



ROHAN A. RATNAPARKHI
ADVOCATE

To
Maharashtra Real Estate Regulatory Authority
6th & 7th Floor, Housefin Bhavan,
Plot C- 21, E- Block, Bandra Kurla Complex,
Bandra (East), Mumbai-400051.

LEGAL TITLE REPORT

Sub: Title Clearance Report with respect all that piece and parcel of land admeasuring 1,666 square yards equivalent 1,393 square metres or thereabouts being Final Plot No. 8 of Town Planning Scheme II, Bandra (2nd Variation) (Final) and bearing CTS No. F/1176 situate, lying and being in H/West Ward at Turner Road, Bandra (West) and within the limits of Village Bandra, Taluka and Registration Sub-District Andheri and District and Registration District Mumbai Suburban ("**said Property**").

1. I have investigated the title of said Property on request of NVK Realty LLP ("**NVK Realty**"), having its address at 103, Mittal Tower, A Wing, Nariman Point Mumbai-400021 and on the basis of documents pertaining to the said Property.

(1) Description of said Property:

All that piece and parcel of land admeasuring 1,666 square yards equivalent 1,393 square metres or thereabouts being Final Plot No. 8 of Town Planning Scheme II, Bandra (2nd Variation) (Final) and bearing CTS No. F/1176 situate, lying and being in H/West Ward at Turner Road, Bandra (West) and within the limits of Village Bandra, Taluka and Registration Sub-District Andheri and District and Registration District Mumbai Suburban ("**said Property**").

(2) The Documents pertaining to said Property:

I have perused the copies of the following title documents pertaining to the said Property:

- i. Indenture dated 26th May, 1952, executed between Dr. Cecil J. D' monte (therein referred to as the Vendor) of the One Part and (1) Madura Rajagopala Venkataram and (2) Lakshmi Chandrasekaran (therein referred to as the Purchasers) of the Other Part and registered with the office of the Sub-Registrar of Assurances at Bombay under serial No. BND/504 of 1952.
- ii. Indenture dated 31st May, 1954 executed between Lakshmi Chandrasekaran (therein referred to as the Releasor) of the One Part and Madura Rajagopala Venkataram (therein referred to as the Releasee) of the Other Part and registered with the office of the Sub-Registrar of Assurances at Bombay under Serial No. BND/466 of 1954.
- iii. Indenture dated 4th December, 1957 executed between Madura Rajagopala Venkataram (therein referred to as the Vendor) of the One Part and Mala Sinha and Albert Sinha (therein referred to as the Purchasers) of the Other

Part and registered with the office of the Sub-Registrar of Assurances at Bombay under Serial No. BND/1813 of 1958.

- iv. Will dated 20th July, 1988.
- v. Death Certificate dated 28th February, 2014 issued by the Municipal Corporation of Greater Mumbai, Health Department.
- vi. Order dated 20th March, 2002, probate was granted by the Hon'ble Bombay High Court for administration of the property and credits of Albert Sinha and in way concerning his Will.
- vii. Declaration Cum Indemnity dated 4th March, 2014 executed by Mala Sinha.
- viii. Agreement to Sell dated 31st March, 2021 executed between Mala Sinha (therein referred to as Vendor No.1) of the First Part and Pratibha (therein referred to as Vendor 2) of the Second Part with NVK Realty (therein referred to as Purchaser) of the Third Part and registered with the office of the Sub-Registrar of Assurances at Bombay under Serial No- BDR-18-6245 of 2021.
- ix. Power of Attorney dated 31st March, 2021 executed by Mala Sinha and Pratibha Rokad (nee Lohani) and registered with the office of the Sub-Registrar of Assurances at Mumbai under serial No. BDR-18-6246 of 2021.
- x. Notice dated 24th June, 1996 under Section 299 of The Bombay Municipal Corporation Act.
- xi. Letter dated 24th February, 2014.
- xii. Development Plan ("DP") Remarks dated 17th January, 2014 issued by MCGM in relation to the said Property.
- xiii. Form B i.e. Redistribution and Valuation dated 18th March, 2021 issued by MCGM for the said Property.
- xiv. Town Planning Scheme ("TP") Remarks dated 18th March, 2021 issued by MCGM for the said Property.
- xv. Survey Remarks dated 22nd April, 2021 bearing No. AE/09/SR/SURVEY/H&K-WS-I. issued by MCGM for the said Property.

