

**Sub.:** Title clearance certificate with reference to All that piece and parcel of land or ground belonging to one New Anand Deep Co-Operative Housing Society Limited, a society duly registered under the provisions of The Maharashtra Co-operative Societies Act, 1960 under No. MUM/WT/HSG/TC/10930/Year 2019 dated 3<sup>rd</sup> October 2019 ("**the Society**") having its address at C.T. Survey No. 910-A and 909, Dr. Rajendra Prasad Road, Mulund (West), Mumbai 400 080 ("**the Property**").

I have investigated title of Property on request of **SHREEJEE BUILDCON**, a registered partnership firm through its representative Mr. Ritesh Thakkar, having its address at B-201, Kailash Residency, Near Ambaji Dham Mandir, M. G. Road, Mulund (West), Mumbai - 400 080 ("**Developer**") and following documents i.e.: -

**1) Description of the property:**

All that piece and parcel of land or ground belonging to one New Anand Deep Co-Operative Housing Society Limited, a society duly registered under the provisions of The Maharashtra Co-operative Societies Act, 1960 under No. MUM/WT/HSG/TC/10930/Year 2019 dated 3<sup>rd</sup> October 2019 ("**the Society**") having its address at C.T. Survey No. 910-A and 909, Dr. Rajendra Prasad Road, Mulund (West), Mumbai 400 080 ("**the Property**").

**2) Documents of allotment of property:**

- (i) Development Agreement dated 18<sup>th</sup> March 2016 ("**Anand Deep Co-Operative Housing Society Limited Development Agreement**") and registered with the Sub-Registrar of Assurances at Kurla under Serial No. KRL-1/2943/2016 entered between Anand Deep Co-Operative Housing Society Limited and the Developer.
- (ii) Power of Attorney dated 18<sup>th</sup> March 2016 bearing registration No. KRL-1/2944/2016 issued by Anand Deep Co-Operative Housing Society Limited ("**Anand Deep Co-Operative Housing Society Limited Power of Attorney**");
- (iii) Deed of Assignment cum Development Agreement dated 3<sup>rd</sup> May 2019 ("**Shanti Niketan Co-Operative Housing Society Limited Development Agreement**") and registered on 9<sup>th</sup> May 2019 with the Sub-Registrar of Assurances at Kurla under Serial No. KRL-4/5532/2019, entered between Shanti Niketan Co-Operative Housing Society Limited and the Developer and others.
- (iv) General Power of Attorney registered on 9<sup>th</sup> May 2019 bearing registration No. KRL-4/5533/2019; issued by Shanti Niketan Co-Operative Housing Society Limited

- (v) Society registration certificate of New Anand Deep Co-Operative Housing Society Limited, bearing No. MUM/WT/ HSG/TC/10930/Year 2019 dated 3<sup>rd</sup> October 2019 ("**Registration Certificate**")
- (vi) Order (of Amalgamation) dated 3<sup>rd</sup> October 2019 issued by Deputy Registrar, Co-operative Society, T-Ward, Mumbai ("**Order**")
- 3) 7/12 extract or property card issued by Talathi, Kurla, Mumbai Upnagar dated 19<sup>th</sup> October 2022 and another 7/12 extract or property card issued by Talathi, Kurla, Mumbai Upnagar also dated 19<sup>th</sup> October 2022.

4) **Search Reports:**

- (i) An offline and online search was conducted for **Anand Deep Co-operative Housing Society Limited** and a report submitted dated 18<sup>th</sup> October 2022 based on the availability of the records at the offices of Sub-registrar's Assurances at Mumbai, Bandra & Kurla (I to V) for 31 (thirty-one) years from 1992 to 2022 ("**Anand Deep Co-operative Housing Society Limited Search Report**") and collectively ("**Anand Deep Co-operative Housing Society Limited Search Reports**"). No public notices were released.
- (ii) An offline and online search was conducted, and a report submitted dated 18<sup>th</sup> October 2022 based on the availability of the records at the offices of Sub-registrar's Assurances at Mumbai, Bandra & Kurla (I to V) for 31 (thirty-one) years from 1992 to 2022 for Shanti Niketan Co-operative Housing Society Limited. ("**Shanti Niketan Co-Operative Housing Society Limited Search Report**"). No public notices were released.

