

Ref.: JP/CIPL/TR/10/23

FORMAT -A  
(CIRCULAR No.28/2011)

To  
Maharashtra Real Estate Regulatory Authority  
Housefin Bhavan, Plot No.C-21,  
E-Block, Bandra Kurla Complex  
Bandra (East)  
Mumbai 400 051

**LEGAL TITLE REPORT**

Sub: Title Report with respect to Land bearing CTS No 9/5 situated at Village Malvani, Goregaon Taluka, in the Registration District and Sub-District of Mumbai Suburban (hereinafter referred as the "said Plot").

I have investigated the title of the said plot on the request of Chamundeshwari Infrastructure Private Limited and following documents i.e. :-

1) Description of the property.

All that piece or parcel of land bearing CTS No 9/5 admeasuring 1295 Sq. Mtrs or thereabouts of Village Malvani, Goregaon Taluka, in the Registration District and Sub-District of Mumbai Suburban (the "said Land") together with the building standing thereon and known as "SAMRAT". The Land and the Building, are hereinafter, wherever the context may so require or permit, collectively referred to as the "said Property".

2) The documents of allotment of plot

For the purpose of this Title Certificate I have perused the following documents in respect of the said Property

1. Copy of IOD bearing No. E.B./CE/2516/BSII/AP dated May, 14, 1981 issued by Asst. Engineer, Building Proposal, (Western Subs.), P Ward, Municipal Corporation of Greater Bombay.

2. Copy of Report on Title dated 10<sup>th</sup> July, 1981 issued by M/s. Khona & Kayyser, Advocates & Solicitors.
3. Copy of Agreement dated 23<sup>rd</sup> July, 1984 executed by and between Shangrila Construction Co. and Mr. Francis Piadade D'Souza registered under Deed of Confirmation dated 15<sup>th</sup> July, 1985 in respect of Flat No. 1 on the First floor.
4. Copy of Agreement dated 3<sup>rd</sup> May, 1985 executed by and between Shangrila Construction Co. and Mr. Bharat Jagannathrao Kale in respect of Flat No. 1 on the ground floor.
5. Copy of Letter bearing No. CE/2516/BSII/AP dated Feb., 10, 1987 issued by Executive Engineer, Building Proposal, Municipal Corporation of Greater Bombay
6. Copy of Deemed Conveyance dated 04.03.2022 registered under Sr. No. 2758/2022 with the Joint Registrar of Assurance, Borivali-1.
7. Copy of Development Plan 2034 Remark bearing No. Ch.E./DP34202210111419174 dated 03/10/2022 in respect of land bearing CTS No. 9/5 of Malvani Village situated in P/N Ward, Mumbai issued by the Office of the Chief Engineer (Development Plan), Municipal Corporation of Greater Mumbai (MCGM).
8. Copy of The P.R. Card in respect of land bearing C.T.S. No. 9/5 of Village Malwani, Taluka : Goregaon, District Mumbai Suburban District

9. Intimation of Approval (IOD) bearing Memorandum No. P-15114/2023/(9/5)/P/N Ward/MALWANI/337/1/New dated 17<sup>th</sup> April, 2023.
10. Commencement Certificate bearing No. P-15114/2023/(9/5)/P/N Ward/MALWANI/CC/1/New dated 26<sup>th</sup> May, 2023 issued by Executive Engineer, Building Proposal, MCGM.
11. Copy of Development Agreement dated 27th January, 2023 registered with the office of Sub Registrar, Borivali No. 6 vide Serial No. BRL-6/1743/2023.
12. Copy of General Power of Attorney dated 27th January, 2023 registered in the office of Sub Registrar, Borivali No. 6 vide Serial No. BRL-6/1747/2023.
13. Search Report dated 9th November, 2022 issued by Mr. Sachin Pawar (Search Clerk)
14. Search Report dated 29<sup>th</sup> October, 2023 issued by Mr. Sachin Pawar (Search Clerk)

