

CHARUSHILA J. RAORANE, B.COM, LL. B.,



Advocate, High Court, Mumbai

H/505, Fifth Floor, Ekta Bhoomi Garden, Dattapada Road, Opp. TATA Steel, Borivali (East), Mumbai - 400 066

FORMAT - A

(Circular No:- 28/2021)

To

Maharashtra Real Estate Regulatory Authority (MahaRERA)
6th & 7th Floor, Housefin Bhuvan,
Plot C 21E - Block, Bandra Kurla Complex,
Bandra (East), Mumbai - 400051.

Sub: Title Clearance Certificates with respect to All that piece or parcel of freehold contiguous land bearing CTS Nos. 1103, 1103/1 to 3 of Village Eksar, Taluka Borivali, in the Registration District Mumbai and Sub-District Mumbai Suburban ("Land"), admeasuring in the aggregate 753.7 sq. mtrs., along with a building known as 'New Gold Coin' consisting of two wings i.e. A wing comprising Ground plus 4 upper floors and B wing comprising of stilt plus 2 floors ("Building") Hereinafter referred as "the said Property") **(First plot)**

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All that piece or parcel of freehold contiguous land bearing CTS NO. 1128-B admeasuring 103.50 sq. mtrs. and CTS No. 1129 admeasuring 259 sq. mtrs., admeasuring in the aggregate 362.5 sq. mtrs., of Village Eksar, Taluka Borivali, in the Registration District Mumbai and Sub-District Mumbai Suburban ("Land"), along with a building known as 'Silver Streak' consisting of ground + 4 upper floors standing thereon ("Existing Building") (Hereinafter referred as "the said Property") **(Second Plot)**

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All that piece or parcel of freehold contiguous land bearing Survey No.153, Hissa No.15 and CTS Nos.1106/2 admeasuring 452 Sq. Mtrs. of Village Eksar, Taluka Borivali, in the Registration District Mumbai and Sub-District Mumbai Suburban ("Land"), along with a building known as 'Williams Burg' consisting of ground + 3 upper floors thereon ("Existing Building") Hereinafter referred as "the said Property") **(Third Plot)**

The admeasuring total area for the joint development of the said plots are 1568.20 sq. mtrs. as per PR Card **("Amalgamated Societies");**

1. INTRODUCTION :

I have investigated the title of New Gold Coin Co-operative Housing Society Limited and Silver Streak Co-operative Housing Society Limited and Williams Burg Co-operative Housing Society Limited ("Amalgamated Societies") to the said plots, on the request of my client **M/s. Rishabraj Estate Developers Pvt. Ltd.** ("Developer") having its office at 103, Jai Tirth Building, Daulat Nagar, Road No.10, Borivali (East), Mumbai-400066, on perusal of the copies of documents mentioned below, I observe as under



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2. DESCRIPTION OF THE PROPERTIES/PLOTS:

- (i) All that piece or parcel of freehold contiguous land bearing CTS Nos. 1103, 1103/1 to 3 admeasuring in the aggregate 753.7 sq. mtrs. of Village Eksar, Taluka Borivali, in the Registration District Mumbai and Sub-District Mumbai Suburban (“**Land**”), along with a building known as ‘New Gold Coin’ consisting of ground + 3 upper floors standing thereon and bounded as On or towards the North: By Plot bearing CTS No.1129 & Part of 1106 & On or towards the South: By Plot bearing CTS No.1101 & Part of 1102 and On or towards the East: By Plot bearing CTS No.1104 & Part of 1105 and On or towards the West: By Plot bearing CTS No.1130 & Part of 1132 (**First plot**)
- (ii) All that piece or parcel of freehold contiguous land bearing CTS NO. 1128-B admeasuring 103.50 sq. mtrs. and CTS No. 1129 admeasuring 259 sq. mtrs., admeasuring in the aggregate 362.5 sq. mtrs., of Village Eksar, Taluka Borivali, in the Registration District Mumbai and Sub-District Mumbai Suburban (“**Land**”), along with a building known as ‘Silver Streak’ consisting of ground + 4 upper floors standing thereon (“**Existing Building**”) and bounded as follows On or towards the North: By I. C. Colony Cross Road No.3 and on or towards the South: By Plot bearing CTS No.1103 and on or towards the East: By Plot bearing CTS No.1106 and On or towards the West: By Plot bearing CTS No.1130 (**Second plot**)
- (iii) All that piece or parcel of freehold contiguous land bearing Survey No.153, Hissa No.15 and CTS Nos.1106/2 admeasuring 452 Sq. Mtrs. of Village Eksar, Taluka Borivali, in the Registration District Mumbai and Sub-District Mumbai Suburban (“**Land**”), along with a building known as ‘Williams Burg’ consisting of ground + 3 upper floors standing thereon and bounded as follows On or towards the North: By I. C. Colony Cross Road No.3 and on or towards the South: By Plot bearing CTS No.1103 & Part of 1105 and On or towards the East: By Plot bearing CTS No.1109 and on or towards the West: By Plot bearing CTS No.1129 (**Third Plot**)

