

SANDESH D. JADHAV, B.Com; LL.B
(Advocate High Court)

40 / 23, NAVJIVAN NAGAR
TAGORE NAGAR, GROUP NO. 3
VIKHOLOI (E), MUMBAI – 400 083
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Email: advsandesh.jadhav@gmail.com

To,
Maha RERA, Mumbai,
Maharashtra.

FORMAT - A
(Circular No: - 28/2021)
LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to Plot of Land bearing Survey No. 113(Part), City Survey No. 356(Part), admeasuring area of plot 1242.14 Sq. Mtrs. as per Intimation of Approval (IOA) issued by MHADA being part of the Mumbai Board's Land Situated at Building No. 259 and 260, Kannamwar Nagar Sagarsangeet C H S Ltd, Kannamwar Nagar No. 1, Vikhroli – (East), Mumbai – 400083 of Village – Hariyali, Taluka – Kurla hereinafter referred as "the Said Plot" along with the Building of Ground + 4 Floors standing thereon hereinafter referred to as "the Said building" and both together the said Plot and the said Building together hereinafter referred to as "the Said Property".

I have investigated the title of the said property on the request of Developer, M/S. ADITYARAJ HOUSING DEVELOPERS and also perused the documents related to the said Property provided to me and I hereby provide my opinion as under –

1. MHADA in pursuance of Scheme introduced by Government constructed Building No. 259 and 260 consisting of 40 residential Tenements each having a carpet area of 509.56 Sq. Feet i.e. 47.34 Sq. Mtrs. for housing purpose as provided in the said scheme.
2. All the individual tenants of said 40 tenements formed a Co-operative Housing Society viz. "KANNAMWAR NAGAR SAGARSANGEET C H S LTD;" Consisting of said

Sd/-

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40 members under Registration Number No. **BOM(W.S)HSG.(OH)1439/85-86** dated **10/10/1985**.

3. By the Deed of Sale executed between MHADA and society dated **29th April, 1991** Registered at Bombay, the Collector of General Stamp Office, Mumbai under 32 (1) of Bombay Stamp Act, 1976 (MAH. XXVII) Transferred, Conveyed, Sold and Assigned unto the society consisting of Building Structure of Building No. **259 and 260**, standing on the above referred Plot situated at **Kannamwar Nagar No. 1, Vikhroll – (East), Mumbai – 400083** known as **"KANNAMWAR NAGAR SAGARSANGEET C H S LTD;"** for 40 members for Rs. **37,90,048/- (Rupees Thirty Seven Lakhs Ninety Thousand and Forty Eight only)** Price and then **"KANNAMWAR NAGAR SAGARSANGEET C H S LTD;"** Became owner of the said Residential Building. The Land was leased as per an Indenture of Lease dated – **29th April, 1991**.
4. WHEREAS, **"KANNAMWAR NAGAR SAGARSANGEET C H S LTD;"** Leasehold owner of the said land and owner of the said building consisting of 40 residential Tenements having plot area admeasuring about admeasuring area of plot **1242.14 Sq. Mtrs. as per Intimation of Approval (IOA) issued by MHADA being part of the Mumbai Board's Land**. In the above premise, the society is leasehold owner of the said land. The owner of the said structure consisting of 40 residential Flat having plot admeasuring area of plot **1242.14 Sq. Mtrs. as per Intimation of Approval (IOA) issued by MHADA being part of the Mumbai Board's Land**. To avail benefits of balance F.S.I. available with MHADA, on society plot and also the society members were desirous of having additions to their existing Tenements by using the benefits of MHADA F.S.I. and hence Resolution was passed In **Special General Body Meeting held on 30th January, 2022** and decided to do extensions to their

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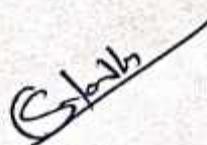
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existing tenement and appointed **M/S. ADITYARAJ HOUSING DEVELOPERS** for reconstruction and redevelopment of the said Property through the Developers herein.

5. As the said tenements were in quite dilapidated condition and unfit for human habitation, after following due legal procedure the said society granted unto the **M/S. ADITYARAJ HOUSING DEVELOPERS** having address at **Shop No. 9, Ground Floor, Kambodhi C H S Ltd; Building No. 106, Road No. 13, Tilak Nagar, Chembur, Mumbai – 400089** all the redevelopment and reconstruction rights of the said Property vide Development Agreement (DA) dated **30/11/2022** and registered with the concerned Sub- Register of Assurance at Kurla under Document Registration No. **KRL-1/21595/2022** on the terms and condition as therein contained and Power of Attorney (POA) dated **30/11/2022** bearing Document Registration Serial No. **KRL-1/21596/2022** and thereby transferred all Development Rights, Title, Interest of the said plot to **M/S. ADITYARAJ HOUSING DEVELOPERS**.

Confirm and Verified Documents as under –

- Society Registration Certificate No. **BOM(W.S)HSG.(OH)1439/85-86** dated **10/10/1985**
 - Property Card / Extract of Land Survey No. **113(Part)**, City Survey No. **356(Part)** which is showing land property in the name of Maharashtra Griha Nirman Bhavan.
6. Copy of minutes and resolution passed by **“KANNAMWAR NAGAR SAGARSANGEET C H S LTD;** in favour of **M/S. ADITYARAJ HOUSING DEVELOPERS,**



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for Development of **Building No. 259 and 260 of Kannamwar Nagar No. 1, Vikhrolli – (East), Mumbai – 400083** of Village – Hariyali, Taluka – Kurla.

