

Off.: 13, Hamam House, Ground Floor, Ambalal Doshi Marg,
(Hamam Street), Fort, Mumbai - 400 001.

Ref. No.

Date :

FORMAT – A

(Circular No.:- 28/2021)

To,
Maha RERA,
Mumbai.

LEGAL TITLE REPORT

Sub: Title Clearance Certificate with respect to F.P No. 77 of T.P.S, forming Part of C.T.S Nos. G/316 & G/318A admeasuring 1355.51 sq. mtrs. or thereabout situated at Village Bandra - G, Taluka Andheri, in the Registration District of Mumbai Suburban District.(the said Plot).

1. We have investigated the title in respect of the said plot on the request of Lopa Co-Operative Housing Society Limited (for short "the Owner/Society") and entitlement/right of M/s. Jaydeep Developers (for short "the Developers") and the following documents:-

i. **Description of the property:-**

Property being all that piece or parcel of land or ground admeasuring 1355.51 sq. mtrs. or thereabout and structure bearing Building known as "Mala Apartment" forming Part of C.T.S Nos. G/316 & G/318A of Village Bandra – G, Taluka Andheri, M.S.D, F.P No. 77 of T.P.S, Saraswati Road, Santacruz (West) Mumbai - 400 054.

ii. **The documents of purchase/acquisition of the Plot:**

By an Indenture dated 3rd June 1969, executed between Purshottam Jhaverbhai Patel (the Original Owner), Amar Dhar and Mala Co-operative Housing Society Limited (Mala Society"), registered with the Sub-Registrar of Assurances at Bandra/Mumbai under Serial No. 2192 of 1969.

The Flat Purchasers of the building known as "Mala Apartments", have formed and registered their Society in the name of "Lopa Co-Operative Housing Society Limited" under the provisions of the Maharashtra Co-operative Societies Act, 1960 under Registration No. BOM/HSG/3028 of 1971 dated 14-7-1971 (for short "the Lopa Society");

The Executive Engineer Building Proposal, MCGM in its Report No. CHE/WS/4045-H/W/302, has given the respective percentage of the proportionate FSI derived from last approved plan as 47.95% to the said Mala Society representing Suraj building and 52.05% to the Lopa Society and accordingly both the Societies in their respective proportion are entitled to proportionate distribution of the development potential based on the area of the said larger property which has not been divided/sub-divided and considered as "single plot/property";

By its Letter of Award dated 24th March, 2022 addressed to the Developers, the Lopa Society has confirmed the appointment of the Developers to undertake redevelopment Project on the terms and conditions thereto with List of Amenities to be provided in the newly constructed building thereto. The Developers have affixed their signature to the said Letter of Award dated 24.3.2022 thereby accepting the terms and conditions stated in all the Annexures to the said Letter of Award;

Since the said Mala Society did not show its willingness to execute necessary Conveyance to enable the Lopa Society and the Developers to independently undertake redevelopment Project of the building of the Lopa Society, it was necessitated to apply for and obtain an Order for Unilateral/Deemed Conveyances from the Concerned Authorities being Deputy District Registrar under the provisions of MOFA in respect of proportionate area of the larger property.



By a Memorandum of Understanding (for short "MOU") executed on 13th July 2022, the Lopa Society with the express unanimous consent and confirmation of all its Members, irrevocably and absolutely recorded entrustment and grant of complete and exclusive development right as envisaged thereunder in favour of the Developers on the terms and conditions as envisaged therein and on obtaining an order for Unilateral/Deemed Conveyance from the DDR, the Lopa Society has agreed to sign, execute and get registered the definitive documents on the terms recorded therein. The Lopa Society had in the meantime executed Power of Attorney (for short "POA") dated 13th July, 2022.

The Lopa Society with co-operation of the Developers, followed up the procedure including to submit necessary Application being Application No.04 of 2018 before the District Deputy Registrar of Co-operative Societies, Mumbai City-3 under the provisions of the MOFA for issuing Certificate of Entitlement to have an Unilateral/ Deemed Conveyance executed in its favour and to have it registered by exercising the powers granted under Maharashtra Ownership Flats Act, 1963.

