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FORMAT-A  
(Circular No. 28/2021)

To,  
MahaRERA  
Mumbai.

LEGAL TITLE REPORT

Sub: Title Clearance certificate with respect to Legal Opinion and Title search report in respect of title of Ram Shyam Co-operative Housing Society Ltd area admeasuring 1991.30 sq.mtrs bearing CTS No- 544, 544/1 to 9 situated at Village-Malad, Tal-Borivali & Dist- Mumbai Sub-urban. In the registration and sub registration Borivali belonging to **Ram Shyam Co-operative Housing Society Ltd.**

I have investigated the title of the said plot on the request of M/s Veena Developers , and following documents i.e. :-

- 1) Copy of Conveyance Deed registered in the office of Sub-Registrar Borivali executed between M/s. Vijay Company (Seller) and Ram Shyam Co-operative Housing Society Ltd ( Society / Purchaser) vide Registration No- Borivali-8-983-2017 dated 09/02/2017.
- 2) Copy of Development Agreement registered in the office of Sub-Registrar Borivali executed between Ram Shyam Co-operative Housing Society Ltd (Owner/ Society ) and M/s Veena Developers (Developer) vide Registration No- Borivali-4-5392-2021 dated 07/04/2021).



- 3) Copy of Supplementary Agreement registered in the office of Sub-Registrar Borivali executed between Ram Shyam Co-operative Housing Society Ltd (Owner/ Society ) and M/s Veena Developers (Developer) vide Registration No- Borivali-4-10704-2022 dated 06/07/2022).
- 4) Copy of Affidavit registered in the office of Sub-Registrar Borivali executed by M/s Veena Developers through its partner Haresh N. Sanghvi through attorney Ajay Raval (Developer) vide Registration No- Borivali-8-12747-2022 dated 19/09/2022).
- 5) Property Card in respect of Plot No A1 bearing CTS No 424A admeasuring 3147.73 sq mts.
- 6) Search Report in respect of the said property from 1993 to 2022 .

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 Ram Shyam Co-operative Housing Society Ltd area admeasuring 1991.30 sq.mtrs bearing CTS No- 544, 544/1 to 9 situated at Village-Malad, Tal-Borivali & Dist- Mumbai Sub-urban. In the registration and sub registration Borivali belonging to **Ram Shyam Co-operative Housing Society Ltd** , is clear marketable and free from all encumbrances

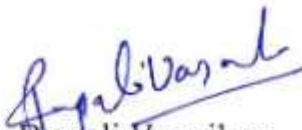
Owners of the Land :

As per Conveyance Deed registered in the office of Sub-Registrar Borivali executed between M/s. Vijay Company (Seller) and Ram Shyam Co-operative Housing Society Ltd ( Society / Purchaser) vide Registration No- Borivali-8-983-2017 dated 09/02/2017.

The Search report reflecting the flow of the title of the (the Co-Developers) on the said land is enclosed herewith as annexure.

Encl: Search Report dated : 20/12/2022 .

Date: 28/12/2022

  
Rupali Vasaikar

Advocate



RUPALI VASAIKAR  
Advocate, High Court

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### FLOW OF THE TITLE OF THE SAID LAND

Sr. No.

- 1) Property Card as on dated 20.12.2022.
- 2) I have not perused the mutation Entry .
- 3) Search Report in respect of the admeasuring 1991.30 sq.mtrs bearing CTS No- 544, 544/1 to 9 situated at Village-Malad, Tal-Borivali & Dist-Mumbai Sub-urban. In the registration and sub registration Borivali belonging to **Ram Shyam Co-operative Housing Society Ltd** , from 1993 to 2022.
- 4) Copy of Conveyance Deed registered in the office of Sub-Registrar Borivali executed between M/s. Vijay Company (Seller) and Ram Shyam Co-operative Housing Society Ltd ( Society / Purchaser) vide Registration No- Borivali-8-983-2017 dated 09/02/2017.
- 5) Copy of Development Agreement registered in the office of Sub-Registrar Borivali executed between Ram Shyam Co-operative Housing Society Ltd (Owner/ Society ) and M/s Veena Developers (Developer) vide Registration No- Borivali-4-5392-2021 dated 07/04/2021).
- 6) Copy of Supplementary Agreement registered in the office of Sub-Registrar Borivali executed between Ram Shyam Co-operative Housing Society Ltd (Owner/ Society ) and M/s Veena Developers (Developer) vide Registration No- Borivali-4-10704-2022 dated 06/07/2022).
- 7) Copy of Affidavit registered in the office of Sub-Registrar Borivali



executed by M/s Veena Developers through its partner Haresh N. Sanghvi through attorney Ajay Raval (Developer) vide Registration No- Borivali-8-12747-2022 dated 19/09/2022).

