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ADVOCATES & SOLICITORS

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Ref: PMS/CORR./KG/0549/2022

Date: 26.09.2022

FORMAT – A

(Circular No:- 28 /2021)

To

Maharera,

Mumbai

LEGAL TITLE REPORT

SUB:

"All THAT piece and parcel of land plot No VI-B of land bearing C.T.S No.903/2 admeasuring 1,346.50 sq. mtrs. or thereabout forming Part of the Survey No. 55 Village Pahadi Goregaon, Taluka – Borivali, Registration District Mumbai Suburban situate, lying and being at Piramal Nagar Building No.9, Swami Vivekanand Road, Goregaon (West), Mumbai – 400 062 in the building known as PRESTIGE PIRAMALCO-OPERATIVE HOUSING SOCIETY LTD" consisting of ground plus 3 upper floors and 4th (part) Floor comprising of one wing having 36 residential flats/units - (Hereinafter referred to as "SAID PLOT" for the sake of brevity)"

We have investigated the title of the said plot on the request of M/s. YASH AKAR DEVELOPERS LLP, a Limited Liability Partnership firm, duly registered under the Limited Liability Partnership Act 2008, having its Registered Office at 307/308, 3rd Floor, Dheeraj Heritage, Junction of S.V. Road & Milan Subway Road, Santacruz (W) Mumbai – 400054, through its Designated Partner Shri. YASH RAMESH PAREKH, We have investigated the title of the above mentioned captioned properties and on the basis of following documents i.e. :-

1. Description of the property :-

All THAT piece and parcel of land plot No VI-B of land bearing C.T.S No.903/2 admeasuring 1,346.50 sq. mtrs. or thereabout forming Part of the Survey No. 55 Village Pahadi Goregaon, Taluka – Borivali, Registration District Mumbai Suburban situate, lying and being at Piramal Nagar Building No.9, Swami Vivekanand Road, Goregaon (West), Mumbai – 400 062. in the registration Sub-District of Bandra, Bombay Suburban District., along with structure standing thereon being a building known as **PRESTIGE PIRAMALCO-OPERATIVE HOUSING SOCIETY LTD"**

2. The documents of allotment of plot :-

- a) Originally, **one Shanta Babulal Makharia** was seized and possessed or otherwise well and sufficiently entitled to all that piece and parcel of the the said larger property i.e. all that piece or parcel of land admeasuring 41,868 Square yards i.e. 34,849 square meters or thereabout situated at Goregaon, situated at Survey No. 54, Hissa No.2 and Survey No. 55 (part), C.T.S. No. 903 of Village Pahadi upon

the terms conditions and consideration more particularly recorded therein

- b) **Agreement for Sale dated 15th day of July 1962** as rectified by a Supplemental Agreement dated 25.03.1981, Shanta Babulal Makharia sold, assigned and transferred to M/s Kailash Babulal
- c) M/s. Kailash Babulal have constructed a building known as "Piramal Nagar Building No. 9 on the said piece of land being the Sub-Divided Plot No. VIB situated at Piramal Nagar, Goregaon bearing No. C.T.S. 903/2 admeasuring 1,346.50 square metres or thereabout forming part of the Survey No. 55 and more particular described in the Schedule hereunder being the said plot written in accordance with the plans sanctioned by the Municipal Corporation of Greater Bombay
- d) Thus Society became Owner of and/or absolutely seized and possessed of and /or otherwise well and sufficiently entitled to all that piece or parcel of land being the said Plot along with the building standing thereon known as "PRESTIGE PIRAMALCO-OPERATIVE HOUSING SOCIETY LTD" consisting of ground plus 3 upper floors and 4th (part) Floor comprising of one wing having 36 residential flats/units more particularly described in the SCHEDULE hereunder written.
- e) The said society has thereafter transferred the name of the society on the **Property Card**
- f) indenture of **Conveyance dated 02.04.1991** executed between Shanta Babulal Makharia as a Vendor of the first part and Kailash Babulal Makharia and Shanta Babulal Makharia of M/s Kailash Babulal as the confirming parties of the second part and Prestige Piramal Co-

