

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

Date: 3<sup>rd</sup> October, 2023

To,  
Maha RERA  
Housefin Bhavan,  
Plot no.C-21, E-Block,  
Bandra Kurla Complex,  
Bandra (E), Mumbai-400051.

## LEGAL TITLE REPORT

**Subject: Title Report with respect to** All those pieces or parcels of the two Plots (final plot) being a piece and parcel of land admeasuring 230.53 & 1008.82 sq. Mtrs (as per property registered card) bearing CTS No. 264/1 and 264/2 of Survey Nos. 2/A/3 & 2/A/4 respectively lying, being and situate at Village: Ambivali, Taluka: Andheri, District: Mumbai and Registration District and Sub-District of Mumbai and Mumbai Suburban, along with the said Building having 2 (Two) Wings of 10 (Ten) Flats each aggregating to 20 (Twenty) Flats comprised in Ground Plus 4 (Four) upper floors and having address at Jai Bhawani Mata Road, Amboli Village, Off. Caesar Road, Andheri (West), Mumbai - 400058 owned by State Bank of India Employees' "Mithila" Co-operative Housing Society Limited. The said Final Plot is bounded as follows that is to say:

On the North by : Jyoti Villa Building plot  
On the South by : Yashodhan Building Plot  
On the East by : D.P. Road  
On the West by : Mary Ellan Building Plot.



# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

## Respected Sir/s,

I have investigated the title of the said Plot along with the said Building on request of Developer M/S SANGHAVI GREEN LLP, a limited liability partnership firm, incorporated under the LLP Act, 2008, having its registered office at 1<sup>ST</sup> Floor, Plot No. 465, Veetrage House , Cawasji Patel Street , hormonal Circle , Fort , Mumbai 400 001(hereinafter referred to as the "Developer") and following Information/ documents, i.e.,

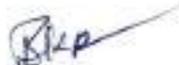
### 1. DESCRIPTION OF THE PROPERTY:

All those pieces or parcels of the two Plots (final plot) being a piece and parcel of land admeasuring 230.53 & 1008.82 sq. Mtrs (as per property registered card) bearing CTS No. 264/1 and 264/2 of Survey nos.2/A/3 & 2/A/4 respectively lying, being and situate at Village: Ambivali, Taluka: Andheri, District: Mumbai and Registration District and Sub-District of Mumbai and Mumbai Suburban, along with the said Building having 2 (Two) Wings of 10 (Ten) Flats each aggregating to 20 (Twenty) Flats comprised in Ground Plus 4 (Four) upper floors and having address at Jai Bhawani Mata Road, Amboli Village, Off. Caesar Road, Andheri (West), Mumbai - 400058 owned by State Bank of India Employees' "Mithila" Co-operative Housing Society Limited. The said Final Plot is bounded as follows that is to say:

On the North by : Jyoti Villa Building plot  
On the South by : Yashodhan Building Plot  
On the East by : D.P. Road  
On the West by : Mary Ellan Building Plot.

### 2. THE DOCUMENTS OF ALLOTMENT OF SAID PROPERTY/FLOW OF TITLE OF THE SAID PROPERTY:

A. By an Indenture dated 20<sup>th</sup> December, 1978 duly registered with the Sub-Registrar of Assurances at Bombay under Serial No.



# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

BOM/B/248/1979 on 17<sup>th</sup> February, 1979 and recorded in Book No. 1 on 21<sup>st</sup> December, 1979 and recorded in Book No. 1 on 21<sup>st</sup> December, 1979 (hereinafter referred to as the "**said Deed No. 1**") made and executed between 1. Vincent D'mello, 2. Ms. Sophie D'silva and 3. Reggie Alvaris, being the President, the Secretary and the Treasurer of St. Blaise Society of St. Vincent D. Paul, a Public Charitable Trust registered under the Bombay Public Trusts Act, 1960 under No. PTR. D-84 (Bombay) (therein collectively referred to as "the Vendors") of the First Part and U M Narayanan Namboodiri (therein referred to as "the Confirming Party") of the Second Part and State Bank of India Employees "Mithila" Co-operative Housing Society Limited (therein referred to as "the Purchasers") of the Third Part, the Vendors therein with the confirmation and consent of the Confirming Party therein under the said Deed No. 1, granted, conveyed, transferred and assured unto the Purchasers therein, all the said piece or parcel of land or ground situate lying and being at Village: Ambivali bearing Survey No. 2, Hissa No. 3, corresponding to CTS No. 264 (part) admeasuring 3 ½ Gunthas equivalent to 423 square yards or equivalent to 34 square metres or thereabouts, more particularly described in the Schedule of Property thereunder written, at and for a consideration and on the terms and conditions as mentioned in the said Deed No.1;

