



FORMAT-A

(Circular No.: -28/2021)

To,
The Maharashtra Real Estate Regulatory Authority,
6th & 7th Floor, Housefin Bhavan,
Plot No.C-2, E-Block,
Bandra Kurla Complex,
Bandra (East), Mumbai-400051

Date : 23-11-2023

LEGAL TITLE REPORT

Sub.: (i) All those pieces and parcel of plot of land admeasuring 5115.20 sq. mtrs. as per demarcation and 5039.25 as per Letter of Intent (LOI) bearing CTS No. 355 (pt.), 355/267 to 307, 255/352 to 356, 355/357 (pt), 355/411 to 443, 491 & 491/1 to 4 of Village Kurar, Taluka Borivali in the Registration District of Mumbai Suburban situate, lying and being at Village Kurar, Taluka Borivali, Kranti Nagar, Opp. Laxman Police Chowki, Malad (East), Mumbai- 400 097 ("the said Plots") on which a Slum Rehabilitation Scheme has been undertaken pursuant to Letter of Intent dated 4th January, 2023 bearing No. P-N/STGOVT/0040/20220617/AP and Revised Letter Of Intent dated 8th August, 2023 bearing NO. P-N/ST/GOVT/0040/20220617/LOI and amended plans bearing No. P-N/ST/GOVT/0040/20220617/AP dated 8th September, 2023 issued by the Slum Rehabilitation Authority (SRA) for Construction of



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Composite Building to be known as “**Sheetal Sahyog**” (being under Construction on the portion of the said Plots as per the approved/sanctioned by SRA (**said Sale Building**) on the said Plots. The said Plots & the said Sale Building shall unless referred to independently be hereinafter collectively referred as “**the Said Property**” and bounded as follows: - On or towards North: - 18.30 mtrs. wide DP Road; On or towards East: - 13.40 mtrs. wide DP Road; On or towards South: 13.40 mtrs. wide DP Road; and on or towards West: Plot bearing CTS No. 355;

We have investigated the title of the said Property on the request of **D.G.S. TOWNSHIP PRIVATE LIMITED**, a Company registered under the provisions of Companies Act, 2013 and having its registered Office at 203, Raghunath Krupa, Aarey Road, Goregaon (East), Mumbai – 400063:

1. **Description of Property:** (i) All those pieces and parcel of plot of land admeasuring 5115.20 sq. mtrs. as per demarcation and 5039.25 as per Letter of Intent (LOI) bearing CTS No. 355 (pt.), 355/267 to 307, 255/352 to 356, 355/357 (pt), 355/411 to 443, 491 & 491/1 to 4 of Village Kurar, Taluka Borivali in the Registration District of Mumbai Suburban situate, lying and being at Village Kurar, Taluka Borivali, Kranti Nagar, Opp. Laxman Police Chowki, Malad




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(East), Mumbai- 400 097.

2. **The Documents of allotment of plot/Documents relied upon;**

- a. Photocopy of the Deed of Indenture dated 17th November, 1964 executed between Estate and Finance Private Limited (as Vendor) and Ratanchand Hirachand Baldota (as Purchaser);
- b. Photocopy of the Deed of Rectification dated 15th March, 1969 executed between Estate and Finance Private Limited (as Vendor) and Ratanchand Hirachand Baldota (as Purchaser);
- c. Photocopy of the Last Will and Testament (“**said Will**”) of Ratanchand Hirachand Baldota.
- d. Photocopy of the Deed of Transfer dated 29th April, 2003 executed between Subhash Ratanchand Baldota (as Transferor) and Deena Pramod Baldota (as Transferee)
- e. Photocopy of the Notification dated 2nd September, 1976 under section 4 (1) of the Slum Act, by and under which the said Property was declared as “**Slum Area**”;
- f. Photocopy Development Agreement dated 1st June, 2015 executed between the said Society (as Society) and the Omkar Realtors and Developers Pvt. Ltd. (as Developers);
- g. Photocopy of the Power of Attorney dated 1st June, 2015 executed between the said Society (as Society) in favour of the Erstwhile Developers thereby granting various rights in favour of the Developers



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with respect to the said Slum Scheme;

