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FORMAT – A

(Circular No:- 28/2021)

To

Maharashtra Real Estate Regulatory Authority (MahaRERA)

6th & 7th Floor, Housefin Bhuvan,

Plot C 21E – Block, Bandra Kurla Complex,

Bandra (East), Mumbai – 400051.

Sub: All that piece or parcel of land alongwith building Known as Silverine Co-operative Housing Society Limited admeasuring 1307.08 Sq. Mtrs. as per Property Card and as per conveyance Deed 1291.70 Sq. Mtrs. bearing CTS No.1128/A, Survey No.110 (Part), Plot No.14, I.C. Colony, Borivali (West), Mumbai- 400103 in Village Eksar, Taluka Borivali, in District and Sub- District of Mumbai City and Mumbai Suburban District (“**Land**”), together with the buildings standing thereon consists of three Wing A & C comprising of Ground + 4 Upper Floors and Wing B comprising of 1st to 4th Upper Floors having 34 residential Flats and 11 Shops (“**Buildings**”) (collectively, the “**Property**”).

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1. **INTRODUCTION**

I have investigated the title of Silverine Co-operative Housing Society Limited (“**Society**”) to the said property, on the request of my client **M/s. Namo Lifespaces LLP** (“**Developer**”) and on perusal of the copies of documents mentioned below, I observe as under.

2. **DESCRIPTION OF THE PROPERTY**

All that piece or parcel of land alongwith building Known as Silverine Co-operative Housing Society Limited admeasuring 1307.08 Sq. Mtrs. as per Property Card and as per conveyance Deed 1291.70 Sq. Mtrs. bearing CTS No.1128/A, Survey No.110 (Part), Plot No.14, I.C. Colony, Borivali (West), Mumbai- 400103 in Village Eksar, Taluka Borivali, in District and Sub- District of Mumbai City and Mumbai Suburban District (“**Land**”), together with the buildings standing thereon

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consists of three Wing A & C comprising of Ground + 4 Upper Floors and Wing B comprising of 1st to 4th Upper Floors having 34 residential Flats and 11 Shops (“Buildings”) (collectively, the “Property”) and bounded as follows:

On or towards the East	:	CTS No. 1110
On or towards the West	:	Existing Road 13.40 Mt.
On or towards the North	:	Existing Road 13.40 Mt.
On or towards the South	:	Existing Road 13.40 Mt.

3. DOCUMENTS OF ALLOTMENT OF PLOT PERUSED AND GRANT OF DEVELOPMENT RIGHTS IN RESPECT THEREOF:

- i) a Unilateral Conveyance Deed dated 17th March, 2015 registered with the concerned Sub-Registrar of Assurances under Serial No. BRL-03/1465 of 2015 on 19th March, 2015 (“Deemed Conveyance Deed”).
- ii) The Old Occupation Certificate Bearing No. CE/ 5725/ BS(WS) /AR dated 04th August, 1986 in respect of the “A”, “B” and “C” Wings was issued by Municipal Corporation of Greater Mumbai in respect of the said Building.
- iii) A Development Agreement dated 18th April, 2024 registered with Jt. Sub-Registrar at Borivali -05 vide Sr. No. BRL-05/7389 of 2024, Dated 24th May, 2024. Power of Attorney Dated 18th April, 2024 duly registered with the sub- registrar of Assurance under Sr. No. BRL-05/7393 of 2024
- iv) The Society Registration Certificate Registration No. BOM/W-R/HSG/TC/3689 of 1988-89 dated 28.10.1988.

4. PROPERTY CARD AND REVENUE RECORD:

The Property Card in respect of the said Land, records an area admeasuring 1307.08 Sq. Mtrs. and The 7/12 extract in respect of the said property is standing in the name of the Stanna Robert Tellis in land bearing CTS No.1128/A, Survey No.110 (Part), Plot No.14, in Village Eksar, Taluka Borivali.

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5. OWNERS OF THE LAND

Pursuant to the aforesaid Deed of Conveyance (Deemed/ Unilateral), the Society i.e. “Silverine Co-operative Housing Society Limited”, admeasuring 1307.08 Sq. Mtrs. as per Property Card and as per conveyance Deed 1291.70 Sq. Mtrs. bearing CTS No.1128/A, Survey No.110 (Part), Plot No.14, I.C. Colony, Borivali (West), Mumbai- 400103 in Village Eksar, Taluka Borivali was seized, possessed and sufficiently entitled of the Property.

6. On perusal of the above-mentioned documents and all other relevant documents relating to title of the said property, I am of the opinion that the title of Silverine Co-operative Housing Society Limited is clear, marketable and without any encumbrances and M/s. **Namo Lifespaces LLP** is entitled to redevelop the said property.

Owner of the land

Silverine Co-operative Housing Society Ltd.

Developer of the land

M/s. Namolifespaces LLP

7. The report reflecting the flow of the title of Silverine Co-operative Housing Society Ltd. as owners and M/s. **Namo Lifespaces LLP** as Developer on the said land is enclosed herewith as Annexure-A.

Adv. Charushila J. Raorane
Bombay High Court

Encl : Annexure -A

Date : 02nd January, 2025

N.B.: The Title Report thereto are issued for my client's use and are based on copies of the documents furnished to me as mentioned therein.

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Annexure-A

(Circular No:-28/2021)

FLOW OF THE TITLE OF THE SAID LAND.

