

Ref No.RERA-LTR-02/2023

FORMAT-A  
(Circular no.28/2021)

Date:15<sup>th</sup> March,2023.

To,  
Maharashtra Real Estate Regulatory Authority  
Housing Bhavan, Plot no.C-21  
E-Block, Bandra Kurla Complex,  
Bandra (East),Mumbai-400 051

**LEGAL TITLE REPORT**

Sub: Title Clearance Certificate with respect to All that piece and parcels of land admeasuring 1628.70 square meters bearing Final Plot No. 497 in T.P.S. No. V ,New C.T.S. No. Final Plot No.497 ,T.P.S. No. V of Vile Parle (East) ,Village: T.P.S. No. V , Taluka: Andheri-C.T.S. Officer Vile Parle, Mumbai Suburban District bearing erstwhile CTS no. 1954 ,1954 /1 to 6 (Said land) along with Ground plus three upper floors building with A to D Wing/s having 29 (Twenty Nine) residential flat/s standing thereon known as "Suryaprakash" (now demolished) of Suryaprakash Cooperative Housing Society Limited situate at Makarand Ghanekar Marg (Azad road) Vile Parle [East],Mumbai-400 057,assessed by B.M.C. (said building) (the Said land and the said building together referred as "the said Property") and bounded as follows:-

Bounded on the North : By 6.0M INT. ROAD CTS NOS.475 ,501  
Bounded on the South : By CTS NOS. 1955,1956, MOTIVILLA SIDE  
Bounded on the East : By FP No. 476  
Bounded on the West :By Azad Road, Vir Makarand Ghanekar Road

1)I have investigated the title of the said Property at/on the request of M/s. Vasundara Lifestyle Private Limited (Developer) represented by its Director, Mr. Brahmdev Dudhnath Shukla and the following documents i.e.

**A)Description of the Property:**

All that piece and parcels of land admeasuring 1628.70 square meters, bearing Final Plot No. 497 in T.P.S. No. V ,New C.T.S. No. Final Plot No.497 ,T.P.S. No.05 of Vile Parle (East) ,Village: T.P.S. No. V , Taluka: Andheri-C.T.S. Officer Vile Parle, Mumbai Suburban Distric bearing erstwhile CTS no. 1954 ,1954 /1 to 6 (Said land)

along with one Ground plus three floors building with A to D Wings (prior to its demolition for contemplated redevelopment) having 29 (Nineteen) residential flat/s standing therein known as "Suryaprakash" (now demolished) of Suryaprakash Cooperative Housing Society Limited situate at Vir Makarand Ghanekar Road (Azad Road), Vile Parle [East], Mumbai-400 057, assessed by B.M.C (said building) (the Said land and the said building together referred as "the said Property") and bounded as follows:-

Bounded on the North : By 6.0M INT. ROAD CTS NOS.475 ,501  
Bounded on the South : By CTS NOS. 1955,1956, MOTIVILLA SIDE  
Bounded on the East : By FP No. 476  
Bounded on the West :By Azad Road, Vir Makarand Ghanekar Road

**B)The Documents of the said Property:**

i) Development Agreement dated 30th December,2021, executed by and between the Suryaprakash Cooperative Housing Society Limited (the Society) therein of the First Part and M/s. Vasundara Lifestyle Private Limited a DGS Group Company as the Developer therein of the Second Part and The Members therein on the Third Part ;registered under Serial no.BDR-15/14142/2021 dated 30<sup>th</sup> December,2021 ,in/at the Office of the Joint Sub-Registrar of Assurances at Andheri-4,Mumbai Suburban District.

ii) Power of Attorney dated 30th December,2021,executed by the Society ,incidental to grant of re-development rights to the Developer's, Director, Mr. Brahmdev Dudhnath Shukla, registered with office of the Joint Sub-Registrar of Assurances at Andheri-7,Mumbai Suburban District under serial no.BDR-15/14150/2021,dated 30-12-2021 granting various powers and authorities as contained therein to carry on, undertake and complete the re-development work at the said property.

