

Nilesh C. Parmar

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ADVOCATE HIGH COURT & NOTARY (Govt. Of India)

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FORMAT - A

(CIRCULAR NO. 28/2021)

To,
MAHA RERA,
HOUSEFIN BHAVAN,
PLOT NO. C-21, E-BLOCK,
BANDRA KURLA COMPLEX,
BANDRA (EAST),
MUMBAI - 400051

LEGAL TITLE CERTIFICATE

Subject: Title clearance certificate with respect of ALL THAT pieces or parcel of land or ground together with the building standing thereon and known as "MEERA UPVAN Co-operative Housing Society Ltd.", lying and being on piece or parcel of land or ground bearing Plot No. 29-A, Town Planning Scheme - II (T.P.S. - II) of Borivali, bearing Survey No. 21, Hissa No. 7, Corresponding City Survey (CTS) No. 498, 498/1 to 7 admeasuring 1280 square yards equivalent to 1070.24 square meters as per T.P. Scheme and 1070.24 square meters as per PRC of Village Kanheri, Taluka Borivali in Mumbai Suburban District situated at Opp. Carter Road No. 5, Main Kasturba Road, Borivali (East), Mumbai 400 066(hereinafter referred as the said property)

I have investigated Title in respect of the said property on request of my clients, M/s. YOGIRAJ BUILDERS & DEVELOPERS, a partnership firm registered under Indian Partnership Act, 1932 having its registered office at B/101, Shivhara, Chinchpada, Carter Road No. 2, Borivali (East), Mumbai 400 066 and following Documents:

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- 1) Description of the said property as follows:

ALL THAT pieces or ground bearing Plot No. 29-A, Town Planning Scheme - II (T.P.S. - II) of Borivali, bearing Survey No. 21, Hissa No. 7, Corresponding City Survey (CTS) No. 498, 498/1 to 7 admeasuring 1280 square yards equivalent to 1070.24 square meters as per T.P. Scheme and 1070.24 square meters as per PRC of Village Kanheri, Taluka Borivali in Mumbai Suburban District situated at Opp. Carter Road No. 5, Main Kasturba Road, Borivali (East), Mumbai 400 066(the said Property).

- 2) The Document of acquisition of the said property by M/s. YOGIRAJ BUILDERS & DEVELOPERS is as follows:

- (a) By virtue of Deed of Conveyance dated 21st July, 1972, lodged for registration with Sub-Registrar of Assurance at Mumbai under serial No. Mumbai/R/3931/1972 on 25th July, 1972, and duly registered on 23rd July, 2003, the Society is absolutely seized and possessed of or otherwise well and sufficiently entitled to all that piece or parcel of land or ground bearing Plot No. 29-A, Town Planning Scheme - II (T.P.S. - II) of Borivali, bearing Survey No. 21, Hissa No. 7, Corresponding City Survey (CTS) No. 498, 498/1 to 7 admeasuring 1280 square yards equivalent to 1070.24 square meters as per T.P. Scheme and 1070.24 square meters as per PRC of Village Kanheri, Taluka Borivali in Mumbai Suburban District situated at Opp. Carter Road No. 5, Main Kasturba Road, Borivali (East), Mumbai 400 066.
- (b) The Development Agreement dated 30th August, 2016 read with the Supplemental Development Agreement Dated 1st December, 2020, MEERA UPVAN CO-OPERATIVE HOUSING SOCIETY LIMITED, (the Society) with confirmation of their members with M/s. YOGIRAJ BUILDERS & DEVELOPERS (the Developer) for the development in respect of the said Property interalia demolishing

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the existing building and constructing new building on the said plot of land at or for the valuable consideration and upon the terms and conditions mentioned therein. The said Development Agreement dated 30th August, 2016 duly registered with the Sub-Registrar of Assurances at Borivali Taluka, under Serial No. BRL-5/8903/2016 on 31st August, 2016 and the Supplemental Development Agreement Dated 1st December, 2020 duly registered with the Sub-Registrar of Assurances at Borivali Taluka, under Serial No. BRL-5/10081/2020 on 2nd December, 2020.

3) Property Card of the said property:

Property Card of CTS No. 498, 498/1 to 7 admeasuring 1070.24 square meters as per T.P. Scheme and 1070.24 square meters as per PRC of Village Kanheri, Taluka Borivali in Mumbai Suburban District, stands in the name of MEERA UPVAN CO-OPERATIVE HOUSING SOCIETY LIMITED(the Society).

4) Search Report dated 16th December, 2016 for 30 years (i.e. from 1987 to 2016) and Search report Dated 18/10/2024 for last 9 years (i.e. from 2016 to 2024) taken out by Search Clerk Ganesh Gawde.

5) I have issued public notice dated 8th December, 2016 which was published in News papers namely "Free Press Journal" (English) and "Navshakti" (Marathi) on 9th December, 2016 and invited claims and/or objections from the persons having and/or claiming any share, right, title and interest in the said property. I however did not receive any objection and/or claim in response to my said public notices.

6) There is no litigation on the said property i.e. Nil

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On perusal of 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 said Society MEERA UPVAN CO-OPERATIVE HOUSING SOCIETY LIMITED being owner of the said property is marketable and free from all encumbrances and the Developers i.e. M/s. YOGIRAJ BUILDERS & DEVELOPERS are entitled to develop the said property according to the sanctions and approvals to be obtained from statutory authorities. Further I am of the opinion that the Developers are entitled to sell flats/units.

