

**FORMAT -A**

(Circular 28/2021 dated 08/03/2021)

To,  
MahaRERA  
Plot No.C-21, E-Block, Near Kamgar Bhavan  
Behind RBI Building, Bandra Kurla Complex  
Bandra (E), Mumbai-400051

**LEGAL TITLE REPORT**

**Sub:** Title clearance certificate with respect to all that piece or parcel of land bearing Survey No.51, C.T.S. No.197 (Pt.) area admeasuring about **2455.76 Sq. Mtrs.** lying, being and situated at Village Magathane, Jay Maharashtra Nagar, Borivali(E), Mumbai-400066 (hereinafter referred as the "**said plot**").

I have investigated the title of the said plot on the request of **M/s. SHRADDHA PRIME PROJECTS LIMITED** and following documents i.e.: -

- 1) Description of the plot.
- 2) Indenture of Lease dated 06/11/1993, bearing Registration Document Serial No. PBDR/5069/1993.
- 3) Deed of Sale dated 06/11/1993, bearing Registration Document Serial No. PBDR/5067/1993.
- 4) Indenture of Lease dated 19/06/1993, bearing Registration Document Serial No. PBDR/2228/1993.
- 5) Deed of Sale dated 19/06/1993, bearing Registration Document Serial No. PBDR/2227/1993.
- 6) Final Order bearing Reference No. **मुं मं/उपनि/ससं. (मुं.प. उ. ) १७( १) आ. /३७३७/२०२३**, dated **08/09/2023**.



- 7) Development Agreement dated 17/03/2024, bearing Registration Document Serial No.BRL-1/4414/2024.
- 8) General Power of Attorney dated 17/03/2024, bearing Registration Document Serial No.BRL-1/4450/2024.
- 9) Consent Letter bearing No.CO/MB/REE/NOC/F-1583/1237/2024 dated 30/05/2024.
- 10) Intimation of Approval bearing No.MH/EE/BP Cell/GM/MHADA-82/1577/2024, dated 21/06/2024.
- 11) Letter bearing No. का.अ./बो. वि. /मूं.मं ./१ ५३०/२०२४ dated 27/06/2024.
- 12) Property Card issued by bearing CTS No.197 dated 20/02/2019 downloaded on 03/06/2024 bearing reference no. 2201100001815333.
- 13) Search report for 14 years from 2011 till 2024 .

On perusal of the above-mentioned documents and all other relevant documents relating to title of the said plot I am of the opinion that the title of **ARUNDHATI NIVAS CO-OP. HOUSING SOCIETY LTD.** as the Leasehold Right Holder and **M/s. SHRADDHA PRIME PROJECTS LIMITED** as the Developer is clear, marketable and without any encumbrances and they are entitled to develop the said Plot.

**Owners/Lessee/Developers of the Plot:**

**A) MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY**  
**(Owner/Lessor):** Survey No.51, C.T.S. No.197 (Pt.) area admeasuring about **2455.76 Sq.**





**Mtrs.** lying, being and situated at Village Magathane, Jay Maharashtra Nagar, Borivali(E), Mumbai-400066.

**B) ARUNDHATI NIVAS CO-OP. HOUSING SOCIETY LTD. (Leasehold Right Holder/Lessee):** Survey No.51, C.T.S. No.197 (Pt.) area admeasuring about **2455.76 Sq. Mtrs.** lying, being and situated at Village Magathane, Jay Maharashtra Nagar, Borivali(E), Mumbai-400066.

**C) M/s. SHRADDHA PRIME PROJECTS LIMITED (Promoter/Developer):** Survey No.51, C.T.S. No.197 (Pt.) area admeasuring about **2455.76 Sq. Mtrs.** lying, being and situated at Village Magathane, Jay Maharashtra Nagar, Borivali(E), Mumbai-400066.