The admeasuring total area for the joint development of three the plots are 1568.20 sq. mtrs. as per Development Agreement (“**Amalgamated Societies/ Properties**”)





**3. DOCUMENTS OF ALLOTMENT OF PLOTS/AMALGAMATED SOCIETIES
PERUSED AND GRANT OF DEVELOPMENT RIGHTS IN RESPECT
THEREOF:**

- i) Deed of Conveyance dated 19th August 2019 registered with Sub-Registrar vide Sr. No. BRL-9-8391 of 2019.
- ii) The name of 'New Gold Coin Co-operative Housing Society Ltd.', vide Registration No. BOM/WR/HSG/(TC)/7242/1993-94 dated 8th April 1993.
- iii) Deed of Conveyance dated 26th March 2021 registered with Sub-Registrar vide Sr. No. BRL-08-4045 of 2021.
- iv) The name of 'Silver Streak Co-operative Housing Society Ltd.', vide Registration No. BOM/WR/HSG/TC/11518/2001-2002 dated 31st January 2002.
- v) a Deed of Conveyance dated 11th day of September 2018 registered with the concerned Sub-Registrar of Assurances under Sr. No. BRL-5-12216-2018.
- vi) The name of "Williamsburg Co-operative Housing Society Ltd.", vide Registration No. BOM/WR/HSG/(TC)/1125/Year 1984-85 dated 13/12/1984.
- vii) Development Agreement Dated 28/06/2024 registered with Jt. Sub-Registrar at Borivali -05 vide Sr. No. BRL-05/11915 of 2024.
- viii) Power of Attorney Dated 28/06/2024 with duly registered with the sub- registrar of Assurance under Sr. No. BRL- 05/11917 of 2024

4. PROPERTY CARDS AND REVENUE RECORD:

- (i) The Property Cards in respect of the said Land bearing CTS Nos. 1103, 1103/1 to 3 are standing in the name of "New Gold Coin Co-operative Housing Society Ltd. and records an area admeasuring 753.7 sq. mtrs.
- (ii) The Property Cards in Respect of the land bearing CTS NO. 1128-B admeasuring 103.50 sq. mtrs. and CTS No. 1129 admeasuring 259 sq. mtrs., admeasuring in the aggregate 362.5 sq. mtrs.
- (iii) The Property Cards in respect of the said Land bearing CTS Nos.1106 (part) is standing in the name of "Williamsburg Co-operative Housing Society Ltd., and records an area admeasuring 452.00 sq. mtrs.



5. OWNERS OF THE LANDS

By virtue of the aforesaid deeds and even the amalgamated societies were seized, possessed and sufficiently entitled of the Properties.

6. On perusal of the above mentioned documents and all other relevant documents relating to title of the said **amalgamated societies**, I am of the opinion that the title of New Gold Coin Co-operative Housing Society Limited and Silver Streak Co-operative Housing Society Limited and Williams Burg Co-operative Housing Society Limited are clear, marketable and without any encumbrances and **M/s. Rishabraj Estate Developers Pvt. Ltd** is entitled to redevelop the said amalgamated societies/ properties.

Owners of the lands

1. New Gold Coin Co-operative Housing Society Limited
2. Silver Streak Co-operative Housing Society Limited
3. Williams Burg Co-operative Housing Society Limited

Developer of the land

M/s. Rishabraj Estate Developers Pvt. Ltd

7. The reports reflecting the flow of the title of New Gold Coin Co-operative Housing Society Limited and Silver Streak Co-operative Housing Society Limited and Williams Burg Co-operative Housing Society Limited as owners and **M/s. Rishabraj Estate Developers Pvt. Ltd** as Developer on the said land is enclosed herewith as Annexure-A.



**Adv. Charushila J. Raorane
Bombay High Court**

Encl : Annexure -A
Date : 04.09.2024

N.B.: The Title Report thereto are issued for my client's use and are based on copies of the documents furnished to me as mentioned therein.



Annexure-A

(Circular No:- 28/2021)

FLOW OF THE TITLE OF THE SAID LANDS/ PLOTS.