The Report reflecting the flow of the Title of M/s. YOGIRAJ BUILDERS & DEVELOPERS of the said property is enclosed as Annexure.

Enclosed: Annexures

Dated this 29th October, 2024



Mr. Nilesh C. Parmar
Advocate & Notary

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ANNEXURE

FLOW OF THE TITLE OF THE SAID PROPERTY

- i. By virtue of Deed of Conveyance dated 21st July, 1972, lodged for registration with Sub-Registrar of Assurance at Mumbai under serial No. Mumbai/R/3931/1972 on 25th July, 1972, and duly registered on 23rd July, 2003, the Society is absolutely seized and possessed of or otherwise well and sufficiently entitled to all that piece or parcel of land or ground bearing Plot No. 29-A, Town Planning Scheme - II (T.P.S. - II) of Borivali, bearing Survey No. 21, Hissa No. 7, Corresponding City Survey (CTS) No. 498, 498/1 to 7 admeasuring 1280 square yards equivalent to 1070.24 square meters as per T.P. Scheme and 1070.24 square meters as per PRC of Village Kanheri, Taluka Borivali in Mumbai Suburban District situated at Opp. Carter Road No. 5, Main Kasturba Road, Borivali (East), Mumbai 400 066.
- ii. By virtue of aforesaid fact recited hereinabove the Society is the owner of the said plot of land and building namely "MEERA UPVAN Co-operative Housing Society Ltd." standing thereon hereinafter collectively referred as "the said property".
- iii. The building is about 45 (Forty Five) years old and is in dilapidated condition and it requires heavy repairs otherwise it will not last long and only viable solution is to demolish existing building and reconstruct new building.

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- iv. At the Special General Body meeting of the Society held on 20th February, 2010 (in which majority Members were present), the issues of the condition of the Society building were discussed at length and the existing Members were of the opinion that they should demolish the existing building and construct a new building thereon and members gave their written consent for the redevelopment of the Society building through the reputed Developers.
- v. Accordingly, the General body took a decision in its Annual General Body Meeting held on 22nd August, 2010 and it was decided to follow procedure as mentioned in the Directions given u/s 79 (a) of M.C.S. Act, 1960 and to appoint Project Management Consultant by the Society before approaching any Developer directly for re-development work of the Society.
- vi. In the Special General Body Meeting of the Society held on 18th April, 2013 the Society decided to engage M/s. S.B. Associates as PMC (Project Management Consultant) for the redevelopment work of its buildings.
- vii. The Society had received proposals from 4 (Four) Developers for re-development of the said property in the manner envisaged above, and the Society/Managing Committee/PMC scrutinized every proposal and held meetings with the concerned Developers. Thereafter, 2 (Two) Developers were short-listed.

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- viii. The offer of the Developer i.e. M/s. YOGIRAJ BUILDERS & DEVELOPERS is finally accepted by the said Society in the Special General Body Meeting held on 19th February, 2014 and the said Developer is finally selected for re-development of the said property by the members of the said Society in the presence of authorized Officer deputed by Hon'ble Deputy Registrar, Co-operative Societies, "R-North" ward, Mumbai. The said Special General Body Meeting was held on 19th February, 2014 and accordingly Society members have complied with procedures laid down by Govt. of Maharashtra vide their circular dated 03/01/2009 published through Department of Textile and Co-operation.
- ix. The Hon'ble Deputy Registrar, Co-operative Society "R-North" ward, Mumbai has issued Order No. 2049/2014 dated 21st February, 2014 for the selection of the said Developer for the redevelopment of the said property of the Society as per the provisions and Rules and Regulations of Govt. of Maharashtra issued through circular of Department of Co-operation and Textile Gazette published on 03/01/2009.
- x. By The Development Agreement dated 30th August, 2016 read with the Supplemental Development Agreement Dated 1st December, 2020, MEERA UPVAN CO-OPERATIVE HOUSING SOCIETY LIMITED, (the Society) with confirmation of their members with M/s. YOGIRAJ BUILDERS & DEVELOPERS (the Developer) for the development in respect of the said Property

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interalia demolishing the existing building and constructing new building on the said plot of land at or for the valuable consideration and upon the terms and conditions mentioned therein. The said Development Agreement dated 30th August, 2016 duly registered with the Sub-Registrar of Assurances at Borivali Taluka, under Serial No. BRL-5/8903/2016 on 31st August, 2016 and the Supplemental Development Agreement Dated 1st December, 2020 duly registered with the Sub-Registrar of Assurances at Borivali Taluka, under Serial No. BRL-5/10081/2020 on 2nd December, 2020.

- xi. The said Society has also granted Irrevocable Power of Attorney dated 30th August, 2016 for the development of the said Property in favour of the nominees of the Developer. The said Irrevocable Power Attorney dated 30th August, 2016 is registered with the Sub-Registrar of Assurances at Borivali Taluka under Serial No. BRL-5/8904/2016 on 31st August, 2016.

Dated this 29th October, 2024



Mr. Nilesh C. Parmar
Advocate & Notary