BHAVYA N. JAIN
B.L.S, L.L.B
ADVOCATE HIGH COURT

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To,
MahaRERA,
Mumbai
Housefin Bhavan, near RBI,
E Block, Bandra Kurla Complex,
Bandra East, Mumbai, Maharashtra 400051

LEGAL TITLE REPORT

Re: **Title Clearance Certificate with respect to** Plot bearing Survey No. 229 & 267, CTS No. 2 (Part) admeasuring 882.92 sq. meters of Village Kurla-III forming a part of the Nehru Nagar MHADA Layout within the registration district and sub district of Mumbai Suburban situate, lying and being at 114, Mother Dairy Road, Kurla (East), Mumbai- 400 024 and bounded as follows:

On or towards the North	: Building No.145
On or towards the South	: Building No. 143
On or towards the East	: Milk Dairy & Plant
On or towards the West	: Ashtvinayak Marg

(hereinafter referred to as "the said plot")

I HAVE INVESTIGATED THE TITLE OF THE SAID PLOT ON THE REQUEST OF M/S RAGHAV RAJ BUILDERS AND DEVELOPERS LLP BASED ON THE FOLLOWING DOCUMENTS:

1. **Description of the property**

Plot bearing Survey No. 229 & 267, CTS No. 2 (Part) admeasuring 882.92 sq. meters of Village Kurla-III forming a part of the Nehru Nagar MHADA Layout within the registration district and sub district of Mumbai Suburban situate, lying and being at 144, Mother Dairy Road, Kurla (East), Mumbai- 400 024

2. **Documents**

I. **Indenture of Lease** dated 2nd April 1985 registered under Registration No: BDR-1784/15 of 1985, made and executed between the Maharashtra Hosing and Area Development Authority (MHADA), therein referred to as "the Authority" of the one part and The Ashapurti Co-op-Housing society Limited, a Co-Operative Housing Society duly registered under the Maharashtra Co-Operative Societies Act 1960 under registration no.

BOM/HSG/3877/1972, therein referred to as "the Society" of the other part;

II. **Deed of Sale** dated 2nd April 1985 registered under registration no. BDR/1786 of 1985 made and executed between the Maharashtra Hosing and Area Development Authority (MHADA), therein referred to as "the Authority" of the one part and The Ashapurti Co-op-Housing society Limited, a Co-Operative Housing Society duly registered under the Maharashtra Co-Operative Societies Act 1960 under registration no. BOM/HSG/3877/1972, therein referred to as "the Society" of the other part.

III. **Letter issued by the Deputy Registrar of Co-operative societies, MAHDA, Mumbai** bearing No. MB/Dy.Reg. /B-4/4383/2017 dated 29th September 2017 stating that M/s.Raghav Raj Builders and Developers LLP has been duly elected and appointed as the Developer by the Ashapurti Co-Operative Housing Society Ltd and that the society has complied with all the terms and conditions under the guidelines dated 3rd January 2009 for redeveloping the said property.

IV. **Agreement for Redevelopment** dated 18th August 2018 duly adjudicated by The collector of stamps, Kurla Division by its Adjudication Final Order bearing No.Adj./1100901/509/18/K and registered with the Sub Registrar of Assurances at Kurla under Serial No.KRL-2/10194/530/2018 made and executed between Ashapurti Co-Operative Housing Society Ltd., therein referred to as "the society" of the First part and **M/S. Raghav Raj Builders and Developers LLP**, a Limited Liability Partnership Firm duly registered under the LLP Act 2008, therein and hereinafter referred to as "**the Developer**" of the Second Part and all existing members of the Ashapurti CHS Ltd, therein referred to as "the Confirming Members" of the Third Part, alongwith ancillary documents attached thereto in respect of Redevelopment of the said property by demolishing the exiting building and constructing a new building on the said land on the terms and conditions more particularly specified in the said agreement.

V. **NOC** dated 4th August 2018 issued by the MCGM granting NOC for stipulating the protection & firefighting requirement for the proposed redevelopments on the terms and conditions contained therein.

