

*Nilesh C. Parmar*

B.Com., LL.B.

**ADVOCATE HIGH COURT & NOTARY (Govt. Of India)**

Office : 201, Navkar Girija Sadan, Near Damodar Medical, Babai Naka, L.T. Road, Borivali (W), Mumbai - 400 092

Email : nileshvakil2001@gmail.com, M - 9870961261

**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 "DEVI KUNJ Co-operative Housing Society Ltd.", lying and being on piece or parcel of land or ground bearing Final Plot No. 75, of Town Planning Scheme II (TPS -II) of TPS Borivali II (as per the latest "Property Registration Card" of Village Borivali TPS-II) and Final Plot No. 75 (Part), of Town Planning Scheme II (TPS-II) of Borivali (as per the registered "Development Agreement" dated 22/07/2016), bearing Survey No 20, Hissa No. 4, corresponding CTS No. 484, admeasuring total plot area of 689 square meters Hissa No. 4, corresponding CTS No. 484, admeasuring total plot area of 689 square meters (as per the latest "Property Registration Card" of Village Kanheri) and total plot area of 682 square meters and to oblige the order issued by the District Collector of Mumbai Suburban, Banda vide dated 12/04/2024 bearing o/w No. 6085, the said Plot No. 75 has been sub-divided by subtracting the Road Setback area of 51.97 Square meters for Final Plot No. 75 (Part) and the remaining area of 630.03 square meters, for another Final Plot No. 75 (Part) (as per the MCGM approved plan), Taluka Borivali in Mumbai Suburban District situated at Main Kasturba Road, Borivali (East), Mumbai 400 066 (hereinafter referred as the said property).



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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:

1) Description of the said property as follows:

ALL THAT pieces or parcel of land or ground bearing Final Plot No. 75 (Part), of Town Planning Scheme II (TPS -II) of Borivali, bearing Survey No. 20, Hissa No. 4, corresponding CTS No. 484 admeasuring 689 square meters as per PRC of Village Kanheri, Taluka Borivali in Mumbai Suburban District situated at Main Kasutrba 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 Conveyance Deed (Unilateral) dated 31/07/2012, which is duly registered with Sub-Registrar of Assurance at Mumbai under serial No. BDR11/6439/2012 on 31/07/2012, the Society is absolutely, seized and possessed of otherwise well and sufficiently entitled to a piece or parcel of land or ground bearing Final Plot No. 75 (Part), of Town Planning Scheme II (TPS -II) of Borivali, bearing Survey No. 20, Hissa No. 4, corresponding CTS No. 484 admeasuring 689 square meters as per PRC of Village Kanheri, Taluka Borivali in Mumbai Suburban District situated at Main Kasutrba Road, Borivali (East), Mumbai 400 066. The aforementioned area has been the subject of offer given for the redevelopment by the Society to the Developer, hereinafter referred to as the "the said Land" and the buildings standing on the said Land hereinafter referred to as the "said Buildings". The said Land and the said Buildings together are more particularly described in the Schedule hereunder written and is hereinafter referred to as the "said Property".



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(b) The Development Agreement dated 22<sup>nd</sup> July, 2016 read with the Supplementary Agreement Dated 12<sup>th</sup> February 2021, DEVI KUNJ 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 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 22<sup>nd</sup> July, 2016 duly registered with the Sub-Registrar of Assurances at Borivali Taluka, under Serial No. BRL-5/7383/2016 on 22<sup>nd</sup> July, 2016 and the Supplementary Agreement Dated 12<sup>th</sup> February 2021 duly registered with the Sub-Registrar of Assurances at Borivali Taluka, under Serial No. BRL-5/2542/2021 on 12<sup>th</sup> February 2021.

3) Property Card of the said property:

Property Card of CTS No. 484 admeasuring 689 square meters of Village Kanheri, Taluka Borivali in Mumbai Suburban District, stands in the name of DEVI KUNJ CO-OPERATIVE HOUSING SOCIETY LIMITED (the Society).

4) Search Report dated 16<sup>th</sup> December, 2016 for 30 years (i.e. from 1987 to 2016) and Search report Dated 25/10/2024 for last 9 years (i.e. from 2016 to 2024) taken out by Search Clerk Ganesh Gawde.

