

# SANDESH GOPAL ALHAT ADVOCATES

B/6, Sonane Nagar Society, Near Ayyappa Transport, Behind Peninsula Hotel,  
Sakinaka, Mumbai – 400072. Tel.: +91 7039274306 Email: sandeshalhat@rocketmail.com

FORMAT - A  
(Circular No:- 28/2021)

To,

**Maharashtra Real Estate Regulatory Authority**

BKC, House fin Bhavan, Near RBI, E-Block,

Bandra Kurla Complex, Bandra - East,

Mumbai, Maharashtra, Pin-400051

## LEGAL TITLE REPORT

**Sub. :** Title clearance certificate with respect to all that piece or parcel of land bearing Plot No.17 C of Jogeshwari Scheme corresponding Survey No. 82/A/17 (pt.) of Village Majas, CTS Nos. 367, 367/1 to 21 of Village Majas, Taluka Andheri area admeasuring 924 Sq. Mtrs. or thereabouts together with structures standing thereon, situated at Anand Nagar, Majas Wadi, Jogeshwari - Vikhroli Link Road, Jogeshwari(East), within the Registration District and Sub-District of Mumbai Suburban ("the said Property").

I have investigated the title of the captioned property on the request of Rajhem Builders and Developers LLP, having its office at 2774, Building No. 63, Opp. MIG Ground, Gandhi Nagar, Bandra (East), Mumbai-400 051, and copies of the following documents i.e.: -

- 1) **Description of the property** - All that piece or parcel of land bearing Plot No.17 C of Jogeshwari Scheme corresponding Survey No. 82/A/17 (pt.) of Village Majas, CTS Nos. 367, 367/1 to 21 of Village Majas, Taluka Andheri area admeasuring 924 Sq. Mtrs. or thereabouts together with structures standing thereon, situated at Anand Nagar, Majas Wadi, Jogeshwari - Vikhroli Link Road, Jogeshwari(East), within the Registration District and Sub-District of Mumbai Suburban.

*S. h. alhat*

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- 2) The title documents of the said Property, and permissions obtained so far for the development of the said Property:

| Sr No | Date of Documents               | Description of Documents  |
|-------|---------------------------------|---|
| 1     | 29 <sup>th</sup> July, 1958     | Indenture of Lease dated July 29, 1958                            |
| 2     | 13 <sup>th</sup> January, 1972  | Indenture of Assignment dated January 13, 1972                    |
| 3     | 24 <sup>th</sup> December, 1996 | Deed of Assignment of Reversionary Rights dated December 24, 1996 |
| 4     | 23 <sup>rd</sup> January, 2024  | Deed of Conveyance dated January 23, 2024                         |
| 5     | 22 <sup>nd</sup> July 2024      | Letter of Intent dated 22.07.2024 issued by the SRA               |
| 6     | 25 <sup>th</sup> July 2024      | Intimation of Approval dated 25.07.2024 issued by the SRA         |

- 3) Property card issued by City Survey Office.

- 4) Search report by Search Clerk Shri Manoj V Kunde for 30 (Thirty) years.

On perusal of the above-mentioned documents and other relevant documents relating to title of the said Property, I am of the opinion that Rajhem Builders and Developers LLP is entitled to redevelop the said Property under aegis of Slum Rehabilitation Authority, as per the applicable provisions and the title of **Rajhem Builders and Developers LLP** to redevelop the said Property is clear, marketable and without any encumbrances

**Owners of the land** : Rajhem Builders and Developers LLP

**Developer of the Land** : Rajhem Builders and Developers LLP

The report reflecting the flow of the title of the Developer is enclosed herewith as **Annexure - A**.

Dated this 14<sup>th</sup> October, 2024.

Place : Mumbai

*S. h. alhat*

Advocate

**SANDESH GOPAL ALHAT**

B.Com.LL.B.

Room No. B/6, Sonane Nagar CHS,  
Behind Peninsula Hotel, Near Metro Station,  
Sakinaka, Mumbai - 400 072.

Encl : Annexure - A.

