



Harsh S. Shah

Advocate, High Court

Flat No. 302, Dev Darshan CHS Ltd., Nr. Centre Plaza, Shivaji Chowk, Daftary Road, Malad (East),
Mumbai – 400 097.

Mob.: 9769375708 | Email: advharshshah@gmail.com

FORMAT-A
(CIRCULAR NO. 28/2021)

To,
The Maharashtra Real Estate Regulatory Authority
Housefin Bhavan,
Plot No. C-21,
Bandra Kurla Complex,
Bandra (East),
Mumbai - 400 051.

LEGAL TITLE REPORT

Sub: All that piece or parcel of developed plot bearing Cluster Plot No.810, RSC-5, Survey No. 41, admeasuring about 2310 Sq.mtrs. of Village - Charkop, Taluka – Borivali, Dist.-Mumbai Suburban situate at Sector -8, Kandivali (West), Mumbai – 400 067; (hereinafter referred to as the “**said Property**”).

1. I have investigated the title of the said property on the request of **M/S. BHAIKAV SMILE INFRAPROJECTS**, a registered partnership Firm, having its registered office address at D-11, Plot No.804, Charkop Sailochan Co-operative Housing Society Ltd., Sector -8, Charkop, Near Tarzan Point, Kandivali (West), Mumbai – 400 067 (“**said Promoter**”) and perused the copies of the following documents:

(1) Description of the said Property

All that piece or parcel of developed plot bearing Cluster Plot No.810, RSC-5, Survey No. 41, admeasuring about 2310 Sq.mtrs. of Village - Charkop, Taluka – Borivali, Dist.-Mumbai Suburban situate at Sector -8, Kandivali (West), Mumbai – 400 067.

(2) The document of allotment of the property - As per Annexure “A”

(3) Property Card Extracts

The Property Card in respect of CTS No. 3/A/2/1 admeasuring about 27247.20 sq.mtrs., is issued by City Survey Office.

(4) Search Report for 41 years

Search report dated 22.07.2023 as issued by Mr. S.D. Jadhav, Search Clerk, about the title investigation/search was conducted by him in the offices of the Sub-Registrar Goregaon, Charkop, Kandivali and Borivali for 41 years.

2. On perusal of the above-mentioned documents and all other documents pertaining to the title of the said Property, I am of the opinion that the title of **M/s. Bhairav Smile Infraprojects** to develop the said Property is clear and marketable.

1) Lessee of the said Property

Maharashtra Housing and Area Development Authority (“MHADA”) is the owner of all that piece or parcel of developed plot bearing Cluster Plot No.810, RSC-5, Survey No. 41, admeasuring about 2310 Sq.mtrs. of Village - Charkop, Taluka – Borivali, Dist.-Mumbai Suburban situate at Sector -8, Kandivali

(West), Mumbai – 400 067 and Charkop Bhairav Co-Operative Housing Society Limited, a Co-Operative Society duly registered under Maharashtra Co-Operative Societies Act, 1960, bearing registration no. MUM/MHAD/HSR/(TC)/13489/Year 2019-2020 Dt.13.12.2019 and having its registered office at Cluster Plot No. 810, RSC-5, Survey No. 41, situated at Sector-8, Kandivali (West), Mumbai – 400 067 (hereinafter referred to as the “**said Society**”) is the Lessee of the MHADA with respect to the said Property.

2) Qualifying Comments/Remarks : NIL

3. The report reflecting the flow of title in respect of said Property is enclosed herewith as **Annexure “A”**.

Dated this 10th day of May, 2026



Harsh S. Shah
Advocate, High Court

Encl.: As above.

