



NITIN TABHANE

ADVOCATE

FORMAT- A

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

To

MahaRERA
Housefin Bhawan, Near RBI
E Block, Bandra Kurla Complex,
Bandra (East)
Mumbai 400051

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to all that piece and parcel of land admeasuring 487.30 square meters or thereabouts bearing Survey no. 13 (Part), bearing Plot no. 6 and bearing corresponding CTS nos. 161, 161/1, 161/2 and 161/3, all of Village Pahadi Goregaon (West), Taluka Borivali, Mumbai Suburban District and situate, lying and being at L. T. Road no. 1, Off M. G. Road, Goregaon (West), Mumbai 400062 (hereinafter referred as the "said Plot").

I have investigated the title of the said plot on the request of M/s Meghna Aakar Constructions and following documents i.e. :-

1) Description of the property.

All that piece and parcel of land admeasuring 487.30 square meters or thereabouts bearing Survey no. 13 (Part), bearing Plot no. 6 and bearing corresponding CTS nos. 161, 161/1, 161/2 and 161/3, all of Village Pahadi Goregaon (West), Taluka Borivali, Mumbai Suburban District and situate, lying and being at L. T. Road no. 1, Off M. G. Road, Goregaon (West), Mumbai 400062.

2) The documents and papers made available to me :

- i. Deemed Conveyance Deed dated 24.12.2021 registered under Registration No. BRL-6/20192/2021 with the Sub-Registrar of Assurances, Borivali.
- ii. Property Register Card issued by City Survey, Goregaon dated 20.01.2022 mutation entry no. 5478.
- iii. Development Agreement dated 21st October, 2022 registered under Registration No. BRL-6/21824/2022



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iv. Irrevocable Power of Attorney dated 21st October, 2022 registered under Registration No.BRL-6/21825/2002

3) Search report for 40 years from 1985 till 2024.

2/- 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 - Aasiyana Cooperative Housing Society Limited viz. the Society is the owner of the said Property is clear and marketable. M/s Meghna Aakar Constructions have been granted development rights by the said - Aasiyana Cooperative Housing Society Limited and the same are clear, marketable and without any encumbrances. -

Owners of the Property:

AASIYANA CO-OPERATIVE HOUSING SOCIETY LIMITED, a co-operative society registered under Maharashtra Co-operative Societies Act, 1960, bearing registration no. BOM/HSG/P/8635 of 1983 dated 19th May, 1983 and having its registered office at Plot no. 6, L. T. Road no. 1, Off M. G. Road, Goregaon (West), Mumbai 400062 is the owner of the said Property bearing Survey no. 13 (Part), bearing Plot no. 6 and bearing corresponding CTS nos. 161, 161/1, 161/2 and 161/3, all of Village Pahadi Goregaon (West), Taluka Borivali, Mumbai Suburban District and situate, lying and being at L. T. Road no. 1, Off M. G. Road, Goregaon (West), Mumbai 400062

DEVELOPER OF THE PROPERTY: M/S MEGHNA AAKAR CONSTRUCTIONS- Survey no. 13 (Part), bearing Plot no. 6 and bearing corresponding CTS nos. 161, 161/1, 161/2 and 161/3, all of Village Pahadi Goregaon (West), Taluka Borivali, Mumbai Suburban District and situate, lying and being at L. T. Road no. 1, Off M. G. Road, Goregaon (West), Mumbai 400062

(1) Qualifying comments/remarks if any : Nil

3/- The report reflecting the flow of the title of the (owner-) on the said land is enclosed herewith as annexure.

Encl : Annexure.

Date: 19th November, 2024

Your truly


Nitin Tabhane
Advocate.



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Kanakia Road, Mira Road (East), Thane 401107

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FLOW OF THE TITLE OF THE SAID LAND.

1. From the deemed Conveyance Deed dated 23rd December, 2021, inter-alia it appears that:
 - a. At all relevant times prior to 23rd December, 2021 one Mr. Paresh H. Mehta (hereinafter referred to as “**Paresh**”) was seized and possessed of and otherwise well and sufficiently entitled as the owner of all that piece and parcel of land admeasuring 487.30 square meters or thereabouts bearing Survey no. 13 (Part), bearing Plot no. 6 and bearing corresponding CTS nos. 161, 161/1, 161/2 and 161/3, all of Village Pahadi Goregaon (West), Taluka Borivali, Mumbai Suburban District and situate, lying and being at L. T. Road no. 1, Off M. G. Road, Goregaon (West), Mumbai 400062 (hereinafter referred to as “**the said Land**”).
 - b. One M/s. Ashirwad Enterprises (hereinafter referred to as “**Ashirwad**”) had acquired development rights in respect of the said Land and constructed a building thereon which is presently standing on the said Land, being building known as “*Aasiyana*”, comprising of ground plus 4 (four) upper floors; and containing 11 (eleven) self-contained residential flats (hereinafter referred to as “**the Existing Building**”).
 - c. The said Ashirwad, sold all flats in the Existing Building to various purchasers/acquirers on what is commonly known as ownership basis under the provisions of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 (hereinafter referred to as “**MOFA**”). The various occupants/acquirers of flats in the Existing Building formed themselves into a co-operative housing society, being the Society herein



