

Ref. No.3364/0.30A..../2023

FORMAT- A
(Circular No.28/2021 Dated 08/03/2021)

To MahaRERA

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to ALL THOSE leasehold lands (1) admeasuring 575.25 sq. meters bearing C.S. No. 26/26 of Dadar Naigaum Division and (2) admeasuring 531.78 sq. meters bearing C.S. No. 27/26 of Dadar Naigaum Division situated, lying and being at Govindji Keni Road, Mumbai 400014 within registration District and Sub-District of Mumbai City (hereinafter referred to as **“the said Property”**).

AND

Proposed new building to be known as **“Ratan Antriksh”** to be constructed on the said Land/Property.

We have investigated the title of the said Property on the request of (1) Mr. Ilyas Ebrahim Mirza alias Mohammed Ilyas Mirza and (2) M/s. Shree Shankeshwar Enterprises, and have perused following documents i.e.: -

1. Description of Property;
2. Deed of Indenture dated 30/12/2009 bearing registration no.: BBE-1/01011/2010 dated 09/02/2010 with respect to property bearing C. S. No. 26/26 of Dadar Naigaum Division;
3. Deed of Rectification dated 21/12/2011 bearing registration no.: BBE-1/10796/2011 with respect to property bearing C. S. No. 26/26 of Dadar Naigaum Division;
4. Deed of Indemnity registered with the Sub-Registrar of Assurances under Sr. No.BBE2 – 4381 of 2018 with respect to property bearing C. S. No. 27/26 of Dadar Naigaum Division;
5. Deed of Assignment dated 14/12/2017 & 10/04/2018 bearing registration no.: BBE-2/4384/2018 with respect to property bearing C. S. No. 27/26 of Dadar Naigaum Division
6. Joint Development Agreement dated 20.01.2023 registered with the Sub-Registrar of Assurances under Sr. No.BBE3-1409-2023;



7. Intimation of Disapproval (“IOD”) dated 18.04.2022 bearing No. P-3386/2019/(26/26 And Other)/F/South/Dadar-Naigaon-F/S/IOD/1/Amend and the sanctioned plans granted by MCGM;
8. Property Card of the above property issued by Superintendent, Mumbai City Survey and Land Records on 28.08.2017 and 31.12.2020; and
9. Search Report of Search Clerk Mr. Atul A. More dated 26.04.2019 and of Mr. Eknath S. Gaokar dated 13.02.2023.

On perusal of the above-mentioned documents and all other relevant documents relating to title of the said Property, we are of the opinion that the title of Mr. Ilyas Ebrahim Mirza alias Mohammed Ilyas Mirza as lessee of the said Property is clear, marketable and free from any encumbrances.

Owner of the Land:
MCGM

Lessee of the Land:

Mr. Ilyas Ebrahim Mirza alias Mohammed Ilyas Mirza – Leasehold lands (1) admeasuring 575.25 sq. meters bearing C.S. No. 26/26 of Dadar Naigaum Division and (2) admeasuring 531.78 sq. meters bearing C.S. No. 27/26 of Dadar Naigaum Division situated, lying and being at Govindji Keni Road, Mumbai 400014 within registration District and Sub-District of Mumbai City

Joint Developers of the Land:

- (1) Mr. Ilyas Ebrahim Mirza alias Mohammed Ilyas Mirza and
- (2) M/s. Shree Shankeshwar Enterprises - Leasehold lands (1) admeasuring 575.25 sq. meters bearing C.S. No. 26/26 of Dadar Naigaum Division and (2) admeasuring 531.78 sq. meters bearing C.S. No. 27/26 of Dadar Naigaum Division situated, lying and being at Govindji Keni Road, Mumbai 400014 within registration District and Sub-District of Mumbai City

The report reflecting the flow of the title of Mr. Ilyas Ebrahim Mirza alias Mohammed Ilyas Mirza as a lessee and that of (1) Mr. Ilyas Ebrahim Mirza alias Mohammed Ilyas Mirza and (2) M/s. Shree Shankeshwar Enterprises as Joint Developers of the said Property is enclosed herewith.



FORMAT- A

(Circular No.28/2021 Dated 08/03/2021)

FLOW OF THE TITLE OF THE SAID LAND.