Sub: All that piece or parcel of land alongwith building Known as Silverine Co-operative Housing Society Limited admeasuring 1307.08 Sq. Mtrs. as per Property Card and as per conveyance Deed 1291.70 Sq. Mtrs. bearing CTS No.1128/A, Survey No.110 (Part), Plot No.14, I.C. Colony, Borivali (West), Mumbai- 400103 in Village Eksar, Taluka Borivali, in District and Sub- District of Mumbai City and Mumbai Suburban District (“**Land**”), together with the buildings standing thereon consists of three Wing A & C comprising of Ground + 4 Upper Floors and Wing B comprising of 1st to 4th Upper Floors having 34 residential Flats and 11 Shops (“**Buildings**”) (collectively, the “**Property**”).

My observation relating to the title of the “Silverine Co-Operative Housing Society Limited” to the said property described in the Schedule hereunder written and also the entitlement of **M/s. Namo Lifespaces LLP**, to undertake the redevelopment of the said property is as under:

- i) Originally, one Major S R. Tellis came to be seized and possessed of and well and sufficiently entitled to the said Land. (“**The erstwhile Owner**”)
- ii) By an agreement dated 02nd June,1983 made between the said Major S R. Tellis (therein called as Vendor) and M/s. B.R. Enterprises (therein called as Purchaser), the said Major S R. Tellis agreed to sell the said property to the said M/s. B.R. Enterprises at the price and on the terms and Conditions set out therein.
- iii) M/s. B.R. Enterprises as the developer/promoter made necessary applications to the Municipal Corporation of Greater Mumbai in respect of the said Land and in terms of the approved plans, constructed building consisting of three Wing A & C

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comprising of Ground + 4 Upper Floors and Wing B comprising of 1ST to 4TH Upper Floors having 34 residential Flats and 11 Shops Building Known as “Silverine Apartment” (“**Building**”).

- iv) The said M/s. B.R. Enterprises sold all the flats in the said Building to various purchasers and handed over possession of their respective premises against the payment of the entire consideration amount and also had obtained Occupation Certificate from MCGM i.e., Occupation Certificates bearing No. CE/ 5725/ BS(WS) /AR dated 04th August, 1986 in respect of the “A”, “B” and “C” Wings.
- v) The purchasers of the premises formed a co-operative society by the name of “Silverine Co-Operative Housing Society Ltd.”, under the provisions of Maharashtra Co-operative Societies Act, 1960 under Registration No. BOM/W-R/HSG/TC/3689 of 1988-89 dated 28.10.1988 (“**Society**”).
- vi) The said Existing Building is assessed vide Assessment Nos. RN0408700240000 of R/N Ward by Municipal Corporation of Greater Mumbai of the year 1986.
- vii) The said Major S R. Tellis and M/s. B.R. Enterprises did not execute a Conveyance in favour of the Society in respect of the said Property alongwith the said Building standing thereon despite repeated requests made by the Society to execute a conveyance.
- viii) The Society, therefore, made an Application, being Application No.55 of 2014, before the District Deputy Registrar of Co-operative Societies, Mumbai City – 4 under the provisions of Sub-Section 3 of Section 11 of MOFA for issuing a Certificate granting a Unilateral Deemed Conveyance in favour of the Society.
- ix) The District Deputy Registrar of Co-operative Societies issued Notices to Major S R. Tellis and as also to M/s. B.R. Enterprises and also issued Public Notices in newspapers for inviting objections/claims in respect of the said Property and if

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anyone had any claim then to remain present at the time of the hearing of the matter as mentioned in the Public Notice.

- x) The District Deputy Registrar of Co-operative Societies issued an Order cum Certificate bearing No. DDR-4/Mum/DC/Silverine CHSL/123/2015 dated 20th January, 2015, certifying that the Society is entitled to a Unilateral Conveyance of the said Property alongwith the said Building and to execute Deed of Unilateral Conveyance and have the same registered as per the provisions of Registration Act, 1908.
- xi) By a Unilateral Conveyance Deed dated 17th March, 2015, Mr. N.R. Nikam, District Deputy Registrar of Co-operative Societies, Mumbai City (4) has for and on behalf of Major S R. Tellis and on behalf of the M/s. B.R. Enterprises (therein referred to as Vendors/ landowners/ Builders/ Developer/s/ Opponents) had conveyed the aforesaid immovable property alongwith the said Building standing thereon more particularly described in the above Schedule thereunder as well as hereunder written in favour of the Society. The said Conveyance Deed is duly registered with the Sub-Registrar of Assurances under Serial No. BRL-03/1465 of 2015 on 19th March, 2015.
- xii) Pursuant to the aforesaid Deed of Conveyance (Deemed/ Unilateral), the Society became absolutely entitled to the said property along with the building “**Silverine**” standing thereon (hereinafter the said Land alongwith the said building is collectively referred to as “**the Property**”).
- xiii) The Said society by and under Development Agreement dated 18th April, 2024 executed by and between the said society and Said Members and the Developer M/s. Namo Lifespaces LLP and duly registered with the sub- registrar of assurances under Sr. No. BRL-05/7389 of 2024, Dated 24th April, 2024, the Society and Members therein did thereby grant and assign Development Rights in respect of the said property for consideration and on terms, conditions and covenants therein recorded. The said society have also issued registered Power of Attorney Dated 18th April, 2024 duly registered with the sub- registrar of Assurance under Sr. No. BRL-05/7393 of

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2024. The said documents are not the subject matter of any litigation and the same is valid, subsisting and binding upon the parties thereto.

xiv) Thus, the appointment of **M/s. Namolifespaces LLP** as Developers of the said property by the Society is valid and legal and as Developers **M/s. Namolifespaces LLP**, is fully entitled to implement redevelopment of the said property.

- i) Any other relevant title – Not Applicable
- ii) Litigations if any –Not Applicable


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