- B. By an Indenture dated 6<sup>th</sup> March, 1980 duly registered with the Sub-Registrar of Assurances at Bombay under Serial No. BOM/B/409/1980 on 13<sup>th</sup> March, 1980 and recorded in Book No.1 on 9<sup>th</sup> February, 1982 (hereinafter referred to as the "**said Deed No. 2**") made and executed between 1. His Lordship Bishop Longinus Pereira (therein referred to as "the Party of the First Part") of the First Part and 2. His Lordship Bishop William Gomes (therein referred to as "the Party of the Second Part") of the Second Part and 3. Rev. Monsignor Santan P. Dharmai (therein referred to as "the Party of the

*B. R.*

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

Third Part") of the Third Part and 4. His Lordship the said Right Rev. Longinus Pereira being the Executor and Trustee of the Last Will and Testament of His Eminence Valerian Cardinal Gracias (therein referred to as "the Party of the Fourth Part") of the Fourth Part (the Party of the First, Second, Third and Fourth Part therein collectively referred to as "the Vendors") and U M Narayanan Namboodiri (therein referred to as "the Confirming Party") of the Fifth Part and State Bank of India Employees' "Mithila" Co-operative Housing Society Limited (therein referred to as "the Purchasers") of the Sixth Part, the Vendors therein with the confirmation and consent of the Confirming Party therein under the said Deed No. 2, granted conveyed, transferred and assured unto the Purchasers therein, all the said piece or parcel of agricultural land or ground situate, lying and being at Village: Ambivali, Andheri in the Registration Sub District and District of Bombay City and Bombay Suburban bearing Survey No. 2A, Hissa No. 4 corresponding to CTS No. 264 (part) admeasuring 1059 square yards or equivalent to 885 square metres or thereabouts, more particularly described in the Schedule of Property thereunder written, at end, for a consideration and on the terms and conditions as mentioned in the said Deed No.2. The said Deed No.1 and the said Deed No.2 hereinafter collectively referred to as the "**said Deeds**".

C. State Bank of India Employees' Mithila Co-operative Housing Society Limited (hereinafter referred to as "**the said Society**"), in pursuance of the said Deeds, became seized and possessed of and otherwise fully well and sufficiently entitled to the then piece of land admeasuring **423** square yards or equivalent to **354** square metres or thereabouts (hereinafter referred to as the "**said Plot No. 1**") bearing Survey No. 2, Hissa No.3, corresponding to CTS No. 264 (Part), lying, being and situate at Village: Ambivali, Taluka: Andheri, District" Mumbai and Registration District and Sub District of Mumbai and Mumbai Suburban, and further also fully well and sufficiently entitled to THEN

Bue

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

piece of land admeasuring 1059 square yards or equivalent to **885** square metres or thereabouts (hereinafter referred to as the "**said Plot No. 2**") bearing Survey No. 2A, Hissa No.4, corresponding to CTS No. 264 (part), lying, being and situate at Village: Ambivali, Taluka : Andheri, District: Mumbai and Registration District and Sub District of Mumbai and Registration District and Sub District of Mumbai and Mumbai Suburban. The said Plot No. 1 and Plot No. 2 then jointly and collectively admeasuring **1482** square yards or equivalent to **1238.67** square metres or thereabouts, the said Plot No.1 and said Plot No.2, hereinafter jointly and collectively referred to as the "**said Plots**".

D. In view of the aforesaid, it is seen that there has been no handing over of the setback area to MCGM yet and therefore, the Society is still in possession of **1239.35 sq. metres area** and subsequently, the Society will be entitled to an area of **1008.82 square metres** (hereinafter referred to as "**the said Final Plot**"). Also, vide a Letter dated 29<sup>th</sup> April 2022, the said Society stated and confirmed regarding the aforesaid fact.

