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(Circular No.:-28/2021)

To,

The Maharashtra Real Estate Regulatory Authority,

6th & 7th Floor, Housefin Bhavan,

Plot No.C-2, E-Block,

Bandra Kurla Complex,

Bandra (East), Mumbai-400051

LEGAL TITLE REPORT

Sub.: Title Clearance Report with respect to all that piece and parcel of Plot of land bearing Plot No.7 (New Plot No.16) admeasuring 1357 sq. mts, bearing Survey No.149, corresponding to C.T.S. No.1C/2/281 of Village Charkop, Taluka Borivali in the Registration District of Mumbai Suburban (**said Land**) together with the Building known as "Shreeji Divine" proposed to be constructed on the said Land as per regulation 33 (5) of the Development Control and Promotion Regulation, 2034 comprising of Ground Floor for commercial plus 1st to 4th floor podium plus 5th to 21st Upper Floors of residential (**said Building**) in accordance with the plans sanction by MHADA vide Intimation of Approval bearing No. MH/EE/BP Cell/GM/MHADA-74/1154/2022 dated 27th July, 2022 and situate, lying and being at Sector No. 1, RDP-2, Charkop, Kandivali (West), Mumbai-400 067 and bounded as follows:- On or towards North:- by 18.30 DP Road; On or towards East:- 9 Mtr Road; On or towards South: Kalakunj; and On or towards West: Suraksha Society. The said Land and the said Building shall unless



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referred independently be hereinafter collectively referred to as “**the said Property**”.

We have investigated the title of the said Property on the request of **SHREEJI DEVELOPERS**, a Partnership firm, registered under the provisions of Indian Partnership Act, 1932 and having its registered Office at 1st Floor, Shreeji Atlantis, Gautam Buddha Marg, Orlem, Malad (W), Mumbai - 400064:

- 1) **Description of Property:** All that piece and parcel of Plot of land bearing Plot No.7 (New Plot No.16) admeasuring 1357 sq. mts, bearing Survey No.149, corresponding to C.T.S. No.1C/2/281 of Village Charkop, Taluka Borivali in the Registration District of Mumbai Suburban situate, lying and being at Sector No. 1, RDP-2, Charkop, Kandivali (West), Mumbai- 400 067 (**said Land**) together with the Building known as “Shreeji Divine” proposed to be constructed on the said Land as per regulation 33 (5) of the Development Control and Promotion Regulation, 2034 comprising of Ground Floor for commercial plus 1st to 4th floor podium plus 5th to 21st Upper Floors of residential (**said Building**) in accordance with the plans sanction by MHADA vide Intimation of Approval bearing No. MH/EE/BP Cell/GM/MHADA-74/1154/2022 dated 27th July, 2022 and lying being and situate at Prbhodankar Thakare Nagar, Charkop Sector – I, Charkop, Kandivali West, Mumbai 400 067 and bounded as follows:- On or towards



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North:- by 18.30 DP Road; On or towards East:- 9 Mtr Road; On or towards

South: Kalakunj; and On or towards West: Suraksha Society;

2) The Documents of allotment of plot/Documents Relied upon;

- a) Photocopy of Registration Certificate bearing no. BOM/WR/HSG(TC)/1399/84/85 dated 27th March, 1985 of **CHARKOP JOY CO-OPERATIVE HOUSING SOCIETY LTD** a Co-operative Housing Society registered under the provision of Maharashtra Co-operative Housing Societies Act, 1960 having its registered Office at Plot No. 7 New Plot No. 16, Sector No. 1, Charkop, Kandivali (West), 400067 ("said Society");
- b) Photocopy of the Deed of Lease dated 16th December, 1985 executed by and between MAHARASHTRA HOUSING AREA AND DEVELOPMENT AUTHORITY (therein referred to as the "LESSOR") And CHARKOP JOY CO - OPERATIVE HOUSING SOCIETY LTD (therein referred to as the "LESSEE");
- c) Photocopy of the Resolution dated 17th March, 2013, passed by the said Society in Special General Body Meeting;
- d) Photocopy of the NOC dated 28th March, 2014 issued by the Deputy Registrar MHADA for implementation of the scheme on the said Land;
- e) Photocopy of the Development Agreement dated 20th February, 2019 executed by and between the said Society (therein referred to as the