The report reflecting the flow of the title of **ARUNDHATI NIVAS CO-OP. HOUSING SOCIETY LTD.** as the Leasehold Right Holder and **M/s. SHRADDHA PRIME PROJECTS LIMITED** as the Developer on the said Plot is enclosed herewith as annexure.

Encl : Annexure.





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(Circular 28/2021 dated 08/03/2021)

**FLOW OF THE TITLE OF THE SAID PLOT.**

Sr.No.

- 1) Search report for 14 years from 2011 - 2024 taken from Online Search Report, bearing receipt No.: **1113628816** dated **09/09/2024**.
- 2) At the relevant time Maharashtra Housing Board in pursuance of E.W.S Income Group Housing Scheme constructed **Building No.15** being **MANGALDHAM-NIKETAN CO-OPERATIVE HOUSING SOCIETY LIMITED** on land bearing C.T.S. No.191 (hereinafter referred to as the said "**Structure No.1**") and **Building No.12** being **ARUNDHATI NIVAS CO-OP. HOUSING SOCIETY LTD.** on land bearing C.T.S. No.191 (Pt.) (hereinafter referred to as the said "**Structure No.2**"), both lying, being and situated at Survey No.51, Magathane Borivali (E) 400066.
- 3) That it is pertinent to note that Maharashtra Housing and Area Development Authority (MHADA) was constituted with effect from 5<sup>th</sup> December 1977 under the provisions of Maharashtra Housing and Area Development Act, 1976 and in view of the provision of MHADA Act, the Maharashtra Housing Board stood dissolved and all the property rights, liabilities and obligations of Maharashtra Housing Board including those arising under any agreement or contract became the property, rights, liabilities and obligations of MHADA.





- 4) Vide Deed of Sale dated **19/06/1993**, whereby Maharashtra Housing and Area Development Authority therein referred to as “ the Authority” Party of the One Part sold, transferred and assigned all their rights , title, interest and benefit with respect to the said Structure No.1 viz. Building No.15 in favour of Mangaldham-Niketn Co-Operative Housing Society Limited therein referred to as the “Society” Party of the Other Part and the same is duly registered with Sub-Registrar of Assurances at Bandra bearing Registration Document Serial No.**PBDR-2226/1993** dated **10/05/2016** (referred to as the said “**Deed of Sale No.1**”).
- 5) Vide Indenture of Lease dated **19/06/1993**, whereby Maharashtra Housing and Area Development Authority therein referred to as “**the Authority**” Party of the One Part agreed to lease, transfer and assign their leasehold rights, title, interest and benefit with respect to, land bearing Survey No.51, C.T.S. No.191 area admeasuring about 1172.56 Sq. Mtrs. lying, being and situated at Magathane Borivali (E) 400066 (referred to as the said “**Land No.1**”) in favour of **Mangaldham-Niketn Co-Operative Housing Society Limited** therein referred to as the “**Society**” Party of the Other Part and the same is duly registered with Sub-Registrar of Assurances at Bandra bearing Registration Document Serial No. **PBDR-2228/1993** dated **10/05/2016** (referred to as the said “**Indenture of Lease No.1**”).
- 6) Vide Deed of Sale dated **06/11/1993**, whereby Maharashtra Housing and Area Development Authority therein referred to as “**the Authority**” Party of the One Part sold, transferred and assigned all their rights, title, interest and benefits with



respect to the said Structure No.2 viz. Building No.12 in favour of **Arundhati Nivas Co-Op. Housing Society Ltd.** therein referred to as the “**Society**” Party of the Other Part and the same is duly registered with Sub-Registrar of Assurances at Bandra bearing Registration Document Serial No. **PBDR-5067/1993** dated **20/09/2005** (referred to as the said “**Deed of Sale No.2**”).