E. The members of the said Society on or around the year 1975 came together and formed a co-operative Housing society under the provisions of the Maharashtra Co-operative Societies act, 1960 (hereinafter referred to as the "**said Act**") with the Dy. Registrar of Societies under registration no. BOM/HSG/4668 of 1975 and having its Registered Office at Jai Bhawani Mata Road, Amboli Village, Off. Caesar Road, Andheri (West), Mumbai - 400058. The said Society is having 20 (Twenty) members, who are also presently the Owners of the 20 (Twenty) Flat/s in the 2 (two) Wings, having 10 (Ten) Flats each comprised in Ground Plus 4 (Four) upper floors and popularly known as "Mithila" (hereinafter referred to as the "**said Building**").

F. There are no setbacks and/or reservations applicable to the said Final Plot and it is in physical possession of the said Final Plot which is



# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

freehold land being a composite piece of land **1194.12** square yards or equivalent to **1008.82** Square metres or thereabouts bearing C.TS.No.264 (part) of Village: Ambivali, Taluka Andheri, District: Mumbai in the Registration District and Sub-District of Mumbai and Mumbai Suburban and the said Building standing thereupon. The said Final Plot and the said Building hereinafter jointly referred to as **“the said Property”**.

G. Solicis Lex has issued the requisite Publications in 'Free Press Journal' and 'Navshakti' Newspapers both on 18<sup>th</sup> January 2022.

H. Also, pursuant to the aforesaid, 'No Claims Certificate' dated 4<sup>th</sup> June, 2022 was issued by M/s. Solicis Lex to the Society.

I. The Development Agreement dated 2<sup>nd</sup> May, 2023 under registration no. BDR18-7603-2023 on 2<sup>nd</sup> May, 2023 executed by the said Society in faovur of the Developer in respect of the said Property and also the Registered Power of Attorney dated 2<sup>nd</sup> May, 2023 under Registration No. BDR18-7604 -2023 on 2<sup>nd</sup> May, 2023 by the said Society in favour of the Partner of the said Developer.

### 3. **THE PROPERTY REGISTERED CARD (PR CARD):**

The Property Registered Card (PR CARD) shows the name of **'The State Bank of India Employees' "Mithila" Co-operative Housing Society Limited**, a co-operative housing society,' as Owner as on 2023 and the said Plot is under category "K in Marathi".

### 4. **SEARCH REPORT:**

I have entirely relied upon the Search Report dated 25<sup>th</sup> January, 2022 issued by Mr. Ganesh Gawde, Search Clerk having his address at



# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

32/13, Matrusmruti Society, L.T. Nagar, Road No. 2, M.G. Road, Goregaon (West) Mumbai - 400062, who has caused searches at the Offices of Sub-Registrar of Assurances at Mumbai, Bandra and Andheri Nos. 1 to 8 for the period 1963 to 2022.

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 the Developer M/S SANGHAVI GREEN LLP, a limited liability partnership firm, incorporated under the LLP Act, 2008, having its registered office at 1<sup>ST</sup> Floor, Plot No. 465, Veetrage House, Cawasji Patel Street, hormonal Circle, Fort, Mumbai 400 001 under the said Registered Development Agreement dated 2<sup>ND</sup> May, 2023 under Registration No. BDR18-7603 -2023 on 2<sup>ND</sup> May, 2023 in respect of the redevelopment of the said Society, **The State Bank of India Employees' "Mithila" Co-operative Housing Society Limited**, a co-operative housing society registered under the provisions of Maharashtra Housing Societies Act, 1960 under registration No. BOM/HSG/4668 of 1975 and having its Registered Office at Jai Bhawani Mata Road, Amboli Village, Off. Caesar Road Cross Lane, Andheri (West), Mumbai - 400058, in respect of All those pieces or parcels of the two Plots (final plot) being a piece and parcel of land admeasuring 230.53 & 1008.82 sq. Mtrs (as per property registered card) bearing CTS No. 264/1 and 264/2 of Survey nos.2/A/3 & 2/A/4 respectively lying, being and situate at Village: Ambivali, Taluka: Andheri, District: Mumbai and Registration District and Sub-District of Mumbai and Mumbai Suburban, along with the said Building having 2 (Two) Wings of 10 (Ten) Flats each aggregating to 20 (Twenty) Flats comprised in Ground Plus 4 (Four) upper floors and having address at Jai Bhawani Mata Road, Amboli Village, Off. Caesar Road, Andheri (West), Mumbai - 400058 owned by State Bank of India Employees' "Mithila" Co-operative Housing Society Limited., and the said Developer M/S SANGHAVI GREEN LLP is entitled for