After having scrutinized and following due procedure, the said Competent Authority (i.e. DDR) issued an Order-cum-Certificate bearing No.138 of 2022 dated 29.3.2023 certifying that the Lopa Society is entitled to Unilateral Conveyance of an area admeasuring 1355.51 sq. mtrs. from and out of the said Larger Property and the building and execution of Deed of Unilateral Conveyance;

Accordingly, by an Unilateral/Deemed Conveyance dated 15th May, 2023 registered on 1st June,2023 with the Sub-Registrar of Assurances at Bandra/Andheri under number BDR 9/8819/2023, the Competent Authority through its authorized representative/Officer conveyed the property more particularly described in the Schedule thereunder written unto and in favour of the Lopa Society;



The said Mala Society challenged the said Order of Deemed Conveyance dated 29.03.2023 by filing Writ Petition being Writ Petition (L) No. 16334 of 2023 before the Hon'ble High Court of Mumbai which subsequently came to be settled between both the said Societies in terms of the Consent Terms dated 27.10.2023 by which the said Unilateral/Deemed Conveyance registered in favour of the Lopa Society came to be confirmed and accordingly, the said Writ Petition came to be disposed of by an Order dated 27.10.2023.

By a Development Agreement dated 30th January 2024, executed between the Lopa Society, its Members and the Developers, registered with the Sub-Registrar of Assurances at Andheri under Serial No.BDR-9/1577/2024 read with Deed of Rectification dated 30th January 2024, registered with the Sub-Registrar of Assurances at Bombay under Serial No.BDR-9/1572/2024 read further with Power of Attorney registered with the Sub-Registrar of Assurances at Andheri under Serial No. BDR 9-1563/2024 dated 30/01/2024, the Lopa Society with the consent and confirmation of its Members has appointed the Developers as its Developer and granted development right in respect of the property.

iii. The Property Register Card issued by the Concerned city Survey authority presently records the name of Mala Co-operative Housing Society Limited vide Entry dated 3rd January, 2003. After registration of the Unilateral/Deemed Conveyance in favour of Lopa co-operative Housing Society Limited necessary application is submitted on 28/08/2024 to enter the name of Lopa co-operative Housing Society Limited in respect of the area of the property as mentioned in the said Unilateral/Deemed Conveyance.

iv. **Search Report:** Searches taken through Mr. Ramakant Jaiswar (Property Title Investigator) from the Office of the

Sub-Registrar of Assurances at Bandra and Mumbai from the year 1969 to 2024 (Last 56 Years) respectively who has issued his Search Report dated 26th February, 2024 and have not found any encumbrances on the said property.

2. On perusal of the abovementioned documents and all other relevant documents relating to title of the said property, we are of the opinion that the title of the said Lopa Society in respect of the said Society and right of the Developers i.e. "M/s. Jaydeep Developers", in respect of the property is clear, marketable and without any encumbrance.

OWNERS OF THE PROPERTY:

Lopa Co-operative Housing
Society Limited.

C.T.S. Nos. G/316 & G/318A

- (i) As contemplated in the Development Agreement the Developers are required to allot free of costs on ownership constructed premises having an aggregate area as mentioned in the Development Agreement.

3. The Report reflecting the flow of the title of the Owners/Developers on the said land is enclosed herewith as Annexure.

Encl: Annexure.

Date: 10/10/2024

For M/s. Pramodkumar & Co. (Regd.)

For PRAMODKUMAR & CO. (REGD.)

Partner

PRAMOD NANALAL VORA
(Mah/873/1977 Dt.19.10.1977)
Partner
Advocates & Solicitors

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(Hamam Street), Fort, Mumbai - 400 001.

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FLOW OF THE TITLE OF THE SAID LAND.

Sr. No.

1. The Property Register Card issued by the Concerned city Survey authority presently records the name of Mala Co-operative Housing Society Limited vide Entry dated 3rd January, 2003. After registration of the Unilateral/Deemed Conveyance in favour of Lopa co-operative Housing Society Limited necessary application is submitted on 28/08/2024 to enter the name of Lopa co-operative Housing Society Limited in respect of the area of the property as mentioned in the said Unilateral/Deemed Conveyance.
2. Searches taken through Mr. Ramakant Jaiswar (Property Title Investigator) from the Office of the Sub-Registrar of Assurances at Bandra and Mumbai from the year 1969 to 2024 (Last 56 Years) respectively who has issued his Search Report dated 26th February, 2024 and have not found any encumbrances on the said property.
3. Any other relevant title. - No
4. Litigations if any.
There are no litigation pending by or against the said Lopa Society and/or the Developers i.e. "M/s. Jaydeep Developers"

Date:- 10.10.2024

For M/s. Pramodkumar & Co.(Regd.)

For PRAMODKUMAR & CO. (REGD.)

Partner

PRAMOD NANALAL VORA
(Mah/873/1977 Dt.19.10.1977)

Partner
Advocates & Solicitors
(stamp)