# **SANDESH GOPAL ALHAT ADVOCATES**

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## **FLOW OF THE TITLE OF THE SAID PROPERTY.**

### **A] Title of the said Property :**

1. Prior to 1958, Jivatlal Purtapshi owned a property measuring 1027 square yards (924 square meters), identified as Plot No. 17C of the Jogeshwari Scheme, corresponding to CTS No. 367, 367/1 to 21 in Village Majas, Taluka Andheri, along with the structures on it.
2. By and under Indenture of Lease dated July 29, 1958, made and executed between Jivatlal Purtapshi (Lessor) and Mr. Bhagwan Purshottam, Mr. Dhanji Jivan, Mr. Jairam Jogi, and Mr. Vithal Kalyan (Lessees), the lessor granted the leasehold rights of the property to the Lessees for a term of 99 years, under specified terms and conditions.
3. By and under Indenture of Assignment dated January 13, 1972, made and executed between Mr. Dhanji Jivan, Mr. Jairam Jogi, and Mr. Vithal Kalyan (Assignors) and Mr. Bhagwan Purshottam (Assignee) The Assignors transferred their undivided shares, rights, title, and interest in the property to Mr. Bhagwan Purshottam for the remaining term of the Lease, subject to the original terms.
4. Mr. Bhagwan Purshottam Barot, the Lessee, passed away on October 27, 1986 and following legal procedures, his rights and interests in the property were transferred to his sons, Mr. Ishwar Barot and Mr. Harshad Barot, whose names were duly recorded in the revenue records.
5. By and under Deed of Assignment of Reversionary Rights dated December 24, 1996, made and executed between Mr. Chandrakant Jivatlal (Assignor) and Ishwar Bhagwan Barot and Harshad Bhagwan Barot (Assignees), the Reversionary Rights of the property were transferred in favour to the Assignees, making them the absolute owners in equal shares.

*S. h. alhat*

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6. Mr. Ishwar Bhagwan Barot died intestate on November 7, 2010, leaving behind his widow, Kalavati Ishwar Barot, daughter, Mrs. Nikita Nimesh Barai, and son, Mehul Ishwar Barot, as his sole heirs and legal representatives, as per the Hindu Succession Act, 1956. Their names have been duly recorded in the revenue records.
7. By a Deed of Conveyance dated January 23, 2024, registered with the Sub-Registrar of Assurances at Bombay under Serial No. BDR -9/221- 2024, executed between Harshad Bhagwan Barot, Kalavati Ishwar Barot, Mrs. Nikita Nimesh Barai, and Mehul Ishwar Barot (collectively referred to as the "Owners") of the one part, and Rajhem Builders and Developers LLP (referred to as the "Purchaser") of the other part, the Owners conveyed the Property to the Purchaser in accordance with the terms, conditions, and covenants specified therein.
8. On or about 2003, Mr. Ishwar Barot and Mr. Harshad Barot agreed to grant development rights concerning the said Property to Sonal Construction Private Limited (Sonal) through an unregistered Development Agreement. However, this agreement was terminated due to non-performance on the part of Sonal. The Developer agreed to settle Sonal's claims, and the matter was subsequently referred to arbitration. By consent terms filed in the arbitration proceedings and the arbitration award dated September 24, 2024 passed in accordance with those terms, Sonal's claims have been settled.
9. The structures on the Property are occupied by occupants/slum dwellers who are currently using and residing in these structures. The occupants/ slum dwellers on the Property formed a proposed society named Ashapurti SRA Co-operative Housing Society (Proposed) ("the Society") and appointed Rajhem Builders and Developers LLP as "the Developer" to redevelop the Property as a slum under Regulation No. 33(10) of the Development Control Regulations, 2032. They executed the necessary documents in favour of Rajhem Builders and Developers LLP in respect thereof.

*S.h. alhat*

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## B] Mutation Entry :

The name of Harshad Bhagwan Barot, Kalavati Ishwar Barot, Mrs. Nikita Nimesh Barai, and Mehul Ishwar Barot is recorded as the owner/ holder of the said Land in the Property card.

## C] Permissions and sanctions obtained for development of the said Property :

1. Letter of Intent No. SRA/ENG/2703/KE/PL/LOI dated 22.07.2024 issued by the SRA.
2. Intimation of Approval dated 25.07.2024 issued by the SRA, the SRA approved the plans for the Composite Building on the Property.

## D] Search Report and Property Card :

1. I have caused the searches to be taken in the offices of Sub-Registrar of Assurances Mumbai at Mumbai, Bandra for the period 30 (thirty) years, through Search Clerk Shri Manoj V Kunde, and there are no registered Lis-pendens, encumbrances or agreements detrimental to the title of the said Developer during the said period.
2. The name of Rajhem Builders and Developers LLP is recorded as the owner/ holder of the said Land in the Property card.

## E) Litigation : NIL

IN VIEW OF THE AFORESAID, I am of the opinion that Rajhem Builders and Developers LLP is entitled to redevelop the said Property under aegis of Slum Rehabilitation Authority, as per the applicable provisions and the title of Rajhem Builders and Developers LLP to redevelop the said Property is clear, marketable and without any encumbrances

Dated this 14<sup>th</sup> October, 2024.

Place : Mumbai

*S.h.alhat*

Advocate

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