5) I have issued public notice dated 8<sup>th</sup> December, 2016 which was published in News papers namely "Free Press Journal" (English) and "Navshakti" (Marathi) on 9<sup>th</sup> 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.

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

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 DEVI KUNJ 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 10<sup>th</sup> April, 2025

  
Mr. Nilesh C. Parmar  
Advocate & Notary



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ANNEXURE

FLOW OF THE TITLE OF THE SAID PROPERTY

- i. By virtue of Conveyance Deed (Unilateral) dated 31/07/2012, which is duly registered with Sub-Registrar of Assurance at Mumbai under serial No. BDR11/6439/2012 on 31/07/2012, the Society is absolutely, seized and possessed of otherwise well and sufficiently entitled to a piece or parcel of land or ground bearing Final Plot No. 75 (Part), of Town Planning Scheme II (TPS -II) of Borivali, bearing Survey No. 20, Hissa No. 4, corresponding CTS No. 484 admeasuring 689 square meters as per PRC of Village Kanheri, Taluka Borivali in Mumbai Suburban District situated at Main Kasutriba Road, Borivali (East), Mumbai 400 066. The aforementioned area has been the subject of offer given for the redevelopment by the Society to the Developer, hereinafter referred to as the "the said Land" and the buildings standing on the said Land hereinafter referred to as the "said Buildings". The said Land and the said Buildings together are more particularly described in the Schedule hereunder written and is hereinafter referred to as the "said Property".
- ii. The building is about 52 (Fifty Two) 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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- iii. At the Special General Body meeting of the Society held on 15<sup>th</sup> December, 2013 (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.
- iv. Accordingly, the General body took a decision in its Special General Body Meeting held on 15<sup>th</sup> December, 2013 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.
- v. In the Special General Body Meeting of the Society held on 15<sup>th</sup> December, 2013 the Society decided to engage M/s. S.B. Associates as PMC (Project Management Consultant) for the redevelopment work of its buildings.
- vi. The Society had received proposals from various 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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- vii. 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 15<sup>th</sup> November, 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 15<sup>th</sup> November, 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.
- viii. The Hon'ble Deputy Registrar, Co-operative Society "R-North" ward, Mumbai has issued Order dated 1<sup>st</sup> December, 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.
- ix. By Development Agreement dated 22<sup>nd</sup> July, 2016 read with the Supplementary Agreement Dated 12<sup>th</sup> February 2021, DEVI KUNJ 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 the existing building and



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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 22<sup>nd</sup> July, 2016 duly registered with the Sub-Registrar of Assurances at Borivali Taluka, under Serial No. BRL-5/7383/2016 on 22<sup>nd</sup> July, 2016 and the Supplementary Agreement Dated 12<sup>th</sup> February 2021 duly registered with the Sub-Registrar of Assurances at Borivali Taluka, under Serial No. BRL-5/2542/2021 on 12<sup>th</sup> February 2021.

- x. By the order of the District Collector of Mumbai Suburban, Bandra vide dated 12/04/2024 bearing o/w No. 6085, the said Plot No. 75 has been subdivided by subtracting the Road Set Back area of 51.97 square meters for Final Plot No. 75 (Part) and the remaining area of 630.03 Square meters for another Final Plot No. 75 (Part) and to avail the benefit of the floor space index under the Development Control Regulations of Greater Mumbai, in force, for the same the Developer had already handed over the said Road Setback area to the competent authority of Municipal Corporation of Greater Mumbai, which is confirmed by the authority vide their possession receipt dated 18/09/2023 bearing No. ACRC/23794/AEM(E)
- xi. The said Society has also granted Irrevocable Power of Attorney dated 22<sup>nd</sup> July, 2016 for the development of the said Property in favour of the nominees of the Developer. The said Irrevocable Power Attorney dated 22<sup>nd</sup> July, 2016 is registered with the Sub-



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Registrar of Assurances at Borivali Taluka under Serial No. BRL-  
5/7384/2016 on 22<sup>nd</sup> July, 2016.

Dated this 10<sup>th</sup> April, 2025

*Nilesh C. Parmar*  
Mr. Nilesh C. Parmar  
Advocate & Notary



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