**C) Property Register Card**

**D) Search report for 30 years**

Search Report dated 04th July,2022 for the searches of the records of the concerned Office/s of Sub-Registrar of Assurances of Bandra (1 to 6) for year 1965 and from 1981 to 2022, as also in the S.R. of Mumbai Office from 1981 to 2022 and in the Office of City Survey Record of Vile Parle (East) Village at Santa Cruz West Mumbai Suburban District.

E) On the perusal of the abovementioned document/s and all other relevant document/s relating to the title of the said Property I am of the opinion that the title of M/s. Vasundara Life Style Private Limited ,as the Developer, is clear, marketable and without encumbrance.

**1) Owner of the said Land:** The Society namely Suryaprakash Cooperative Housing Society Limited is the Owner of the said land bearing Final Plot 

no.497,T.P.S. V of Vile Parle [East], Village: T.P.S. Vile Parle [East],Taluka: Andheri, Mumbai Suburban District, situated at Makarand Ghanekar Road, (Azad Road), Vile Parle [East]Mumbai-400 057.

**2) Qualifying Comments/remarks if any:** All required permissions and sanctions have been obtained by the Developer for redevelopment and construction of the building and for accommodating the existing members of the Society and for Sale portion of Flat/s to the intending Purchaser/s.

**3) The Report reflecting the flow of the title of the Developer in respect of the said property is enclosed herewith**

As per Annexure 'A'

Mumbai

Date : 15<sup>th</sup> March, 2023

*A Anupam Sharma*  
**Mr. ANUPAM R. SHARMA**  
ADVOCATE HIGH COURT, MUMBAI  
Flat No. 11, Bldg. No. 6, 2nd Floor  
The Malad CHS. Ltd.,  
Poddar Park, Poddar Road,  
Malad (East), Mumbai-400 097.  
MAH/538/1991  
(Advocate)  
(Sign and Stamp)

ANNEXURE A  
(Circular no.28/2021)  
FLOW OF THE TITLE

- a) It is observed that Suryapakash Co-operative Housing Society Limited are the Owners well seized and possessed of and well and sufficiently entitled to the above referred property Which was purchased and acquired by and under a Deed of Conveyance dated:25<sup>th</sup> March,1965 registered in the Office of Sub-Registrar of Assurance at Bombay under regn. serial no. BND/671/1965, executed between Jamnadas Naraindas, Vasudev Jamnadas, Beharilal Jamnadas, Kanayalal Jamnadas, Satramdas Jamnadas and Nandlal Jamnadas carrying on business in partnership in the firm, name and style of Mesers Naraindas Jmanadas therein referred to as the Vendors as the Party of the One Part and Suryapakash Co-operative Housing Society Limited therein referred to as the Purchaser as the Party of the Other Part Whereby the Vendors therein sold, transferred ,a conveyed and assured unto the said Purchaser therein (the Society) all those pieces and parcels of land admeasuring in aggregate 2181 square yards equivalent to 1824.25 square meters or thereabouts bearing C.T.S. no.1954 ,1954/1 to 6 ,Revenue Village: Vile Parle ,Taluka: Andheri M.S.D. situate at Vir Makarand Ghanekar Marg, (Azad Road) ,Vile- Parle [East],Mumbai-400 057; more particularly described in the Schedule Nos. I and II thereunder written. By Order dated 11<sup>th</sup> July, 1974 of CTSO no.3, the name of the Suryapakash Co-operative Housing Society Limited came to be mutated in the Property Register Card in respect of the aforesaid land and in the City Survey records and the Property Register Card of the said land ,the Society name continues to be reflected as the Owner thereof. The said Land became part of T.P.S. No. V of Vile Parle East and was given F.P.No.497.The F.P.No.497 ,net plot area after set back area and other deductions is 1628.70 square meters.

