

**FORMAT – A**  
**(Circular No.28/2021)**

**To,**  
**The Chairperson**  
**Maharashtra Real Estate Regulatory Authority (MahaRERA),**  
Housefin Bhavan, Plot No.C-21,  
E-Block, Bandra Kurla Complex,  
Bandra (E), Mumbai – 400051.

**LEGAL TITLE REPORT**

**SUB : Title Clearance Certificate in respect of** the pieces and parcels of land admeasuring about 1160 square meters (as per Conveyance Deed (Deemed / Unilateral) dated 2<sup>nd</sup> January, 2024,) (and admeasuring about 1074.50 sq. mtr. as per PR Card) bearing Survey no.29, Hissa No.1 and C.T.S. No. 674, 674/1 to 6 of Village Malad North Taluka Malad, together with building and structures lying and being at Ramchandra Lane, Malad (West), Mumbai – 400064, within the Registration District and Sub-District of Mumbai Suburban, hereinafter referred to as the “**said property**”.

At the request of, **M/S. METRO ASSOCIATES**, a Partnership Firm duly registered under the Indian Partnership Act, 1932, having its office at Office No. 10, First Floor, Triple S Heights, Jakaria Road, Malad (West), Mumbai 400064, hereinafter referred to as the ‘**Developer**’, I have investigated the title of the said property and certify the same as under:

**1. Description of Property**

**ALL THAT** the pieces and parcels of land admeasuring about 1160 square meters (as per Conveyance Deed (Deemed/Unilateral) dated 2<sup>nd</sup> January, 2024,) (and admeasuring about 1074.50 sq.mtr. as per PR Card) bearing Survey no.29, Hissa No.1 and C.T.S. No. 674, 674/1 to 6 of Village Malad North Taluka Malad, together with buildings and structures lying and being at Ramchandra Lane, Malad (West), Mumbai – 400064, within the Registration District and Sub-District of Mumbai Suburban and bounded as follows:

On or towards North:	By property bearing CTS No. 628
On or towards East:	By property bearing CTS No. 675
On or towards West:	By property bearing CTS No. 673
On or towards South:	By Public Road known as Ramchandra Lane.



**2. The documents of ownership / development rights of said property:**

For the purpose of investigating the title of said property following documents have been perused by me:

- a. Certified copy of Indenture of Conveyance dated 29<sup>th</sup> September, 1973, registered in the office of Sub Registrar of Assurances at Bombay under Sr. No. BOM/S -2187-1973 on 29-9-1973;
- b. Conveyance Deed (Deemed/Unilateral) executed on 2<sup>nd</sup> January, 2024, duly registered in the Office of Sub Registrar of Assurances at Borivali No.5, Bandra Division, under Serial No.BRL-5/1373/202, on 23-1-2024;
- c. Development Agreement executed on 8<sup>th</sup> August, 2024, registered in the Office of Sub Registrar of Assurances at Borivali No.6, under Sr. No. BRL-6/17522/2024 dated 14<sup>th</sup> August, 2024, inter alia for granting of development rights by the Owners of said property namely Om Sarva Shrey CHS Ltd. along with existing members in favour of M/s. Metro Associates.
- d. Irrevocable General Power of Attorney dated 8<sup>th</sup> August, 2024 registered in the Office of Sub Registrar of Assurances at Borivali No.6, under Sr. No.BRL-6/17529/2024 dated 8-8-2024 by said Om Sarva Shrey CHS Ltd. to nominees of M/s. Metro Associates.
- e. Other relevant documents relating to the flow of title of the said property (as listed in attached **Annexure**).

**3. Property Registered Cards in respect of said property:**

Property Card issued on 15/03/2024 in respect of said City Survey No. 674, 674/1 to 6 of Village Malad (North) Taluka Malad, stands in the name of Om Sarva Shrey Co-Operative Housing Society Limited as 'Holder' and tenure of property as non agricultural. The total Area of Property as stated in Property Cards is 1074.50 sq. mtr.

**4. Search Report in respect of said property:**

Search Report dated 11/02/2024 obtained through Search Clerk Mr. Vijay Takke who took search of records in the offices of Sub-Registrar



of Assurances since 1970. From the report the flow of title of property is clearly established.