Operative Housing Society Ltd as the Purchaser of the third part duly registered with Sub Registrar of Assurance, Bombay Bearing Registration No PBBJ/1701/91 and hence the said Society absolutely seized and possessed of or otherwise well and sufficiently entitled to the said property

- g) The said society vide **Resolution dated 30.04.2018** has decided to re-develop the said building
- h) We as the Advocates & Solicitors for M/s. YASH AKAR DEVELOPERS LLP a Limited Liability Partnership firm duly registered under the Limited Liability Partnership Act 2008, through its Designated Partner Shri. YASH RAMESH PAREKH has caused to issue a **Public Notice dated 12.01.2021 published on 01.02.2021** and public notice **08.09.2022**, in The Free Press Journal (English daily), Navshakti (Marathi daily) and Times of India (English) for investigating the title of the aforesaid property and inviting objections, if any, from the public at large for investigating the title of the said property, in Free Press Journal – English edition, Navshakti – Marathi edition and Times of India English Edition , and we have not received any Objections of any nature whatsoever within the stipulated period of 14 days from the date of publication of the said Notice
- i) Accordingly, in the **Special General Body Meeting of the Society held on 17-1-2021** and the same was attended by 27 (Twenty Seven) members out of in all 36 (Thirty Six) members) of the Society and the representative of the Developer herein and the proceedings were conducted and several aspect in respect of the proposed

redevelopment of the Society's property have been discussed and after considering vital issues, it was unanimously resolved to appoint M/S. YASH AKAR DEVELOPERS LLP as the sole & exclusive Developer in **Special General Body Meeting (SGM) held on 17/01/2021.**

- j) As such, by a **letter dated 19/01/2021**, the Society informed the Developer herein that pursuant to the aforesaid Special General Body Meeting and the resolutions passed therein, the offer dated 05/01/2021 of the Developer herein, for the construction of the new residential building after demolition of the existing building, has been accepted and also, intimated the Developer herein to prepare the necessary documents and other necessary papers/writings etc. to be executed by and between the parties hereto
- k) Pursuant to **Registered Development Agreement dated 30.08.2021 and Power of Attorney dated 20.07.2021** both duly registered before Sub Registrar of Assurance, Bombay bearing Registration No BRL/9/11513/2021 and BRL/9/11515/2021 respectively between Prestige Piramal Co-Operative Housing Society Ltd, as the society of the One part, Members of the said Society as the Confirming parties of Second Part and our clients as the developer of the Third Part wherein society had agreed and with consent of its members had grant redevelopment rights of the said property to our client's, M/s Yash Akar Developers LLP with terms and conditions more particularly set out in the said Development Agreement dated 30.08.2021 and power in favor of our client's, M/s Yash Akar Developers LLP from the members of the

society granting rights and other conditions more particular set out in Power of Attorney dated 20.07.2021 in respect of said property.

3. Property card issued by City Survey Office - Goregaon dated 11.07.2022, mutation entry no 1254 dated 28.02.2018./
4. Our client has caused to remove Search Report dated 15.02.2021 to be taken concerning the said property in the office of the Sub-Registrar at Mumbai, for the year from 1962 to 2021 (59 years), and they did not notice any encumbrances registered from the Search Report which is referred hereinabove and another Search Reports dated 09.09.2022 and 11.09.2022 to be taken concerning the said property in the office of the Sub-Registrar at Mumbai, for the year from 30.08.2021 to 2022 (1 year) approximately, and they did not notice any encumbrances registered from the Search Report which is also referred hereinabove amounting to total search of 60 years from 1962 to 2022

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 of **M/s. YASH AKAR DEVELOPERS LLP, in respect of the said plot** is clear, marketable and without any encumbrances.