VI. **NOC** dated 9th January 2018 issued by the Airport Authority for India regarding height Clearance for the said project.

VII. **Offer Letter issued by MHADA** dated 27th April 2018 Ref No. CO/MB/REE/NOC/F-1004/736 of 2018 issued by MHADA to the Ashapurti CHS Ltd.

VIII. **NOC** dated 13th November 2018 ref No: CO/MB/REE/NOC/F-1004/1867 of 2018 whereby MHADA has granted NOC and permission for the Proposed Redevelopment of the Ashapurti Co-Operative Housing society Ltd.

IX **Intimation of Approval** issued by MHADA dated 20th October 2018 ref no: EE/BP Cell/GM/MHADA-22/114/2018 to **Raghav Raj Builders and Developers LLP.**

X. **Commencement Certificate** issued by MHADA dated 29th December 2018 ref no. EE/BP/GM/MHADA-22/114/2018 to **Raghav Raj Builders and Developers LLP.**

3. **Property Register Card (PRC)** issued by the Municipal Corporation of Greater Mumbai bearing Mutation Entry no. **381** dated **30.11.2018** stating the name of Ashapurti Co-Operative Housing Society Ltd.

4. **Search Report** dated 04.01.2019 for 30 years from 1989 to 2018 issued by Manoj U. Kunde, Search Clerk.

5. **ON PERUSAL OF THE ABOVE MENTIONED DOCUMENTS AND ALL OTHER RELEVANT DOCUMENTS RELATING TO THE TITLE OF THE SAID PROPERTY I AM OF THE OPINION THAT THE TITLE OF M/S RAGHAV RAJ BUILDERS AND DEVELOPERS LLP IS CLEAR AND MARKETABLE WITHOUT ANY ENCUMBRANCES.**

6. **Plot bearing CTS No. 2 (Part), Village Kurla III**

Owner of the Land: Maharashtra Housing and Area Development Authority

Leassee of the plot: Ashapurti Co-Operative Housing Society Ltd.

7. **Qualifying Comments:**

I. The Ashapurti Co-op Housing Society Limited is the entitled to the said plot as the Leassee of MHADA in respect of the land bearing CTS No. 2 (Part) admeasuring 882.92 sq. meters of Village Kurla III and was owner

of the structure bearing building No. 144 standing thereon which has since been demolished.

II. **M/s Raghav Raj Builders and Developers LLP** are entitled to redevelop the said property pursuant to execution of Redevelopment Agreement dated 18th August 2018 and are entitled to sell/dispose the flats, coming to its share in the open Market against valuable consideration.

III. I have, at the instructions of my client, conducted a title investigation relating to the said plot through a Search Clerk for the purpose of issuing this report. It is clarified that this report is to ascertain title of the land and does not addresses any other issue.

IV. I have received information and documentation from the company and have prepared this report based on the same.

V. The Accuracy of this report is necessarily based on the documents furnished to me being complete and accurate.

VI. For the Purpose of this report I have got searches taken at the Office of the Local Sub registrar Of Assurances through Third Parties and is subject to availability of records and the same being torn or mutilated;

VII. A Title Certificate dated 11th January 2019 has already been issued by me in respect of the captioned property. The same has been uploaded on the MahaRERA website against the said project. This Report is based on the Title Certificate dated 11th January 2019 and is being issued at the specific request of **M/s Raghav Raj Builders and Developers LLP** in the format as specified by MahaRERA. No further investigation of title has been conducted by me post issuance of the Title Certificate dated 11th January 2019.

