

FORMAT – A (Circular: - 28/2021)

To,
MahaRERA

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to all that piece and parcel of leasehold land bearing CTS No. 195 (Part), corresponding to Survey No. 106-A, admeasuring 1157.38 square yards or thereabouts equivalent to 967.71 sq. mtrs. or thereabouts together with the building standing thereon known as Building No.40, D.N. Nagar Gurukripa Co-operative Housing Society Limited, D.N. Nagar, New Link Road, Andheri (West), Mumbai – 400 053 (hereinafter referred as the “said Land”).

I have investigated the title of the said Land on the request of **M/s. TRU SUN-VISION REALTY LLP**, a limited liability partnership duly incorporated under the provisions of Limited Liability Partnership Act, 2008, (hereinafter referred to as the “Developer”) to the said Land on the request of the Developer.

1. **Description of the said Land** - All that piece and parcel of leasehold land bearing CTS No. 195 (Part), corresponding to Survey No. 106-A, admeasuring 1157.38 square yards or thereabouts equivalent to 967.71 sq. mtrs. or thereabouts together with the building standing thereon known as Building No.40, D.N. Nagar Gurukripa Co-operative Housing Society Limited, D.N. Nagar, New Link Road, Andheri (West), Mumbai – 400 053 (hereinafter referred as the “said Land”)
2. The documents pertaining to title are mentioned in **Annexure A**.
3. Property card issued by City Survey office dated 26th September, 2019, mutation entry dated 30th October, 2006

VAISHNAVI NAIR

ADVOCATE, HIGH COURT

Phone No. 24324873

Mobile No. 09819604947

vaishnavi16@gmail.com

4. Search report for 30 years is not obtained as land is owned by Maharashtra Housing Board.

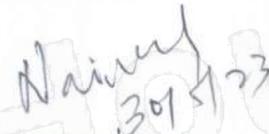
On perusal of the above mentioned documents and all other relevant documents relating to title of the said Land, I am of the opinion that the title of the Developer to develop the said Land is clear, marketable and without any encumbrances.

Owners of the said Land:

1. Maharashtra Housing Board
2. Qualifying Remark / Comment – Refer to the detailed Title Certificate dated 30th May, 2023 issued by me

The report reflecting the flow of the title of the Developer to develop the said Land is enclosed herewith as annexure.

Yours faithfully,


Vaishnavi Nair

(Advocate)

Date: 30th May, 2023

Encl.: Annexure.

VAISHNAVI NAIR

ADVOCATE, HIGH COURT

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FLOW OF THE TITLE OF THE SAID LAND

As provided in the detailed Title Certificate dated 30th May, 2023 issued by me i.e. Ms. Vaishnavi Nair.

Yours faithfully,

Nair
30/5/23

Vaishnavi Nair

(Advocate)

Date: 30th May, 2023

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VAISHNAVI NAIR

ADVOCATE, HIGH COURT

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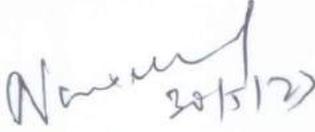
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ANNEXURE A
LIST OF DOCUMENTS

As stated in the detailed Title Certificate dated 30th May, 2023 issued by me i.e. Ms. Vaishnavi Nair.

Yours faithfully,



Vaishnavi Nair

(Advocate)

Date: 30th May, 2023

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TITLE CERTIFICATE

Re: All that piece or parcel of land being at CTS No. 195 (Part), corresponding to Survey No. 106-A, admeasuring 1157.38 square yards or thereabouts equivalent to 967.71 sq. mtrs. or thereabouts, of Village Andheri, Taluka Andheri, in Registration Sub-District of Bandra, District Mumbai Suburban in the D.N. Nagar Layout of MHADA at D.N. Nagar, Andheri (West), Mumbai -400053 (hereinafter referred to as "**said Land**"), together with Society's building known as "**Building No.40**" [now demolished], then consisted of ground plus 4 (Four) upper floors having 8 (eight) tenements/units on each floor (hereinafter referred to as "**Existing Premises**"). The 8 (eight) tenements on ground floor of the then said Existing Building was occupied by Estate Manager 2 (hereinafter referred to as "**MHADA Premises**") and remaining 32 (thirty two) flats from 1st to 4th floor, (hereinafter referred to as "**the said Building**") (hereinafter collectively referred to as the "**the said Property**")