Sub: ALL THAT All that piece or parcel of freehold contiguous land bearing CTS Nos. 1103, 1103/1 to 3 of Village Eksar, Taluka Borivali, in the Registration District Mumbai and Sub-District Mumbai Suburban (“Land”), admeasuring in the aggregate 753.7 sq. mtrs., along with a building known as ‘New Gold Coin’ consisting of two wings i.e. A wing comprising Ground plus 4 upper floors and B wing comprising of stilt plus 2 floors (“Building”) Hereinafter referred as “the said Property”)(**First plot**)

&

All that piece or parcel of freehold contiguous land bearing CTS NO. 1128-B admeasuring 103.50 sq. mtrs. and CTS No. 1129 admeasuring 259 sq. mtrs., admeasuring in the aggregate 362.5 sq. mtrs., of Village Eksar, Taluka Borivali, in the Registration District Mumbai and Sub-District Mumbai Suburban (“Land”), along with a building known as ‘Silver Streak’ consisting of ground + 4 upper floors standing thereon (“Existing Building”) (Hereinafter referred as “the said Property”)(**Second Plot**)

&

All that piece or parcel of freehold contiguous land bearing Survey No.153, Hissa No.15 and CTS Nos.1106/2 admeasuring 452 Sq. Mtrs. of Village Eksar, Taluka Borivali, in the Registration District Mumbai and Sub-District Mumbai Suburban (“Land”), along with a building known as ‘Williams Burg’ consisting of ground + 3 upper floors thereon (“Existing Building”) Hereinafter referred as “the said Property”)(**Third Plot**)

The admeasuring total area for the joint development of the said plots are 1568.20 sq. mtrs. as per PR Card (**“Amalgamated Societies”**);

My observation relating to the title of the “New Gold Coin Co-operative Housing Society Limited” and “Silver Streak Co-operative Housing Society Limited” and “Williams Burg Co-operative Housing Society Limited” to the said Plots described in the Schedule hereunder written and also the entitlement of **M/s. Rishabraj Estate Developers Pvt. Ltd.** to undertake the redevelopment of the said Plots are as under:

(I) The documents and flow of title in respect of the First Plot:-

- a) Originally, Dr. Kusum Gunvantrai Bhat, was the absolute owner of and was exclusively seized and possessed of the said Land corresponding to the said Second Property;

- b) By and under an Agreement dated 3rd July 1981, the original owner, Dr. Kusum Gunvantrai Bhat agreed to sell and transfer inter alia the said Second Land to Shri Nemchand Devji Gangar of M/s. Rajdeep Developers, who in turn by and under an Agreement dated 22nd December 1987 agreed to sell and transfer the said Land corresponding to the said Second Property to M/s. Rajdeep Developers;
- c) After obtaining the requisite approvals and permissions from the concerned authorities, the said M/s. Rajdeep Developers constructed a building known as 'New Gold Coin' consisting of two wings i.e. A wing comprising Ground plus 4 upper floors and B wing comprising of stilt plus 2 floors, consisting of 19 residential flats therein i.e., the said New Gold Coin Building and sold various premises therein to the respective purchasers;
- d) The purchasers of various premises formed and constituted a Co-operative Housing Society under the Maharashtra Co-operative Societies Act, 1960, in the name of 'New Gold Coin Co-operative Housing Society Ltd.', vide Registration No. BOM/WR/HSG/(TC)/7242/1993-94 dated 8th April 1993.
- e) By and under a Deed of Conveyance dated 19th August 2019 executed by and between Dr. Kusum Gunvantrai Bhat (therein referred to as the Vendors) of the First Part, M/s. Rajdeep Developers (therein referred to as the Confirming Party) of the Second Part and the said New Gold Coin Society (therein referred to as the Purchasers/the New Gold Coin Society) of the Third Part and registered with the concerned Sub-Registrar of Assurances at Mumbai at Sr. No. BRL-9-8391 of 2019, the Vendors therein, with the confirmation of the Confirming Party therein, granted, transferred, assured and conveyed unto the said New Gold Coin Society, the said Second Property, for the consideration and in the manner contained therein;

(II) The documents and flow of title in respect of the Second Plot:-

- a) Originally, Major Stana Robert Telis, was the absolute owner of and was exclusively seized and possessed of the said Land corresponding to the said First Property;



