

JAY K.VAKIL, LLM

ADVOCATE HIGH COURT, MUMBAI

903, 9th floor, Rasik C.H.S.L, Tilak Road No.6, Goregaon (W), Mumbai-400 104

Mob: 9819737802, E-mail: adv.jayvakil@gmail.com

15th November, 2024

To,

Maharashtra Real Estate Regulatory Authority,

Mumbai

TITLE REPORT

Sub: All that piece and parcel of land bearing CTS Nos.465-B, 466/A (part), 466/B and 467/C at Dr. Karanjia Marg, Tarun Bharat Road, Near Cigarette Factory, Chakala, Andheri (E), Mumbai – 400 099 (**the said Plot**)

I, at the instance of my Client, **M/s. DEM Homes LLP** through its authorized partner Mr. Devesh Mittal (**the said Promoter/Developer**) have investigated the title of the captioned property and entered into a Re-Development Agreement vide Registration No. BDR18-15561-2023 dated 05.09.2023 duly registered with the office of the Registrar of Assurances at Andheri and Irrevocable Power of Attorney vide Registration No. BDR18-15577-2023 dated 05.09.2023, based on the following documents for the Property.

DESCRIPTION OF THE PROPERTY:-

All that piece and parcel of land bearing CTS Nos.465-B, 466/A (part), 466/B and 467/C at Dr. Karanjia Marg, Tarun Bharat Road, Near Cigarette Factory, Chakala, Village Kondivita, Andheri (E),



Mumbai – 400 099 along with the building known as ‘Taruvell Co-operative Housing Society Ltd.’ admeasuring 2864.42 sq mtrs (Two Thousand eight Hundred Sixty Four Point Forty Two square meters).

DOCUMENTS OF ALLOTMENT OF THE SAID PLOT: -

1. By an Indenture of Deed of Conveyance dated 20.01.1976 executed between Michael Domnic D’lima (in his personal capacity and as the administrator of the estate left by his wife Stella Michael D’lima under the Letters of Administration granted by the Bombay High Court on 06.06.1975 in Testamentary Petition No.2 of 1975) therein referred to as the Vendor and S.Kapoor therein referred to as the First Confirming Party and the Joy Constructions through its Partners therein referred to as the Second Confirming Party and S.M. Dhargalkar and others therein referred to as the Third Confirming Party (being the Promoters of the Taruvell CHSL) and the Society herein therein referred to as the Purchasers. The said Deed of Conveyance is registered at the Office of the Sub-Registrar of Assurances Andheri under Serial No.258 of 1976 dated 29.07.1976 **(Property No.1 i.e Taruvell Co-operative Housing Society Ltd) admeasuring 2083.62 sq mtrs**
2. A Deemed Conveyance Deed dated 31.10.2018 is executed between Mahendra Maske, District Deputy Registrar, Co-operative Societies, being the Competent Authority on account of the then defaulting predecessors / promoters in title i.e. M/s. Joy Constructions and on account of the defaulting Promoter / Builder the C.S. Builders and the adjoining Society i.e. Suvarna Kalash being the Purchaser by which the Second Property together with the building standing thereon is conveyed in favour of the Adjoining Society and the said Deed of Deemed Conveyance is registered at the office of the Sub-registrar of



Assurances Andheri under serial no.11205 dated 31.10.2018
(**Property No. 2 i.e** Suvarna Kalash Co-operative Housing Society
Ltd). **Admeasuring 747.08 sq mtrs**

3. Since in the Schedule of the aforesaid Deed of Deemed Conveyance, there was mistake in respect of Survey/CTS nos by an order dated 06.08.2021 passed by the Competent Authority, District Deputy Registrar Co-operative Societies (3) is corrected and reads as Survey No.49, Hissa No.1(part), Survey No.52, Hissa No.4 (part), CTS No.465-B and 466 B admeasuring 780.8 sq.mtrs of village Kondivita. To this effect, a rectification deed u/no BDR18/8328/2022 dated 05/05/2022 has been executed.
4. By an Order dated 07/03/2023 passed by the Deputy Registrar Co-operative Societies under Sub-section (1) of Section 17 of the Maharashtra Co-operative Societies Act, 1960 read with the Rule 16 of the Maharashtra Co-operative Societies Rules, 1961, by which the aforesaid Suvarna Kalash C-operative Housing Society Ltd., is amalgamated with the Society i.e. Taruvel Co-operative Housing Society Ltd. and as such all the members of Suvarna Kalash Co-operative Housing Society Ltd. became the members of Taruvel Co-operative Housing Society Ltd.
5. That as such, after amalgamation and merger of the aforesaid Suvarna Kalash Co-operative Housing Society Ltd. with the Taruvel Co-operative Housing Society Ltd., the total number of members of Taruvel Co-operative Housing Society Ltd. is 84 (Eighty Four) i.e 80 residential + 4 commercial.



6. Copy of Society's certificate of registration.
7. Public notice dated 10-04-2023 issued in The Free Press Journal and Navshakti, by the Advocate of the Promoter/Developer.

PROPERTY CARD ISSUED BY CITY SURVEY OFFICE

Property Card of the land bearing CTS Nos.465/B, 466/A (part), 466B and 467/C at Dr. Karanjia Marg, Tarun Bharat Road, Near Cigarette Factory, Chakala, Village Kondivita, Andheri (E), Mumbai – 400 099 alongwith the building known as 'TARUVEL CO-OPERATIVE HOUSING SOCIETY LTD' is under process.