*Be*

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

redevelopment of the said Property as per the said Development Agreement dated 2<sup>nd</sup> May,2023 .

Owners of the said Property:

**The State Bank of India Employees' "Mithila" Co-operative Housing Society Limited**, a co-operative housing society registered under the provisions of Maharashtra Housing Societies Act, 1960 under registration No. BOM/HSG/4668 of 1975 and having its Registered Office at Jai Bhawani Mata Road, Amboli Village, Off. Caesar Road Cross Lane, Andheri (West), Mumbai - 400058,

1) Qualifying Comments/Remarks:

In the premises aforesaid, relying upon the correctness of the said Declaration of the said Society as mentioned herein and on basis of documents submitted to me on the said Property, I opine my view that the title of the said Developer M/S SANGHAVI GREEN LLP , a limited liability partnership firm, incorporated under the LLP Act, 2008, having its registered office at 1<sup>ST</sup> Floor , plot no. 465 , Veetrage House , Cawasji Patel Street , hormonal Circle , Fort , Mumbai 400 001 to the captioned Plot and the said Building (i.e., the said Property) is clear and marketable, for Redevelopment of the said Property .

5. The report reflecting the flow of title of the Owner on the said Property is enclosed herewith as **"Format - A"** being annexed hereto.
6. This Legal Title Report has been issued by me on the basis of the following assumptions, qualifications and limitations as follows:
  - a. This Legal Title Report is given only with respect to the current laws of India and various government policies in force as of the

*Blue*

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

---

date of this Legal Title Report. Any changes in the Indian law and/or policies after the date of this Legal Title Report, which are retrospective, could have an effect on the validity of my conclusions stated herein.

- b. This Legal Title Report is strictly limited to the matters stated herein and does not extend to any other matters and is not to be read as extending by implication to any other subject matter.
- c. My understanding of facts is based upon and limited to the information/documents provided to me. I have no reason to believe that the information/documents provided to me is not genuine. Any variance of facts may cause a corresponding change in the analysis set out in this Legal Title Report.
- d. The legal capacity of all persons, genuineness of all signatures, authenticity of all documents submitted to me as certified or photocopies.
- e. That there have been no amendments or changes to the documents examined by me.
- f. The accuracy and completeness of all the factual representations made in the documents.
- g. All prior title documents have been adequately stamped and registered.
- h. For the purposes of this opinion, I have relied upon information relating to Declaration on Title executed by the said Society, i.e., **'The State Bank of India Employees' "Mithila Co-operative Housing Society Ltd.'** revenue record provided by the said



# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

---

Developer as also on the information provided to me by the said Developer .

- i. For the purposes of this opinion, I have relied upon photocopies of documents where original documents of title were not available.
- j. A certificate, determination, notification, opinion or the like will not be binding on an Indian Court or any arbitrator or judicial or regulatory body which would have to be independently satisfied, despite any provision in the documents to the contrary.
- k. Even though this document is titled 'Legal Title Report', it is in fact an opinion based on the documents perused by me.
- l. This opinion is limited to the matters pertaining to Indian Law (as on the date of this opinion) alone and I express no opinion on laws of any other jurisdiction.
- m. I am not certifying the boundaries of the said property or the existence of structures, or its area or its physical condition.
- n. I have not visited the site.



**Enclosed: Format - A**

Date: 3<sup>rd</sup> October, 2023

**Bhanu Rasputra**

**Advocate & Solicitor**  
**BHANU K. RASPUTRA**  
ADVOCATE & SOLICITOR  
MUMBAI HIGH COURT,

B/603, ORBIT TOWER, PLOT NO. 236-A,  
GARODIA NAGAR, SERVICE ROAD,  
GHATKOPAR (EAST), MUMBAI - 400 077.