Date: 28.12.2022

  
Rupali Vasaikar

Advocate



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23<sup>rd</sup> December, 2022

**TO WHOMSOEVER IT MAY CONCERN**

Ref: Legal Opinion and Title search report in respect of title of Ram Shyam Co-operative Housing Society Ltd area admeasuring 1991.30 sq.mtrs bearing CTS No- 544, 544/1 to 9 situated at Village-Malad, Tal-Borivali & Dist- Mumbai Sub-urban. In the registration and sub registration Borivali belonging to **Ram Shyam Co-operative Housing Society Ltd .**

Sir,

As instructed, I have investigated the title in respect of the aforesaid property and caused search in the office of the sub registrar of assurance, and my report is as under

**CHAIN OF TITLE**

It is seen from the documents that Mr. Mahendra bhagwandas Merchant & Ors herein after referred "The Confirming Party") and M/s. Vijay Company hereinafter referred as ("The Original Developer") and the purchaser therein the vendors sold transferred and conveyned their rights to the purchaser / the original Developers herein vide conveyance deed dated 27<sup>th</sup> February, 1979 which was duly registered inder serial number s-545 of 1979 in respect of land bearing CTS nos. 544,544(1) t (9) in aggregate admeasuring 1991.30 (One Thousand Nine hundred And Ninety One point Thirty square meters or thereabout lying and bearing at village Malad (North) Taluka Borivali in Mumbai .Suburban District and situated next to Sapna Hotel, opp N.I. High



School , S.V.Road, Malad (West) Mumbai-400064, hereinafter referred to as "Land".

Thereafter the conveyance deed dated 27<sup>th</sup> February, 1979 the Original Developer started construction of the building the said land and the construction of the same building was completed in the year of 1980 . after completion of the construction of the building The Municipal Corporation of Greater Mumbai hereinafter referred to as "MCGM" was issued Occupancy Certificate on dated 18<sup>th</sup> March, 1980.

It is also observed that after receiving the Occupancy Certificate the Original Developer started sale the flats and entered in to several agreements with various purchaser for the sale of flat and shops in the constructed building.

It is also observed from the document which is produced in the year 1985 the owner of the flat of the same building formed the society .

Thenafter on 1<sup>st</sup> july 2012 vide Special general body meeting the society had decided to go for the redevelopment of the society as the building of the society were constructed approximately 41 years ago and its require massive repairs and the current condition of the building is tumbledown and the expenses for the repairs and maintenance the society considers its to be demolish and redevelop the same property to constructing the new building- to accommodate the members and the purchaser.

Afterthat on 12 th October, 2014 by its special general body meeting in the presence of the Members of the society and also in presence of Co-operative Officer Mr. D.D. Helode, deputed by Registrar of Co-operative Societies finalized M/s. Kemna Exports Private Limited CIN : U99999MH1967 a private limited Company hereinafter referred as "Kemna", as the developer for development of the Property by under section 79 A of the Maharashtra Co-operative Societies Act, 1960 . No Development agreement and Power of Attorney has been executed herewith with Kemna . thereafter due to some differences in commercial terms vide letter dated 11<sup>th</sup> January,



2017 the society intimated Kemna that the society is cancelling 79A provided in favour of Kemna and the society will also appoint new developer for redevelopment of the property as society paying a sum of Rs. 14,00,000/- (Rupees fourteen Lakhs only) (Kemna Claims) as a full and final settlement for the expenses born by Kemna for compliance of 79A procedure including Architect legal fees etc and the same had been informed to the Office of the Deputy Registrar on dated 26<sup>th</sup> February, 2018.

