

VIKAS R. HIRLEKAR

B. Com. LL.B.
ADVOCATE, HIGH COURT, MUMBAI

106, Giridwar Apartment, 1st Floor,
Near Punjab National Bank,
Mathuradas Road, Kandivli (West),
Mumbai - 400 067.
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E-mail : hirlekar_vikas@hotmail.com

Ref. No. :

FORMATE-A
(Circular No. 28/2021)

TO,

Maharashtra Real Estate Regulatory Authority

6th & 7th Floor, Housefin Bhavan,
Plot No. C-2, E-Block,
Bandra Kurla Complex,
Bandra (East), Mumbai-400 051

LEGAL TITLE REPORT

Sub: Title Certificate with respect to ALL THAT piece or parcel of land bearing CTS No.1663 B, Building No.2, Shailendra Nagar, S.V. Road, Dahisar East, admeasuring 1282.69 sq. mtrs. (i.e. 1115.24 Sq. Mtrs.as per Lease Deed + 167.45 Sq. Mtrs. Additional Tit Bit land) built up area Or thereabouts, situated at Shailendra Nagar, building known as **SHREE SHAILENDRA SADAN CO-OPERATIVE HOUSING SOCIETY LIMITED** consisting of Ground plus 4 upper floors consisting of 40 Residential Premises Taluka Borivali in the Registration District and Sub District of Mumbai City and Suburban and situated at Shailendra Nagar, Dahisar (East), Mumbai – 400 068 (*hereinafter referred to as "the said Property"*).

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*I have investigated the title of the said plot on behalf of my client Dhariwal Thirani Constructions LLP, a partnership firm registered under the Indian Partnership Act, 1932 and having registered address at 401, Neminath Sqaure, Siddharth Nagar, Opp. Ram Mandir Road, S.V. Road, Goregaon West, Mumbai - 400 062 (*hereinafter referred to as the "my Client"*)*



Ref. No. :

1. DESCRIPTION OF THE PROPERTY:

ALL THAT piece or parcel of land bearing CTS No.1663 B, Building No.2, ShailendraNagar, S.V. Road, Dahisar East, admeasuring 1282.69 sq. mtrs. (including area mentioned in lease deed and tit bit area as approved as per MHADA demarcation) Or thereabouts, situated at Shailendra Nagar, building known as **SHREE SHAILENDRA SADAN CO-OPERATIVE HOUSING SOCIETY LIMITED** consisting of Ground plus 4 upper floors consisting of 40 Residential Premises Taluka Borivali in the Registration District and Sub District of Mumbai City and Suburban and situated at Shailendra Nagar, Dahisar (East), Mumbai – 400 068 (*hereinafter referred to as "the said Property"*).

2. DOCUMENTS OF ALLOTMENT:

By virtue of Lease Deed dated 17th May 1991 registered at Mumbai (Sub Registrar, Bombay Kurla), MHADA transferred and conveyed unto the said property herein all that piece and parcel of land or ground or plot situated and lying underneath and appurtenant of the said building No. 2 at Shailendra Nagar, S.V. Road, Dahisar (East), Mumbai- 400 068 bearing and C.T.S. No. 1663B, Dahisar village Part in the registration Sub District of Bombay City and Suburban Bombay District admeasuring 1115.24 Sq. mtrs. or thereabout as per the demarcation by the Executive Engineer, MHADA, MHADA erected a multi storied building No.2 and allotted 40 apartments. The housing scheme was developed by MHADA under a "Lower Income Group Housing Scheme (LIG)" comprised of ground plus four upper floors in the building No.2.

3. The said 40 (Forty) Tenements in the building have been allotted, sold to individual purchasers.
4. The 40 Members together by mutual consent formed a Co- operative Housing Society and registered the same as "Shree Shailendra Sadan Co-op. HSG. SOC. LTD." or the Said Society registered under the Maharashtra Co-operative Societies Act, 1960 bearing registration no. (W-R-NORTH)/HSG/4137 dated 26/02/1974.