**BASED ON THE AFORESAID I HAVE TO REPORT AS UNDER**

- a) By and pursuant to Conveyance Deed (Deemed/Unilateral) dated 15th January, 2022 ("the said Deed") executed by and between Dr. Kishor Mande, District Deputy Registrar, Co-Operative societies, Mumbai City (4) and Competent Authority exercising powers conferred upon him under section 5A of Maharashtra Ownership Flat (Regulation of the promotion of construction sale management and transfer) Act, 1963 on account of the defaulting predecessors/landlords in title as per revenue records or land records being (1) Kishorechand D.

Arora alias Dr. Kishorechand R. B. Dumichand, (2) Tekchand D. Arora alias Tekchand R.B. Dumichand and (3) Shantidevi D. Arora alias Shantidevi Arora, therein referred to as the VENDORS, Beach Hill Real Estate therein referred to as the Second Owner, Kailash Corporation therein referred to as the Subsequent Owner, A.S. Kably therein referred to as the Subsequent Assignee, M/s. Oswal Builders therein referred to as the Subsequent Owner, M/s. Shangrila Construction Co. therein referred to as the 'Promoter/ Confirming Party' granted, transferred, conveyed, in favour of Samrat Co-operative Housing Society Limited (therein and hereinafter referred to as "the Society") all that pieces and parcel of land or ground with the building standing on land bearing CTS No. 9/5 of Village Malvani, Taluka Borivali, District Mumbai Suburban admeasuring 1295 sq. mtrs. Sub-divided Plot No. 6, bearing Survey No. 84 Hissa No. 1-5 and Survey No. 85 Hissa No. 1-4 & 6 situate at Building No. 6, Janakalyan Nagar, Marve Road, Malad West, Mumbai 400 095 along with building known as Samrat C.H.S. Ltd. consisting of two wings namely A & B. The said Deed is registered with the Sub-Registrar, Borivali No.1, under Sr. No. BRL-1/2758-2022;

- b) Vide Development Agreement dated 27th January, 2023 ("Development Agreement") executed by and between Samrat Co-operative Housing Society Limited, all the Members of the said Society and Chamundeshwari Infrastructure Private Limited (therein and hereinafter referred to as "the Developer"), the Society has granted the development rights in favour of the said Developer for redeveloping the said Property by demolishing the existing Building standing on the said Property and constructing a proposed new building. The said Development Agreement is registered with the office of Sub Registrar, Borivali No.6 vide Serial No. BRL-6/1743/2023.

c) The said Society has executed General Power of Attorney dated 27th January, 2023 in favour of the Developer. The said Power of Attorney has been registered in the office of Sub Registrar, Borivali No. 6 vide Serial No. BRL-6/1747/2023.

d) Property card reflecting the name of the Society.

The P.R. Card records that on the basis of Deemed Conveyance dated 04<sup>th</sup> March, 2022 registered under Sr. No. 2758/2022 with the Joint Registrar of Assurance, Borivali-1 executed by the District Deputy Registrar, Co-op Housing Society, Mumbai-4, on behalf of the holder of the property the name of the said Society has been registered. The same is certified by City Survey Officer, Goregaon on 18.04.2022 vide Mutation Entry No. 1017.

e) Search Report issued by Mr. Sachin Pawar (Search Clerk).

For the purpose of this Reports, I have relied upon the Search Reports dated 9th November, 2022 and dated 29<sup>th</sup> October, 2023 of Mr. Sachin Pawar (Search Clerk) in respect of searches in the Index II Registers in the office of the Sub-Registrar of Assurances relating to the said Unit for the period of 34 years i.e. from 1990 to 2023.

f) I have caused Public Notices to be issued in Mumbai editions of **'Nav Shakti'** and **'Free Press Journal'** (Daily) both dated 10<sup>th</sup> November, 2022, inviting claims, if any, from the public at large, in respect of the said Property and the premises in the building above referred to and I say that till date I have not received any objection/claim in response thereto.