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

---

## FORMAT - A

(CIRCULAR NO. 28/2021)

### FLOW OF THE TITLE OF THE SAID SOCIETY

- A. By an Indenture dated 20<sup>th</sup> December, 1978 duly registered with the Sub-Registrar of Assurances at Bombay under Serial No. BOM/B/248/1979 on 17<sup>th</sup> February, 1979 and recorded in Book No. 1 on 21<sup>st</sup> December, 1979 and recorded in Book No. 1 on 21<sup>st</sup> December, 1979 (hereinafter referred to as the "**said Deed No. 1**") made and executed between 1. Vincent D'mello, 2. Ms. Sophie D'silva and 3. Reggie Alvaris, being the President, the Secretary and the Treasurer of St. Blaise Society of St. Vincent D. Paul, a Public Charitable Trust registered under the Bombay Public Trusts Act, 1960 under No. PTR. D-84 (Bombay) (therein collectively referred to as "the Vendors") of the First Part and U M Narayanan Namboodiri (therein referred to as "the Confirming Party") of the Second Part and State Bank of India Employees "Mithila" Co-operative Housing Society Limited (therein referred to as "the Purchasers") of the Third Part, the Vendors therein with the confirmation and consent of the Confirming Party therein under the said Deed No. 1, granted, conveyed, transferred and assured unto the Purchasers therein, all the said piece or parcel of land or ground situate lying and being at Village: Ambivali bearing Survey No. 2, Hissa No. 3, corresponding to CTS No. 264 (part) admeasuring 3 ½ Gunthas equivalent to 423 square yards or equivalent to 34 square metres or thereabouts, more particularly described in the Schedule of Property thereunder written, at and for a consideration and on the terms and conditions as mentioned in the said Deed No.1;
- B. By an Indenture dated 6<sup>th</sup> March, 1980 duly registered with the Sub-Registrar of Assurances at Bombay under Serial No. BOM/B/409/1980 on 13<sup>th</sup> March, 1980 and recorded in Book No.1 on 9<sup>th</sup> February, 1982 (hereinafter referred to as the "**said Deed No.**

*Bhanu*

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

2") made and executed between 1. His Lordship Bishop Longinus Pereira (therein referred to as "the Party of the First Part") of the First Part and 2. His Lordship Bishop William Gomes (therein referred to as "the Party of the Second Part") of the Second Part and 3. Rev. Monsignor Santan P. Dharmai (therein referred to as "the Party of the Third Part") of the Third Part and 4. His Lordship the said Right Rev. Longinus Pereira being the Executor and Trustee of the Last Will and Testament of His Eminence Valerian Cardinal Gracias (therein referred to as "the Party of the Fourth Part") of the Fourth Part (the Party of the First, Second, Third and Fourth Part therein collectively referred to as "the Vendors") and U M Narayanan Namboodiri (therein referred to as "the Confirming Party") of the Fifth Part and State Bank of India Employees' "Mithila" Co-operative Housing Society Limited (therein referred to as "the Purchasers") of the Sixth Part, the Vendors therein with the confirmation and consent of the Confirming Party therein under the said Deed No. 2, granted conveyed, transferred and assured unto the Purchasers therein, all the said piece or parcel of agricultural land or ground situate, lying and being at Village: Ambivali, Andheri in the Registration Sub District and District of Bombay City and Bombay Suburban bearing Survey No. 2A, Hissa No. 4 corresponding to CTS No. 264 (part) admeasuring 1059 square yards or equivalent to 885 square metres or thereabouts, more particularly described in the Schedule of Property thereunder written, at end, for a consideration and on the terms and conditions as mentioned in the said Deed No.2. The said Deed No.1 and the said Deed No.2 hereinafter collectively referred to as the **"said Deeds"**.