OWNERS OF THE LAND

Prestige Piramal Co-Operative Housing Society Ltd in respect of the piece and parcel of land plot No VI-B of land bearing C.T.S No.903/2 admeasuring 1,346.50 sq. mtrs. or thereabout forming Part of the Survey No. 55 Village Pahadi Goregaon, Taluka – Borivali, Registration District Mumbai Suburban situate, lying

and being at Piramal Nagar Building No.9, Swami Vivekanand Road, Goregaon
(West), Mumbai – 400 062

The report reflecting the flow of the title of the (M/s. YASH AKAR
DEVELOPERS LLP, on the said Plot is enclosed herewith as annexure.

Encl : Annexure


Advocate & Solicitors

PIYUSH SHAH & ASSOCIATES
ADVOCATES & SOLICITORS
F - 46, 1st Floor, Sej Plaza, Near
Nutan School, Marve Road, Malad (West),
Mumbai - 400064.

Date:- 26.09.2021

(stamp)

Housiey.com

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FLOW OF THE TITLE OF THE SAID PLOT.

A. The said Society PRESTIGE PIRAMAL CO-OPERATIVE HOUSING SOCIETY LTD is a Co-operative Housing Society duly registered under the provisions of Maharashtra Co-operative Societies Act, 1960 vide Registration No. BOM/HSG/5119/1977. The Society Registration Certificate is annexed hereto as ANNEXURE – “A”.

B. Originally, one Shanta Babulal Makharia was seized and possessed or otherwise well and sufficiently entitled to all that piece and parcel of land bearing Survey No. 54, Hissa No. 2 and Survey No. 55 (Part) of Area admeasurement 41,868 correct Sq. Yard equivalent to 34,849 Square Metres situated lying and being at C.T.S. No. 903 of Village Pahadi, Goregaon, Taluka Borivali within the

Registration District and Sub-District of Bombay City and Bombay Suburban. (for brevity's sake hereinafter referred to as the said 'Larger Property').

C. By an Agreement for Sale dated 15th day of July 1962 as rectified by a Supplemental Agreement dated 25.03.1981, Shanta Babulal Makharia sold, assigned and transferred to M/s Kailash Babulal the said larger property i.e. all that piece or parcel of land admeasuring 41,868 Square yards i.e. 34,849 square meters or thereabout situated at Goregaon, situated at Survey No. 54, Hissa No.2 and Survey No. 55 (part), C.T.S. No. 903 of Village Pahadi upon the terms conditions and consideration more particularly recorded therein.

D. The said larger property bearing Survey No. 54, Hissa No.2 and Survey No.55 (Part) C.T.S. No. 903 of Village Pahadi has been sub-divided into 13 Plots, Viz: Plot No. IB, IIA, IIB, III, IVA, IVB, IVC, V, VIA, VIB, VIC and VID and the sanction of the Municipal Corporation of Greater Bombay has been accorded to the said Sub-Division under No. MCP/8251 dated 28.11.1970 subject to the terms and conditions recorded in an Agreement dated 16.12.1969 and registered with the Sub-Registrar of Assurances at Bandra under Serial No. 2713 of 1969 and in a Letter dated 15.1.1979 addressed by the Shanta Babulal Makharia to the Municipal Commissioner and registered with the Sub Registrar of Assurances at Bandra under No. 111 of 1970 dated 15.1.1970 and also subject to Undertaking given to the Municipal Corporation by the Shanta Babulal Makharia by her Letter dated 16.12.1969 addressed to the Municipal Commissioner of the Corporation and registered with the Sub-Registrar of Assurances under No. 136 of 1970 dated 16th January 1970 and upon terms conditions and consideration more particularly recorded and reduced therein.

E. Pursuant to the hereinbefore recited Agreements for Sale, M/s Kailash Babulal therein had paid to the Shanta Babulal Makharia the entire consideration amount in respect of the said property including the said sub-divided Plot No.VIB situated at Goregaon and more particularly described in the Schedule hereunder written and the Shanta Babulal Makharia placed M/s. Kailash Babulal in possession of inter alia the said Plot No. VIB with a view to commence construction of a building thereon and to sell the flats in the said building on ownership basis.

