

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

To,  
Maha RERA,  
BKC, Housefin Bhavan, near RBI,  
E-Block, Bandra Kurla Complex,  
Bandra East, Mumbai- 400 051.

**LEGAL TITLE REPORT**

**Sub.:** Title Report of Cadastral Survey No. 217/74 of Parel-Sewri  
Division.

Sir,

We have investigated the title of the Property based on the request of **NIRBAN HOUSING AND DEVELOPMENT LLP**, a company incorporated under the provisions of the Companies Act, 1956 and now governed by the Companies Act 2013, having its registered office address at 10, Ganeshwadi, Zaveri Bazar, Mumbai 400 002 ("**Developer**") and perused the copies of the following documents:-

**A. Description of the Property:**

**ALL THAT** piece and parcel of land, containing an area admeasuring 626 sq. yards or thereabouts situate on and being Plot No. 219B of Suparibaug Estate of the Corporation in the City and Island and Sub-Registration District of Bombay and form portion of New Survey No. 2596 and bearing Cadastral Survey No. 217/74, Parel-Sewri Division together with a Building known as "**Hussani House**" standing thereon, hereinafter referred to as "**the said Property**".

**B. The documents in relation to the Ownership of the said Property**

Antecedent documents of title as mentioned in **Annexure "A"**.

Lentin Chambers, Dalal Street, Fort, Mumbai - 400 001.

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**C. Property Card**

<b>C.S. No.</b>	<b>Owners as per Title Property Card</b>
217/74	Municipal Corporation of Greater Mumbai

<b>C.S. No.</b>	<b>Lessee as per Title Property Card</b>
217/74	(1) Mr. Ibrahim Jusab Sopariwala (2) Mr. Mohammed Aslam Jusab Sopariwala (3) Mrs. Khatija Mohammed Yunus (4) Mrs. Erum Banoo Mohammed Haroon (5) Mrs. Ruksana Abdul Aziz

Property Card of the said Property is required to be updated.

**D. Search Report for 30 years**

We have relied upon the Search Report dated 2<sup>nd</sup> February, 2024 issued by Search Clerk Mr. S. D. Jadhav (Title Investigator).

On perusal of the documents and search report pertaining to the title of Property, we are of the opinion that subject to the rehabilitation of the tenants and compliance of conditions as recorded under Development Agreement dated 25<sup>th</sup> March, 2021, the title of **NIRBAN HOUSING AND DEVELOPMENT LLP**, as Developers, for redevelopment of the said Property is clear, marketable and without any encumbrance.

**Owners of the Property**

The following persons are the Owners of the Property:

<b>C.S. No.</b>	<b>Owners as per Title Property Card</b>
217/74	Municipal Corporation of Greater Mumbai

<b>C.S. No.</b>	<b>Lessee as per Title Property Card</b>
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217/74	(1) Mr. Ibrahim Jusab Sopariwala (2) Mr. Mohammed Aslam Jusab Sopariwala (3) Mrs. Khatija Mohammed Yunus (4) Mrs. Erum Banoo Mohammed Haroon (5) Mrs. Ruksana Abdul Aziz
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**Developers of the Property**

C.S. No.	Developers as per Title Documents
217/74	Nirban Housing and Development LLP.

**Qualifying comments/remarks if any –**

The report reflecting the flow of title in respect of the said Property is enclosed herewith as Annexure "A" hereto.

This 27<sup>th</sup> day of February, 2024

Diamondwala & Co.

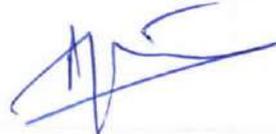
  
Advocates and Solicitor

Enclosure: a/a

ANNEXURE "A"

FLOW OF TITLE OF THE SAID PROPERTY:-

1. Upon perusal of the original title deeds and documents produced by our client, **NIRBAN HOUSING AND DEVELOPMENT LLP**, we have to state that our client, Developers have acquired the said First Property as under:-
  - a. That (1) **MR. IBRAHIM JUSAB SOPARIWALA**, (2) **MR. MOHAMMED ASLAM JUSAB SOPARIWALA**, (3) **MRS. KHATIJA MOHAMMED YUNUS**, (4) **MRS. ERUM BANOO MOHAMMED HAROON** AND (5) **MRS. RUKSANA ABDUL AZIZ** are the Owners and they seized and possessed well "**the said Property**".
  - b. By Deed of Indenture dated 7<sup>th</sup> November, 1941 executed between Municipal Corporation of the City of Bombay (Corporation) therein referred to as the "**Corporation**" of the First Part, Shri. Madhusudan Damodar Bhat therein referred to as the "**Commissioner**" of the Second Part, Shri. Mohamed Haji Janmohamed Patel therein referred to as the "**Confirming Party**" of the Third Part and Smt. Bai Fatmabai Haji Janmahomed Patel therein referred to as the "**Lessee**" of the Fourth Part, the Corporation with the consent of the Confirming Party has assigned the Lease in perpetuity in respect of **ALL THAT** piece and parcel of land, containing an area admeasuring 626 sq. yards or thereabouts situate on and being Plot No. 219B of Suparibaug Estate of the Corporation in the City and Island and Sub-Registration District of Bombay and form portion of New Survey No. 2596 and bearing Cadastral Survey No. 217/74, Parel-Sewri Division together with a Building standing thereon ("**the Demised Premises**") to the Lessee from 17<sup>th</sup> January, 1940 in perpetuity for the yearly rent and the consideration and on the terms and conditions as more particularly



mentioned therein. The said Indenture is duly registered with the Office of the Sub-Registrar of Assurances at Bombay, under Serial No.5587 of Additional Book No.1 dated 22<sup>nd</sup> January, 1942.

