



Ref no. 57/2023

5th May, 2023

To:

MahaRERA

LEGAL TITLE REPORT

Sub: Land bearing old Survey No. 128, Hissa no. 14, thereafter new Survey No. 24, Hissa no. 14, and now bearing Survey No. 24/B, Hissa No. 4, admeasuring approximately 7,200.50 square meters ("**Land**").

(1). We had investigated the title of Messrs. Dattakrupa Developers, a partnership firm having its principal place of business at *Vitthal Niwas*, Veer Savarkar Marg, Virar (East), Thane 401 303 ("**Dattakrupa**") to the Land, and to the joint development in respect of the Land entered into by Dattakrupa with Bachraj Developers, a partnership firm having its principal place of business at Bachraj Developers, D Block, 1st floor, Shri Sitaram Sadan, 276 Shamaldas Gandhi Marg, Mumbai 400 002 ("**Bachraj**"). Our investigation is based on the following:

(a). **Description of Land**: land bearing old Survey No. 128, Hissa no. 14, thereafter new Survey No. 24, Hissa no. 14, and now bearing Survey No. 24/B Hissa No. 4, admeasuring approximately 7,200.50 square meters, which land earlier formed a part of larger land bearing old Survey no. 128, new Survey no. 24, Hissa No. 14, admeasuring 15,770 square meters, situate, lying and being at Village Dongre, Taluka Vasai, District Palghar in the Registration District and Sub-District of Vasai ("**Larger Land**").

(b). **Documents related to allotment of Land and Joint Development**:

The documents made available to us that are related to Dattakrupa's title to Land, and to the aforesaid joint development by Dattakrupa and Bachraj, are as follows: (1) permission for sale for non-agricultural user bearing reference no. BD/KV/VP/Vasai-S.R./18/2006, dated 14th September, 2006, (2) Deed of Conveyance, dated 19th December, 2006, made by and between Tarabai, Jaywanti, Damyanti, Laxmi, Dipti, Kamal and Ganesh as "Vendors" of the One Part and Mahesh Hari Patil, an agriculturist, being a partner of, and representing Dattakrupa, registered in the office of Sub-Registrar at Vasai/2 Under Sr. No. VSI/2/11425/2006 on 19th December, 2006, under which the Vendors sold and conveyed, *inter alia*, the Land ("**2006 Deed of Conveyance**"), (3) non-agricultural permission, vide Order issued under No. REV/Desk-7/T-9/NAP/SR/60/2008 dated 1st July, 2008, the Collector, Thane, for an area, out of the Land, of 15,181.71 square metres, to be utilised for residential user, and non-agricultural permission for an area, out of the Land, of 588.29 square metres to be utilize for commercial purposes, (4) joint development agreement dated 13th March, 2023, made by and between Dattakrupa of the One Part and Bachraj of the Other Part, registered in the Office of the Sub-Registrar of Assurances at Vasai no. 3, vide Serial no. 3809 dated 13th March, 2023, under which they agreed to the joint development of the Land on the terms and conditions stated therein ("**Joint Development Agreement**").

(c). **7/12 Extracts (extract from Record of Rights)**: The 7/12 extract, as on 9th February, 2022, in respect New Survey No. 24/B/4, records the name of Dattakrupa as “holder”.

(d). **Search Report**: Searches in respect of the period from 1992 till 2022 at the Offices of the Sub-Registrar of Assurances at Vasai, Virar and Nalasopara pursuant to which the search clerk issued his search report dated 30th July, 2022 in respect of available records.

(2). On perusal of the above-mentioned documents and other relevant documents relating to the Land, we are of the opinion that:

- a. Dattakrupa is the owner of the Land, as reflected in the record of rights, subject to the rights and entitlements of Dattakrupa and Bachraj in respect of their joint development of the Land, and the title of Dattakrupa to the Land is marketable and free from encumbrances, subject to the terms and conditions stated CC, compliance with the permissions reflected hereinabove, and based upon the representations and warranties made by Dattakrupa in its Declaration dated 3rd February, 2023, and upto date payment of statutory & non-statutory taxes, property taxes, non-agricultural assessments, and other liabilities to the concerned authorities;
- b. Dattakrupa and Bachraj are jointly developing the Land under, and in terms of the Joint Development Agreement, and accordingly: (i) Dattakrupa and Bachraj are entitled to jointly allot and sell the Jointly Owned Aggregate Premises (as defined therein) and are respectively entitled to receive their respective shares of the sales proceeds thereof as set out therein and (ii) Bachraj is entitled to allot, sell and alienate the Bachraj Exclusive Aggregate Premises (as defined therein), and the sale proceeds thereof shall belong to Bachraj in accordance with the terms thereof, all being in accordance with applicable laws, rules and regulations.

(3). The report reflecting the flow of the title of Dattakrupa to Land is enclosed herewith as **Annexure ‘A’**.

Encl: Annexure ‘A’

Dated this 5th day of May, 2023.

Yours faithfully,
Messrs. M. T. Miskita & Company
Advocates & Solicitors

Partner

FORMAT 'A'
(Circular No. 28/2021)
Annexure A - Flow of the Title of the Property

- (1). The 7/12 Extracts (extract from the Record of Rights), as on 9th February, 2022, in respect of New Survey No. 24/B/4 reflect the name of Dattakrupa as "holder".
- (2). Search Report for 30 years from 1992 upto 2022.
- (3). Any other relevant title:
 - (a). A portion of the Larger Land bearing original Survey No. 128 Hissa no. 14 of village Naringi and new Survey No. 24 Hissa no. 14 of village Dongare and now Survey No. 24/B Hissa No. 3, admeasuring in the aggregate 1,949.50 square meters is reserved, under the Development Plan approved for the Virar - Vasai Sub-Region, for D.P. Roads and D.P. Reservations as reflected in the sanctioned Lay-out Plan, which land was gifted by Dattakrupa to Vasai Virar City Municipal Corporation ("VVCMC") by and under the deed of gift dated 22nd January, 2013, made between Dattakrupa as the "Donor" of One Part and the VVCMC as the "Donee" of Other Part, registered in the Office of Sub-Registrar of Assurances at Vasai, vide serial no. VSI/2/740/2013, on 22nd January, 2013;
 - (b). A portion of the Larger Land admeasuring 6,620 square meters, has been developed by Dattakrupa under and in terms of a prior Development Agreement dated 14th February, 2018, made between Vishnu, Vijaya Vishnu Patil, Ramesh, Rajeshree Ramesh Patil, Rahul Ramesh Patil, Kapil Ramesh Patil, Minal Narendra Salunkhe (name before marriage Minal Ramesh Patil), Prabhakar, Vasudha Prabhakar Patil, Jitendra Prabhakar Patil, Vijendra Prabhakar Patil as the "Owners" of One Part and Dattakrupa as the "Developer" of Other Part, registered in the Office of Sub-Registrar Vasai/2 vide serial ni. VSI/2/2334/2018 on 12th March, 2018;
 - (c). Commencement Certificate bearing no. VVCMC/TP/CC/VP-0541A/463/2022-23 dated 3rd March, 2023 has been obtained by Dattakrupa and Bachraj in respect of the Land from the VVCMC
 - (d). Public notice were published in the Times of India (English) and Maharashtra Times (Marathi) editions on 6th July, 2022.

Dated this 5th day of May, 2023.

Yours faithfully,
Messrs. M. T. Miskita & Company
Advocates & Solicitors

Partner