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Society) and its "Members" (therein referred to as members) and the Developers herein (therein referred to as Developers) and duly registered with the office of Sub -Registrar of Assurances at Borivali-5 under serial No. **BRL-5/6624 of 2019;**

- f) Photocopy of Power of Attorney dated 17th May, 2019 executed by and between said Society (therein referred to as Society) and the Developers herein (therein referred to as Developers) and duly registered with the office of the Sub -Registrar of Assurances at Borivali-5 under serial No. **BRL-5/6625 of 2019;**
- g) Photocopy of the Deed of Rectification dated 1st October, 2020 executed by and between the said Society (as Society) and the Developers (as Developers) and duly registered with the office of the Sub Registrar of Assurances at Borivali -5 under serial No. **BRL-5/6878 of 2020;**
- h) Photocopy of the Offer Letter issued by MHADA dated 30th December, 2021 bearing No. COMB/REE/NOC/ F-1327/3283/2021;
- (i) Photocopy of the Intimation of Approval (IOA) issued by MHADA bearing No. MH/EE/BP Cell/GM/MHADA-74/1154/2022 dated 27th July, 2022;
- (ii) Approved Plans.
- (iii) Property Register Card for CTS Nos. 92 to 97 of IC/2/281 Village Charkop, Taluka Borivali, District of Mumbai Suburban 400 067.



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- (iv) Search report dated 9th March, 2023 issued by search Clerk Mr. Rajesh Bhandari in respect of the said Property.
- 3) On perusal of the above referred documents and all other relevant documents provided by the said Developers we are of the Opinion that the Title of **SHREEJI DEVELOPERS** to develop the said Land by constructing thereon the said Building as per the duly approved/sanctioned plan by MHADA from time to time is clear, marketable and without any encumbrances.
- 4) **Owner of the Land:**
MAHARASHTRA HOUSING AREA AND DEVELOPMENT AUTHORITY is the Owner of the said Land and **CHARKOP JOY CO - OPERATIVE HOUSING SOCIETY LTD**, are the Lessees of the plots of land bearing C.T.S. No.1C/2/281 of Village Charkop, Taluka Borivali in the Registration District of Mumbai Suburban.
- 5) The report reflecting the flow of the title of the said Developers i.e. **SHREEJI DEVELOPERS**, on the said Property is enclosed herewith as annexure.

Yours Faithfully

For M/s Law Origin,



Namita Kataria
Partner

Encl.: a/a Annexure A



Annexure-A

FLOW OF TITLE OF THE SAID PROPERTY

1. We have perused copies of the Property Register Card pertaining to C.T.S. No. IC/2/281, Survey No. 149, Plot No. 7, New Plot No. 16, Sector No. 1, Area 1357 Sq. Mtrs of Village Charkop, Taluka Borivali, Mumbai Suburban District.
2. We have caused search to be taken in the office of the Sub-Registrar of Assurances at Mumbai and Bandra dated 9th March, 2023 for a period of 38 years i.e., **from 1985 to 2023** through the Search Clerk Mr. Rajesh Bhandari with the office of the Sub-Registrar of Assurances at Mumbai and Bandra, (the search reports are subject to torn pages of Index II, mutilated records, some records are misplaced and also unavailable records for the years as mentioned therein).
3. **Flow of Title:**
Upon perusal of the Documents in respect of the said Property provided to us by the Shreeji Developers (herein after referred to as "**Developers**") and the Search Report submitted by the search clerk Mr. Rajesh Bhandari (which is subject to records not being maintained properly, as mentioned



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in the search note and torn pages as mentioned therein), we have to state as follows: -