C. My client, i.e., State Bank of India Employees' Mithila Co-operative Housing Society Limited (hereinafter referred to as **"the said Society"**), in pursuance of the said Deeds, became seized and possessed of and otherwise fully well and sufficiently entitled to the then piece of land admeasuring **423** square yards or equivalent to

*BB*

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

354 square metres or thereabouts (hereinafter referred to as the "said Plot No. 1") bearing Survey No. 2, Hissa No.3, corresponding to CTS No. 264 (Part), lying, being and situate at Village: Ambivali, Taluka: Andheri, District" Mumbai and Registration District and Sub District of Mumbai and Mumbai Suburban, and further also fully well and sufficiently entitled to THEN piece of land admeasuring 1059 square yards or equivalent to **885** square metres or thereabouts (hereinafter referred to as the "said Plot No. 2") bearing Survey No. 2A, Hissa No.4, corresponding to CTS No. 264 (part), lying, being and situate at Village: Ambivali, Taluka : Andheri, District: Mumbai and Registration District and Sub District of Mumbai and Registration District and Sub District of Mumbai and Mumbai Suburban. The said Plot No. 1 and Plot No. 2 then jointly and collectively admeasuring **1482** square yards or equivalent to **1238.67** square metres or thereabouts, the said Plot No.1 and said Plot No.2, hereinafter jointly and collectively referred to as the "**said Plots**".

D. In view of the aforesaid, it is seen that there has been no handing over of the setback area to MCGM yet and therefore, the Society is still in possession of **1239.35 sq. metres area** and subsequently, the Society will be entitled to an area of **1008.82 square metres** (hereinafter referred to as "**the said Final Plot**"). Also, vide a Letter dated 29<sup>th</sup> April 2022, the said Society stated and confirmed regarding the aforesaid fact.

E. The members of the said Society on or around the year 1975 came together and formed a co-operative Housing society under the provisions of the Maharashtra Co-operative Societies act, 1960 (hereinafter referred to as the "**said Act**") with the Dy. Registrar of Societies under Registration No. BOM/HSG/4668 of 1975 and having its Registered Office at Jai Bhawani Mata Road, Amboli Village, Off. Caesar Road, Andheri (West), Mumbai - 400058. The said Society is having 20 (Twenty) members, who are also presently the Owners of

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

the 20 (Twenty) Flat/s in the 2 (two) Wings, having 10 (Ten) Flats each comprised in Ground Plus 4 (Four) upper floors and popularly known as "Mithila" (hereinafter referred to as the "**said Building**").

- F. There are no setbacks and/or reservations applicable to the said Final Plot and it is in physical possession of the said Final Plot which is freehold land being a composite piece of land **1194.12** square yards or equivalent to **1008.82** Square metres or thereabouts bearing C.TS.No.264 (part) of Village: Ambivali, Taluka Andheri, District: Mumbai in the Registration District and Sub-District of Mumbai and Mumbai Suburban and the said Building standing thereupon. The said Final Plot and the said Building hereinafter jointly referred to as "**the said Property**".

G. **Search Report of Mr. Ganesh Gawde, state that,**

- a. Whereas, earlier Original Holder of **Survey No. 2, Hissa No. 4**, i.e., Luisa Zuse Ghosal died on dated 26.09.1939, hence with the consent of Thereza Gonsalves, Alex Gonsalves, Annie Petuline Gonsalves and Philip Pascoal Gonsalves the name of the Jane Mary Zuse Mary Gonsalves was brought on records of 7/12 Extract of Survey No. 2/4 along with other Survey Numbers, **(VIDE MUTATION ENTRY NO. 390 DATED 01.11.1939);**
- b. And whereas, earlier society of Saint Vincent de Paul Canstherance of saint Cloud acquired land bearing **Survey No. 2/A/3** by way of Gift Deed dated 06.11.1943 made between Saiman Moise Rayalou as Donor of the First part and society of saint Vincent De Paul Canstherance of saint cloud as Donee of the Other Part **(VIDE MUTATION ENTRY NO. 534 OF DATED 18.12.1947);**

