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Advocate

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FORMAT – A

(Circular No:- 28/2021)

To
MAHA RERA AUTHORITY,
6th Floor, Housefin Bhavan,
Plot No C-21, E Block, Bkc,
Bandra East, Mumbai - 400 051.

LEGAL TITLE REPORT

SUB : Title Clearance Certificate with respect to Plot No. 143/4/B, C. T. S. No. 831/14, Village - Ambivali, Four Bungalows Road, Andheri (West), Mumbai – 400 053., “INDRASUKH CO-OPERATIVE HOUSING SOCIETY LIMITED”).

I have investigated the title of the above referred subject property, on the request of Lashkaria Housing & Infrastructure Pvt. Ltd., on the basis of the following information / documents i.e.:-

1. Description of the property

There were two buildings known as “INDRASUKH CO-OPERATIVE HOUSING SOCIETY LIMITED” with four wings A, B, C & D total, each wing containing ground + three upper floors consisting 47 number of total flats occupied by its members (hereinafter referred to as the “said Buildings”) on the piece and parcel of land admeasuring 3187 sq. mtrs. or thereabouts, (hereinafter referred to as the “said Land”) bearing Plot No. 143/4/B, C.T.S. No. 831/14, Village Ambivali, Four Bungalows Road, Andheri (West), Mumbai – 400 053., of Taluka

– Andheri in the Mumbai Suburban district was duly constructed and Building Completion Certificate was obtained under Sanction No. CE/1482/BSII/A/K/DT 4th October, 1977 (hereinafter both the said land and the said buildings are jointly referred to as the “**said Property**”).

2. The documents of allotment of plot :

- a. Certificate of society being registered with the Maharashtra cooperative societies act, 1960 under registration number BOM/HSG /3880 of 1972 dated December 27, 1972.
- b. Indenture of conveyance dated March 30, 1973 registered with the sub-registrar of Assurances at Bombay under Serial no. BOM / S 154 of 1973. The aforesaid. entry is accordingly recorded in mutation entry bearing number 1548.
- c. Indenture of Mortgage dated 18 April 1974 duly registered with the sub-registrar of Assurances at Bombay under serial number PS291 of 74 as Mortgagor.
- d. An indenture of Re-conveyance dated 14th May, 1998 registered with sub-registrar of assurances at Bombay. bearing serial no. “BBJ/1675/1998 in favour of the society.
- e. The Society by an Registered Development Agreement dated 18th October, 2022 duly registered with the Sub-Registrar of Assurances under Serial No. 10769 dated 18th October, 2022 have appointed M/s. LASHKARIA HOUSING & INFRASTRUCTURE PRIVATE LIMITED (Developer) to re-develop the said Land on such terms and conditions as mentioned therein.
- f. The said Lashkaria Housing & Infrastructure Pvt Ltd has duly obtained an IOD bearing CHE/WS/1745/K/W/337(NEW)/IOD/1/New dt. 17/04/2023. By virtue of the said IOD, the said Developer i.e. Lashkaria Housing & Infrastructure Pvt Ltd has commenced the redevelopment of the said property.

3. 7/12 extract or property card issued by City Survey Officer.
4. Search report for 20 years from 2001 till 2022.

On perusal of the above mentioned documents and all other relevant documents relating to title of the said property I am of the opinion that the title of Lashkaria Housing & Infrastructure Pvt. Ltd., is clear, marketable and without any encumbrances.

Owners of the land:

Indrasukh CHS Ltd are the owners of Plot No. 143/4/B, C.T.S. No. 831/14, admeasuring 3187 sq. mtrs. or thereabouts, situate at: Village - Ambivali, Four Bungalows Road, Andheri (West), Mumbai – 400 053.

3/- The report reflecting the flow of the title of the (Owner / promoter/ developer / company) on the said society / redevelopment land is enclosed herewith as annexure.

Encl : Annexure is the flow of title

Date:- 8TH JUNE, 2023

KIMAYA M. PRAJAPATI
Advocate

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Annexure – 3

The report reflecting the flow of the title of the (Owner / promoter/ developer / company) on the said land is enclosed herewith as annexure.

- a. The said society was formed and registered with the Maharashtra cooperative societies act, 1960 under registration number BOM/HSG /3880 of 1972 dated December 27, 1972.
- b. By an Indenture of conveyance dated March 30, 1973 registered with the sub-registrar of Assurances at Bombay under Serial no. BOM / S 154 of 1973, where Jim Hudson Private Limited as vendor therein transferred all its right title and interest in the piece and parcel of land admeasuring 3187 sq. mtrs. or thereabouts, (hereinafter referred to as the “**said Land**”) bearing Plot No. 143/4/B, C.T.S. No. 831/14, Village Ambivali, Four Bungalows Road, Andheri (West), Mumbai – 400 053., of Taluka – Andheri, in favour of the society as the purchaser. The aforesaid. entry is accordingly recorded in mutation entry bearing number 1548.
- c. The society by way of an indenture of Mortgage dated 18th April, 1974 duly registered with the sub-registrar of Assurances at Bombay under serial number PS291 of 74 as Mortgagor thereof, had mortgage the said land, in favour of. Maharashtra, cooperative housing finance Corporation Limited as the mortgagee therein, to avail loan for the purpose of construction on the said land.
- d. Commencement certificate for the construction of the building on the said land was procured on 5th June 1974 and accordingly commencement certificate and plans were re-validated as on 8th February 1977 bearing number CE/4182/BSII/AK(BCC). There were two buildings known as “**INDRASUKH CO-OPERATIVE HOUSING SOCIETY LIMITED**” with four wings A, B, C & D total, each wing containing ground + three upper floors consisting 47 number of total flats came to be constructed, (hereinafter referred to as the “**said Buildings**”)

- e. On redeeming the loan, the Maharashtra Co-operative Housing Finance Corporation Limited as the Mortgagees therein executed an indenture of Re-conveyance dated 14th May, 1998 registered with sub-registrar of assurances at Bombay. bearing serial no. BBJ/1675/1998 in favour of the society. Accordingly, the land together with the said building standing thereon was acquitted, released and discharged in favour of the society with all right title and interest in the land along with the building being Indrasukh cooperative housing Society Limited as standing there on.
- f. The Society by an Registered Development Agreement dated 18th October, 2022 duly registered with the Sub-Registrar of Assurances under Serial No. 10769 dated 18th October, 2022 have appointed M/s. LASHKARIA HOUSING & INFRASTRUCTURE PRIVATE LIMITED (Developer) to re-develop the said Land on such terms and conditions as mentioned therein.
- g. M/s. LASHKARIA HOUSING & INFRASTRUCTURE PRIVATE LIMITED being the Developer has duly obtained the IOD and by virtue of the IOD No. CHE/WS/1745/K/W/337(NEW)/IOD/1/New dt. 17/04/2023, the Re-development of the Society Land is under progress.

Dated this 8TH day of June, 2023


KIMAYA M. PRAJAPATI
Advocate