Ref. No. :

5. By and under a Development Agreement dated 10th November, 2023 registered with the office of Sub-Registrar of Assurances at Borivali under serial No. BRL/2/17340/2023 dated 10th November, 2023 made and entered into between the Society herein (therein also referred to as the Society) of the One Part and our Client (therein also referred to as the Developers) of the Other Part, the Society have granted the right of the Redevelopment with respect to "ALL THAT piece or parcel of land bearing CTS No.1663 B, Building No.2, Shailendra Nagar, S.V. Road,Dahisar East, admeasuring 1115.24 sq. mtrs. Or thereabouts, situated at Shailendra Nagar,building known as SHREE SHAILENDRA SADAN CO-OPERATIVE HOUSING SOCIETY LIMITED consisting of Ground plus 4 upper floors consisting of 40 Residential Premises Taluka Dahisar in the Registration District and Sub District of Mumbai City and Suburban and situated at Shailendra Nagar, Dahisar (East), Mumbai – 400 068" unto and in favour of our Client for the price and consideration and upon the terms and conditions more particularly mentioned therein;
6. By virtue of Offer Letter dated 30th January, 2024 bearing No. CO / MB / REE / NOC / F- 1574 / 232 / 2024, MHADA Authority, on sub-divided plot as per demarcation Plan, allotted 167.45 Sq. Mtrs. additional Tit Bit Land in favour of the Society i.e. Shree Shailendra Sadan Co-op. HSG. SOC. LTD. Mhada also issued letter dated 25-07-2024 mentioning that the CTS number in Lease deed need rectification to CTS No. 1663B only. Accordingly all IOA and CC is issued with CTS No. 1663B only.

7. 7/12 EXTRACT OR PROPERTY REGISTRATION CARD ISSUED BY CITY SURVEY

OFFICE:

As per Property Card of the said property is bearing Survey No. 180/2, CTS No. 1663 B, Borivali in the registration sub district. Since it is a plot of MHADA layout, hence the sub division of plot is not done.



Ref. No. :

8. SEARCH REPORT FOR 30 YEARS:

I have perused the title deeds and other papers produced for my perusal. Title Investigation Report by MR. RAKESH TANK Search Clerk having taken search in the offices of the Sub Registrar of assurance at Mumbai and Bandra and at all concerned Registration Offices for the period from 1995 to 2024 (30 years).

From 1995 to 2024 (30 years) at Mumbai sub-Registrar Assurances, no finding is observed affecting the title of the said property.

2/- On perusal of the above-mentioned documents and all other relevant documents relating to title of the said Property we are of the opinion that the title said Property, is clear, marketable and without any encumbrance



Ref. No. :

OWNER OF THE LAND:

OWNER OF THE LAND: The said land ownership is in the name of the MHADA.

The lessee of the land as per lease deed is M/S Shree Shailendra Sadan CHSL.

Therefore in such circumstances, the said Shree Shailendra Sadan CHSL has become seized and possessed of or otherwise well and sufficiently entitled to all that piece and parcel of land or ground or plot situate and lying underneath and appurtenant of the Said Property.

Also, my clients, M/S Dhariwal Thirani Constructions LLP, have received the development rights of the said property vide the above-mentioned registered development agreement.

3/- The Report reflecting the flow of the Title in respect of the said property is enclosed as Annexure.

Encl: Annexure

Dated this 6th Day of August, 2024.

Place: Mumbai

Yours Faithfully,

(VIKAS R. HIRLEKAR)

Advocate High Court

VIKAS R. HIRLEKAR

ADVOCATE HIGH COURT

106, 1st Floor, Giridwar Apartment,
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MUMBAI-400 067



Ref. No. :

ANNEXURE
FLOW OF THE TITLE OF THE SAID PROPERTY

1. By virtue of Lease Deed dated 17th May 1991 registered at Mumbai (Sub Registrar, Bombay Kurla), MHADA transferred and conveyed unto the said property herein all that piece and parcel of land or ground or plot situated and lying underneath and appurtenant of the said building No. 2 at Shailendra Nagar, S.V. Road, Dahisar (East), Mumbai- 400 068 bearing and C.T.S. No. 1663 B, Dahisar village Part in the registration Sub District of Bombay City and Suburban Bombay District admeasuring 1282.69 sq. mtrs. (including area mentioned in lease deed and tit bit area as approved as per MHADA demarcation).
2. Annexed Lease Deed for consideration of terms and conditions mentioned therein as. MHADA erected a multi storied building No.2 and allotted 40 apartments.
3. The said 40 (Forty) Tenements in the building have been allotted, sold to individual purchasers and after several transfers upon sale of respective tenements or otherwise the final updated list of 'The Existing Member(s)' as mentioned herein above.
4. The 40 Members together by mutual consent formed a Co- operative Housing Society and registered the same as "Shree Shailendra Sadan Co-op. HSG. SOC. LTD." or the Said Society registered under the Maharashtra Co-operative Societies Act, 1960 bearing registration no. (W-R-NORTH)/HSG/4137 dated 26/02/1974.
5. The said property stands in the name of the said Society in the Revenue and Municipal records, therefore in such circumstances, the said Society has become seized and possessed of or otherwise well and sufficiently entitled to all that piece and parcel of land or ground or plot situate and lying underneath and appurtenant of the Said Property.
6. In the Special General Body Meeting of the Society held on 28th July 2023, the Developer's



Ref. No. :

offer has been duly consider discussed and scrutinize by all the members of Society and Society members have unanimously decided to grant Development Right in Our client favour for the redevelopment of the said property. Accordingly, Resolution passed by the Society whereby our client is appointed and authorized to carry out Redevelopment of the Said Property.