8. **THE REPORT REFLECTING THE FLOW OF THE TITLE OF THE DEVELOPER M/S RAGHAV RAJ BUILDERS AND DEVELOPERS LLP IS ENCLOSED HEREWITH AS ANNEXURE**

Dated this **2nd** day of **uly 2021**

Place: Mumbai

Yours Sincerely,

Bhavya N. Jain
Advocate

Encl: Annexure

BHAVYA N. JAIN
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ANNEXURE

Re: Plot bearing Survey No. 229 & 267, CTS No. 2 (Part) admeasuring 882.92 sq. meters of Village Kurla-III forming a part of the Nehru Nagar MHADA Layout within the registration district and sub district of Mumbai Suburban situate, lying and being at 114, Mother Dairy Road, Kurla (East), Mumbai- 400 024 and bounded as follows:

On or towards the North	: Building No.145
On or towards the South	: Building No. 143
On or towards the East	: Milk Dairy & Plant
On or towards the West	: Ashtvinayak Marg

1. FLOW OF TITLE OF THE SAID LAND

I. The Maharashtra Housing and Area Development Authority ("**MHADA**") being duly constituted with effect from 5th Day of December 1977 under the Government Notification in the Public works and Housing Department No. ARD-1077 (1)/Desk-44 dated 5th December 1977, pursuant to the Maharashtra Housing Board, the earlier statutory Corporation established under the Bombay Housing Board Act 1948 (hereinafter referred to as "the Board") having stood dismissed by the operation of Section 15 of the said act;

II. Under clauses (a) and (b) of section 189 of the said act all the property rights, liabilities and obligations of the said dissolved Board including those arising under any agreement or contract became the properties, rights, liabilities, duties and obligations of MHADA;

III. The said Board had various Public Housing Schemes of construction, allotment and sale of tenements of various sizes in residential and/ or commercial buildings in and around Mumbai;

IV. The said Board is the owner of the larger plot of land bearing CT.S No. 2 of village Kurla III in the registration district and Sub District of Mumbai Suburban situate, Lying and being at Kurla (East), Mumbai- 400 024. (hereinafter referred to as "**the said Larger Plot**")

V. The said Board had constructed a Stilt Plus Four Floor Building bearing Building No. 144 having Two Wings and comprising a total of 40 tenements on a part of the said larger plot (CTS No. 2 (Part), to be allotted to the individuals belonging to the Lower Income Group (LIG) for the residential purpose.

VI. The Allottees/ Owners of the said 40 tenements in building no. 144 formed a Co – Operative Housing Society Known as **"Ashapurti Co-Op Housing Society Limited"** registered under the Maharashtra Co-Operative Societies Act, 1960 Under No. BOM/HSG/3877/1972.

VII. Vide an Indenture of Lease dated 2nd April 1985 executed between the said MHADA, therein referred to as "the Authority" of the one part and the said society, therein referred to as "the Leassee" of the other part, MHADA demised the said land unto the name of the said society for a period of 99 years on the terms and conditions more particularly stated in the said Deed. The said Deed has been duly stamped and registered with the concerned office of the Sub Registrar of Assurances at Mumbai.

VIII. Pursuant to execution of the said Indenture of Lease, the name of the said society has been added to the Property register Card in respect of a part of the said larger Plot, as a Leasee of an area equivalent to 882.92 sq. meters vide mutation entry no. **381** dated **30.11.2018**

IX. Vide a Deed of Sale dated 2nd April 1985 , MHADA has sold transferred, conveyed and granted the said existing building No. 144 unto the name of the said society for the consideration and on the terms mentioned in the said Deed. The said Deed of Sale has been duly stamped and registered with the concerned office of the Sub Registrar of Assurances at Mumbai.

X. In the aforesaid premises, the Ashapurti Co-Op Housing Society Limited is entitled to a part of the said plot as a Leassee thereof and the said building no. 144 which stood thereon as the owner thereof pursuant to signing, execution and registration of the said Deed of Lease and Deed of Sale respectively.

XI. The Ashapurti Co-Op Housing Society Limited decided to redevelop the said property by demolishing the existing Building No. 144 and constructing new Multi Storied building on the said plot as per the provisions laid down under DCR 33 (5) of the prevailing Development Control Regulations 2034 as applicable for the Redevelopment of MAHADA Societies.

XII. The Ashapurti Co-Op-Housing Society Limited by its Special General Body Meeting held on 31st May, 2015 agreed to appoint M/s. Acme Consultants as their Project Management Consultants ("**PMC**") for the said Redevelopment project.