On perusal of the above mentioned documents and all other documents pertaining to the title of Property, I am in the opinion that the title for the Developer DEM Homes LLP to develop the property is clear, marketable and free from all encumbrances.

Owners of the Property

CTS No	Owners
CTS No 467C, 466A(pt), 466B, 465B	Taruvel Co-operative Housing Society Limited



Litigation in the Property

The title of the said property is free from all encumbrances and having clear and marketable title.

The litigation is with respect to the dissenting members of the society who have challenged the society resolutions and appointment of the present Developer with respect to Redevelopment of the project.

The litigation matters are as follows:

Sr.No	Particulars	Status
1	IN THE HIGH COURT OF JUDICATURE AT BOMBAY ORDINARY ORIGINAL CIVIL JURISDICTION COMM. ARBITRATION PETITION (L) NO. 13474 OF 2024 M/S. DEM Homes LLP. ... Petitioner VS. Taravel C.H.S.L & Ors. ... Respondents	The case is DISPOSED OFF vide order dated 15-07- 2024
2	IN THE BOMBAY CITY CIVIL COURT AT DINDOSHI [BORIVALI DIVISION] S. C. SUIT NO. 340 OF 2024 Mrs. Aarti Sagar Vanjare & Ors... Plaintiffs Vs. Taravel C.H.S.L. and Ors.... Defendants	The case is PENDING and the next date is 17-12-2024
3	BEFORE THE HON'BLE CO-OPERTATIVE COURT NO.IV, AT MUMBAI Mrs. Aarti Sagar Vanjare & Ors. Disputants Vs. Taravel C.H.S.L.& Ors ... Opponents	The case is PENDING and the next date is 06-02-2025

Yours truly,



Adv. Jay Vakil

Code- 3618/2012

JAY K. VAKIL, LL.M.
ADVOCATE HIGH COURT, MUMBAI
903, 9th Floor, Rasik C.H.S.L., Tilak Road No.6,
Goregaon (W), Mumbai-400104.
Mob. 9819737802 Email : adv.jayvakil@gmail.com

FLOW OF THE TITLE OF THE SAID LAND

Tracing of title
<p>By an Indenture of Deed of Conveyance dated 20.01.1976 executed between Michael Dominic D'lima (in his personal capacity and as the administrator of the estate left by his wife Stella Michael D'lima under the Letters of Administration granted by the Bombay High Court on 06.06.1975 in Testamentary Petition No.2 of 1975) therein referred to as the Vendor and S.Kapoor therein referred to as the First Confirming Party and the Joy Constructions through its Partners therein referred to as the Second Confirming Party and S.M. Dhargalkar and others therein referred to as the Third Confirming Party (being the Promoters of the Society) and the Society herein therein referred to as the Purchasers. The said Deed of Conveyance is registered at the Office of the Sub-Registrar of Assurances Andheri under Serial No.258 of 1976 dated 29.07.1976 (Property No.1 i.e Taruvel Co-operative Housing Society Ltd).</p>
<p>A Deemed Conveyance Deed dated 31.10.2018 is executed between Mahendra Maske, District Deputy Registrar, Co-operative Societies, being the Competent Authority on account of the then defaulting predecessors / promoters in title i.e. M/s. Joy Constructions and on account of the defaulting Promoter / Builder the aforesaid C.S. Builders and the adjoining Society i.e. Suvarna Kalash being the Purchaser by which the Second Property together with the building standing thereon is conveyed in favour of the Adjoining Society and the said Deed of Deemed Conveyance is registered at the office of the Sub-registrar of Assurances Andheri under serial no.11205 dated 31.10.2018 (Property No. 2 i.e Suvarna Kalash Co-operative Housing Society Ltd).</p>
<p>By an Order dated 07/03/2023 passed by the Deputy Registrar Co-operative Societies under Sub-section (1) of Section 17 of the Maharashtra Co-operative Societies Act, 1960 read with the Rule 16 of the Maharashtra</p>

W

Co-operative Societies Rules, 1961, by which the aforesaid Suvarna Kalash C-operative Housing Society Ltd., is amalgamated with the Society i.e. Taruvel Co-operative Housing Society Ltd.

Public Notice dated 10-04-2023 was issued for the said Plot wherein no invites/claims/interests have been notified within 14 days from the date of such issuance to the Advocate on behalf of the Society.

Re - Development Agreement dated 05.09.2023 vide registration No. BDR18-15561-2023 of the office of the Registrar of Assurances at Andheri and Irrevocable Power of Attorney Registered No. BDR18-15577-2023 dated 05.09.2023, based on the following documents for the Property.

Mutation Entry – Not Applicable

Any Other relevant title- Not Applicable

Litigations- As mentioned above

Yours truly,



Adv. Jay Vakil

JAY K. VAKIL, LL.M.
ADVOCATE HIGH COURT, MUMBAI
903, 9th Floor, Rasik C.H.S.L., Tilak Road No.6,
Goregaon (W), Mumbai-400104.
Mob. 9819737802 Email : adv.jayvakil@gmail.com