On perusal of the above mentioned documents and all other relevant documents relating to title of the said Property and on the basis of the Declaration made by the Society, I am of the opinion that the title of the Society i.e. Samrat Co-operative Housing

Society Limited is clear, marketable and without any encumbrances. Similarly, the Developers viz. Chamundeshwari Infrastructure Private Limited has acquired development rights in respect of the said Property and entitled to develop the said Property in accordance with the sanctioned and approved plan and to sell the flats in new building and appropriate the sale proceeds subject to its obligation more particularly mentioned in the Development Agreement.

Owners of the land

1) CTS No 9/5 - SAMRAT CO-OPERATIVE HOUSING SOCIETY LIMITED

2) Qualifying comments /remarks –

The aforesaid search report has the following qualification :-

Note -1

As reported by the said Search Clerk, the Search Report is subject to torn and mutilated records, misplaced records, non-ready and unavailable records in the Office. The search and online search conducted is only on the basis of available documents and records as maintained by the department at the time of search.

Please note that the process of searches in the registries and/or Governmental offices is often not reliable since the records are not updated/ maintained properly. I do not opine on the validity, adequacy or completeness of any of such searches.

Note – 2

- 1) We have not inspected any original title documents.
- 2) We have not carried out any physical inspection of the said Property.

Note - 3

Since verifying pending litigations in respect of properties becomes difficult due to various reasons including (i) litigations can be filed/

instituted in various Fora depending upon the relief claimed; and/or (ii) records of litigations maintained by courts and other authorities (judicial or otherwise) are not updated nor maintained descriptively and not easily available/accessible; and/or (iii) there are no registers maintained in respect of matters referred to arbitration, we have not conducted any searches before any court of law or before any other authority (judicial or otherwise) to verify whether the property is subject matter of any litigation.

However, I have cause limited research of litigation pending/disposed of against the Society/Developer and have not found any litigations pending against the Society/Developer.

The report reflecting the flow of the title of Samrat Co-Operative Housing Society Limited on the said Property and that of Chamundeshwari Infrastructure Private Limited to redevelop the said Property is enclosed herewith as annexure.

This Title Report is based on the provisions of applicable law, prevailing at the present time and the facts of the matter, as I understand them to be. My understanding is based upon and limited to the information provided to me. Any variation of facts or of law may cause a corresponding change in this Title Report.

Dated this 30<sup>th</sup> day of October, 2023



Jitendra Puradkar  
Advocate

Encl : Annexure.

**ANNEXURE**

FLOW OF TITLE

- A) Upon perusal of Report on Title bearing No. B/651/2922/81 dated 10th July, 1981 issued by M/s Khona & Kayser it is observed that
- I. a) Mr. Tekchand D.Arora b) Mrs. Shantidevi D. Arora and c) Mr. Kishorechand D. Arora were the owners of larger land situate at Village Malwani and more particularly described in the First Schedule hereunder written. The said a) Mr. Tekchand D. Arora b) Mrs. Shantidevi D. Arora and c) Mr. Kishorechand D. Arora alias Dr. Kishorechand R.B. Dunichand Arora are hereinafter referred to as "Original Owners"
  - II. By and under Deed of Partnership dated 1st February, 1974, the Original Owners formed the partnership firm in the name and style of 'Beach Hill Real Estate'. In the said partnership inter alia along with other properties, the said Original Owners bought in the Land described in First Schedule as stock-in-trade of the said firm.
  - III. By and under Agreement dated 14th August, 1975, the Original Owners granted rights pertaining to the Land described in the First Schedule to one Kailash Corporation, a partnership firm, for consideration and on terms and conditions set out in the said Agreement. The said Kailash Corporation made an application to Government of Maharashtra under section 21(1) of Urban Land Ceiling Act 1976 regarding the said Land described in First Schedule. The Government of Maharashtra vide its order bearing no. C/ULC/R-21/III/399 dated 21st July, 1979 granted permission under section 21 of the said Act.
  - IV. The said Kailash Corporation did not carry out the terms and conditions imposed under the said Order dated 21st July 1979 of the Government of Maharashtra.
  - V. By and under Agreement dated 17th April, 1979 the Original Owners took out the Land described in the First Schedule, out of stock-in-trade of the partnership firm of M/s. Beach Hill Real Estate and allotted the said Land to Dr. Kishorechand R.B. Dunichand Arora and the said Dr. Kishorechand R.B. Dunichand Arora had agreed to pay to the Original Owner a sum of Rs. 7,50,000/- as consideration for the same.
  - VI. Dr. Kishorechand R.B. Dunichand Arora took over the Land described in First Schedule on terms and conditions set out in the said Agreement dated 17th April, 1979, subject to the rights of Kailash Corporation under the Agreement dated 14th August, 1975