- h. Photocopy of the Public Notice dated 27th September, 2016 published in the daily Newspaper Sakal (Marathi) and Business Standard (English) thereby inviting claims and/or objections from the public at large for declaration of the said Property as “**Slum Rehabilitation Area**” under Section 3 (C) of the Slum Act;
- i. Photocopy of the Order dated 17th June, 2017 passed by the Chief Executive Officer, SRA thereby declaring the said Plot as Slum Rehabilitation Area under Section 3(C) of the Slum Act;
- j. Photocopy of Public Notice dated 29th June, 2018 published by the CEO, SRA calling for objections for acquisition of the said Property under Section 14(1) of the Slum Act;
- k. Photocopy of the Order dated 29th November, 2021 passed by the CEO, SRA thereby recommending the State Government to acquire the subject property under section 14 (1) of the Slum Act;
- l. Notification dated published in the Official Government Gazette confirming the acquisition of said Property under section 14 (1) of the Slum Act;
- m. Resolution passed in the Special General Body Meeting dated 26th December, 2021 thereby terminating the appointment of the Erstwhile Developers as developers for the said Slum Scheme;
- n. Photocopy of the Termination Notice dated 17th February, 2023 issued



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by the Sahyog SRA Co-operative Housing Society (Prop.) to Omkar Realtors and Developers Pvt. Ltd. thereby terminating their appointment as Developers of the said Property;

- o. Photocopy of the Scrutiny Fees receipt dated 17th June, 2022 issued by the Slum Rehabilitation Authority in favour of Society thereby accepting the Slum Scheme submitted on the said Property by the Developers;
- p. Photocopy of the Order dated 21st October, 2022 passed by the Hon'ble High Court in Writ Petition (L) NO. 19626 of 2022 thereby upholding the Order of the CEO, SRA for acquisition of the said Property;
- q. Copy of the Order dated 17th March, 2023 passed in Special Leave Petition (Civil) No. 1623 of the 2023 whereby interim relief sought by the Petitioners were rejected;
- r. Photocopy of the Letter of Intent dated 4th January, 2023 bearing No. R-N/PVT/0105/20220623/LOI issued by the Slum Rehabilitation Authority;
- s. Photocopy of the Revised Letter of Intent dated 8th August, 2023 bearing No. R-N/PVT/0105/20220623/LOI issued by the Slum Rehabilitation Authority for Clubbing of Schemes;
- t. Photocopy of the Intimation of Approval bearing No. PN/STGOVT/0040/20220617/AP dated 25th January, 2023 for Rehab Building on portion of the said Plots issued by the Slum Rehabilitation



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Authority;

- u. Photocopy of the Amended Plans bearing No. P-N/ST/GOVT/0040/20220617/AP 8th September, 2023 for construction of Composite Building on the said Plot.
 - v. Photocopy of the Commencement Certificate bearing No. P-N/ST/GOVT/0040/2022617/AP/S on 26th October, 2023 issued by the Slum Rehabilitation Authority;
 - w. Photocopy Property Register Card;
 - x. Photocopy of the Search Report dated 5th May, 2023 for a period of 61 years i.e., from 1963 to 2023 issued by Search Clerk Mr. Rajesh Bhandari in respect of the said Property for the search taken at the Office of the Sub- Registrar of Assurances at Mumbai, Bandra and Borivali
 - y. Public Notice dated 4th July, 2023 issued in 02 newspapers namely (1) Free Press Journal (English) (2) Lokshakti (Marathi) inviting for objections/Claims on the Title of Society and for implementation of the SRA Scheme on the said Property;
 - z. Award dated 8th August, 2023 bearing No. Zho.Pu.Pra/Sah.-2 (V.K.)/Sahyog/Kurar/Awards/23/Kari-35264 for acquisition of the said Property in favour of State of Maharashtra.
3. On perusal of the above referred documents and all other relevant documents provided by the said Developers we are of the Opinion that the title of **D.G.S. TOWNSHIP PRIVATE LIMITED** to develop the said Plot by constructing the



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said Sale Building on the portion thereof as per the plans duly approved/sanctioned from time to time by Slum Rehabilitation Authority and/or any other statutory authority, is clear, marketable and without any encumbrances.

4. Owner of the Plot:

STATE OF MAHARASHTRA is the Owner of the said Plot

5. The certificate reflecting the flow of the title of the said Developers i.e., **D.G.S. TOWNSHIP PRIVATE LIMITED**, on the said Property is enclosed herewith as annexure.