It is seen in due course the building of the Society known as “ Suryaprakash” consisting of Ground plus three upper floors having four wings A to D and having 29 residential flats as constructed on the said land (the said land together with the said building standing thereon is hereinafter collectively referred to as the said property) as per the approved plan.

Thus Suryaprakash Co-operative Housing Society Limited ,the Society became the owner of the said all those pieces and parcels of land admeasuring 1628.70 square meters or thereabouts bearing erstwhile C.T.S.

no.1954,1954/1 to 6, now bearing Final Plot No. 497 in T.P.S. No. V ,New C.T.S. No. Final Plot No.497 ,T.P.S. No. V of Vile Parle (East) ,Village: Vile Parle [East] ,Taluka: Andheri ,Mumbai Suburban District; situate at Vir Makarand Ghanekar Marg, (Azad Road) ,Vile- Parle [East],Mumbai-400 057 together with the building standing thereon known Suryaprakash of Suryaprakash Cooperative Housing Society Limited consisting of Ground plus 3 upper floors with four Wing/s A to D. The said existing building is very old the Society availed services of M/s. Infra Consults represented by Jyotsna Tondwalkar Structural Engineer's who submitted Report in 2018 observing the existing building not in good condition and in the Society's Special General Body Meeting dated 22-04-2018 the members on the basis and contents of the submitted Structural Audit Report of M/s. Infra Consults, unanimously approved and resolved to go ahead with the redevelopment of the said property and the Society accordingly desirous of appointing a Developer to undertake the redevelopment of the said property by constructing new building/s after getting the plan approved from the M.C.G.M. The Society thereafter floated tender for redevelopment of the Society receiving bid/s /offer/s /proposal/s from the various Developers for redevelopment of the said property and the Developer herein filled and submitted tender on 04-11-2019 and the Society had received the same on even date from the Developer M/s. Vasundara Lifestyle Private Limited and further the said Developer submitted its Revised Offer dated 07-11-2019 which was placed for consideration and approval of the members of the Society in its SGBM held on 27-11-2019 and the members unanimously accepted the Developer's Revised Offer Letter dated 07-11-2019 by passing resolution in this behalf. That for the selection of the Developer by voting process the Society convened Special General Body Meeting dated 8-12-2019, in presence of Deputy Registrar of Cooperative Societies deputed Officer R.N. Halde and the 24 members present unanimously selected the Developer herein as the Developer for undertaking the redevelopment project and further the Society by its letter dated 16-12-2019 communicated about the appointment of the Developer as the Developer and the Developer by its letter dated 19-12-2019 communicated its acceptance and confirmation for the same to the Society. It is also seen that the Deputy Registrar of Cooperative Societies has also issued order dated 15-12-2019 to the Society for the selection of the Developers as per the amended provisions of the MCS Act ,1960 relating to the redevelopment coming into effect on 04/07/2019 . The Society accordingly granted to the redevelopment right in respect of the said property by demolishing the existing building and constructing a new building /s thereon entirely at the cost and expenses of then Developer and such that the members of the Society shall inter alia receive PAA flat/s in the new building/s free of cost and on ownership basis with one car parking space.The Developer has obtained IOD bearing No.P-7700/2021/(497)/K/E/Ward/FP/IOD/1/New dated 05-01-2022.

## Anupam R. Sharma

ADVOCATE HIGH COURT, MUMBAI

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Inter alia in view of the searches taken by the Search Clerk S.D .Jadhav in the Office of Sub Registrar of Assuran ce/s at Bandra and Mumbai in respect of the said property I am therefore of the opinion that the title of the Suryaprakash Cooperative Housing Society Limited in respect of the above referred property is clear, valid, marketable and free from all encumbrances and charge whatsoever.

*Anupam Sharma*  
**Mr. ANUPAM R. SHARMA**  
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