- VII. The said larger land was mortgage to one Mr. A.S. Kably. The Original Owners represented that
- a. they have paid the full mortgage debt to Mr. A.S. Kably and had executed Reconveyance Deed and the same was lodged for registration at the Bombay Sub-Registry under serial no S/1396/1981.
  - b. the said Mr. A.S. Kably also admitted execution of the said Reconveyance before the Sub-Registry on 29th May 1981.
  - c. there is no other mortgage, charge or encumbrance on the said land or any portion thereof.
- VIII. By and under Agreement dated 5th June, 1980 made between the (i) Original Owners of the first part, ii) KAILASH Corporation of the second part, iii) Kishorechand D. Arora alias Dr. Kishorechand R. B. Dunichand being Confirming Party of the third part and M/s. OSWAL BUILDERS of the fourth part, the said Original Owners, said Kailash Corporation and the said Confirming party had granted to M/s. Oswal Builders rights to develop the property more particularly described in the First Schedule for the consideration and upon the terms and conditions set out therein.
- IX. By and under an Agreement dated 15th September, 1980 made between M/s Oswal Builders of the One Part and M/s. Shangrila Construction Company of the Other Part, M/s Shangrila Construction Company was granted right to develop the portion of the said land, which portion is more particularly described in the Second Schedule hereunder written on the terms and conditions set out therein.
- B) Upon perusal of copy of Agreement dated 23rd July, 1984 executed by and between Shangrila Construction Co. and Mr. Francis Piadade D'Souza registered under Deed of Confirmation dated 15th July, 1985 in respect of Flat No. 1 in Building No. 6 constructed on Sub-Plot No. 6 of Jankalyan Nagar Private Scheme and bearing Survey No. 84, Hissa No. 2(part) corresponding to CTS No. 12(p) and Plot No. 4 of Jankalyan Nagar Private Scheme and bearing Survey No. 84, Hissa No. 3(part), and Hissa No. 4(part), corresponding to C.T.S. No. 10(p) & 11(p) it is observed that
- a. The said Land described in the First Schedule was sub-divided into various plots by preparing layout scheme of the Larger Property.
  - b. M/s. Shangrila Construction Company constructed aforesaid building of the said Society on plot Nos. 4 and 6 of the said Layout Scheme as per plans, designs and specifications approved by the BMC. The said Plots are more particularly described in the Second Schedule hereunder written (hereinafter referred to as the "said plot of Land")