II) On perusal of above-mentioned documents and all other relevant documents thereto I am of the opinion that the title of the following Developer is clear marketable and without any encumbrances.

Owners of the land as per Order and Registration Certificate :

Plot Nos. 910-A and 909: - New Anand Deep Co-Operative Housing Society Limited

The report reflecting flow of the title of the developer on the said land is enclosed herewith as Annexure.

## Annexure

Flow of the title of the said land

- 1) 7/12 extract issued by Talathi, Kurla, Mumbai Upnagar dated 19<sup>th</sup> October 2022 and another 7/12 extract issued by Talathi, Kurla, Mumbai Upnagar also dated 19<sup>th</sup> October 2022.
- 2) Mutation entry no. 3816 and 5452.
- 3) Search report of 30 years from 1992 to 2022 as stated above.
- 4) Any other relevant title:

Based on photocopies of documents which were not verified with originals a flow of title is as set out below.

- i) By and under Anand Deep Co-Operative Housing Society Limited Development Agreement, the Developer has entered into a development agreement with Anand Deep Co-Operative Housing Society Limited ("**Anand Deep Co-Operative Housing Society**") ; members of the society residing in the building known as "Anand Deep" being (1) Smt. Neeta Navin Joshi, (2) Shri Sharad Premchand Vora & Smt. Vibha Sharad Vora (3) Smt. Savitaben K. Shah (4) Shri Anant Valji Rajkundaliya (5) Shri Ashok M. Sachdev and Smt. Chandrika A. Sachdev (6) Shri Shantilal Liladhar Dedhia (7) Shri Shantilal Rajpal Shah (8) Smt. Rashmi S. Shah (9) Shri Jayesh Jadavji Kanani and Smt. Pravina Jayesh Kanani (10) Smt. Pravina Jayesh Kanani and Shri Jayesh Jadavji Kanani (11) Smt. Prafulla Ramesh Shah (12) Shri Khantilal Kantilal Shah and Smt. Kailashben Khantilal Shah (13) Smt Varsha Harshad Bhayani (14) Smt. Hemaben Prafulchand Chedda and Shri Prafulchand Ravji Chedda (15) Shri Pravin Jamnadas Thakkar and Smt. Kunjal Pravin Thakkar; and (16) Shri Chandresh Jethalal Nagda (collectively "**Members**"), and has acquired development rights of the Anand Deep Co-Operative Housing Society Limited Property (described below) on the terms and conditions as set out therein and granted.
- ii) The property described in the Anand Deep Co-operative Housing Society Limited Development Agreement is as under:

Plot of land admeasuring approximately 842.50 square meters bearing Plot No. 1003-B, Survey No. 1000, City Survey No. 910 (Part) Village, Mulund (West) Taluka Kurla, and situated, lying and being at Dr. R.P. Road, Mulund (West), Mumbai 400 080 in the registration District and Sub-District of Mumbai Suburban, together with building standing thereon known as "Anand Deep" and bounded as follows:

On or towards the East: by Plot No. 1003 (Part)

On or towards the West: by Plot No. 1004

On or towards the North: by Dr. R. P. Road

On or towards the South: by Plot No. 1026 ("**Anand Deep Co-operative Housing Society Limited Property**")