- c. By Indenture dated 13<sup>th</sup> June, 1956 executed between Bai Fatmabai Haji Janmahomed Patel therein referred to as the "**Transferor**" of the One Part and Haji Mohamed Husain Haji Janmohamed Patel therein referred to as the "**Transferee**" of the Other Part, the Transferor therein transferred and assigned to the Transferee the said Demise Premises in perpetuity for the consideration and on the terms and conditions as more particularly mentioned therein. The said Indenture is duly registered with the Office of the Sub-Registrar of Assurance at Mumbai under Serial No.3665 dated 13<sup>th</sup> June, 1956.
- d. The said Haji Mohamed Hussain Haji Janmohamed Patel died intestate on 20<sup>th</sup> November 1984 leaving behind his widow Mrs. Zaibunnisa Haji Mohammed Hussain Patel and one daughter, Mrs. Fozia Majed Ratiwala and three sons namely, 1) Mr. Jan Mohamed Hussain, 2) Mr. Hamed Hussain Patel and 3) Mr. Arif Hussain Patel being the only legal heirs and representatives as per the law of succession, by which he was governed at the time of his death.
- e. By an Agreement dated 1<sup>st</sup> September, 1989 executed between 1) Mr. Fozia Majed Ratiwala, the Executant No.1, therein referred to as the Releasee 2) Smt. Zaibunnisa wd/o Haji Janmohamed Patel, the Executant No.2, 3) Mr. Jan Mohamed Hussain, the Executant No. 3, 4) Mr. Hamed Hussain Patel, the Executant No.4 and 5) Mr. Arif Hussain Patel, the Executant No.5, therein referred to the Releasors, recorded the family arrangement taken place between them on 1<sup>st</sup> August, 1986 and in pursuance thereto, the Releasors being Executant Nos. 2 to 5 did thereby release all their right, title and interest in respect of the said demise premises to the Releasee being the Executant No.1 on the terms



and conditions as more particularly mentioned therein. The said Agreement is registered with the Office of the Sub-Registrar of Assurances at Mumbai under Serial No.3571 dated 12<sup>th</sup> January, 1989.

- f. By Deed of Assignment dated 26<sup>th</sup> May, 2003 executed between Mrs. Fozia Majeed Retiwala therein referred to as the “**Assignor**” of the One Part and 1) Mr. Ibrahim Jusab Sopariwala, 2) Mr. Mohammed Jusab Sopariwala, 3) Mr. Khatija Mohammed Yunus, 4) Mr. Erum Banoo Mohammed Haroon and 4) Mrs. Ruksana Abdul Aziz therein referred to as the “**Assignees**” of the Other Part, the Assignor therein assign unto the Assignees **ALL THAT** piece and parcel of land, containing an area admeasuring 626 sq. yards or thereabouts situate on and being Plot No. 219B of Suparibaug Estate of the Corporation in the City and Island and Sub-Registration District of Bombay and form portion of New Survey No. 2596 and bearing Cadastral Survey No. 217/74, Parel-Sewri Division together with a Building standing thereon and more particularly described in the Schedule there under written comprised in and expressed to be demised by the said recited Indenture of Lease dated 19<sup>th</sup> November, 1940 as tenants-in-common in equal shares for all the residue now to come and perpetuity forever granted by the said Indenture of Lease for the consideration and on the terms and conditions as more particularly mentioned therein. The said Deed of Assignment is registered with the Office of the Sub-Registrar of Assurances at Mumbai under Serial No.BBE-2-2968/2003 dated 26<sup>th</sup> May, 2003.
- g. By Development Agreement dated 25<sup>th</sup> March, 2021 executed between 1) Ibrahim Jusab Sopariwala 2) Mohammed Aslam Jusab Sopariwala 3) Khatija Yunus 4) Eram Banoo Mohammed Haroon and 5) Rukhsana Abdul Aziz therein referred to as Owners of the One Part and Nirban Housing and Development LLP., therein referred to as Developer of the Second Part, the Owners therein did thereby granted absolute, exclusive



and irrevocable rights and authority to redevelop ALL THAT piece and parcel of land, containing an area admeasuring 626 sq. yards or thereabouts situate on and being Plot No. 219B of Suparibaug Estate of the Corporation in the City and Island and Sub-Registration District of Bombay and form portion of New Survey No. 2596 and bearing Cadastral Survey No. 217/74, Parel-Sewri Division together with a Building known as "Hussani House" (Afreen House) standing thereon fully occupied Tenants, hereinafter referred to as the said Property and more particularly described in the Schedule thereunder written unto the Developers therein for the consideration and terms and conditions more particularly contained therein. The said Development Agreement is duly registered with the office of the Sub Registrar of Assurances at Mumbai under Serial No. BBE-3-4491/2021.

2. In pursuance of the said Development Agreement dated 25<sup>th</sup> March, 2021 registered with the Office of the Sub Registrar of Assurances vide Serial No. BBE-3-4491/2021, Nirban Housing and Development LLP, have secured from the MBRRB composite and revalidation of NOC in respect of the said Property in their name for the purpose of redevelopment of the said Property as referred above.
3. Nirban Housing and Development LLP have secured sanctioned plans in terms of Intimation of Disapproval dated 17<sup>th</sup> October, 2023 construction of a building consisting of ground plus 20 upper floor.
4. In pursuance to the sanctioned plans, Nirban Housing and Development LLP have got vacated the tenants on the said Property and shifted them in a transit accommodation by paying transit rent and have demolished the building standing thereon for the purpose of redevelopment of the said property.

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