- c. M/s. Shangrila Construction Company entered into separate Agreements with different tenements acquirers for sale to them of premises in the said building on terms and conditions substantially similar thereto.
- C) Upon perusal of Conveyance Deed (Deemed/Unilateral) dated 15th January, 2022 executed by and between the District Deputy Registrar, Co-op Societies, Mumbai-4, through Kishorechand D. Arora alias Dr. Kishorechand R.B. Dumichand, Mr. Tekchand D. Arora alias Tekchand R.B. Dumichand, Shantidevi D. Arora alias Shantidevi Arora and Others in favour of the said Society it is observed that :
- a) the Original Owners, Assignee, subsequent Assignee and the Confirming Party were jointly required to convey the land along with the Building to the said Society since landlords have granted or transferred the development rights to assignees and subsequently to the developers who had constructed the building and sold the respective flats to individual purchasers by executing separate agreement for the sale as per section 4 of MOFA, 1963 and that they were required to prepare the Conveyance Deed to transfer the entire rights, title and interest of the said land and Building in favour of the said society,
  - b) Accordingly the Original Vendors, Assignee, Subsequent Assignee and the Confirming party were jointly required to convey the said plot of land admeasuring 1295 sq mtrs. bearing C.T.S. No 9/5, Sub divided Plot No 6 bearing Survey No. 84 Hissa No.1 to 5 and Survey No. 85 Hissa No 1 to 4 & 6 of Village Malvani, Taluka Borivali, situated at Building No 6, Janakalyan Nagar, Marve Road, Malad (West), Mumbai-400 095, along with building now known as "Samrat" in Mumbai Suburban District as described under the Second Schedule in favour of the said Society within four months of registration of the Society as provided under section 11 of the Maharashtra Ownership Flats Act, 1963 (hereinafter referred to as MOFA, 1963) read with rule 9 of the Maharashtra Ownership Rules, 1964 under which the builders has constructed and sold the flats to the respective purchasers. The said builder/vendor/assignees/confirming party grossly failed to comply with the statutory obligation of conveying the land and the building in favour of the said Society.
  - c) The Society thereafter issued/wrote letters and called upon the Vendors/Builders/Assignees/Confirming Party to execute the conveyance deed, conveying the said land along with the building, appurtenances etc. in favour of the society, which the Original Owners, Assignees, Confirming party/vendors were required to do so under law. The Vendor/confirming Party/Assignees/builder/did not comply with such request of the Society nor took steps to execute Conveyance.

- d) Thus the Vendors/Assignees/Builders/Confirming Party had failed to execute the required conveyance for conveying the right, title and interest in the said land and the said building in favour of the said Society. Repeated requests were made by the said Society to the Vendors/Confirming party/Owner for conveying the said Property in favour of the said Society which did not yield any result.
- e) The Society therefore made an application which was assigned Application No. 2 of 2014 with respect of the said land admeasuring 1295 sq. mtrs. bearing Survey No. 84, Hissa No. 1 to 5 and Survey No. 85, Hissa No. 1 to 4 & 6 of Village Malwani Taluka Borivali situated at Jankalyan Nagar, Marve road, Malad (West), Mumbai 400 095 and corresponding to CTS No 9/5, sub-divided plot No 6 as specifically set out in the copy of the Agreement dated 03 May, 1985, alongwith the building known as 'Samrat CHS Ltd' Mumbai Suburban District as described under the Second Schedule in favour of the Society before the Competent Authority appointed under section 5A of the Maharashtra Ownership Flats Act 1963 viz the District Deputy, Registrar of Cooperative Societies, Mumbai City-4 under the provisions of sub-section (3) of section 11 of MOFA for issuing a Certificate of Entitlement to the said Society to have Unilateral Deemed Conveyance executed in its favour and to have it registered by exercising the powers granted under the Maharashtra Ownership Flats Act, 1963 to this effect.
- f) The Competent Authority scrutinized the application of the Society u/s 11 of the MOFA and issued notices to the Vendors/Assignee/Confirming Party/Promoter/Builder/owners at their last known addresses and as a matter of abundant caution, issued Notices in the Marathi and English Newspapers, which was made applicable to the aforesaid parties or their legal heirs/executors/partners/proprietor for inviting the objections/claims against the suit premises/said land, and to show cause why deemed conveyance order should not be issued in favour of the said society for conveying the said land alongwith the building thereon.
- g) The office of the District Deputy Registrar after giving reasonable opportunities and considering the various facts of the said Society and documents submitted in the said matter, closed the matter for orders.
- h) The District Deputy Registrar (Competent Authority) being satisfied with the merits of Applicant Society, issued an Order cum Certificate bearing No. DDR-4/Mum/deemed conveyance/SAMRAT CHS/2232/15 dated 8th July, 2015 certifying that the Society is entitled to Unilateral Conveyance of the said land and the said Building, and execute Deed of Unilateral Conveyance and have it registered as provided under Registration Act, 1908.