On perusal of the above-mentioned documents and all other relevant documents and disclosures relating to the title of the said property as per Annexure, I am of the opinion that the following Owners / Developer has clear and marketable title with respect to said property as under:-

**Owners of the said property:**

**OM SARVA SHREY CO-OPERATIVE HOUSING SOCIETY LIMITED**, a co-operative housing society registered under the Maharashtra Co-operative Societies Act, 1960 bearing Registration no. BOM/HSG/5312 of 1978 and having its registered address at Sarva Shrey Apartment, Ramchandra Lane, Malad (West), Mumbai – 400064 is Owner of Property as per Conveyance Deed (Deemed/Unilateral) executed on 2<sup>nd</sup> January, 2024, duly registered in the Office of Sub Registrar of Assurances at Borivali No.5, Bandra Division, under Serial No.BRL-5/1373/202, on 23-1-2024.

**Developers of the said property:**

**M/S. METRO ASSOCIATES**, a Partnership Firm duly registered under the Indian Partnership Act, 1932, having its office at Office No. 10, First Floor, Triple S Heights, Jakaria Road, Malad (West), Mumbai 400064 is 'Developer', as per Development Agreement executed on 8<sup>th</sup> August, 2024, registered in the Office of Sub Registrar of Assurances at Borivali No.6, under Sr. No. BRL-6/17522/2024 dated 14<sup>th</sup> August, 2024.

**Qualifying Comments / Remarks:**

**As per the report reflecting the flow of title of the Owner / Developer with respect to the said property is enclosed herewith as Annexure.**

**Dated this 4<sup>th</sup> June, 2025**  
**Encl : As above**



**Ajay K. Rao**  
**Advocate**

## ANNEXURE

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**FLOW OF THE TITLE OF THE SAID PROPERTY**

<b>Sr. No.</b>	<b>Description of Documents showing flow of title</b>
1)	For the purpose of search and investigation of the title, the Owner of said property namely, Om Sarva Shrey Co-Operative Housing Society Limited, and the Developer, have provided me copies of various title documents and other relevant documents and information recited herein after and have produced original / certified copy of documents for my inspection and based on following documents the title of Owner and Developer is clearly established with respect to the said property.
2)	Perused the certified copy issued on 2-9-2024 of an Indenture of Conveyance dated 29 <sup>th</sup> September, 1973, registered in the office of Sub Registrar of Assurances at Bombay under Sr. No. BOM/S -2187-1973 on 29-9-1973, executed between (1) Madhu Kalachand, (2) Daulat Kalachand and (3) Ishwarbai alias Padmabai Ishwardas Melwani, therein referred to as the Vendors of the One Part, and (1) Bhagvanji Ghunsabhai Raiyani (2) Girish Harshadrai Shah and (3) Narendra Dhanwantra Vyas partners of M/s. Raiyani & Associates (Malad Project), therein referred to as the Purchasers of the Other Part. By the said indenture, the Vendors therein granted, conveyed, transferred and assigned unto the Purchasers therein the piece and parcel of land or ground with the messuages bungalow and out-houses standing therein situate at Ramchandra Lane, Malad, in Bombay City and Bombay Suburban Registration District, admeasuring about 1395 square yards equivalent to about 1160 square meters bearing Survey no.29, Hissa No.1 and C.T.S. No. 674, 674/1 to 6, hereinafter referred to as ' <b>the said plot</b> ' and the structure assessed by the Collector of Municipal Rates and Taxes under P-Ward No.4539, 4540 and 4541 and Street Nos.50, 50/1, 50/2, hereinafter referred to as the ' <b>said structures</b> ' and more particularly described in the Schedule thereunder written, hereinafter the said plot and structures shall be collectively referred to as ' <b>the said plot with structure</b> ', for the consideration and terms and conditions more particularly therein contained.
3)	By virtue of said Indenture dated 29 <sup>th</sup> September, 1973, the said (1) Bhagvanji Ghunsabhai Raiyani (2) Girish Harshadrai Shah and (3)

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Narendra Dhanwantra Vyas partners of M/s. Raiyani & Associates (Malad Project), became the Owners of said plot with structures and their names come to be recorded in the Property Card in respect of said plot with structures, hereafter referred to as '**the said Original Owners**'.