Encl.: a/a Annexure A

Date : 23-11-2023



Yours Faithfully

For M/s Law Origin,

Namita Kataria
..
Partner



Annexure-A

FLOW OF TITLE OF THE SAID PROPERTY

1. We have perused copies of the Property Register Card pertaining to plot bearing CTS No. 355 (pt.), 355/267 to 307, 255/352 to 356, 355/357 (pt), 355/411 to 443, 491 & 491/1 to 4 of Village Kurar, Taluka Borivali in the Registration District of Mumbai Suburban situate, lying and being at Village Kurar, Taluka Borivali, Kranti Nagar, Opp. Laxman Police Chowki, Malad (East), Mumbai- 400 097 (**said Plots**).
2. We have perused the copy of the Search Report which is based upon the search taken in the office of the Sub-Registrar of Assurances at Mumbai, Bandra, Borivali dated 5th May, 2023 for a period of 61 years i.e., from 1963 to 2023 issued by Search Clerk Mr. Rajesh Bhandari in respect of the said Property (the search reports are subject to torn pages of Index II, mutilated records, some records are misplaced and also unavailable records for the years as mentioned therein).
3. **Flow of Title:**

Upon perusal of the Documents in respect of the said Property provided to us by **D.G.S. TOWNSHIP PRIVATE LIMITED** (herein after referred to as "**Developers**") and the Search Report submitted by the



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search clerk Mr. Rajesh Bhandari (which is subject to records not being maintained properly, as mentioned in the search note and torn pages as mentioned therein), we have to state as follows: -

- a) One Estate and Finance Private Limited was the owner of all those pieces and parcels of plot of land in aggregate admeasuring 5115.20 sq. mtrs. as per acquisition and bearing CTS No.355 (pt),355/267 to 307,355/352 to 357,355/411 to 443,491 (pt), 491 /1 to 4, 512 (pt), 512/62 and 512/63 of village Kurar, Taluka Borivali, in the Registration District of Mumbai City and Sub District of Mumbai Suburban situate, lying and being at Krantinagar, opposite Laxman Nagar Police Station, Kurar Village, Malad (East), Mumbai – 400 097 (“**said Plots**”).
- b) By Deed of Indenture dated 17th November, 1964 executed between Estate and Finance Private Limited (as Vendor) and Ratanchand Hirachand Baldota (as Purchaser) read with Deed of Rectification dated 15th March, 1969 the said Plots were sold, transferred and conveyed to One Ratanchand Hirachand Baldota (**said Ratanchand**) for the consideration and on the terms and conditions as more particularly stated therein.
- c) Accordingly, the revenue records were also updated and the said



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Plots were transferred in the name of the said Ratanchand.

- d) The said Ratanchand died on 12th March, 1997 by executing his last Will and Testament (**said Will**). The executors under the said Will filed a Testamentary Petition in the Hon'ble High Court at Bombay and the Hon'ble High Court was pleased to grant Probate in respect of the said Will unto and in favour of Deena Pramod Baldota and Subhash Ratanchand Baldota as beneficiaries thereof.
- e) By Deed of Transfer dated 29th April, 2003 executed between Subhash Ratanchand Baldota (as Transferor) and Deena Pramod Baldota (as Transferee), the said Transferor released and relinquished his right, title and interest in the said Plots unto and in favour of the Transferee i.e., Deena Pramod Baldota (**said Deena**) for the consideration and on the terms and conditions as more particularly stated therein.
- f) Thus, the said Deena became entitled to the said Plots as absolute owner thereof.
- g) There were various structures/huts (**the said Structures**) occupied by various slum dwellers on the said Plots. The said Plots were declared as "**Slum Area**" vide notification dated 2nd



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September, 1976 under section 4 (1) of the Slum Act. In view thereof the said Plots were developable under the provisions of the Maharashtra Slum Areas (Improvement, Clearance, and Redevelopment) Act, 1971 ("**Slum Act**") and as per Regulation 33 (10) read with Appendix IV of Development Control and Regulations for Greater Bombay, 1991, amended up to date.