- a) **MAHARASHTRA HOUSING AREA AND DEVELOPMENT AUTHORITY (MHADA)** is the owner of all that piece and parcel of Plot of land bearing Plot No.7 (New Plot No.16) admeasuring 1357 sq. mts, bearing Survey No.149, corresponding to C.T.S. No.1C/2/281 of Village Charkop, Taluka Borivali in the Registration District of Mumbai Suburban situate, lying and being at Sector No. 1, RDP-2, Charkop, Kandivali (West), Mumbai-400 067, hereinafter referred to as " **THE SAID LAND** " for the sake of brevity and as more particularly described in the First Schedule hereunder written;
- b) **MHADA** has allotted the said Land unto and in favour of one **CHARKOP JOY CO-OPERATIVE HOUSING SOCIETY LTD** a Co-operative Housing Society registered under the provision of Maharashtra Co-operative Housing Societies Act, 1960 under Registration no. BOM/WR/HSG(TC)/1399/84/85 dated 27 March,1985 having its registered Office at Plot No. 7 New Plot No. 16, Sector No. 1, Charkop, Kandivali (West), 400067 ("**said Society**") on the terms and conditions agreed



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therein;

- c) Pursuant to the allotment of the said Land the said Society as per the plans and specifications duly approved by the Competent Authority constructed a Building known as "Joy Apartment" consisting of ground and 3 upper floors comprising of 26 flats and 8 Shops ("**said Building**") (since demolished) on the said Land.
- d) By and under a Deed of Lease dated 16th December, 1985 executed by and between MAHARASHTRA HOUSING AREA AND DEVELOPMENT AUTHORITY therein referred to as the "LESSOR" And CHARKOP JOY CO - OPERATIVE HOUSING SOCIETY LTD therein referred to as the " LESSEE" the Lessee therein have leased out said Land together with the said Building (since demolished) in favor of the Society for the period of 90 years subject to renewals of expiry of each 30 years and for the lease rent and on the terms and conditions as more particularly mentioned therein;
- e) Thus, the said Society became entitled to the said Land and the said Building (since demolished).
- f) The said Building was constructed approximately 33 years ago



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and was in a dilapidated condition and not capable of being repaired. Therefore, the members of the society in Special General Body Meeting held on 17th March, 2013, passed Resolution and decided for redevelopment of said Redevelopment of the Said property i.e., demolition existing Building and construct new Building by Utilizing the plot FSI and the TDR as per the approvals/sanctions/permissions of the statuorty authority.

- g) The said Society subsequently invited offers from reputed builders/developers for redevelopment of the said Land and the said Building (since demolished) as per regulation 33 (5) of DCPR, 2034. Thereafter, the said Society in due compliance to the provisions of section 79A of MCS Act, 1960 followed the guidelines and appointed the Developers herein as Developers for redevelopment of the said Land and the said Building (since demolished) as per the Final offer letter of the Developers in the presence of the Authorized representative of the Deputy Registrar and the Deputy Registrar MHADA has vide its letter dated 28th March, 2014 issued NOC to go ahead with redevelopment of the said building and the said Land.
- h) By Development Agreement dated 20th February, 2019 executed



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by and between the said Society (therein referred to as the Society) and its "Members" (therein referred to as members) and the Developers herein (therein referred to as Developers) and duly registered with the office of Sub -Registrar of Assurances at Borivali-5 under serial No. BRL-5/6624 of 2019, Society with the consent and confirmation of the Members have granted development rights in respect of the said land and the said Building (since demolished) unto and in favour of the Developers with a right to demolish the said Building (since demolished) and to construct a residential- cum -commercial new Building thereon in place thereof, as per the plans and specifications as may be sanctioned by MHADA and/or Competent Authority for the consideration and on the terms and conditions as set out therein;

- i) By Power of Attorney dated 17th May,2019 executed by and between said Society (therein referred to as Society) and the Developers herein (therein referred to as Developers) and duly registered with the office of the Sub -Registrar of Assurances at Borivali-5 under serial No. BRL-5/6625 of 2019 the said Society *inter alia* conferring various powers in favour of the Developers for doing necessary acts, deeds, matters, and things on behalf of



