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Partners
Jacob Kadantot
Nitin Parkhe

Our Ref.:
Your Ref.:

To
MahaRERA
6th & 7th Floor
Housefin Bhavan
Plot No.:C-21
E-Block, Bandra Kurla Complex
Bandra (E), Mumbai – 400 051

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to all that piece or parcel of land situate, lying and being at land bearing Survey No.29 and C.T.S. No.83/10, village Chincholi area admeasuring 1092.5 sq. mtrs. as per property card at Pawan Baug, Chincholi Fatak, Malad (West), Mumbai 400 064 at Village Chincholi, Taluka Borivali in Mumbai Suburban District within the Registration District and Sub-District of Mumbai City and Mumbai Suburban along with building situated thereon known as "Deepak Apartments Co-op Housing Society Ltd." comprising of 25 (twenty five) units having 2 wings, A Wing having ground plus 3 upper floors and B wing having ground plus 4 upper floors and terrace (*hereinafter referred to as the "said Property"*).

I have investigated the title of the said Property on the request of Deepak Apartments Co-op Housing Society Limited being a Society registered under the Maharashtra Cooperative Societies Act, 1960 under registration No.BOM/WP/HSG/TC/2810/1987088 dated 7th July 1987 (*hereinafter referred to as "DACHSL"*), and following documents i.e.:-

1. Description of Property;
2. Photocopy of Conveyance Deed (Deemed/ Unilateral) dated 25th December 2021;
3. Photocopy of property card and extract of Cadastral Survey in respect of the said Property;
4. Photocopy of Occupation Certificate dated 6th June 1983;
5. Photocopy of Society registration certificate of DACHSL;



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6. Photocopy of Development Agreement dated 13th March 2023 between DACHSL and Advent Developers Private Limited and members of DACHSL;
7. Search Report for last 60 years from 1960 upto 2022.

I published public notices inviting claims to the said Property on 9th August 2022 in the Free Press Journal and Mumbai Lakshdeep. No notices/claims were received by me in response thereto.

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 **Deepak Apartments Cooperative Housing Society Limited** and Developer is and marketable, without encumbrances, claims and demands. The title of the said Property came to be vested upon DACHSL on the happening of the following events:

1. Govindram Brothers Company Private Limited was seized and possessed of or otherwise well and sufficiently entitled to all that piece and parcel of land admeasuring 1355 square meters or thereabout being Plot No.14 and forming part of larger piece of land admeasuring 69614 square yards equivalent to 58204 square meters or thereabouts bearing the following survey numbers and area as follows:- i) Survey No.29 area 15 gunthas, ii) Survey No.30 area 4 acres 24½ gunthas, iii) Survey No.33 area 5 acres 29½ gunthas, iv) Survey No.34 area 5½ gunthas, v) Survey No.35 area 2 acres 7½ gunthas, vi) Survey No.36 area 28½ gunthas, vii) Survey No.37 area 24½ gunthas, viii) Survey No.42 area 1 gunthas along with right of way of village Chincholi Fatak, Malad (West), Mumbai – 400 064, Mumbai Suburban (*hereinafter referred to as the "said Plot of Land"*).
2. By Conveyance Deed dated 23rd June 1972 made between Govindram Brothers Company Private Limited, Jitendra Chhaganlal Lodhiwala, and Nalin Malad Apartment Co-operative Housing Society Limited, registered with the Sub-registrar of Assurances at Mumbai under serial no.3054 of 1972, Nalin Malad Apartment Co-operative Housing Society Limited purchased right, title and interest in respect of the said Plot of Land.



3. By Agreement dated 30th March 1973 made between Nalin Malad Apartment Co-operative Housing Society Limited and a) Gaurishankar Motilal Sonthalia, b) Mahavirprasad Motilal Sonthalia, c) Vishwanath Nandlal Sonthalia, partners of partnership firm M/s. Agarwal Processors, registered with the Sub-Registrar of Assurances at Mumbai under serial No.360 dated 17th April 1973, a) Gaurishankar Motilal Sonthalia, b) Mahavirprasad Motilal Sonthalia, c) Vishwanath Nandlal Sonthalia, partners of partnership firm M/s. Agarwal Processors purchased the said Plot of Land for consideration.
4. By and under diverse deeds and agreements, M/s. Agarwal Processors granted development rights in respect of property bearing Survey No.29, 30 part corresponding to C.T.S. No.83/10 Village-Chincholi, area admeasuring 1092.5 square meters, as per property card and as per approved plan of MCGM admeasuring 1355 square yards equivalent to 1133 square meters of Village Chincholi, Taluka Malad, at Pawan Baug, Chincholi Fatak, Malad (west), Mumbai – 400 064, (*hereinafter referred to as the "said Land"*), to M/s. Commercial Development Corporation, and granted licence to develop the said Property and construct the building thereon and to sell the units i.e. flats therein on ownership basis to prospective purchasers.
5. M/s. Commercial Development Corporation became entitled to develop and construct building on the said Property.
6. M/s. Commercial Development Corporation constructed a building of 25 (twenty five) units comprising of 2 wings A Wing having ground plus 3 upper floors and B wing having ground plus 4 upper floors and terrace, (*hereinafter referred to as the "said Building"*) on the said Land.
7. The purchasers of flats in the said Building constituted and formed themselves into a Cooperative society, registered in the name of Deepak Apartment Cooperative Housing Society Limited (*"DACHSL"*).
8. Govindram Brothers Private Limited, Nalin Malad Apartment Co-operative Housing Society Limited, M/s. Agarwal Processors and M/s. Commercial Development Corporation being required to convey the Property in favor of DACHSL within four months of its registration as