7. In view of the above said records and searches the title of **“KANNAMWAR NAGAR SAGARSANGEET C H S LTD;”** In respect of the above said MHADA allotted Property is clear and marketable and is free from all encumbrance of whatsoever nature.
8. I have perused the relevant documents that have been provided to me and I am of the opinion that the title is clear of **“KANNAMWAR NAGAR SAGARSANGEET C H S LTD;** in respect of the residential plot situated at **Building No. 259 and 260, bearing Survey No. 113(Part), City Survey No. 356(Part),** admeasuring area of plot **1242.14 Sq. Mtrs.** as per Intimation of Approval (IOA) issued by MHADA being part of the **Mumbai Board’s Land at Kannamwar Nagar No. 1, Vikhrolli – (East), Mumbai – 400083** of Village – Hariyali, Taluka – Kurla together with the building structure standing thereon comprising the Ground + 4 floors situated at **Kannamwar Nagar No. 1, Vikhrolli – (East), Mumbai – 400083** of Village – Hariyali, Taluka – Kurla and whereas Maharashtra Housing and Area Development Authority (MHADA) has Surveyed and demarcated the said Plot.
9. **Description of the Property:** Leasehold Residential Plot situated at **Building No. 259 and 260, bearing Survey No. 113(Part), City Survey No. 356(Part),** admeasuring area of plot **1242.14 Sq. Mtrs.** as per Intimation of Approval (IOA) issued by MHADA being part of the **Mumbai Board’s Land at Kannamwar Nagar Sagarsangeet C H S Ltd, Kannamwar Nagar No. 1, Vikhrolli – (East), Mumbai – 400083** of Village – Hariyali together with the building structure standing thereon comprising of Ground + Four upper Floors situated at **Kannamwar Nagar Sagarsangeet C H S Ltd, Kannamwar Nagar No. 1, Vikhrolli – (East), Mumbai –**

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400083 of Village – Hariyali, Taluka – Kurla in Registration District and Sub-District of Mumbai Suburban, "The said Property" for last 30 years and have found that the title of the plot leased by M.H.A.D.A., a statutory corporation constituted under the Maharashtra Housing and Area Development Act, 1976 (Maharashtra XXVIII of 1977), are clear and marketable and are free from all encumbrances of whatsoever nature. The schedule plot is bounded as under:-

ON OR TOWARDS THE NORTH: 3.80 SQ. MTRS. ACCESS FLAT AND BUILDING NO.

257 AND 258 AND OPEN PLOT RESERVED FOR GARDEN

**ON OR TOWARDS THE SOUTH: 56.00 FEET WIDE ROAD AND THE OPEN PLOT OF
LAND RESERVED FOR GARDEN.**

ON OR TOWARDS THE EAST : 56.00 FEET WIDE ROAD

ON OR TOWARDS THE WEST : 25.00 FEET WIDE ROAD

10. The documents of Allotment of Plot: Search Report for 30 years dated 24/02/2023 by Search Clerk, Mr. Swapnil More.

11. Development Agreement (DA) dated 30/11/2022 Registered at the Sub-Registrar of Assurances, Kurla bearing Document Registration Serial No. KRL-1/21595/2022 and Registered Power of Attorney (POA) dated 30/11/2022 at the Sub-Registrar of Assurances, Kurla bearing Document Registration Serial No. - KRL-1/21596/2022.

12. 7/12 extract or Property Registration Card issued by City Survey officer reflects the name of Maharashtra Griha Nirman Bhavan.

13. Search report for 30 years from 1994 till 2023.

2/- On perusal of the abovementioned documents and all other relevant documents relating to the title of the said property, I am of the opinion that the title of the Developer, M/S. ADITYARAJ HOUSING DEVELOPERS, is clear, marketable and

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without any encumbrances vide Development Agreement [DA] registered between [1] KANNAMWAR NAGAR SAGARSANGEET C H S LTD; [2] M/S. ADITYARAJ HOUSING DEVELOPERS and [3] Members of KANNAMWAR NAGAR SAGARSANGEET C H S LTD; Registered at Kurla - 1 vide Document Registration Serial No. KRL-1/21595/2022 dated 30/11/2022 and Registered Power of Attorney (POA) dated 30/11/2022 at Kurla – 1 vide Document Registration Serial No. - KRL-1/21596/2022.

Owner of the land –

Maharashtra Griha Nirman Bhavan, Mumbai, Survey No. 113(Part), City Survey No. 356(Part) (As per 7/12 - Property card).

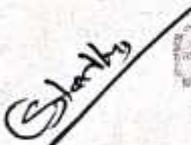
Owner of the Building structure –

KANNAMWAR NAGAR SAGARSANGEET C H S LTD; vide Deed of Sale in the year 1991 from Maharashtra Housing and Area Development Board, Mumbai (As per Search Report dated 24/02/2023 by Search Clerk Mr. Swapnil More).

3/- The report reflecting the flow of the title of the Owner and Developer for the said Property is enclosed herewith as Annexure – “A”.

Encl: Annexure – “A”.

Date: 02 / 06 / 2023


Sandesh D. Jadhav
(Adv. High Court, Bombay)