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- the Society related to the redevelopment of the said Property;
- j) After execution of the said Development Agreement said Society through the Developers made various applications before MHADA for grant of permissions/sanctions for redevelopment of the said Land;
- k) By Deed of Rectification dated 1st October, 2020 executed by and between the said Society (as Society) and the Developers (as Developers) and duly registered with the office of the Sub Registrar of Assurances at Borivali -5 under serial No. BRL-5/6878 of 2020, the Parties rectified certain details of the Development Agreement and other terms and conditions set out therein;
- l) MHADA has after following the due process of law issued offer letter dated 30th December, 2021 bearing No. CO/MB/REE/NOC/F-1327/3283/2021 on certain terms and conditions as specified therein;
- m) The Developers complied with the requisites for obtaining the Offer Letter from MHADA for implementation of the redevelopment project /utilization of additional BUA and issued Offer Letter dated 30th December, 2021 bearing No.



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6

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CO/MB/REE/NOC/F-1327/3283/2021;

- n) MHADA issued Intimation of Approval (IOA) bearing No. MH/EE/BP Cell/GM/MHADA-74/1154/2022 dated 27th July, 2022 to Developers inter alia sanctioning the building plans submitted by the Developers in respect of the New Building to be known as "Shreeji Divine" on the said Land ("**said Proposed Building**"). The said Land and the said Proposed Building shall unless referred to independently be hereinafter collectively referred to as "**the said Property**" and is more particularly described in the First Schedule hereunder written;

4. **Litigation:**

The Developers have represented that there are no litigations/proceedings filed with regards to the said Land in the courts in Mumbai. Thus there are no Orders restraining the Developer in any manner to undertake construction of the Proposed Building on the said Plot and/or sell the flats/units in the Free Sale Portion.

5. The Developers have further informed us that they have not encumbered/mortgaged/created charge on any of the flats/Units in the said Proposed Building or the said Land with any financial institution/bank and or in any manner whatsoever.



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6. This Report on Title has been prepared on the basis of the said documents, papers and revenue records and the information/representations that have been furnished/provided to us and presuming that the contents of the said documents, papers and revenue records and the information/representations are true and correct. We take no responsibility for not having envisaged in this Report on Title the contents of documents, writings or revenue records that may be related to the said Property but which have not been provided to us for our perusal. The statements and observations in the Report on title are done based on the documents provided to us as listed aforesaid.
7. This Report on Title is issued based on the title documents perused by us and same is based on the assumption:
- (i) of the legal capacity of all natural persons, genuineness of all signatures;
 - (ii) authenticity of copies of the documents submitted to us;
 - (iii) that there have been no amendments or changes to the documents examined by us;
 - (iv) of the accuracy and completeness of all the factual representations made in the documents;



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- (v) that all prior title documents have been adequately stamped and registered.
8. We are not certifying the boundaries of the said Property and/or physical condition of the said Property since we have not visited the said Property.
9. We have not raised any requisitions on title of the said Land/Property. We have however relied on information/representations and the documents submitted by the Developers to us as stated hereinabove.
10. In the circumstances and subject to what is stated hereinabove and based on the Documents perused by us and the representations as stated hereinabove, We are of the opinion that the Developers i.e., **SHREEJI DEVELOPERS** have clear and marketable title to develop the said Land and to sell the flats/units in the said Sale Protion to prospective purchasers in the manner they deem fit and proper.

Dated this 27th day of March, 2023.

Yours Faithfully

For M/s Law Origin



Namita Natchar
Partner



FORMAT –A

(Circular No.28/2021)

FLOW OF THE TITLE OF THE SAID PROPERTY

1. All the documents referred herein above shall also form a part of this document and shall be read in verbatim as if the same is reproduced herein.
2. Property Registry Card with respect to the said Property mentioned herein above.
3. Search Report dated 9th March, 2023 for 38 years from 1985 to 2023 all taken by search clerk, Mr. Rajesh Bhandari from Sub-Registrar's office.
4. Any other relevant title: Not Applicable
5. Litigations if any: Not Applicable.

Dated this 27th day of March, 2023.

Yours Faithfully

For M/s. Law Origin



Namita Natehas
Partner