per section 11 of the Maharashtra Ownership Flats Act, 1963 as per the various individual agreements with flat purchasers/ members, and having failed to do so, in spite of various letters and notices by DACHSL, an application No.307 of 2019 came to be filed by DACHSL under section 11(3) of the Maharashtra Ownership Flat Act, 1963 before the Competent Authority appointed under section 5A of the Maharashtra Ownership Flat Act, 1963 viz. the District Deputy Registrar, Co-operative Societies, Mumbai City-4, for Certificate of Entitlement to DACHSL to have a Unilateral Deemed Conveyance of the said Land and the said Building executed in its favor and to have it registered.

9. The Competent Authority after carefully scrutinizing the application filed by DACHSL, issuing notices to Govindram Brothers Private Limited, Nalin Malad Apartment Co-operative Housing Society Limited, M/s. Agarwal Processors and M/s. Commercial Development Corporation and their legal representatives, issuing public notices in newspapers, and upon being satisfied with the merits of the submission of DACHSL, issued Order cum Certificate bearing No.DDR-4/MUM/D.C./Deepak Apartments CHSL/1897/2020 dated 20th November 2020 certifying that DACHSL is entitled to Unilateral Conveyance of the said Property and execute Deed of Unilateral conveyance and have it registered as per the provisions of the Registration Act, 1908. No appeal is filed against the said Order as per information.
10. By Conveyance Deed dated 25th December 2021 made by the Competent in favor of DACHSL, registered with the Sub-registrar of Assurances at Mumbai under serial number BRL-6/2927/12/105/2022, The Competent Authority as a statutory obligation of Govindram Brothers Private Limited, Nalin Malad Apartment Co-operative Housing Society Limited, M/s. Agarwal Processors and M/s. Commercial Development Corporation, transferred, assured and conveyed unto DACHSL the Property, more particularly described in the Schedule and shown on the sanctioned Lay-out Plan.
11. By Development Agreement dated 13th March 2023 entered into by and between DACHSL and Advent Developers Private Limited and the



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members of DACHSL, registered with the Sub-Registrar of Assurances at Mumbai under serial No.BRL-6-5015 dated 9th March 2023, DACHSL granted redevelopment rights and authority in respect of the Property to Advent Developers Private Limited on terms and conditions contained therein.

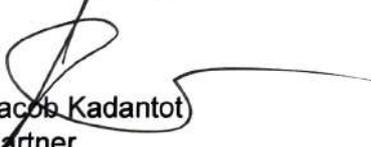
The report reflecting the flow of the title of the Society and Developer on the said Property is enclosed herewith as annexure.

**SCHEDULE ABOVE REFERRED TO
(DESCRIPTION OF THE PROPERTY)**

All that piece or parcel of land situate, lying and being at land bearing Survey No.29 and C.T.S. No.83/10, village Chincholi area admeasuring 1092.5 sq. mtrs. or thereabout as per property card at Pawan Baug, Chincholi Fatak, Malad (West), Mumbai 400 064 at Village Chincholi, Taluka Borivali in Mumbai Suburban District within the Registration District and Sub-District of Mumbai City and Mumbai Suburban along with building situated thereon known as "Deepak Apartments Co-op Housing Society Ltd." comprising of 25 (twenty five) units having 2 wings, A Wing having ground plus 3 upper floors and B wing having ground plus 4 upper floors and terrace.

Dated this 7th day of July 2023.

Yours faithfully


Jacob Kadantot
Partner
M/s. JP Associates
Advocates

Encl : Annexure.

MAH/698/2008
JACOB KADANTOT
ADVOCATE
CHAMBER No. 1, 4th FLOOR
16, HOMI MODI STREET,
NEAR BOMBAY HOUSE,
FORT, MUMBAI-400 023.
MOB: 9820206109



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FLOW OF THE TITLE OF THE SAID PROPERTY

1. Property card and extract of Cadastral Survey in respect of the said Property.
2. Mutation Entry No.272 dated 20th June 2022
3. Search report for 30 years from Taken from Sub-Registrar' office at
4. Development Agreement dated 13th March 2023 between DACHSL and Advent Developers Private Limited and members of DACHSL

Date: 7th July 2023

Advocate

MAN/696/2008

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