I have been instructed by M/s. TRU SUN-VISION REALTY LLP to issue this Title Certificate relating to the said Property:

A. REVENUE RECORDS:

On perusal of Property Register Card pertaining to said Property, it stands in name of Maharashtra Housing Board ("**MHB**") and name of D. N. Nagar Gurukripa Cooperative Housing Society Limited as recorded as holder / lessees

B. TENURE OF THE SAID PROPERTY:

On perusal of PR card it appears that the tenure of the said Property is "**H-1**" (i.e. Land held by MHB)

C. TRACING OF TITLE:

1. It appears that MHB is the Owner of the said Land.
2. It appears that Government of India had formulated a Housing Scheme for the construction and allotment of tenements on rental basis to industrial workers known as the Subsidized Industrial Housing Scheme. In pursuance of the Government of India Scheme, MHADA in and around 1976 built the building bearing No.40 on the said Land. The tenements in the said Building were allotted to individual allottees on rental basis.
3. It appears that allottees of said Building formed themselves into a co-operative housing society called as D. N. NAGAR GURUKRIPA CO-OPERATIVE HOUSING SOCIETY LIMITED, a society registered under the Maharashtra Co-operatives Societies Act, 1960 under Registration No. BOM/(WKW)/HSG (OH)/1382/84-85 dated 20th March 1985 having its registered office at, "D. N. Nagar Gurukripa Co-Operative Housing Society Ltd." Building

No. 40, D.N. Nagar New Link Road, Andheri (West), Mumbai - 400 053 (hereinafter referred to as **"the said Society"**)

4. It appears that by a Lease Deed dated 31st August, 1996 duly registered with the sub registrar of assurance at Andheri under Serial No. BDR-01/639/1996 made and executed between MHADA of the One Part and the said Society of the Other Part, MHADA has given on lease the said Land to the said Society for a period of 99 (ninety nine) years and on the terms and conditions as setout therein.
5. It appears that by a Deed of Sale dated 31st August, 1996 duly registered with the sub registrar of assurance at Andheri under Serial No. BDR-01/637/1996 made and executed between MHADA of the One Part and the said Society of the Other Part. Upon the request of the said Society, MHADA conveyed, grant and assured the said Building for a consideration on the terms and conditions as setout therein.
6. It appears that the said Building is consisting of ground and 4 (four) upper floors, occupied by 40 occupants out of which 8 (eight) tenements on ground floor are occupied by MHADA, where school classes are organized by "Pragat Shikshan Sanstheche Pragat Vidva Mandir" and balance 32 (thirty two) flats are occupied by the residential members from 1st to 4th floor.
7. It appears that by a Development Agreement dated 4th December, 2006 read with a Deed of Confirmation dated 23rd April, 2010 ("**First Development Agreement**") duly registered with the sub-registrar of assurance at Andheri -2 under Serial No. on 23rd April, 2010 made and executed between said Society therein referred to as the Society of the One Part and Harileela Projects & Investments Private Limited, therein referred to as the Developers ("**said First Developers**") of the Other Part, the said Society granted the development rights of the said Property unto the said First Developers for a consideration and upon the terms and conditions as setout therein;
8. It appears that by a Supplemental Development Agreement dated 9th December, 2010 ("**Supplement Development Agreement**") made and entered into between the said Society therein referred to also as the Society of the One Part and the said First Developer, therein referred to as the Developers of the Other Part, the parties thereto modified the terms and conditions of the said First Development Agreement on the terms and conditions contained therein.
9. By a Certificate of Incorporation dated 5th May, 2018 issued by the Registrar of Companies under Section 23(1) of the Companies Act, 1956, the name of the said First Developers, i.e. the of Harileela Projects & Investments Private Limited came to be changed to Sheth Creators & Harileela Projects Private Limited ("**said New Company**")
10. The Society through the First Developers had submitted the proposal dated 9th January 2008 with the MHADA, pursuant to which, the MHADA had issued its Offer Letter dated 30th January 2008, bearing Ref. No. CO/MB/ARCH/NOC/F-993/574/08 and subsequent Offer Letter dated 3rd June 2013, bearing Ref. No. CO/MB/RDC/NOC/F-881/976/2013 for 2.4 F.S.I., and further Offer Letter dated 1st January 2019, bearing Ref. No. CO/MB/REE/NOC/F-881/01/2019 for 2.5 F.S.I.
11. The MHADA has issued its NOC dated 11th March 2008 for construction of the new building under redevelopment.

