23rd May 1978 registered under No.1185/78
- (6) Indenture dated 23rd July 1979 registered under No.BOM-1678/79
- (7) Deed of Transfer dated 15th October 2012 registered under No.7879-2012
- (8) Agreement dated 2nd November 2021 registered under No.BBE-5-12589-

2021 with the Joint Sub-registrar of Mumbai City - 5



- iii) Property Card in the name of Chirag Bharat Satra issued by the Superintendent of Mumbai City Survey and Land Records.
- iv) Search Report for 30 years from 1992 to 2021 (Annexure 1).

II] On perusal of the above mentioned documents and all other relevant documents relating to title of the Property, I am of the opinion that the right, authority and power of Messrs **Nettheim Builders LLP** to redevelop the Property is clear, marketable and without any encumbrances.

III] Lessor of the Plot :

Municipal Corporation of Greater Mumbai ("Corporation")

Lessee of the Plot :

Chirag Bharat Satra

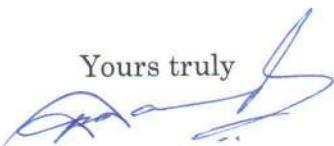
Plot No.775 in Dadar-Matunga Estate

Cadastral Survey No.530/10 of Matunga Division.

IV] The report reflecting the flow of the title of Messrs Nettheim Builders LLP to redevelop the Property is enclosed herewith as annexure.

Mumbai, dated this 22nd day of February 2022.

Yours truly


Dhiren Hemendra Nandu
Advocate & Solicitor

Encl : Annexure.



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Mumbai, dated this 22nd day of February 2022

To

Messrs NETTHEIM BUILDERS LLP

Umrigar Building, Ground Floor,
Plot No.764-E, Tilak Road,
Dadar (East), Mumbai 400014.

Re : your right, authority and power to redevelop the property bearing **Plot No.775** in Dadar-Matunga Estate of the Brihanmumbai Mahanagarpalika situated at **Tilak Road, Dadar (East), Mumbai 400014** within the limits of island city of Mumbai in the registration sub-district and district of Mumbai City bearing **Cadastral Survey No.530/10 of Matunga Division** admeasuring about 475.76 sq mts ("Plot") with a fully tenanted presently of ground plus four upper floors (as also a garage in the compound) assessed to municipal taxes under "F-North" Ward No.6500(27) Street No.12 known as "Tuljaram Bhuvan"

... "Property"

Sirs

Founded on the copies of documents pertaining to the captioned Property reviewed, it is stated that :

1. By the Deed of Settlement dated 30th March 1933 made between Shivram Dalaya of the first part and Balaram Tuljaram Dalaya of the second part and Biharilal Shankar Dalaya and Ramchandra Soban Dalaya of the third part, a trust was created to *inter alia* take on lease and erect a building on the Plot for which Ramchandra Soban Dalaya had an Agreement to Lease dated 6th



October 1931 registered under No.4310 from the Trustees for Improvement for City of Bombay in his or his nominee/s' favour.

2. In a suit (being Suit No.1712 of 1934) in the Bombay High Court for administration of the estate of late Balaram Tuljaram Dalaya (who passed away at Mumbai on or about 8th April 1934), a consent decree was passed on 18th April 1935 *inter alia* declaring that Devram was validly adopted son of Balaram alias Babulal Tuljaram Dalaya and that the trust created as above ensued for the benefit of Devram and his mother Bai Sonabai (widow of Balaram alias Babulal Tuljaram Dalaya). So, by a Deed of Transfer dated 8th May 1952 made between Shivram Balkrishna, Shivram Bhanumal Fulsunge and Sonabai (widow of Balaram alias Babulal Tuljaram Dalaya), the then trustees of the trust created as above transferred the benefit of the Agreement to Lease for the Plot together with the then building of ground and two upper floors erected thereon to Devram Balaram alias Babulal Tuljaram Dalaya and Bai Sonabai (widow of Balaram alias Babulal Tuljaram Dalaya), who became the Lessees of Municipal Corporation of Greater Mumbai ("Corporation") as joint tenants in pursuance of the Lessee dated 3rd April 1957 registered under No.3898 subject to the lease rent and terms, covenants and conditions contained therein.
3. By Deed of Release dated 5th July 1957 registered under No.4733, Bai Sonabai Dalaya, the Releasor, released her undivided share, right, title, interest in the Plot together with the building thereon unto Devram Balaram Dalaya, the Releasee for the consideration and upon the other terms and covenants therein mentioned.