- iii) Anand Deep Co-operative Housing Society Limited Development Agreement *inter alia* records that Anand Deep Co-Operative Housing Society Limited acquired the Anand Deep Co-Operative Housing Society Limited Property under an Indenture of Sale dated 5<sup>th</sup> December 1978 from one M/s Patel Corporation. Further, the said M/s Patel Corporation in turn acquired the Anand Deep Co-Operative Housing Society Limited Deep Property under an Indenture dated 7<sup>th</sup> January 1972 from one Subhash Bhasin and Surendra Bhasin.
- iv) By and under Anand Deep Co-Operative Housing Society Limited Power of Attorney; Anand Deep Co-Operative Housing Society Limited Society through its (1) Chairman i.e. Shri Pravin Jamnadas Thakkar (2) Secretary i.e. Shri Chandresh Jethalal Nagda and (3) Treasurer Shri Prafulchand Ravji Chedda have nominated, constituted and appointed (1) Shri Piyush Tulsidas Thakkar and (2) Shri Hemant Mangaldas Bhanushali, partners of the Developers as their constituted attorneys to do various acts things and deeds as enumerated therein. This Anand Deep Co-Operative Housing Society Limited Power of Attorney records that Anand Deep Co-Operative Housing Society Limited Property falls within the limits of "T" Ward of Mumbai Municipal Corporation. The resolution passed by the Society authorizing its representatives to sign the documents is annexed thereto.
- v) Anand Deep Co-Operative Housing Society Limited Search Reports record that Index II of the Anand Deep Co-Operative Housing Society Limited Power of Attorney not available for perusal in either of the search reports. 2<sup>nd</sup> Search Report records the Anand Deep Co-Operative Housing Society Limited Development Agreement and the Indenture of Sale dated 5<sup>th</sup> December 1978 from aforementioned M/s Patel Corporation. Search Reports further records mutation entries in respect of the larger parcel of land covered under Survey No. 1000 and accordingly, right of the Developer will be subject to this qualification. Mutation Entry No. 5452 subject to other contents therein records name of Anand Deep Co-Operative Housing Society Limited.
- vi) By and under Shanti Niketan Co-Operative Housing Society Limited Development Agreement, the Developer has entered into an assignment cum development agreement with Shanti Niketan Co-Operative Housing Society Limited ("**Shanti Niketan Co-Operative Housing Society Limited Society**") through its (1) Mr. Gulabchand Devraj Shah, (Hon. Chairman) and (2) Mr. Atul Natwarlal Parekh (Hon. Treasurer) as the First Part; members of Shanti Niketan Co-Operative Housing Society Limited Society being (1) Smt. Kusum Shrikant Thakkar and Shri Bhavesh Shrikant Thakkar, (2) Smt. Hansa Ashwin Sachde (3) Smt. Hansa Ashwin Sachde (4) Shri Gulabchand Devraj Shah (5) Smt. Manglaben Prabhulal Chotani (6) Smt. Madhubala Vasant Soni and Shri. Vasant Manilal Soni (7) Shri Nishit B. Gosrani, Shri Bharat M. Gosrani and Smt. Sangita B. Gosrani (8) Shri Tejas Harendra Shah (9) Shri Atul Natwarlal Parekh, Smt. Bhavana Atul Parekh and Shri Natwarlal Gulabchand Parekh (10) Smt. Rajesh Mohanlal Joisar and Shri Naresh Mohanlal Joisar (11) Shri Chandrakant M. Pandhi and Smt. Pratima C. Pandhi ( "Flat Owners") as the Second Part; M/s Chetna Global Builders And Developers ("Erstwhile Developer") a

registered partnership firm through its representative Mr. Shyam Jangam, Mr. Hasmukh Thakkar and Mr. Lalit Jangam having its office at 116/117, Dr. Ambedkar Road, Mulund (West), Mumbai 400 080 as the Third Part; Anand Deep Co-Operative Housing Society Limited Society as the Fourth Part; And the Developer herein i.e. M/s Shreejee Buildcon as the Fifth Part; the Developer has acquired rights on the terms and conditions set out therein of development in respect of property described as under:

Land admeasuring approximately 545 square meters bearing Plot No. 1026, CTS No. 909, Mulund (West) Mumbai Suburban District together with the building popularly known as "Shanti Niketan" consisting of ground plus three upper floors ("**Shanti Niketan Co-Operative Housing Society Limited Property**").