- 7) Vide Indenture of Lease dated **06/11/1993**, whereby Maharashtra Housing and Area Development Authority therein referred to as “**the Authority**” Party of the One Part agreed to lease, transfer and assign their leasehold rights, title, interest and benefit with respect to, land bearing Survey No.51, C.T.S. No.191 (Pt.) area admeasuring about 1128.48 Sq. Mtrs. lying, being and situated at Magathane Borivali (E) 400066 (referred to as the said “**Land No.2**”) in favour of **Arundhati Nivas Co-Op. Housing Society Ltd.** therein referred to as the “**Society**” Party of the Other Part and the same is duly registered with Sub-Registrar of Assurances at Bandra bearing Registration Document Serial No. **PBDR-5069/1993** dated **20/09/2005** (referred to as the said “**Indenture of Lease No.2**”).

***Qualifying Comment:** As per plans and subsequent documents area of Land No.2 is shown as 1128.48 Sq. Mtrs. however, in the said Indenture of Lease No.2 it appears that due to oversight area of the plinth, i.e. 560.31 Sq. Mtrs. is shown as the area of the Said Land No 2 and the same is captured in the Index II of the said document.*

- 8) Vide Final Order passed by Deputy Registrar of Co-Operative Societies bearing Reference No. **मुं मं/उपनि/ससं.(मुं.प.उ.)/१७(१)आ./३७३७/२०२३** dated **08/09/2023**, wherein Building no.15 i.e., **Mangaldham-Niketan Co-Operative**





**Housing Society Limited** is registered under section 9(1) of Maharashtra Co-operative Societies Act, 1960 bearing registration no. BOM/HSG/4375 dated 17/12/1974 consisting of 80 Society Members and Building No.12 i.e. **Arundhati Nivas Co-Op. Housing Society Ltd.** is registered under section 9(1) of Maharashtra Co-operative Societies Act, 1960 bearing registration no. BOM/HSG/7841 dated 15/04/1982 consisting of 80 Society Members, both made an application for amalgamation dated 27/06/2023 at the Deputy Registrar Co-Operative Societies Office for the merger/amalgamation of both the societies. Further, under Section 17 and Rule 16 of Maharashtra Co-Operative Societies Act, 1960, Mangaldham-Niketan Co-Operative Housing Society Limited got merged/amalgamated into Arundhati Nivas Co-Op. Housing Society Ltd. and further, as per Section 21 of Maharashtra Co-Operative Societies Act, 1960 registration of Mangaldham-Niketan Co-Operative Housing Society Limited was cancelled and the name of **ARUNDHATI NIVAS CO-OP. HOUSING SOCIETY LTD.** was be continued for both the amalgamated societies.

- 9) MHADA issued an offer letter dated **13/05/2024** bearing reference No.CO/MB/REE/NOC/F-1583/1096-/2024, wherein it has been mentioned that as per the demarcation plan with respect to C.T.S. No.191 (Pt.) area for Building No.12 is **1128.48** sq. mtrs. (Lease area) + **99.43** sq. mtrs. (Tit Bit area) and for Building No.15 is **1172.56** sq. mtrs. (Lease area) + **55.29** sq. mtrs. (Tit Bit area), thus total area as per demarcation plan is **2,455.76 Sq. Mtrs.** lying, being and situated at Village: Magathane, Jai Maharashtra Nagar, Borivali (E), Mumbai - 400066 (referred to as the "**said Property**").