F. M/s. Kailash Babulal have constructed a building known as "Piramal Nagar Building No. 9 on the said piece of land being the Sub-Divided Plot No. VIB situated at Piramal Nagar, Goregaon bearing No. C.T.S. 903/2 admeasuring 1,346.50 square metres or thereabout forming part of the Survey No. 55 and more particular described in the Schedule hereunder being the said property written in accordance with the plans sanctioned by the Municipal Corporation of Greater Bombay.

G. The construction of said building was completed in the year 1975 and MCGM has issued Occupation Certificate bearing No: 1619/CE/BP2/II/AP dated 24.02.1975 to the said building.

H. Thus Society became Owner of and/or absolutely seized and possessed of and /or otherwise well and sufficiently entitled to all that piece or parcel of land bearing sub-divided Plot No. VIB, bearing C.T.S No.903/2 admeasuring 1,346.50 sq.mtrs. or thereabout forming Part of the Survey No. 55, Village Pahadi, Goregaon, Taluka – Borivali, lying being and situated at Piramal Nagar, Building No. 9, Swami Vivekanand Road, Goregaon (West), Mumbai – 400 062, along with the building standing thereon known as "PRESTIGE PIRAMALCO-OPERATIVE HOUSING

SOCIETY LTD" consisting of ground plus 3 upper floors and 4th (part) Floor comprising of one wing having 36 residential flats/units more particularly described in the SCHEDULE hereunder written (hereinafter referred to as "the said Property") and details of the same is furnished to the Developer and Developer has independently verified the same

I. The said society has thereafter transferred the name of the society on the Property Card hereto annexed and marked as ANNEXURE "B" is the photocopy of Property Card of the said SOCIETY.

J. Pursuant to indenture of conveyance dated 02.04.1991 executed between Shanta Babulal Makharia as a Vendor of the first part and Kailash Babulal Makharia and Shanta Babulal Makharia of M/s Kailash Babulal as the confirming parties of the second part and Prestige Piramal Co-Operative Housing Society Ltd as the Purchaser of the third part duly registered with Sub Registrar of Assurance, Bombay Bearing Registration No PBBJ/1701/91 and hence the said Society absolutely seized and possessed of or otherwise well and sufficiently entitled to the said property more particularly described in the Schedule hereunder written.

K. The said society vide Resolution dated 30.04.2018 has decided to re-develop the said building since the condition of the building has deteriorated. Besides the aforesaid, there are leakages in several of the Members existing flats in the building and the water, which is constantly seeping into the Slabs/RCC structure, is further compounding the problem, considering the aforesaid, the Society and its Members were of the UNANIMOUS opinion that the only solution to the problem would be to demolish the old building and construct a new building on the said

property. Therefore they have decided to appoint a Developer for re-developing the said building.

L. In pursuance thereof, the Society had also, decided to avail the feasibility report from PMC and invited offer from the Developer to carry out the redevelopment of the said Property, for the construction of the new building thereon, in order to accommodate the existing 36 (Thirty Six) members of the Society, in the respective flats in the proposed new purely residential building and to sell the remaining constructed area by way of flats in the open market to the prospective buyers and for this purpose to consume available FSI and also, to utilize permissible TDR/FSI by Premium and Fungible FSI in accordance with the then prevailing Development Control Regulations for Greater Mumbai, 2034.;

M. We as the Advocates & Solicitors for M/s. YASH AKAR DEVELOPERS LLP a Limited Liability Partnership firm duly registered under the Limited Liability Partnership Act 2008, through its Designated Partner Shri. YASH RAMESH PAREKH has caused to issue a Public Notice dated 12.01.2021 published on 01.02.2021 and dated 08.09.2022, in The Free Press Journal (English daily), Navshakti (Marathi daily) and Times of India (English) for investigating the title of the aforesaid property and inviting objections, if any, from the public at large for investigating the title of the said property, in Free Press Journal – English edition, Navshakti – Marathi edition and Times of India English Edition , and we have not received any Objections of any nature whatsoever within the stipulated period of 14 days from the date of publication of the said Notice;