- 4) The said Original Owners proposed to construct a building known as 'Sarva Shreya', on the said plot and to sell the premises therein on ownership basis to Indenting Purchasers of premises, hereinafter referred to as '**the said building**'.
- 5) Accordingly, the said Original Owners, obtained Intimation of Disapproval bearing Ref. No. CE/1628/BS/A/ OF 1973-1974 dated 24<sup>th</sup> January, 1974 and Commencement Certificate bearing Ref. No. CE/1628/BS II/AP of 73-74 dated 31/10/1973 and constructed the building being the present existing building by retaining some of the existing structures in the property. The Original Owner obtained Building Completion Certificate from the Competent Authority vide Ref. No. CE/1628/BS/A/ OF 1973-1974 dated 15<sup>th</sup> July, 1974 for said building. Perused the copies of the same.
- 6) The acquirers/allottees of flats and one of the occupants of structure, claiming it to be a 'shop', in the said building thereafter came together and formed a co-operative housing society under the provisions of the Maharashtra Co-operative Societies Act, 1960, known as '**OM SARVA SHREY CO-OPERATIVE HOUSING SOCIETY LIMITED**' being the Owner herein, as the body of purchasers/allottees of flats/shop in the building as required to be formed under the provisions of MOFA. Hereinafter referred to as the '**said Society**'.
- 7) Under the provisions of said MOFA, it was the duty and responsibility of the said Original Owners being the Developer and Promoters of the said building to execute conveyance of the said plot with building/structure in favour of the Society; however, since the said Original Owners had failed to do so, therefore, the Society called upon the said Original Owners to comply with their duty and obligation under MOFA to transfer and assure the rights, title and interest in said the plot, building and structure unto the Society.
- 8) Despite notices, the said Original Owners failed to transfer and convey the said plot, building and structure in favour of the Society/Owner herein, therefore, the Society filed an application bearing Application No.188 of 2015, before the Competent Authority constituted under section 5A of said MOFA i.e. the District Deputy Registrar of Co-operative Societies. Mumbai City-4, under section 11(3) of said MOFA, for grant of Certificate for Unilateral Deemed

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Conveyance; however, the said Application was rejected by an Order dated 17-2-2017 on technical grounds and therefore, the Society, subsequently filed fresh application bearing Application No.76 of 2023, before the Competent Authority by complying with all technical and other requisitions with true and correct facts and providing all necessary information to the knowledge of the Society.

- 9) The Competent Authority being satisfied with the application and after hearing all concerned parties passed an Order and issued Certificate both on 6<sup>th</sup> July, 2023, in Application No.76 of 2023, inter-alia, for execution of Unilateral Deemed Conveyance in respect of said Plot with building and structure in favour of the Society.
- 10) Accordingly, by a Conveyance Deed (Deemed/Unilateral) executed on 2<sup>nd</sup> January, 2024, duly registered in the Office of Sub Registrar of Assurances at Borivali No.5, Bandra Division, under Serial No.BRL-5/1373/2024, on 23-1-2024, made between Shri. Kailas Jebale, the District Deputy Registrar Co-op. Societies (4), Mumbai, and the Competent Authority, on account of Defaulting Owners/ Predecessors/ Promoters, namely, M/s. Raiyani & Associates (Malad Project), through its Partners (1) Bhagvanji G. Raiyani, (2) Girish Harshadrai Shah and (3) Narendra Dhanwantrai Vyas, therein referred to as "the **Owners/Developers**", being the Party of the First Part and Om Sarva Shrey Cooperative Housing Society Limited (being the Owner/Society hereto), therein referred to as the '**Society**', being the Party of the Other Part; the Competent Authority, for and on behalf of Owners/Developers, granted, assigned, transferred and conveyed unto the Society therein, the said property. Perused the original of said Conveyance Deed which includes the deemed conveyance order and the same duly stamped and registered.
- 11) In the aforesaid circumstances, by virtue of the said Conveyance Deed (Deemed/Unilateral) executed on 2<sup>nd</sup> January, 2024, the said Society became absolute Owner and is seized, possessed, and sufficiently entitled to the said property.
- 12) Part of said property abutting public road known as 'Ramchandra Lane' is affected by the Road Set Back. As per physical Survey of said land the said property admeasures about 1074.50 square meters and hence the final area of said property shall be subject to said road set back land. The said property falls within 'Residential Zone' and has direct access from public road known as 'Ramchandra Lane'.
- 13) By a Development Agreement executed on 8<sup>th</sup> August, 2024, registered in the Office of Sub Registrar of Assurances at Borivali No.6, under Sr. No. BRL-6/17522/2024 dated 14<sup>th</sup> August, 2024, by