- h) The hutment/slum dwellers situated on the said Plots have formed themselves into a Co-operative Society namely "**SAHYOG SRA CO- OPERTAIVE HOUSING SOCIETY (Proposed)**" ("**said Society**"), as required under Regulation 33(10) of DCPR, 2034 and the Maharashtra Slum Areas (Improvement, Clearance, and Redevelopment) Act, 1971, for the purpose of Redevelopment of the said Plots.
- i) The said Plots & the said Structures (since demolished) shall unless referred to independently be hereinafter collectively referred to as "**the said Property**".
- j) The said Society in its Special General Body Meeting dated 1st February, 2015 passed a resolution wherein more than 70% of its members had consented for the appointment of M/s. Omkar Realtors and Developers Private Limited ("**Erstwhile**



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Developers”) as the Developers for redevelopment of the said Property and appointed the Various Consultants for undertaking the scheme under the provisions of the slum Act.

- k) By Development Agreement dated 1st June, 2015 executed between the said Society (as Society) and the Erstwhile Developers (as Developers), the Society appointed the Erstwhile Developers as the developers for redeveloping the said Property under the Slum Rehabilitation Scheme for the consideration and on the terms and conditions set out therein.
- l) The said Society also executed a Power of Attorney of the even date in favour of Erstwhile Developers inter alia granting various powers for carrying out the redevelopment of the said Plots as more particularly set out therein.
- m) Further, the Society on 10th August, 2015 and thereafter on 16th August, 2016 made an application to the Chief Executive Officer (CEO) inter alia for declaration of the said Plots as ‘**Slum Rehabilitation Area**’ under Section 3 (C) of the Slum Act and for acquisition of said Plots under Section 14 of the Slum Act.
- n) The CEO, SRA published a Public Notice on 27th September, 2016 in the daily Newspaper Sakal (Marathi) and Business



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Standard (English) thereby inviting claims and/or objections from the public at large for declaration of the said Property as '**Slum Rehabilitation Area**'.

- o) The said Deena registered her objection to the said Public Notice vide her letter dated 24th October, 2016 and pursuant thereto a hearing was provided to parties before the Chief Executive Officer SRA, (CEO, SRA) and the CEO after hearing passed the Order dated 17th June, 2017 thereby declaring the said Plots as **"Slum Rehabilitation Area."**
- p) In view of the Order dated 17th June, 2017 the Slum Rehabilitation Authority published a Notification on 29th June, 2017 (**said Notification**) thereby declaring the said Plots as Slum Rehabilitation Area.
- q) Aggrieved by the said Order dated 17th June, 2017 the said Deena filed an Appeal bearing Appeal No.9 of 2017 before the Hon'ble Maharashtra Slum Areas (I.C & R) Tribunal, Mumbai (**"Tribunal"**) challenging the said Notification against the CEO, SRA and Ors. and for various other reliefs as prayed therein.
- r) The said Appeal was finally disposed of by the Tribunal vide order dated 17th December, 2019 and the Order of the CEO was



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upheld and the said Notification was declared to be valid subsisting and binding for the reasons setout therein, The foregoing Order is not challenged before any Court till date.

- s) Pending the Appeal, on 29th June, 2018 the CEO SRA published Public Notice under section 14 (1) of the Slum Act for acquisition of the said Plots and for implementation of the scheme on the said Plots under the Slum Act and invited claims/objections from the public at large as stated therein.
- t) Pursuant to hearing the parties to the proceedings under Section 14 (1) of the Slum Act the CEO, SRA passed Order dated 29th November, 2021 thereby recommending the State Government to acquire the subject property admeasuring 5115.20 sq. mtrs. under section 14 (1) of the Slum Act;
- u) Since, the Erstwhile Developers did not take any steps in furtherance of the development of the said Property, the Society in its Special General Body Meeting dated 26th December, 2021 resolved to terminate the appointment of the Erstwhile Developers as developers for the said Slum Scheme.
- v) In view thereof the Society addressed Termination Notice dated 17th February, 2022 to Erstwhile Developers thereby terminating



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their appointment as Developers of the said Property;