4. By an Indenture dated 30th April 1977 registered under No.851/77, Devram Balram alias Babulal Tuljaram Dalaya granted the pro-rata right, title and interest pertaining to the third floor constructed on the erstwhile building of ground and two upper floors to Smt. Meghana Dinananth Samant for the consideration and upon the other terms and covenants therein mentioned.
5. By an Indenture dated 23rd May 1978 registered under No.1185/78, Smt. Meghana Dinanath Samant assigned the pro-rata right, title and interest pertaining to the third floor of the building unto Damji Jethubhai for the consideration and upon the other terms and covenants therein mentioned.
6. By an Indenture dated 23rd July 1979 registered under No.BOM-1678/79, Devram Balram alias Babulal Tuljaram Dalaya assigned the Plot together with the then building of ground and three upper floors erected thereon unto Damji Jethubhai for the consideration and upon the other terms and covenants therein mentioned. Thereafter, Damji Jethubhai, with the approval of plan from the Corporation, constructed the fourth floor above the erstwhile building of ground and three upper floors on the Plot.
7. Damji Jethubhai (Satra) passed away at Mumbai on 4th October 1994, leaving behind his last will and testament dated 10th December 1991, under which his son Bharat Damji Satra was appointed as a sole executor, who obtained the probate from the Bombay High Court in the Testamentary Petition No.671 of 2001. By the Deed of Transfer dated 15th October 2012 registered under No.7879-2012, the sole executor Bharat Damji Satra transferred



the Property in favour of Chirag Bharat Satra, the beneficiary named under the Will of late Damji Jethubhai.

8. Pursuant to the record of the name of Chirag Bharat Satra as Lessee of the Corporation, the Property Card of the Property is mutated on his name and Chirag Bharat Satra has lawfully become absolute owner of the Property, free from any encumbrances and reasonable doubts, but subject to the existing tenancies of the tenants / occupants in use and occupation of various premises contained therein.
9. By an Agreement dated 2nd November 2021 registered under No.BBE-5-12589-2021 with the Joint Sub-registrar of Mumbai City - 5, Chirag Bharat Satra appointed, granted, conferred, entrusted, authorized and empowered you to redevelop the Property by demolishing the Tuljaram Bhuvan building on the Plot and constructing new building thereon for the consideration and on the other terms and conditions stated therein.
10. Further to the Agreement dated 2nd November 2021, a Power of Attorney is executed in your favour and your partners, to enable you to carry out the redevelopment of the Property.
11. The Mumbai Housing and Area Development Board (MHADA) has issued No Objection Certificate No.R/NOC/F-2741/6191/M.B.R. & R. Board-2021 dated 28-07-2021 for the redevelopment of the Property and as per your application for sanction of plans for the redevelopment of the Property, the MCGM has approved the plans and has issued Intimation of Disapproval (I.O.D.) bearing



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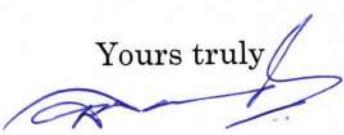
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reference No.P-7996/2021 / (530/10)/F/North/Matunga / IOD/1/New
dated 1st January 2022.

Having assumed the legal capacity of all natural persons, genuineness of all signatures, authenticity of all the copies of documents handed over to the undersigned and the accuracy and completeness of all the factual representations made therein, I certify that you, **Messrs Nettheim Builders LLP**, are lawfully authorized, entitled and empowered to implement the redevelopment of the Property of Chirag Bharat Satra and to do all acts, deeds, things, matters by demolition of the existing building on the Plot and erecting new proposed multistoried building named as "**Chirag Heights**", to independently deal with or dispose of the saleable premises and receive and appropriate the sale proceeds thereof. Accordingly, the title is clear, free from encumbrances and as such marketable.

Yours truly


Dhiren Hemendra Nandu
Advocate & Solicitor