and between the said 'Om Sarva Shrey Co-Operative Housing Society Limited', therein called as the 'Society' of the First Part and majority Members of the said Society, therein called as the 'Existing Members' of the Second Part, and M/s. Metro Associates, therein called as the 'Developers' of the Third Part, the Society has with consent and confirmation of the Members granted development rights of said property in favour of the Developer therein in respect of the said property subject to various terms and conditions and upon consideration more particularly stated therein.

- 14) In terms of the Development Agreement, the Society has also executed an Irrevocable General Power of Attorney dated 8<sup>th</sup> August, 2024 registered in the Office of Sub Registrar of Assurances at Borivali No.6, under Sr. No.BRL-6/17529/2024 dated 8-8-2024, inter alia appointing and authorizing Mr. Ashok S. Jain and Mr. Karan Baba Singh, the nominees of the Developer, as their Constituted Attorney with powers and duties more particularly stated therein.
- 15) As per Development Agreement, the Developer is entitled to demolish the existing building and structure and construct a building/s on the said property being land admeasuring about 1074.50 square metres with benefits of Road Set Back bearing Survey no.29, Hissa No.1 and C.T.S. No. 674, 674/1 to 6 of Village Malad North Taluka Malad, together with the protected area of the existing building / structures lying and being at Ramchandra Lane, Malad (West), Mumbai - 400064 in the Registration District and Sub-District of Mumbai City.
- 16) Under the said Development Agreement dated 8<sup>th</sup> August, 2024, Developer has reserved New Flats in the proposed buildings to be constructed on the said property for the purpose of allotment to the existing members of the said Society. The details of allotment of Members New Flats are stated in Annexure 'J' to the said Development Agreement. After reserving the said Members New Flats and parking space to be allotted against consideration in the proposed building, Developer is entitled to deal with and dispose of without consent and confirmation of the Society and the Existing Members, the balance flats and balance parking space, which is their 'Sale Component', and appropriate the sale proceeds as they may deem fit and proper as provided in the said Development Agreement.
- 17) To verify the title of the Owner and Developer with respect to the said property, I also issued a 'Public Notice' dated 9<sup>th</sup> July, 2024, in The Free Press Journal (English), Mumbai Edition, and Nav-Shakti, (Marathi), Mumbai Edition. However, in response to the said Public



Notice no claim or objection is filed by any person and/or received by me.

- 18) I have also caused to take search of records in the offices of Sub-Registrar of Assurances since the year 1970 through Search Clerk Mr. Vijay Takke who has submitted his Search Report dated 11/02/2024. From the report the flow of title of property ultimately in favour the Society is clearly established.
- 19) I have perused the latest Property Card in respect of the said property issued and downloaded on 15/03/2024. Mutation dated 24/07/1971 in the Property Card discloses that the said property is converted to 'Non Agricultural Users' vide an Order dated 28/08/1970. The name of the Society is recorded as 'Holder' of land in the Collectors Records and the present Tenure of said property is 'C'.
- 20) The Owner and Developer have informed me that there is no litigation or suit pending against the Society / Developer, inter alia, disputing the title of the Society with respect to said property or the development rights in favour of the Developer.
- 21) The Developer has applied for Building Permission for grant of Building Permission and approval of Plans. The Competent Authority has thus issued the Intimation of Disapproval bearing Reference No. P-23082/2024/(674)/P/N Ward/Malad North/IOD/1/New Dated 31<sup>st</sup> January, 2025 and Commencement Certificate bearing Reference No. No P-23082/ 2024/ (674)/P/N Ward/Malad North/CC/1/New Dated 3<sup>rd</sup> June, 2025 for plinth level and subject to obtaining further approvals the Developer is entitled to develop the said property and after reserving the Existing Members New Flats and Parking Space, the Developer is entitled to deal with the balance flats and parking space in the building proposed to be constructed by them.

**Dated this 4<sup>th</sup> day of June, 2025**



**Ajay K. Rao  
Advocate**