- w) The Society, thereafter in its Special General Body dated 26th December, 2021 Meeting appointed the DGS Township Pvt. Ltd. ("Developers") for implementation of the said Slum Scheme.
- x) By Development Agreement dated 11th January, 2022 executed between Sahyog S.R.A Co-operative Housing Society (Prop.) (as Society) and D.G.S. Township Pvt. Ltd. (as Developers), the Society appointed the Developers as developers with right to develop the said Property by implementation of the Slum Rehabilitation Scheme as per the applicable provisions of the DCPR, 2034 & Appendix IV thereof, for the consideration and on the terms and conditions as more particularly stated therein. Additionally, the Society also executed Power of Attorney dated 11th January, 2022 in favour of the Developers granting various powers to the developers with respect to the development of the said Property.
- y) The State Government based on the recommendation of the CEO; SRA dated 29th November, 2021 published a Government Gazette Notification dated 26th May, 2022 confirming the acquisition of said Property admeasuring 5115.20 sq. mtrs. under section 14 (1)



of the Slum Act;

- z) In view of the Notification dated 26th May, 2022 the said property vested in "State of Maharashtra" and government of Maharashtra became owner of the said Plots now vests in Government Of Maharashtra;
- aa) The Society then submitted a Slum Scheme on the said Plots by making payment towards the Scrutiny Fees, for which the SRA has issued receipt dated 17th June, 2022 in favour of Society thereby accepting the Slum Scheme submitted on the said Property by the Developers;
- bb) The said Deena had challenged the Notification dated 26th May, 2022 by filing Writ Petition (L) No. 19626 of 2022. The Hon'ble High Court pursuant to hearing the parties at length was pleased to pass order dated 21st October, 2022 thereby upholding the Order of the CEO, SRA for acquisition of the said Property and notification issued thereafter and disposed off the Petition accordingly;
- cc) The said Deena challenged the Order dated 21st October, 2022 in the Hon'ble Supreme Court of India by filing Special Leave Petition (Civil) No. 1623 of 2023 and the same is pending before



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- the Hon'ble Supreme Court of India for hearing and final disposal;
- dd) It is observed that the Hon'ble Supreme Court has not granted any stay/injunction in the said matter and no status quo Orders have been passed till date. Therefore, the Developers and/or Society are not restrained from developing the said Property;
- ee) In the meantime, the developer Submitted their proposal with CEO, SRA for implementation of the SRA Scheme on the said plots and the CEO, SRA accepted the Proposal of the Developers for Implementation of the SRA Scheme on the said Plots in the name of the said Society.
- ff) The CEO, SRA has approved the scheme & Issued the Letter of Intent bearing No. P-N/ST/GOVT/0040/20220617/LOI dated 4th January, 2023 in favour of the Developers herein for implementation of SR Scheme on the said plots admeasuring 5039.25 sq. mtrs. (as per demarcation Survey) (**said "LOI"**).
- gg) As per the said LOI the scheme was sanctioned and as per scheme the sanction was accorded for construction of Rehab Building & Sale Building on the said Plots for accommodating the Slum Dwellers, PTC Units of clubbed scheme of CTS NO. 2293/B (S.R. Scheme No. 2) and Sale Units in the Sale Building



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respectively.

- hh) Thereafter, the owners complied with the terms and Conditions of the Said LOI & got the Annexure -II & Annexure – III certified from time to time to have complied with other compliances as required from the SRA & obtained the Intimation of Approval bearing Nos. P-N/ST/GOVT/0040/20220617/AP dated 25th January, 2023 with respect to the Rehab Building being constructed on the portion of said Plots & have thereafter obtained Commencement Certificate bearing No. P-N/ST/GOVT/0040/20220617/AP/R dated 26th May, 2023 for Commencement of Construction of Rehab Building on the portion of the said Plots. The Developers on the said Plots have accordingly, have demolished the structures stand thereon and commenced and completed the construction of Rehab Building upto Plinth Level on the said Plots.
- ii) Thereafter, the Developers obtained Revised Loi bearing No. P-N/STGOVT/ 0040/20220617/LOI dated 8th August, 2023, wherein the SRA accepted the revised proposal of Developer for Clubbing of Other SR Schemes with the said Scheme for



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Clubbing of PTC as more particularly setout therein.