(3) Property Register Card:

Certified Copy of Property Register Card ("PRC") dated 9th April, 2021 in relation to the said Property issued by the concerned authority.

(4) Search Report:

- i. Land Search Report dated 3rd May, 2018 issued by Mr. Eknath Gaokar, Search Clerk and Search Report dated 16th March, 2021 issued by Mr. Vishwas Daware, Search Clerk, Title investigator for searches taken at Office of Sub-Registrar of Assurances;
 - ii. CERSAI Search Report dated 12th March, 2021 carried out on the portal of Central Registry of Securitization Asset Reconstruction and Security Interest of India (CERSAI) issued by Ms. Jinal Dawda, Company Secretary in respect of said Property.
2. Upon perusal of the above mentioned documents and all other relevant documents relating to title of the said Property, I am of the opinion Ms. Mala Sinha and Ms. Pratibha Rokad (nee Lohani) are the owners of the said Property and have a clear and marketable title thereof subject to NVK Realty, who in terms of the Agreement to Sell dated 31st March 2021, has acquired 61% undivided share right, title and interest in or to the said Property is clear, marketable and without any encumbrances:

(5) Owner of the said Property:

- i. Ms. Mala Sinha and Ms. Pratibha Rokad: land admeasuring 1,666 square yards equivalent 1,393 square metres or thereabouts being Final Plot No. 8 of Town Planning Scheme II, Bandra (2nd Variation) (Final) and bearing CTS No. F/1176 situate, lying and being in H/West Ward at Turner Road, Bandra (West) and within the limits of Village Bandra, Taluka and Registration Sub-District Andheri and District and Registration District Mumbai Suburban.
 - ii. Qualifying comments/ remarks: NVK Realty, in terms of the Agreement to Sell dated 31st March 2021, has acquired 61% undivided share right, title and interest in or to the said Property.
3. The report reflecting the flow of the title of MLDL to the said Property is enclosed herewith as **Annexure 'A'**.



Ratnaparkhi
Rohan A. Ratnaparkhi
Advocate

Date: 24th February, 2022

Encl: As above.



Annexure 'A'

FLOW OF TITLE OF THE SAID PROPERTY

1. It appears from the Property Register Card ("PRC") pertaining to the said Property that, prior to the year 1947, Dr. Cecil J. D' monte ("Cecil"), legal heir of D. A. D' monte (Original Owner) was seized and possessed of or otherwise well and sufficiently entitled to the said Property.
2. By and under an Indenture dated 26th May, 1952, executed between Cecil (therein referred to as the Vendor) of the One Part and (1) Madura Rajagopala Venkataram ("Madura") and (2) Lakshmi Chandrasekaran ("Lakshmi") (therein referred to as the Purchasers) of the Other Part and registered with the office of the Sub-Registrar of Assurances at Bombay under serial No. BND/504 of 1952, Cecil granted, conveyed, sold and transferred the said Property to Madura and Lakshmi at and for the consideration therein contained.
3. By and under an Indenture dated 31st May, 1954 executed between Laxmi (therein referred to as the Releasor) of the One Part and Madura (therein referred to as the Releasee) of the Other Part and registered with the office of the Sub-Registrar of Assurances at Bombay under Serial No. BND/466 of 1954, Lakshmi released, discharged and exonerated the said Property from all suits, actions, claims and demands by her or any other person claiming by, from, under or in trust for her and declared that the said Property and the structures thereon belonged absolutely to Madura.
4. By and under an Indenture dated 4th December, 1957 executed between Madura (therein referred to as the Vendor) of the One Part and Mala Sinha ("Mala") and Albert Sinha ("Albert") (therein referred to as the Purchasers) of the Other Part and registered with the office of the Sub-Registrar of Assurances at Bombay under Serial No. BND/1813 of 1958, Madura granted, conveyed, sold and transferred to Mala and Albert, the said Property along with the structures standing thereon at or for the consideration therein contained.
5. By and under a Will dated 20th July, 1988 ("Will"), Albert appointed Mala as the Executrix and Trustee of the Will and bequeathed his undivided 50% (fifty percent) share in the said Property unto and in favour of his grand-daughter Pratibha Lohani ("Pratibha") on the following terms and conditions:
 - 5.1. Pratibha shall not be entitled to sell, mortgage or encumber the said Property in any manner without the written consent of Mala; and
 - 5.2. In the event Mala dies before Pratibha attains the age of 35 (thirty-five) years then, Pratibha shall require the written consent of her father C. P. Lohani to sell the said Property.
6. Albert died on or about 10th September, 1988. I have seen a copy of the Death Certificate dated 28th February, 2014 issued by the Municipal Corporation of Greater Mumbai, Health Department recording the aforesaid.