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- b) By and under an Agreement dated 2nd June 1983, the original owner, Major Stana Robert Telis agreed to sell and transfer inter alia the said Land corresponding to the said First Property to M/s. B. R. Enterprises, who in turn by and under an Agreement dated 9th December 1985 agreed to sell and transfer the said Land to M/s. Rajdeep Developers;
- c) After obtaining the requisite approvals and permissions from the concerned authorities, the said M/s. Rajdeep Developers constructed a building known as 'Silver Streak' consisting of ground plus 5 floors, consisting of 9 residential flats and 4 shops therein i.e. the said Silver Streak Building and sold various premises therein to the respective purchasers;
- d) The purchasers of various premises formed and constituted a Co-operative Housing Society under the Maharashtra Co-operative Societies Act, 1960, in the name of 'Silver Streak Co-operative Housing Society Ltd.', vide Registration No. BOM/WR/HSG/TC/11518/2001-2002 dated 31st January 2002;
- e) By and under a Deed of Conveyance dated 26th March 2021 executed by and between Major Stana Robert Telis and Rachana Robert Telis (acting through Dr. Kishore Mande, District Deputy Registrar, Co-operative Societies (4), Mumbai and Competent Authority) (therein referred to as the Vendors) of the First Part, M/s. Rajdeep Developers (acting through Dr. Kishore Mande, District Deputy Registrar, Co-operative Societies (4), Mumbai and Competent Authority) (therein referred to as the Confirming Party) of the Second Part and the said Silver Streak Society (therein referred to as the Purchasers/the Silver Streak Society) of the Third Part, and registered with the concerned Sub-Registrar of Assurances at Mumbai at Sr. No. BRL-08-4045 of 2021 ("**Deed of Conveyance**"), the Vendors therein, with the confirmation of the Confirming Party therein, granted, conveyed, transferred and assured unto the said Society, the said Property, for the consideration and in the manner contained therein.



(III) The documents and flow of title in respect of the Third Plot:-

- a) Originally, Mr. William Williams was the absolute owner of and was exclusively seized and possessed of the said Third Land corresponding to the said Third Property;
- b) By an Agreement for Sale dated 29th June 1982, the original owner, Mr. William Williams agreed to sell and transfer inter alia the said part of property i.e. the said Third Land to Correa Investments;
- c) After obtaining the requisite approvals and permissions from the concerned authorities, the said Correa Investments constructed a building known as 'Williams Burg' consisting of ground plus 3 floors, consisting of 11 residential flats therein i.e. the said Williams Burg Building and sold various premises therein to the respective purchasers;
- d) The purchasers of various premises formed and constituted a Co-operative Housing Society under the Maharashtra Co-operative Societies Act, 1960, in the name of 'Williams Burg Co-operative Housing Society Ltd.', vide Registration No. BOM/WR/HSG/(TC)/1125/Year 1984-85 dated 13/12/1984;
- e) By and under a Deed of Conveyance dated 11th day of September 2018 executed by and between 1) Mr. Brian T J Williams & 2) Mr. Earl A. Williams (therein referred to as the Vendors) of the First Part, Correa Investments (therein referred to as the Developer/Confirming Party) of the Second Part and the said Williams Burg Society (therein referred to as the Purchasers/the Williams Burg Society) of the Third Part and registered with the concerned Sub-Registrar of Assurances under Sr. No. BRL-5-12216-2018, the Vendors therein, with the confirmation of the Confirming Party therein, granted, transferred, assured and conveyed unto the said Williams Burg Society, the said Third Property, for the consideration and in the manner contained therein.

- (IV) The aforesaid three Societies and their respective lands admeasuring in the aggregate 1568.2 sq. mtrs., (i.e. 362.5 sq. mtrs., belonging to the said Silver Streak Society, 753.7 sq. mtrs., belonging to New Gold Coin and 452 sq. mtrs., belonging to Williams Burg)



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are adjoining and contiguous to each other and form a continuous parcel of land (hereinafter collectively referred to as the said “**Lands**”) along with the respective buildings and structures standing thereon (hereinafter collectively referred to as the said “**Existing Buildings**”). That the said First Plot, said Second Plot and said Third Plot are collectively referred to as the “**Properties**”. The Existing Members of the respective said Societies as aforesaid are hereinafter collectively referred to as the “**Existing Members**”.

(V) The Said Societies by and under Development Agreement dated 28/06/2024 executed by and between the said Societies of the First Part, Second Part and Third Part respectively (therein) and the Developer and duly registered with the sub-registrar of assurances under Sr. No. BRL-05/11915 of 2024, the said Societies granted unto the said Developers, development rights in respect of the said Properties, for consideration and on terms, conditions and covenants therein recorded. The said Societies have also issued registered Power of Attorney Dated 28/06/2024 with duly registered with the sub-registrar of Assurance under Sr. No. BRL-05/11917 of 2024. The said documents are not the subject matter of any litigation and the same is valid, subsisting and binding upon the parties thereto.

(VI) Thus, the appointment of **M/s. Rishabraj Estate Developers Pvt. Ltd** as Developers of the said properties by the Societies are valid and legal and as Developers **M/s. Rishabraj Estate Developers Pvt. Ltd.**, is fully entitled to implement redevelopment of the said properties.

- i) Any other relevant title – Not Applicable
- ii) Litigations if any – Nil



Yours faithfully,

Adv. Charusheela J. Raorane
Bombay High Court

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