It is also observed that the society called upon the original Developer who construct the building to execute Conveyance deed for conveying the property in favour of the society thenafter the society made an application dated 25<sup>th</sup> January, 2016 in form VII under section 11 of MOFA before the district Deputy Registrar of Co-operative Societies Mumbai City-4 for the deemed conveyance execute in favour of Society. After that the competent authority on being satisfied with the merits of the submission of the Society issued an order cum certificate bearing No. DDR-4/Mum/D.C/Ram Shyam CHSL Ltd /1399/2016 ated 1<sup>st</sup> july, 2016 certifying that the Society is entitled to an uniliterated conveyance of the Property and directed them to execute deed of uniliterated conveyance and have it registered as provided under the Indian Registration Act, 1908.

Thenafter by dated 9<sup>th</sup> February, 2017 the district Deputy Registrar and the society executed a deed of conveyance in respect of admn 1991.30 sq mtrs and duly registered the same at Sub-Registrar of Assurance at Borivali No.8, bearing no. BRL -8/983/2017 and conveyed the property to the society on the terms and conditions as more particularly set out therein.

After the deemed conveyance the society became the absolute owner of the property and are in possession thereof ., and the property card of land is also in the name of society named Ram Co-op Housing Society Ltd. On dated 18<sup>th</sup> September, 2020 Kemna / Vakratunda group has issued its No objection Certificate letter for appointment of the Developer for redevelopment of the said property. And the said letter addressed to the Society , developer and the Deputy Registrar of co-operative societies P Ward Accordingly



Kemna's claim has been fulfilled and Kemna has confirmed that they have no claim in respect of the society property .

After receiving the No Objection certificate from Kemna / Vakratunda group the society approached to the M/s. Veena Developers for revelopment of the society property and executed Development Agreement which was registered in the office of Sub-Registrar Borivali executed between Ram Shyam Co-operative Housing Society Ltd (Owner/ Society ) and M/s Veena Developers (Developer) vide Registration No- Borivali-4-5392-2021 dated 7<sup>th</sup> April,2021. After execution of the Development Agreement dated 7<sup>th</sup> April,2021 both the parties of the Development Agreement made some additional clauses in the development agreement so accordingly Supplementary Agreement executed between Ram Shyam Co-operative Housing Society Ltd (Owner/ Society ) and M/s Veena Developers (Developer) which was on dated 6<sup>th</sup> July, 2022 vide Registration No- Borivali-4-10704-2022 dated 6<sup>th</sup> July, 2022. Accordingly the above supplementary Development Agreement has the same meaning described to them development Agreement dated 7<sup>th</sup> April,2021 .

Then after it is observed from the documents that M/s. Veena Developers (Developer) registered Undertaking dated 19<sup>th</sup> September,2022 through its partner Haresh N. Sanghvi through attorney Ajay Raval for compliance in respect of proposed re-development of existing building named Ram Shyam Co-operative Housing Society Ltd area admeasuring 1991.30 sq.mtrs bearing CTS No- 544, 544/1 to 9 situated at Village-Malad, Tal-Borivali & Dist- Mumbai Sub-urban. In the registration and sub registration Borivali vide Registration No- Borivali-8-12747-2022 dated 19/09/2022.

The above certificate is based on the documents provided to us and Subject to the search taken before the office of the Sub-Registrar of Assurance of Mumbai and the documents which are available and provided it is opinion that the title of Ram Co-op Housing Society Ltd. in respect of the mentioned property is clear , marketable , free from the all encumbrances .



SCHEDULE ABOVE REFERRED TO

All that all the pieces and parcel of land bearing CTS nos. 544,544(1) to(9)in aggregate admeasuring 1991.30 square meters or thereabout lying and being at Village Malad (N), Taluka Borivali in Mumbai suburban District and situated next to Sapna Hotel, opp. N.L. High School, S.V. Road, Malad West Mumbai-400064, alongwith the building standing thereon known as "Ram Shyam CHS Ltd" consisting of 2 (Two) wings viz, Wing A and Wing B of which both comprising of stilt plus 5(Five) upper floor, consisting of an aggregates 41 (Forty Oe0 residential flats and 1 (One) shop and its bounded as follows:

On or towards the North : Dhan Mahal Co-operative Housing Society.

On or towards the East : Existing 27.30mt.wide S.V.Road.

On or towards theWest : Kapol Co-operative Housing Society .

On or towards the South: Rashikesh Apartment.

Dated 23<sup>rd</sup> December 2022



Adv. Rupali Vasaikar