7. By and under an order dated 20th March, 2002, probate was granted by the Hon'ble Bombay High Court for administration of the property and credits of Albert and in way concerning his Will to Mala, being his sole Executrix in the Will to have effect throughout the State of Maharashtra.
8. By and under a Declaration Cum Indemnity dated 4th March, 2014 executed by Mala, the said Mala declared that after the demise of Albert, his 50% (fifty percent) undivided share in the said Property stood transferred to Pratibha as per the aforesaid probate.
9. By and under Agreement to Sell dated 31st March, 2021 executed between Mala (therein referred to as Vendor No.1) of the First Part and Pratibha (therein referred to as Vendor 2) of the Second Part with NVK Realty LLP (therein referred to as Purchaser) of the Third Part and registered with the office of the Sub-Registrar of Assurances at Bombay under Serial No- BDR-18-6245 of 2021, Mal and Pratibha has agreed to sell, grant, convey, transfer, assign and assure unto NVK Realty and NVK Realty has agreed to purchase and acquire from Mala and Pratibha, free from all encumbrances, charges, liens, of any nature whatsoever, (i) undivided 30.5% share, right, title and interest in or to the said Property from Mala and Pratibha respectively being an aggregate 61% undivided share right, title and interest in or to the said Property; (ii) the undivided 30.5% share, right, title and interest from each Vendor being an aggregate undivided 61% share, right, title and interest in or over the development potential of the said Property, i.e. all the present and future floor space index, transferable development rights, development rights, and other development potential in respect of the said Property and/or arising therefrom and/or capable of being utilized thereon of whatsoever nature and by whatever name called, at and for the consideration and in the manner and on the terms as setout therein.
10. By and under Power of Attorney dated 31st March, 2021 executed by Mala and Pratibha and registered with the office of the Sub-Registrar of Assurances at Mumbai under serial No. BDR-18-6246 of 2021, Mala and Pratibha has nominated, constituted and appointed NVK Realty acting through its designated partner and/or authorized signatories from time to time as their true and lawful attorney to act for/or on their behalf and in their name and/or in their name to do, execute and perform all, or any of acts, deeds, matters and things and to execute any of powers, authorities, discretions specified therein in respect of the said Property.

Property Register Cards:

11. I have been furnish with the Property Register Card ("PRC") dated 9th April, 2021 in relation to the said Property i.e. CTS No. F/1176 situated at 'F' Ward, Bandra admeasuring 1,666 square yards equivalent to 1,393 square metres. On perusal of the same, I note the tenure of the said Property is 'C' (i.e. non-agricultural land) and the names of Mala and Pratibha have been recorded as the holders/owners thereof.

Set-Back Area:

12. A notice dated 24th June, 1996 under Section 299 of The Bombay Municipal Corporation Act ("BMC Act") has been issued by the Bombay Municipal Corporation ("BMC") thereby stating that certain land which forms part of the said Property lies within the regular line of the public street ("Setback Land"). It was also stated that after the

expiration of 7 (seven) days from the date of the said notice, the BMC shall take possession of such Setback Land. A Notice under Section 488 of the BMC Act has also been issued by the BMC to the owner of the said Property stating that the Assistant Engineer/Sub-Engineer, BMC shall enter upon the said Property on 14th October 1997 or any day thereafter to take possession of the Setback Land.