*Bue*

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

- c. Thereafter, name of Jav Dumng Damel recorded as Kul (Tenant) on dated 05.08.1949 in other Right column of 7/12 Extract of **Survey No. 2/A/3** along with other Survey Numbers, as per Taluka Order bearing No. T.E.N.AG.R.29 of dated 20.05.1948 **(VIDE MUTATION ENTRY NO. 571 OF DATED 05.08.1949)**;
- d. Thereafter, name of said KUL NAUSHA VARLI has been deleted on dated 16.07.1973 from other Right column of 7/12 Extract of **Survey No. 2/A/4**, as per Taluka Order bearing No. L.N.D.RT.S. of dated 28.06.1973 **(VIDE MUTATION ENTRY NO. 1449 OF DATED 16.-7.1973)**;
- e. Thereafter, Holder of land bearing **Survey No. 2/A/4** & other Survey Numbers i.e. Jane Mary Zuse Mary Ghosal died unmarried on dated 15.02.1969 and her legal heir sister i.e. Annie P. Gonsalves also died unmarried in year 1975 and her executor i.e. Emily Josephine Lion also died in year 1978 having no legal heirs, hence as per probate High Court Petition No. 42 of 1975 made by Jane Mary Zuse Mary Ghosal and as per Application 25.02.1980 and as per Panchanama of Bill Collector Bandra and Taluka Order No. RTS/W6/Andheri dated 29.08.1981 said Recorded on the name of His Lordship Bishop Longinus Pereira, His Duinence Valerian Cardinal Gracias, His Lordship Bishop William Gomes and Reverent Monisonor Santan F. Dharmai. **(VIDE MUTATION ENTRY NO. 1619 OF DATED 08.09.1981)**;
- f. Thereafter, name of the said Society, i.e., State Bank of India Employees Mithila Co-op. Housing Society Ltd. Recorded as Holder on 7/12 Extracts of Survey Nos. 2/A/3 and 2/A/4 as per Deed of Conveyances dated 20.12.1978 and 06.03.1979 made between Lord Bishop Longinus Pereira & Others as Vendors of

*Bke*

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

First Part and said State Bank of India Employees Mithila Co-Op. Housing Society Ltd., as Purchaser of the Other Part, found registered with the Sub-Registrar Office of Bandra under Serial No. BOM/B/248/1979 and BOM/B/409/1980 on dated 21.12.1979 and 09.02.1982 respectively. **(VIDE MUTATION ENTRY NO. 1726 OF DATED 24.11.2006); and**

- g. Thereafter, name of JAV DUMING DAMEL has been deleted on dated 05.06.2018 from other Right column of 7/12 Extract of **Survey No. 2/A/3**, as per Taluka Order from Hon'ble Collector Andheri bearing Order No. TAH/ANDHERI/RTS/SR/05/2017 dated 21<sup>st</sup> May 2018 **(VIDE MUTATION ENTRY NO. 1868 OF DATED 05.06.2018)**.
- h. The said Society has list of members and area occupied by them along with the members, whose flats are mortgaged to the Bank/Financial Institution.
- i. On Application being made by the Secretary of the said Society for Measurement of both plots and conversion of agricultural land to non-agricultural land and issue of New Property Card, an Order dated 7<sup>th</sup> December, 2020 passed by Officer of Survey office, Vesave, Mumbai - 400053 agreeing to aforesaid Application inter alia stated that measurement of the said two plots are done and hence, separate Property Card to be issued of said 2 (Two) Plots (Subject Property) with new C.T.S. Numbers, area and word "Agricultural land" to be deleted and substituted word "K" in Hindi.
- j. The Yashodhan Society, vide a Letter dated 13<sup>th</sup> January, 2022 informed the said Society regarding self-re-development of the Yashodhan Society and therefore, requested therein to close the access through Yashodhan Society by executing the Deed of

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

Cancellation of Right of Way, to enable their developer to carry out the re-development process of its building without hindrance from external source.