N. Our client has caused to remove Search Report dated 15.02.2021 to be taken concerning the said property in the office of the Sub-Registrar at Mumbai, for the year from 1962 to 2021 (59 years), and they did not notice any encumbrances registered from the Search Report which is referred hereinabove and another Search Reports dated 09.09.2022 and 11.09.2022 to be taken concerning the said property in the office of the Sub-Registrar at Mumbai, for the year from 30.08.2021 to 2022 (1 year) approximately, and they did not notice any encumbrances registered from the Search Report which is also referred hereinabove amounting to total search of 60 years from 1962 to 2022

O. Accordingly, in the Special General Body Meeting of the Society held on 17-1-2021 and the same was attended by 27 (Twenty Seven) members (out of in all 36 (Thirty Six) members) of the Society and the representative of the Developer herein and the proceedings were conducted and several aspect in respect of the proposed redevelopment of the Society's property have been discussed and after considering vital issues, it was unanimously resolved to appoint M/S. YASH AKAR DEVELOPERS LLP as the sole & exclusive Developer in Special General Body Meeting (SGM) held on 17/01/2021, in order to undertake the redevelopment of the said property and as per our client's offer letter dated 05/01/2021.

P. As such, by a letter dated 19/01/2021, the Society informed the Developer herein that pursuant to the aforesaid Special General Body Meeting and

the resolutions passed therein, the offer dated 05/01/2021 of the Developer herein, for the construction of the new residential building after demolition of the existing building, has been accepted and also, intimated the Developer herein to prepare the necessary documents and other necessary papers/writings etc. to be executed by and between the parties hereto, relating to the proposed project. Accordingly, in the meeting of the Special General Body of the Society held on 29.08.2021 the draft of this Development Agreement and the Power of Attorney and other writings etc. to be executed by the Society in favour of the Developer herein were read over and discussed and with necessary changes, the same were approved and finalized for due execution thereof. It was also resolved in the said meeting that the office bearers of the Society viz. (1) Mr. VIKAS SHARMA, Hon. Chairman (2) Mr. BAIJNATH GANGAWA Hon. Secretary & (3) Mr. VINAYAK TAMBE Hon. Treasurer (respectively, are empowered and authorized for and on behalf of the Society, to finalize and execute and register the necessary documents, deeds, papers etc. in consultation with the Managing Committee, in favour of the Developer herein, for the redevelopment of the Society's property;

Q. That the title of the Society being the Owners is absolute in respect of the said properties and benefits attached to it (save and except said encumbrances stated herein above).

R. Pursuant to Registered Development Agreement dated 30.08.2021 and Power of Attorney dated 20.07.2021 both duly registered before Sub Registrar of Assurance, Bombay bearing Registration No BRL/9/11513/2021 and

BRL/9/11515/2021 respectively between Prestige PIRAMAL Co-Operative Housing Society Ltd, as the society of the One part, Members of the said Society as the Confirming parties of Second Part and our clients as the developer of the Third Part wherein society had agreed and with consent of its members had grant re-development rights of the said property to our client's, M/s Yash Akar Developers LLP with terms and conditions more particularly set out in the said Development Agreement dated 30.08.2021 and power in favor of our client's, M/s Yash Akar Developers LLP from the members of the society granting rights and other conditions more particular set out in Power of Attorney dated 20.07.2021 in respect of said property

Sr.No.

1. 7/12 extract / P.R. Card as on date of application for registration
2. Mutation entry no.....
3. Search report for 30 days from Taken from Sub-registrar' office at.....
4. Any other relevant title.
5. Litigations if any.

Date:- 26.09.2022


Advocates & Solicitors.

PIYUSH SHAH & ASSOCIATES
ADVOCATES & SOLICITORS
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(stamp)