XIII. Pursuant to "Invitation of Tender" circulated by the said PMC on behalf of the said society, you, i.e. Raghav Raj Builders and Developers LLP had submitted your offer in the specified format to the said Society.

XIV. The Ashapurti Co-Operative Housing Society Ltd. held its Annual General Body Meeting on 24th September 2017, which was conducted by Mr. Chandrashekhar Dongarwar, being the authorized officer of the Dy. Registrar of Co-operative Societies, MHADA, Mumbai. In the said AGM, all members present in the meeting unanimously voted in favor of M/s. Raghav Raj Builders and Developers LLP to grant the development rights of the said society under Rule33 (5) of new DC Rules amended on 8th October ,2013 read with MHADA and MCGM rules and regulations as amended from time to time. The resolution for appointing M/s. Raghav Raj Builders and Developers LLP as the Developer was passed in the aforesaid Annual General Body meeting dated 24th September 2017.

XV. The Honorable Deputy Registrar of Co-operative societies, MAHDA, Mumbai , Shri Rajendra Gaikwad, by his letter bearing No.MB/Dy.Reg. /B-4/4383/2017 dated 29th September 2017 has stated that M/s.Raghav Raj Builders and Developers LLP has been duly elected and appointed as the Developer by the said Society and that the society has complied with all the terms and conditions under the guidelines dated 3rd January 2009 for redeveloping the said property.

XVI. Vide Agreement for Redevelopment dated 18th August 2018 ("t**he said Redevelopment Agreement**"), The Ashapurti Co-Op Housing Society Limited has granted in favor of M/s Raghav Raj Builders and Developers LLP, the development rights in respect of the society's property being all those pieces and parcels of land ,hereditaments and premises together with the structures of Stilt plus Four upper floors comprised of 40 tenements standing thereon constructed on land bearing CTS No. 2 (Part) admeasuring about 882.92 sq. meters of Viillage Kurla-III within the registration district and sub district of Mumbai Suburban in the Nehru Nagar MHADA Layout situate, lying and being at Mother Dairy Road, Kurla (East), Mumbai- 400 024 on the terms and conditioned more particularly state in the said agreement. The said Development Agreement has been duly adjudicated and registered with the Office of the Sub Registrar of Assurances at Kurla.

XVII. In terms of the said Redevelopment Agreement and Power of Attorney, the Society has granted exclusive rights in favour of Developer for redevelopment of said property by demolition of Building No.144 and constructing a new building U/s 33 (5) of the DCR and after re-housing all 40 members of the Society in the newly constructed Building, to sell the balance constructed area in the open market for the consideration and allot parking slots to the prospective purchasers for the consideration and on the terms and conditions as the Developer may deem fit.

XVIII. The Developer has obtained **Intimation of Approval** issued by MHADA dated 20th October 2018 ref no: EE/BP Cell/GM/MHADA-22/114/2018

and **Commencement Certificate** dated 29th December 2018 ref no. EE/BP/GM/MHADA-22/114/2018 for the proposed development on the said plot.

2. PROPERTY REGISTER CARD:

PRC issued by the Municipal Corporation of Greater Mumbai for CTS No. 2, Village Kurla III bearing Mutation Entry no. **381** dated **30.11.2018** stating the name of **Ashapurti Co-Operative Housing Society Ltd.**

3. SEARCH REPORT

Search Report dated 04.01.2019 for 30 years from 1989 to 2018 taken by Manoj U. Kunde, Search Clerk at the Offices of the Sub Registrars at Mumbai, Bandra, Chembur and Kurla (I, II, III, IV and V).

4. ANY OTHER RELEVANT TITLE:

Public Notices issued in the 21st December 2018 editions of the Free Press Journal and Navshakti Newspapers, inviting claims , if any , from members of the public in respect of the said property or any part thereof and any objections to the Redevelopment of the said property by the said Developers. No Claims received in response to the said notices.

Dated this 2nd day of **July 2021**

Place: Mumbai

Yours Sincerely

BHAVYA N. JAIN MUMBAI ADVOCATE

Bhavya N. Jain
Advocate