- D) Accordingly by virtue of Conveyance Deed (Deemed/Unilateral) dated 15th January, 2022 executed by the District Deputy Registrar, Co-op Societies, Mumbai-4, through Dr. Kishorechand R.B. Dumichand, Tekchand R.B. Dumichand, Shantidevi Arora and Others, all that pieces and parcel of land or ground with the building consisting of 2 wings having ground plus 3 upper floors standing on land bearing CTS No. 9/5 admeasuring 1295.00 sq. mtrs. of Village Malvani, District Mumbai Suburban, Janakalyan Nagar, Malad West, Mumbai 400 095, more particularly described in the Third Schedule was conveyed, sold in favour of the said Society under section 5A of Maharashtra Ownership of Flat Act, 1963. The said Deed is registered with the Sub-Registrar of Assurance, Borivali No.1, on 4th March, 2022 under Sr. No. BRL-1/2758-2022.
- E) Upon perusal of Order dated 8th July, 2015 of the District Deputy Registrar, Co-op Societies, Mumbai City ("Competent Authority") which is annexed to the said Conveyance Deed it is found that the Competent Authority has observed as follows :

*"k) The photocopy of property card bearing No. CTS No. 9/5 is submitted along with the application. The area as per the latest property card is 1295 sq. mtrs. It is seen from the remarks of the property card that CTS No. 9/5 was formed and the said area 1295 sq. mtrs. was allotted to the said plot and which is now claimed by the Applicant Society in the said application.*

*l) It is observed from the approved Location Plan vide approval No. CE/2516/BSI/AP submitted along with this application that the plan has been approved and clearly specify the details of the sub-divided property description as mentioned in the agreement for sale dated 3/5/1981 executed between promoter and flat owners."*

F) **REVENUE RECORDS**

**Property Card**

- a) The P.R. Card in respect of land bearing C.T.S. No. 9/5 of Village Malwani, Taluka : Goregaon, District Mumbai Suburban District reflects the names 1) Dr. Kishorechand R.B. Dumichand, 2) Shri Tekchand R. B. Dumichand and 3) Smt. Shantadevi Arora as erstwhile Holder and Samrat Cooperative Housing Society as present holder and the same reflects the area of 1295.00 sq. mtrs.

The P.R. Card records that on the basis of Deemed Conveyance dated 04<sup>th</sup> March, 2022 registered under Sr. No. 2758/2022 with the Joint Registrar of Assurance, Borivali-1 executed by the District Deputy Registrar, Co-op Housing Society, Mumbai-4, on behalf of the holder of the property viz. Dr. Kishorechand

R.B. Dumichand, Tekchand R.B. Dumichand, Shantadevi Arora vide his Order No. 2232 dated 08.07.2015, the names of land holders were deleted and name of the said Society was registered. The same is certified by City Survey Officer, Goregaon on 18.04.2022 vide Mutation Entry No. 1017. Entry dated 17/11/84 records that the said entry is as per C.T.S. No. 9/1.