- vii) By and under a registered General Power of Attorney registered on 9<sup>th</sup> May 2019 bearing registration No. KRL-4/5533/2019; the Shanti Niketan Co-Operative Housing Society Limited Society through its (1) Hon. Chairman i.e. Shri Mr. Gulabchand Devraj Shah and (2) Hon. Secretary i.e. Shri Atul Natwarlal Parekh have nominated, constituted and appointed Shri Hemant Mangaldas Bhanushali, partner of the Developer as their constituted attorneys to do various acts things and deeds as enumerated therein for development of the said Property ("**Shanti Niketan Co-Operative Housing Society Limited Power of Attorney**"). Shanti Niketan Co-Operative Housing Society Limited Power of Attorney confirms that the said building "Shanti Niketan" consists of ground plus 3 upper floors and that under the Shanti Niketan Co-Operative Housing Society Limited Development Agreement with the confirmations of Flat Owners and Erstwhile Developer i.e. M/s Chetna Global Builders and Developers, Shanti Niketan Co-Operative Housing Society Limited Society has granted/assigned development rights in respect of the Shanti Niketan Co-Operative Housing Society Limited Property to the Developer herein. The resolution passed by Shanti Niketan Co-Operative Housing Society Limited Society authorizing its representatives to sign the documents is annexed.
- viii) Shanti Niketan Co-Operative Housing Society Limited Development Agreement records that the Property was in occupation of one (1) Shri Purushottam Damaji Kothari (2) Shri Valji Damaji Kothari. It further records a Deed of Conveyance dated 22<sup>nd</sup> May 2013 and an order dated 27<sup>th</sup> December 2012 passed by Competent Authority, Shanti Niketan Co-Operative Housing Society Limited Society is entitled to deemed conveyance.
- ix) Shanti Niketan Co-Operative Housing Society Limited Search Report records the conveyance in favour of the Shanti Niketan Co-Operative Housing Society Limited Society and Shanti Niketan Co-Operative Housing Society Limited Development Agreement. Search Reports further records mutation entries in respect of the larger parcel of land covered under Survey No. 1000 and Mutation Entry No. 3816 subject to other contents therein records name of Purushottam Damaji Kothari and Valji

Damaji Kothari; and accordingly, right of the Developer will be subject to this qualification.

- x) 7/12 extract issued by Talathi, Kurla, Mumbai Upnagar records names of Anand Deep Co-Operative Housing Society Limited and Purushottam Damaji Kothari and Valji Damaji Kothari.
- xi) By and under the Order the two societies i.e. Anand Deep Co-Operative Housing Society Limited Society and Shanti Niketan Co-Operative Housing Society Limited Society have been merged and accordingly their respective plots also merged. The new amalgamated society is known as New Anand Deep Co-Operative Housing Society Limited, a society duly registered under the provisions of The Maharashtra Co-operative Societies Act, 1960 under No. MUM/WT/ HSG/TC/10930/Year 2019 dated 3<sup>rd</sup> October 2019 having its address at C.T. Survey No. 910-A and 909, Dr. Rajendra Prasad Road, Mulund (West), Mumbai 400 080.
- xii) Society Certificate bearing No. MUH/WT/HSG/TC/10930/YEAR 2019 dated 3<sup>rd</sup> October 2021 issued to the Society i.e. New Anand Deep Co-Operative Housing Society Limited at the address mentioned above.

5) **Litigations:**

A limited search based on catch words in the names of the two societies and Developer was conducted on the original and civil side of the Hon'ble High Court, Mumbai for the years 2016 to 2022 (both inclusive) on or about 14<sup>th</sup> October 2022. Search report was shared with the Developer who vide its email dated 12<sup>th</sup> November 2022 has confirmed that neither the Property /present proposed project nor the Society or Anand Deep Co-Operative Housing Society Limited Society and Shanti Niketan Co-Operative Housing Society Limited Society are concerned with the result contained in the search report and that no litigations are pending with respect to proposed project.

Date: 12<sup>th</sup> November 2022



**Renu Parekh**