7. The DP Remarks dated 30th October, 2023 issued by Municipal Corporation of Greater Mumbai and Survey Remarks bearing No. Dy.ChE/B.P./11986/WS-II/P&R dated 19th March, 2024 issued by Brihanmumbai Municipal Corporation, the said Property is falling under 'Residential' Zone and is not falling under any reservation.
8. By and under a Development Agreement dated 10th November, 2023 registered with the office of sub-registrar of Assurances at Borivali under serial No BRL/2/17340/2023 dated 10th November, 2023, the said Society have granted development rights in respect of "ALL THAT piece or parcel of land bearing CTS No.1663 B, Building No.2, Shailendra Nagar, S.V.Road, Dahisar East, admeasuring 1282.69 sq. mtrs. (including area mentioned in lease deed and tit bit area as approved as per MHADA demarcation) Or thereabouts, situated at Shailendra Nagar, building known as SHREE SHAILENDRA SADAN CO-OPERATIVE HOUSING SOCIETY LIMITED consisting of Ground plus 4 upper floors consisting of 40 Residential Premises Taluka Dahisar in the Registration District and Sub District of Mumbai City and Suburban and situated at Shailendra Nagar, Dahisar (East), Mumbai – 400 068" in favour of Our Client for the price and consideration and upon the terms and conditions more particularly mentioned therein.
9. Further MHADA issued Offer letter to the developer for carrying out the redevelopment. Offer letter reference number CO/MB/REE/NOC/F-1574/232/2024 dated 30 Jan 2024 wherein MHADA Authority, on sub-divided plot as per demarcation Plan, allotted 167.45 Sq. Mtrs. additional Tit Bit Land in favour of the Society i.e. Shree Shailendra Sadan Co-op. HSG. SOC. LTD.



Ref. No. :

10. We have not been provided with any litigation information, however no Court record found whereby they are prohibited and restrained from developing the said property i.e. building No. 2 known as Shree Shailendra Sadan CHSL, and or parting with possession, charging or dealing in any manner with the said Property.
11. Based on the documents and subject to whatever is stated above, I am of the opinion that right, title and interest in the said property i.e. "All that piece and parcel of land or ground or plot admeasuring 1282.69 Sq. Mtrs.(including area mentioned in lease deed and tit bit area as approved as per MHADA demarcation) or thereabouts, being lying and situated underneath and appurtenant of the Building No.2 at Shailendra Sadan CHS Ltd., Shailendra Nagar, S.V. Road, Dahisar (East), Mumbai - 400 068, bearing and C.T.S. No. 1663 B, Dahisar Village Part in Registration Sub District of Bombay City and Suburban Bombay District, duly assessed under Ward No. "R-North", is clear, marketable, and free from all encumbrances and reasonable doubts.
12. This Certificate is given subject to the following qualifications: -
- (a) I have presumed that the documents as shown to me are true copies of Original and Final and have not been further amended or modified in any manner.
 - (b) The Opinion does not extend to any oral amendments of any term of the aforementioned documents, which may be amended orally by the parties and substantiated by their conduct despite provisions in the aforementioned documents to the contrary.
 - (c) This Opinion does not cover any discussion on any litigation, Suits etc. filed in any Court in respect of the said Property.



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ADVOCATE, HIGH COURT, MUMBAI

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- (d) Online Searches of Sub Registrar of Assurances Office is carried out by Rakesh Tank, Title Investigator, Mumbai, and I rely upon his Report which is annexed to my Title Certificate. It may be pertinent to note that Searches are subject to availability of records and records being torn and mutilated. I therefore disclaim any responsibility for the consequences which may arise on account of such non-availability of records or on account of records being torn and mutilated.
- (e) Please note that my scope of services excludes any physical inspection of the said Property and my report is based on examination of documents and the searches carried out on the Title.

Dated this 6th Day of August, 2024.

Place: Mumbai



Yours Faithfully,

(VIKAS R. HIRLEKAR)

Advocate High Court
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