14/217, Adarsh Nagar, Century Bazaar, Worli, Mumbai - 400 030.

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12. The said New Company has got plans of the new building approved from MHADA under No. MH/EE/BP Cell/GM/MHADA-105/489/2020 dated 12th Mach 2020.
13. It appears that as the said New Company was facing certain challenges in relation to the re-development of the said Property and as the re-development of the Property will require infusion of substantial funds as well as technical, operational and execution expertise, the said New Company, approached the Society with a request to discharge it from the said development project as its developer and in its place to appoint the M/s. TRU Sun-Vision Realty LLP, as the Promoters to take over the re-development of the Property with some revised terms and arrangements and by executing a fresh Development Agreement with the Society.
14. Accordingly, the said First Development Agreement came to be cancelled, vide the Deed of Cancellation of the DA dated 21st March, 2022 duly registered under Sr. No. BDR24-6334-2022 hereinafter referred to as "the said Cancellation" and thereafter the said Society entered into a Tripartite Development Agreement dated 9th February 2023, registered under Sr. No. BDR18-2431-2023, which was executed by and between the Society, the said M/s. TRU Sun-Vision Realty LLP and all the existing members of the Society, hereinafter referred to as "the said New Development Agreement", whereby the society and its Members have granted permission to the said M/s. TRU Sun-Vision Realty LLP to construct a new building or complete the redevelopment of the said Society, in terms and conditions mentioned thereunder.
15. Simultaneously, on execution of the said New Development Agreement, the said Society has also executed a Power of Attorney of an even date i.e. Power of Attorney dated 9th February 2023 registered under Sr. No. BDR18-2433-2023, whereby granting certain powers and authorities in respect of the proposed Redevelopment work of the said Society, in favour of the Promoters herein, hereinafter referred to as "the said Power of Attorney"

D. LITIGATION:

I have been informed that there are no litigations pending in respect if the said Property.

E. MORTGAGE:

1. By an Indenture of Mortgage dated 7th September 2018, registered with the Sub-Registrar of Assurances, Mumbai, under Serial No.9084 of 2018, executed between Vistra ITCL (India) Ltd. and the said New Company, being M/s. Sheth Creators & Harileela Projects Private Limited, the said New Company created an exclusive mortgage/charge on their development rights in the said Property, in favour of the Vistra ITCL (India) Ltd. on the terms and conditions therein.
2. Subsequently, by virtue of a Reconveyance Deed dated 3rd November 2021 registered under Sr. No.BDR1-14249-2021, executed between Vistra ITCL (India) Ltd. and the said New Company, being M/s. Sheth Creators & Harileela Projects Private Limited, the said Vistra ITCL (India) Ltd. released and/or reconveyed the Development Rights, having been mortgaged to them, under the said Mortgage, back in favour of the said New Company.

F. OPINION:

Relying on the documents and information provided to me and subject to what is stated hereinabove, I am of the opinion, and accordingly I hereby certify that M/s. TRU Sun-Vision Realty LLP are the valid and subsisting developers of an well and sufficiently entitled to all the benefits rights and advantages, under the said New Development Agreement and the said M/s. TRU Sun-Vision Realty LLP are the exclusive holders of the Development Rights thereunder.

G. DISCLAIMER:

This Certificate is based on facts, documents, records and information provided and representations given to me by M/s. TRU Sun-Vision Realty LLP. Further, this Title Certificate is based on my understanding of facts and the legal position prevailing as on the date of issuance of this certificate.

Dated this 30th day of May, 2023

Yours faithfully,

Nair
30/5/23

Vaishnavi Nair
(Advocate)

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