- b. Upon perusal of P.R. Card in respect of land bearing C.T.S. No. 9/1 of Village Malwani, Taluka : Goregaon, District Mumbai Suburban District it is observed that the same reflects the names 1) Dr. Kishorechand R.B. Dumichand, 2) Shri Tekchand R. B. Dumichand and 3) Smt. Shantadevi Arora as Holder and the area is recorded as 174.10 sq. mtrs. Vide entry dated 11/07/1984 it records that pursuant to (1) Order bearing No. DLN/LND/D/5450 dated 14.7.82 of the Sub-Divisional Officer, MSD, (2) Order No. D.S.O./3/1228/84 dated 6.9.84 of Hon. Survey Officer, MSD and 3) Order No. C.S Malvani/84 dated 17.11.84 of C.S. No. 10 there were amendments in areas following which there were amalgamation and subdivisions. Accordingly new Property Cards for CTS Nos. 9/1 to 9/20 were opened.

**G) MORTGAGE / CHARGE**

M/s. Khona & Kayyser, Advocates & Solicitors in their Report on Title dated 10<sup>th</sup> July, 1981 has observed that

- a. the land described in First Schedule was mortgaged to one Mr. A.S. Kably.
- b. the said Mr. A.S. Kably executed Reconveyance Deed and the same was lodged for registration at the Bombay Sub-Registry under serial no S/1396/1981.
- c. that the said Mr. A.S. Kably admitted execution of the said Reconveyance before the Sub-Registry on 29<sup>th</sup> May 1981.
- d. That there is no other mortgage, charge or encumbrance on the said land or any portion thereof.

**H) APPROVALS OF OLD BUILDING**

- i. By and under letter bearing No. E.B./CE/2516/BSII/AP dated May 14, 1981 issued by Asst. Engineer, Building Proposal, (Western Subs.), P Ward, Municipal Corporation of Greater Bombay, IOD was issued for construction of Building on Plot No. 6, S. No. 84 Hissa No. 1 to 6 of Village Malvani, Malad (W) subject to the terms and conditions mentioned therein.

- ii. By and under letter bearing No. CE/2516/BSII/AP dated February 10, 1987 issued by Executive Engineer, Building Proposal, Municipal Corporation of Greater Bombay, permission was granted to occupy the completed building on P. No. 6, S. No. 84, 85 of Village Malvani, Malad (W) subject to the terms and conditions mentioned therein.
- iii. The Office of the Chief Engineer (Development Plan), Municipal Corporation of Greater Mumbai (MCGM), vide No. Ch.E./DP34202210111419174 has issued Development Plan 2034 Remark dated 03/10/2022 in respect of land bearing CTS No. 9/5 of Malvani Village situated in P/N Ward, Mumbai under which inter alia, it is stated that the land is in the residential zone and that there are no reservations affecting the land bearing CTS No. 9/5.

**I) APPROVALS OF NEW BUILDING**

- a. The Municipal Corporation of Greater Mumbai ("MCGM") has granted Intimation of Approval (IOD) for the proposed redevelopment of Building on Plot bearing CTS No. 9/5 of Village Malwani at Jankalyan Nagar, Malad (W), Mumbai-400095 vide Memorandum No. P-15114/2023/(9/5)/P/N Ward/MALWANI/337/1/New dated 17<sup>th</sup> April, 2023 subject to the terms and conditions mentioned therein.
- b. The Executive Engineer, Building Proposal, Western Suburb II P/N Ward, on behalf of Municipal Corporation of Greater Mumbai ("MCGM") has granted Commencement Certificate dated 26<sup>th</sup> May, 2023 upto top of plinth level only as per zero FSI IOD plans dated 17.04.2023, to erect a building in building development work on plot no 9/5 CTS No. 9/5 Village Malwani situated at off Marve Road in P/N Ward vide order No. P-15114/2023/(9/5)/P/NWard/MALWANI/CC/1/New subject to the terms and conditions mentioned therein. The said Commencement Certificate is valid upto 25<sup>th</sup> May, 2024.

J) The Purchasers of the flats of the said building formed a housing society in the name of SAMRAT Co-operative Housing Society Ltd. The Society is registered under the Maharashtra Co-operative Societies Act, 1960, under Registration No. BOM/(WP)/HSG/(TC)/4632/88-89 dated 21/7/1989 and having its registered address at building no. 6, Janakalyan Nagar, Kharodi, Malad (West), Mumbai -400095.