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- d. Pursuant thereto, Paresh and Ashirwad, failed to comply with their obligation of conveying the said Land and the Existing Building standing thereon to and in favour of the Society as provided under Section 11 of MOFA read with Rule 9 of the Maharashtra Ownership Flats (Regulation of promotion of Construction, Sale, Management and Transfer) Rules, 1964 (hereinafter referred to as “**MOFA Rules**”).
- e. Thereafter, the said Society filed an Application bearing no. 53 of 2016 before the District Deputy Registrar, Co-operative Societies, Mumbai City (4) i.e. the Competent Authority under the provisions of MOFA for grant of a unilateral deemed conveyance under Section 11 (3) and 11 (4) of MOFA in respect of the said Land and the Existing Building; and by and under an order dated 22nd February, 2017 bearing no. DDR-4/Mum/D.C./Aasiyana CHSL/557/2017, the said Competent Authority allowed such application filed by the Society and issued a certificate certifying therein that the Society is entitled to have a unilateral deemed conveyance viz. entitled for enforcing unilateral execution of conveyance deed, conveying the right, title and interest of the promoters (viz. Paresh and Ashirwad) in the said Land and the Existing Building in favour of the Society, as a deemed conveyance (hereinafter referred to as “**the said Order**”). Thereafter, on the basis of application made by the Society, the said Competent Authority issued a Corrigendum dated 23rd March, 2021 bearing no. DDR-4/Mum/D.C./corrigendum/Aasiyana CHSL/819/2021, thereby correcting the description of the said Land (viz. the CTS numbers in respect of the said Land) mentioned in the said Order.
- f. Accordingly, the Conveyance Deed (Deemed/Unilateral) in respect of the said Land and the Existing Building, in favour of the Society is executed on 23rd December, 2021; and the same is duly registered with the Sub-Registrar of Assurances at Borivali no. 6 under serial no. BRL-



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6-20192-2021 (hereinafter referred to as “the Deemed Conveyance”).

- g. In the circumstances, by virtue of the Deemed Conveyance, the Society acquired title to the said Land and the Existing Building as the sole and absolute owner and holder thereof.
- h. The name of Society is reflected in the Property Register Cards in respect of the said Land, as the holder and owner thereof.
- i. Thus, the said Society became the absolute owner of the said Land and said Building.
- j. By and under a Development Agreement dated 21st October, 2022 executed between the said - Aasiyana Cooperative Housing Society Limited (thereinafter referred to as the said Society), M/s Meghna Lakar Constructions (thereinafter referred to as the Developers) and the Members of the Society (thereinafter referred to as the Confirming Members), the said Society and its Members granted unto the Developer development rights to redevelop the said Land together with the said Building, for the consideration and upon terms and conditions contained therein. The said Development Agreement is duly stamped and registered with the concerned Sub-Registrar of Assurances under Registration No. BRL-6/21824/2022.
- k. Pursuant to the execution of the said Development Agreement, the said Society executed an irrevocable power of attorney dated 21st October, 2022 in favour of the Developers thereby appointing and the nominating the Developers as its constituted attorney to do various deeds, things and acts more particularly contained in the said Power of attorney. The said Power of Attorney is duly stamped and registered with the concerned Sub-Registrar of Assurances under Registration No. BRL-6/21825/2002.



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- l. In view of the foregoing, the Developer became entitled to redevelop the said Property in terms of the said Development Agreement dated 21st October, 2022 and Power of Attorney dated 21st October, 2022.

1) Property Registrar Card :

I have been furnished with a copy of Property Register Card dated 20.01.2022 in respect of land bearing CTS nos. 161, 161/1, 161/2 and 161/3, all of Village Pahadi Goregaon (West), Taluka Borivali, Mumbai Suburban District and situate, lying and being at L. T. Road no. 1, Off M. G. Road, Goregaon (West), Mumbai 400062 and I inter-alia note as under:

- i. **The society is the holder of land bearing** CTS nos. 161, 161/1, 161/2 and 161/3, all of Village Pahadi Goregaon (West) aggregate admeasuring 487.30 sq.mtrs.
- ii. **The property cards in respect of land bearing** CTS nos. 161, 161/1, 161/2 and 161/3 reflect the name of - Aasiyana Cooperative Housing Society Limited as the owner thereof.
- iii. The tenure of the said land is non-agricultural.

- 2) **Mutation Entry :** By of Mutation Entry No.5948 dated 20.01.2022, the name of - Aasiyana Cooperative Housing Society Limited has been mutated on the Property Register Cards with respect to the said Land.

3) Searches

I have caused searches to be conducted in the office of the Sub-Registrar of Assurances *inter-alia* in respect of the said Property for a period of 40 years from 1985 to 2024 and have been furnished with a Search Report dated 14th October, 2024 issued by Mr. S.V. Baikar, Search Clerk. Observations of the



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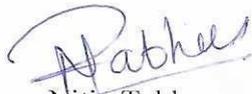
Search Report with respect to the said Land has been enumerated in this Title Certificate.

- 4) Any other relevant title - NA
- 5) **Litigations if any**

There are no pending litigations with respect to the said Property.

Date: 19th November, 2024

Yours Truly


Nitin Tabhane
Advocate.