- 10) Further, vide consent letter bearing reference no. **CO/MB/REE/NOC/F-1583/1237/2024** dated **30/05/2024**, MHADA granted consent for Commencement Certificate for the work upto plinth level to Arundhati Nivas Co-Op. Housing Society Ltd.
- 11) Vide Development Agreement dated **17/03/2024**, whereby ARUNDHATI NIVAS CO-OP. HOUSING SOCIETY LTD. through its duly authorized Managing Committee Members 1) Vaibhav Vasant Shinde, Chairman, 2) Vinay Tukaram Dalvi, Secretary and 3) Shridhar Yashwant Narkar, Treasurer therein referred to as **"the Society"** Party of the First Part and Vaibhav Vasant Shinde and 173 Others therein referred to as **"the Members of Arundhati Nivas Co-Op. Housing Society Ltd."** Party of the Second Part sold, transferred and assigned their development rights, title, interest and benefit with respect to the said Property in favour of **M/s. SHRADDHA PRIME PROJECTS LIMITED** through its director **Mr. Santosh S. Samant** therein referred to as **"the Developer"** Party of the Third Part and the same is duly registered with Sub-Registrar of Assurances at Borivali bearing Registration Document Serial No. **BRL-1/4414/2024** dated **23/03/2024** (referred to as the said **"Development Agreement"**).
- 12) In pursuance of the said Development Agreement a separate General Power of Attorney dated **17/03/2024** has been executed by and between Arundhati Nivas Co-Op. Housing Society Ltd. through its duly authorized Managing Committee Members 1) Vaibhav Vasant Shinde, Chairman, 2) Vinay Tukaram Dalvi, Secretary and 3) Shridhar Yashwant Narkar, Treasurer with respect to the said Property in favour of **Mr. Santosh Sadashiv Samant** being designated director of **M/s.**





**SHRADDHA PRIME PROJECTS LIMITED** and the same is duly registered with Sub-Registrar of Assurances at Borivali bearing Registration Document Serial No.**BRL-1/4450/2024** (referred to as the said "**General Power of Attorney**").

13)Subsequently, Intimation of Approval dated **21/06/2024** bearing reference no.**MH/EE/BP Cell/GM/MHADA-82/1577/2024**, is issued by Executive Engineer for MHADA in favour of Developer of **M/s. SHRADDHA PRIME PROJECTS LIMITED**, whereby **M/s. SHRADDHA PRIME PROJECTS LIMITED** has proposed redevelopment of the Building No.12 and Building No.15 known as Arundhati Nivas Co-Op. Housing Society Ltd. on land bearing C.T.S. No. 197 (Pt.) S.No.51 area admeasuring about 2455.76 Sq. Mtrs. lying, being and situated at Village Magathane, Jay Maharashtra Nagar, Borivali (E) Mumbai 400066 (referred to as the "**Said Plot**").

14)Vide a letter bearing reference no. **का.अ./बो.वि./मु.मं./१५३०/२०२४** dated **27/06/2024**, it has been mentioned that as per Indenture of Lease, **Survey No.51 (Pt.) C.T.S. No.191 (Pt.)** has been inadvertently mentioned which as per approved layout and Borivali City Survey office's letter (tikasheet) no. 49 and 50 it should be **Survey No.51, C.T.S. No.197 (Pt.)** and thus with respect to this change, MHADA has directed to modify the Indenture of Lease.





15) Litigations if any:

**NIL**

We have conducted search at sub-registrar office and no Lis Pendency has been registered and on basis of the same it appears that there are no litigations on Said Plot.

16) Paper Notice

Presently Paper Notice with respect to the said Plot is pending and we are in process of issuing Paper Notice. On request of my client, I am issuing this interim title report and I shall issue final/fresh title report after issuing Paper Notice and after lapse of the period to submit claims (if any).

17) Since my scope of work does not include considering aspects within the domain of an architect or a surveyor, the title is only for the Said Plot and not for any structure that are or were standing thereupon.

18) I have perused the Photocopies of the abovementioned documents, which I believe to be true and correct to the best of my knowledge. I have not inspected the original documents mentioned herein and this Legal Title Report is based on the photocopies provided to me.

19) Opinion:

This Legal Title Report is based on the provision of applicable law, prevailing at the present time and the facts of the matter, as I understand them to be. My





understanding is based upon and limited to the information provided to me. Any variance of facts or of law may cause a corresponding change in this Legal Title Report.

Place: Navi Mumbai

Date: 09/09/2024

For KC & Partners



**Mr. Parth Chande**

Advocate

Housiey.com