13. By and under a letter dated 24th February, 2014 written by Mala to the BMC, Mala requested the BMC to carry out the joint measurement for the Setback Land as the same was pending with the BMC for a long time.
14. I have not been provided with any documents indicating whether or not the possession of the Setback Land has been taken over by the BMC.

Reservations

15. I have been provided with a copy of the Development Plan ("DP") Remarks dated 17th January, 2014 issued by MCGM in relation to the said Property as per Development Control Regulations, 1991. On perusal thereof, I note that there are no reservations affecting the said Property and the said Property falls within the Residential Zone. The validity of the aforesaid DP Remarks was one year from the date thereof. I have not been furnished with the copy of the latest DP Plan and Remarks issued by MCGM in relation to the said Property as per Development Control Regulations, 1991.
16. I have been provided with a copy of the Form B i.e. Redistribution and Valuation dated 18th March, 2021 issued by MCGM for the said Property and the same shows the name of Mala and Albert as the owner thereof.
17. I have been provided with a copy of the Town Planning Scheme ("TP") Remarks dated 18th March, 2021 issued by MCGM for the said Property and on perusal thereof, I note that the Property falls within the Residential Zone; the same affected by future road widening and remarks of E.E (T&C)/A.E. Survey/Local ward office will have to be separately taken. The validity of the aforesaid TP Remarks is one year from the date of issue.
18. I have been provided with Survey Remarks dated 22nd April, 2021 bearing No. AE/09/SR/SURVEY/H&K-WS-I. issued by MCGM for the said Property and on perusal thereof I note that, the said Property is affected by (i) Proposed 18.30 wide Regular Line of Gurunanak Road and 12.20 metres wide Regular Line of St. Martin Road; (ii) High Voltage Line and Buffer for High Voltage Line. I further note that the said Property (i) falls within 100 metres of prohibited area of Bandra Chimbai Road precinct/Heritage structure of Sr. No 25/036 Luis Villa 43, Turner Road, Bandra 22/031 Sai Niwas 3, St. Martin Road, 80/099 Patkar Bungalow 34, Turner Road, 81/100 Samant House, 86/1, Linking Road and Turner Road, Bandra; and (ii) is situated in Funnel Line or within the Aerodrome Zone.
19. I have not been provided with a copy of the DP Plan and Remarks issued by MCGM in relation to the said Property as per Development Control and Promotion Regulations, 2034.

Search Reports:

20. For issuance of this Legal Title Report, I have caused searches to be carried out search for the records maintained by the Offices of the Sub-Registrar of Assurances in respect of the said Property for the period from 1957 to 2021 (i.e. 65 years) and have been provided with the Search Report dated 3rd May, 2018 issued by Mr. Eknath Gaokar, Search Clerk and Search Report dated 16th March, 2021 issued by Mr. Vishwas Daware, Search Clerk ("**Search Reports**"). On perusal thereof, I note that save and except the documents recorded hereinabove, no other documents have been registered in respect of the said Property.
21. For issuance of this Legal Title Report, I have caused searches to be conducted in the Central Registry of Securitization Asset Reconstruction and Security Interest of India (CERSAI) and have been provided with the Report dated 12th March, 2021 ("**CERSAI Report**") issued by Ms. Jinal Dawda, Company Secretary in respect of the said Property and on perusal of the CERSAI Report, I note that no charges on the said Property are reflected therein.
22. I have caused searches to be conducted online in relation to pending suits filed against Mala and Pratibha before various Courts in India; and have been provided with the Report dated 15th March, 2021 issued by Cubictree Technology Solutions Private Limited. On perusal thereof, I note that based on the data available in public domain, there are no pending litigations filed by and/or against Mala and Pratibha before any courts.