- jj) In the meantime, the Society applied to the CRO, SRA for compiling the process of Acquisition of the said Plots in favour of the State Government. The CEO SRA after following due procedure of law & pursuant to compliance of all the compliances thereof & as per report submitted by herein to the Principal Secretary, Housing Department, Mantralaya, Mumbai. Under Section 14 (1) of the said Act and after hearing the concerned Parties passed award bearing No. Jho.Pu.Pra./Tah. 2 (V.K.)/Sahyog/Kurar/Award/23/karvi-35264 dated 8th August, 2023, passed award in favour of the Society for acquisition of the said Property in favour of the State Government.
- kk) Thereafter, the Developer Submitted Amended Plans for Construction of Composite Building (for Clubbed PTC Units & Sale Units) on the portion of the said admeasuring 1504.14 sq. mtrs. The Executive Engineer – P/N Ward, SRA has accorded his Sections Approvals to the amended plans vide its approval bearing No. P-N/STGOVT/0040/20220617/AP dated 8th September, 2023 for construction of Composite Building on the portion of the said Plot admeasuring 1504.14 sq. Mtrs. for



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providing PTC Units & Sale Units to be sold as Sale Building.

ll) Accordingly, the Developers have commenced construction of a composite Building to be named **“Sheetal Sahyog” (“said Sale Building”)** on the portion of the said Plots admeasuring 1504.14 sq. mtrs. (sale Portion) as per the approved plans/specification by SRA as per the Commencement Certified bearing No. P-N/STGOVT/0040/20220617/AP/S dated 28th October, 2023 upto plinth level.

mm) Accordingly, the Developers became entitled to develop the said Plots and interalia by constructing the said Rehab Building & said Sale/ Composite Building on the said Plot and sell the flats/Units in the Sale/Composite Building in the manner they deem fit & proper & appropriate the sale consideration thereof.

4. **Litigation:**

The Developers have represented that save and except the Special Leave Petition (Civil) No. 1623 of 2023 pending before the Hon'ble Supreme Court of India, there are no litigations/proceedings filed with regards to the said Property in any court/forum. There are no restraining/injunction orders wherein Developer are restrained /injunctioned from undertaking the



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redevelopment of the said Plot by implementing the S.R. Scheme and/or to sell the flats/units in the said Sale/Composite Building thereof.

5. The Developers have further informed us that they have not encumbered/mortgaged/created charge on any of the flats/Units in the said Sale/Composite Building or the said Plot with any financial institution/bank and /or in any manner whatsoever.
6. This has been prepared on the basis of the said documents, papers and revenue records and the information/representations that have been furnished/provided to us and presuming that the contents of the said documents, papers and revenue records and the information/representations are true and correct. We take no responsibility for not having envisaged in this Title Certificate the contents of documents, writings or revenue records that may be related to the said Property but which have not been provided to us for our perusal. The statements and observations in the Title Certificate are done based on the documents provided to us as listed aforesaid.
7. This Title Certificate has been prepared on the basis of the said documents, papers and revenue records and the information/representations that have been furnished/provided to us and presuming that the contents of the said documents, papers and revenue



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records and the information/representations are true and correct. We take no responsibility for not having envisaged in this Title Certificate the contents of documents, writings or revenue records that may be related to the said Property but which have not been provided to us for our perusal. The statements and observations in the Title Certificate are done based on the documents provided to us as listed aforesaid.

8. This Title Certificate is issued based on the title documents perused by us and same is based on the assumption:
- (i) of the legal capacity of all natural persons, genuineness of all signatures;
 - (ii) authenticity of copies of the documents submitted to us;
 - (iii) that there have been no amendments or changes to the documents examined by us;
 - (iv) of the accuracy and completeness of all the factual representations made in the documents;
 - (v) that all prior title documents have been adequately stamped and registered.
9. We are not certifying the boundaries of the said Property and/or physical condition of the said Property since we have not visited the said Property.



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10. We have not raised any requisitions on title of the said Plot/Property. We have however relied on information/representations and the documents submitted by the Developers to us as stated hereinabove.
11. In the circumstances and subject to what is stated hereinabove and based on the Documents perused by us and the representations as stated hereinabove, we are of the opinion that the Developers i.e., **M/s. D.G.S. TOWNSHIP PRIVATE LIMITED** have clear and marketable title to develop the said Plot and to sell the flats/units in the said Composite/ Sale building being constructed on the said Plots to prospective purchaser/s in the manner they deem fit and proper, and appropriate the sale consideration thereof in the manner they deem fit & proper.

Dated this 23rd day of November, 2023 at Mumbai.

Yours Faithfully
For M/s Law Origin

Namita Natchar
Partner