- k. The said Society, by a Reply Letter dated 16<sup>th</sup> April, 2022 addressed to the Yashodhan Society and informed that the said Society is in the process of re-development and upon the completion of the construction and receipt of full OC for the re-developed building, the said Society will hand over the passage of the right of way to the Yashodhan Society.
- l. The said Society has issued a Letter dated 14<sup>th</sup> February, 2023 stating that there has been no handing over of the setback area to MCGM yet and therefore, the Society is still in possession of **1239.35 sq. metres area** and subsequently, the Society will be entitled to an area of **1008.82 square metres**.
- m. In the premises aforesaid, relying upon the correctness of the said Declaration and on basis of documents submitted to me on the subject plots of land and said Building, i.e., "Mithila" above, and subject to loan taken by Mortgaging Flats by the said Society members as stated above, I opine my view that the title the said Society 'State Bank of India Employees' Mithila Co-operative Housing Society Limited' to the captioned land and the said Building, i.e., 'Mithila' is clear and marketable,
- n. And in furtherance to above, as Development Agreement dated 2<sup>nd</sup> May, 2023 under Registration No. BDR18-7603-2023 on 2<sup>nd</sup> May, 2023 executed by The State Bank of India Employees' "Mithila" Co-operative Housing Society Limited, a co-operative housing society registered under the provisions of Maharashtra Housing Societies Act, 1960 under Registration No. BOM/HSG/4668 of 1975 and having its Registered Office at Jai

*Bhe*

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

Bhawani Mata Road, Amboli Village, Off. Caesar Road Cross Lane, Andheri (West), Mumbai - 400058,, in favour of Developer\_M/S SANGHAVI GREEN LLP, in respect of All those pieces or parcels of the two Plots (final plot) being a piece and parcel of land admeasuring 230.53 & 1008.82 sq. Mtrs (as per property registered card) bearing CTS No. 264/1 and 264/2 of Survey nos.2/A/3 & 2/A/4 respectively lying, being and situate at Village: Ambivali, Taluka: Andheri, District: Mumbai and Registration District and Sub-District of Mumbai and Mumbai Suburban, along with the said Building having 2 (Two) Wings of 10 (Ten) Flats each aggregating to 20 (Twenty) Flats comprised in Ground Plus 4 (Four) upper floors and having address at Jai Bhawani Mata Road, Amboli Village, Off. Caesar Road, Andheri (West), Mumbai - 400058 owned by State Bank of India Employees' "Mithila" Co-operative Housing Society Limited., the said Developer M/S SANGHAVI GREEN LLP, is having Development rights as per the said Development Agreement dated 2<sup>nd</sup> May, 2023,

- o. The Registered Power of Attorney dated 2<sup>nd</sup> May, 2023 under registration No. BDR18-7604-2023 on 2<sup>ND</sup> May, 2023 also executed by the said Society in favour of the Partner of the said Developer in respect of the said property,
- p. The Search Report dated 25<sup>th</sup> January, 2022 issued by Mr. Ganesh Gawde, Search Clerk having his address at 32/13, Matrusmruti Society, L.T. Nagar, Road No. 2, M.G. Road, Goregaon (West) Mumbai - 400062, who has caused searches at the Offices of Sub-Registrar of Assurances at Mumbai, Bandra and Andheri Nos. 1 to 8 for the period 1963 to 2022,
- q. Development Plan remark being D.P 2034 (sanctioned part) S M Sheet dated 24/04/2023 under No. K/W/2021/111319416 in respect of the said Property,

BW

# MISS BHANU KANTILAL RASPUTRA

ADVOCATE HIGH COURT

B/603, 6<sup>TH</sup>FLOOR, ORBIT TOWER, PLOT NO.236-A, GARODIA NAGAR SERVICE ROAD,  
GARODIA NAGER, GHATKOPAR (EAST), MUMBAI 400 077. P.NO.9820185379

---

- r. Public Notice in 'Free Press Journal' and 'Navshakti' Newspapers both on 18<sup>th</sup> January 2022,
- s. 'No Claims Certificate' dated 4<sup>th</sup> June, 2022 was issued by M/s. Solicis Lex to Society,
- t. List of members of the Society and area occupied by them.

Date: 3<sup>rd</sup> October, 2023

*Bhanu Rasputra*

**Bhanu Rasputra**

**Advocate & Solicitor**

**BHANU K. RASPUTRA**  
ADVOCATE & SOLICITOR  
MUMBAI HIGH COURT,

B/603, ORBIT TOWER, PLOT NO. 236-A,  
GARODIA NAGAR, SERVICE ROAD,  
GHATKOPAR (EAST), MUMBAI - 400 077.

Housiey.com

Housiey.com