Sr. No.

- 1) Search Report dated 26.04.2019 and 13.02.2023.
- 2) Land bearing C. S. No. 26/26 of Dadar Naigaum Division:
 - (a) By virtue of an Indenture of Lease dated 11.11.1947 (hereinafter referred to as the "**said Indenture of Lease No.1**") and registered in the office of the Sub-Registrar of Assurances at Bombay under Serial No.: BOM – 15 of 1947, this land along with the buildings / structures then standing thereon came to be leased by MCGM to one Mohomed Ebrahim Wadee ("**Wadee**") in perpetuity commencing from 11.11.1947 at the yearly rent therein reserved and subject to the covenants and conditions therein contained and on the part of the said Wadee, his heirs, executors, administrators and assigns to be observed and performed;
 - (b) The said Wadee died leaving behind a writing being his last will and testament. The Supreme Court of South Africa granted Letters of Executorship No.11068/75 dated 16.10.1975 to Rashid Ahmed Mohomed Wadee;
 - (c) By Deed of Transfer dated 29.06.2013 registered with the Sub-Registrar of Assurances under Sr. No.BBE4 – 2987 of 2013, the said Rashid Ahmed Mohomed Wadee in his capacity as the Executor transferred the said property No.1 unto himself;
 - (d) Ultimately by Indenture dated 30.12.2009 read with Deed of Rectification dated 21.12.2011 both registered with the Sub-Registrar of Assurances under Sr. No.BBE-1 / 1011 of 2010 and BBE-1 / 10796 of 2011 respectively, this land came to be transferred by said Rashid Ahmed Mohomed Wadee to Mr. Ilyas Ebrahim Mirza alias Mohammed Ilyas Mirza
- 3) Land bearing C. S. No. 27/26 of Dadar Naigaum Division:
 - (a) By virtue of an Indenture of Lease dated 21.04.1948 (hereinafter referred to as the "**said Indenture of Lease No.2**") and registered in the office of the Sub-Registrar of Assurances at Bombay under Serial No.: BOM – 2203 of 1948, this land along with the buildings / structures then standing thereon came to be leased by MCGM to one Ismail Adam ("**Adam**") for a period of 987 years 5 months and 29 days commencing from 21.04.1948 at the yearly rent therein reserved and subject to the covenants



and conditions therein contained and on the part of the said Adam, his heirs, executors, administrators and assigns to be observed and performed;

- (b) The said Adam died intestate leaving behind a daughter namely, Rashida Ismail Patel and two sons namely, (1) Abdul Rehman Ismail and (2) Abdul Rashid Ismail as his only heirs and legal representative according to law by which he was governed at the time of his death as recorded in Deed of Indemnity registered with the Sub-Registrar of Assurances under Sr. No. BBE2 – 4381 of 2018;
- (c) Ultimately by Indenture dated 10/04/2018 registered with the Sub-Registrar of Assurances under Sr. No BBE-2/4384/2018, this land came to be transferred by the above three heirs of said Adam to Mr. Ilyas Ebrahim Mirza alias Mohammed Ilyas Mirza;
- 4) By Joint Development Agreement dated 20.01.2023 registered with the Sub-Registrar of Assurances under Sr. No. BBE3-1409-2023 (hereinafter referred to as the “**said JDA**”) entered into by and between Mr. Ilyas Ebrahim Mirza alias Mohammed Ilyas Mirza and M/s. Shree Shankeshwar Enterprises, at or for the consideration and upon the terms and conditions therein mentioned, Mr. Ilyas Ebrahim Mirza alias Mohammed Ilyas Mirza and M/s. Shree Shankeshwar Enterprises have agreed to jointly redevelop the said land / said Property.
- 5) In redevelopment of the said Property Mr. Ilyas Ebrahim Mirza alias Mohammed Ilyas Mirza and M/s. Shree Shankeshwar Enterprises propose to construct a building to be known as “Ratan Antriksh” in accordance with the sanctioned building plans.

Date: 3rd March, 2023


 Adv. Hitesh Solanki
 Manoj and Ashok Associates
 Advocates & Solicitors