K) As declared by the Society, all the flat owners at that relevant time were admitted as the members of the said Society and were issued shares by the said Society. The purchasers of the resale flats in the said building were admitted as members of the said Society in place of the outgoing members and respective shares were transferred to the new members.

- L) By a Declaration dated 25<sup>th</sup> January, 2023 made by the Society, the Society inter alia has declared and confirmed that there are no mortgages, attachments or encumbrances in respect of the property above referred to.
- M) The Property Registrar Card bearing CTS No. 9/5 relating to the property above referred to, stands in the name of the Society as holder/owner thereof.
- N) Vide Development Agreement dated 27th January, 2023 executed by and between Samrat Co-operative Housing Society Limited, all the Members of the said Society and Chamundeshwari Infrastructure Private Limited, the said Society has granted the development rights to the said Developer to redevelop the said Property by demolishing the existing Building standing on the said Property and constructing a proposed new building. The said Development Agreement is registered with the office of Sub Registrar of Assurances at Borivali vide Serial No. BRL-6/1743/2023
- O) The said Society has simultaneously with the execution of the Development Agreement also executed the General Power of Attorney dated 27th January, 2023 in favour of the Developers to develop the said Property. The said Power of Attorney is registered with the office of Sub Registrar of Assurances at Borivali vide Serial No. BRL-6/1747/2023.

**FIRST SCHEDULE ABOVE REFERRED TO:**

All those pieces and parcels of land situate, lying and being at Village Malvani, Taluka Borivali, within Registration District and Sub-District of Mumbai City and Mumbai Suburban District bearing Survey No. 84, Hissa No. 1 to 5 and Survey No. 85, Hissa Nos. 1 to 4 and 6 and admeasuring 30,348 square meters or thereabouts corresponding to CTS Nos. 9, 10, 11, 12, 13, 16, 17, 18 and 29

**SECOND SCHEDULE ABOVE REFERRED TO**

- a) All those pieces and parcels of land situate, lying and being at Village Malvani, Taluka : Borivali, within the Registration District and Sub-District of Mumbai City and Mumbai Suburban District being Sub-Plot No. 6 of Janakalyan Nagar Private Scheme, admeasuring 1295.00 square meters or thereabouts and bearing Survey No. 84, Hissa No. 2(part) and corresponding to CTS Nos. 12(p).



- b) All those pieces and parcels of land situate, lying and being at Village Malvani, Taluka : Borivali, within the Registration District and Sub-District of Mumbai City and Mumbai Suburban District bearing being Sub-Plot No. 4 of Janakalyan Nagar Private Scheme, admeasuring 1295.00 square meters or thereabouts and bearing Survey No. 84, Hissa No. 3(part) and Hissa No. 4(p) and corresponding to CTS Nos. 10(p) and 11(p).

**THIRD SCHEDULE ABOVE REFERRED TO**

All that piece or parcel of land admeasuring 1295.00 square meters or thereabouts and bearing CTS No. 9/5, Sub-Divided Plot No. 6, bearing Survey No. 84, Hissa No. 1 to 5 and Survey No. 85 Hissa No. 1 to 4 and 6 of Village Malvani, Taluka : Borivali, situated at Building No. 6, Janakalyan Nagar, Marve Road, Malad (West), Mumbai 400 095 along with building known as "SAMRAT Co-op Housing Society Ltd." consisting of two Wings viz. "A" & "B" each comprising of ground plus three upper floors without lift, having 32 flats as per the plans and specification approved by the Municipal Corporation of Greater Mumbai (MCGM) and assessed by MCGM within the Registration District and Sub-District of Mumbai City and Mumbai Suburban District.

This Report must be read together with the Annexures annexed to the Report.

Dated this 30<sup>th</sup> day of October, 2023



Jitendra Puradkar  
Advocate