ANNEXURE “A”

(Flow of title in respect of the said Property)

1. That the Maharashtra Housing and Area Development Authority (**“MHADA”**) being owner and seized and possessed of all that piece and parcel of developed land bearing Cluster Plot No.810, RSC-5, Survey No. 41, admeasuring about 2173.50 Sq.mtrs. of Village - Charkop, Taluka – Borivali, Dist.-Mumbai Suburban situate at Sector -8, Kandivali (West), Mumbai – 400 067.
2. That the said property consisted 38 developed plots of “C” type admeasuring 30 sq.mtrs. each and 10 developed plots of “D” Type admeasuring 40 sq.mtrs. each which has been provided with necessary infrastructure common facilities and amenities etc.
3. That the said developed plots have been allotted by the MHADA under its sites and services scheme prepared under the Mumbai Urban Development Project which was aided by the World Bank to the specified persons.
4. That MHADA had by advertisement published in the newspapers, had invited applications from the Allottees for allotment of the said developed plots in the Authority's land to the successful drawees in the drawal of plots for the purpose of constructing, maintaining and locating a building for bonafide residential use and occupation.
5. That the said Allottees had on allotment of the developed plots to them formed and registered themselves in to a co-operative housing society i.e. the said Society herein.

6. That the Deputy Chief Officer (W) M.H. & A.D. Board, Mumbai issued Allotment Letter Dt. 29.01.2020 bearing No. MB/Dy.C.O.(W)/89/2020 to the Society and also confirmed having received lease premium of Rs. 8,51,000/- (Rupees Eight Lakhs Fifty One Thousand only) for the period of 30 years.
7. Thereafter under Indenture of Lease Dt. 04.07.2022 executed by and between Maharashtra Housing and Area Development Authority, therein referred to as "the Authority" and The Charkop Bhairav Co-operative Housing Society Ltd., therein referred to as "the Society" the Authority granted to the society lease in respect of the said property for 30 years. The said Indenture of Lease Dt. 04.07.2022 is duly registered under reference no. BRL-7/9438/2022 Dt. 04/07/2022 with the office of Sub-Registrar of Assurances, Borivali 7, MSD.
8. Thereafter under Development Agreement Dt. 11.08.2022, duly registered under Sr. No. BRL-7/11273/2022 with Sub-Registrar of Assurances, Borivali-7, MSD, the said Society has granted development rights of the said Property to the Developers therein viz. M/s. Bhairav Smile Infraprojects for the consideration and on the terms and conditions mentioned therein
9. Simultaneously with the said Development Agreement, the said Society also executed a Power of Attorney in favour of the Developers viz. M/s. Bhairav Smile Infraprojects to carry on various acts of redevelopment as enumerated therein. The said Power of Attorney Dt. 11.08.2022 is also duly registered under Sr. No. BRL-7/11274/2022 with Sub-Registrar of Assurances, Borivali-7, MSD.

10. Thereafter vide Order Dt. 18.09.2023 bearing no. 2507/2023 issued by Executive Engineer, Borivali Division, Mumbai Board, MHADA; the said Society has been allotted additional Tit Bit area 136.50 Sq. Mtrs. on the terms and conditions stated in the said Order and as per the Demarcation Plan issued by the said Authority. In view of the above the said Society became entitled to an area of 2310 Sq. Mtrs. in respect of the said Property.
11. That in pursuance of the sanctioned terms and conditions, an Indenture of Mortgage dated 27.05.2024 executed between the M/s. Bhairav Smile Infraprojects as Mortgagor and AU Small Finance Bank Ltd. As Mortgagee and have created a Mortgage on the sale units in its Project to be constructed on the said Property upon the terms and conditions mentioned therein. The said Indenture of Mortgage dated 27.05.2024 is registered with Office of Joint Sub Registrar Borivali-7 under Serial No. BRL-7-11466-2024.
12. Thus, in view of the above **M/s. Bhairav Smile Infraprojects** right to develop the said property is clear, marketable and without any encumbrance save and except the charge of AU Small Finance Bank Ltd. as stated aforesaid.
13. Latest Property Card is not in the name of the owner.
14. Search report dated 22.07.2023 as issued by Mr. S.D. Jadhav, Search Clerk, about the title investigation/search was conducted by him in the offices of the Sub-Registrar Goregaon, Charkop, Kandivali and Borivali for 41 years.

15. Any other relevant title : NIL

16. Litigations, if any : NIL

Place : Mumbai

Date : 10/05/2026



Harsh S. Shah

Advocate, High Court