



To,
MAHARASHTRA REAL ESTATE AUTHORITY
MAHARERA, Bandra,
Mumbai 400051.

TITLE CERTIFICATE

Re: Title clearance certificate with respect to Immovable Property being All that piece and parcel of land admeasuring 2223.20 sq. meters or thereabouts bearing CTS Nos. 3, 3/1 to 3/38 under Akurli Village and CTS Nos. 377, 377/1 to 377/20 of Village Poisar together with the building standing thereon "Sanghvi Apartments" comprising of Ground and 4 Upper Floors lying being and situate at Kamla Nehru Cross Road No. 1, Kandivali West, Mumbai 400067. ("**SAID PROPERTY**")

We under the instructions of our clients **M/S. TAMOS ASSOCIATES**, a registered partnership firm under the provisions of the Indian Partnership Act, 1932, having Registration receipt number MB000103991 dated 16th December 2021 having its registered office at 1001, Al-Taheri building, church road, Andheri East, Mumbai 400059 ("**DEVELOPERS**") have investigated the title of "**KANDIVALI SANGHVI CO-OPERATIVE HOUSING SOCIETY LTD**", a Co-operative Housing Society duly registered under the provisions of Maharashtra Co-operative Societies Act, 1960, bearing Registration No. BOM/HSG/R/9675/1984 dated 07/02/1984, situated at Sanghvi Apartments, Kamla Nehru X Road No. 1, Kandivali West, Mumbai 400067 ("**THE SOCIETY**") being the Owners of the said Property described hereinabove and based on the due diligence and title investigation on the said property, title documents and Revenue Records our observations are as under.

I. DESCRIPTION OF THE PROPERTY:

All that piece and parcel of land admeasuring 2223.20 sq. meters or thereabouts bearing C.T.S Nos. 3, 3/1 to 3/38 under Akurli Village and CTS Nos. 377A, 377/1 to 377/20 of Village Poisar together with the building standing thereon "Sanghvi Apartments" comprising of Ground and 4 Upper Floors lying being and situate at Kamla Nehru Cross Road No. 1, Kandivali West, Mumbai 400067 in the Registration District and Sub-District of Mumbai Suburban and bounded as follows:-

On or towards North	:-	By property bearing CTS No. 378
On or towards South	:-	By property bearing CTS No. 344A/344B
On or towards East	:-	By property bearing CTS No. 368
On or towards West	:-	By property bearing CTS No. ET43/EP-T91



II. DOCUMENTS OF ALLOTMENT OF PLOT:

- a. Deed of Unilateral Conveyance Deed dated 15th December 2015 executed between authorized representative of District Deputy Registrar, Co-operative Societies, Mumbai City (4), the Competent Authority as per the Powers conferred upon it by the Government of Maharashtra representing the defaulting Promoters under MOFA Act therein referred to as defaulting “Vendor” and Party of the Second Part, M/s. Anant Construction Company, therein referred to “First Coming Party” and Party of the First Part and Kandivali Sanghavi Co-operative Housing Society Limited, therein referred to as “Society”, and Party of the Third Part, duly registered with the Office of the Sub-registrar of Assurance bearing Sr. No. BRL/8/508/2021 in favour of Kandivali Sanghvi Co-Operative Housing Society Ltd.
- b. Tripartite Development Agreement dated 12th July 2023 executed between by and between Kandivali Sanghavi Co-operative Housing Society Limited therein referred to as the “Society” and Party of the First Part, M/s. Tamos Associates therein referred to as the “Developer” and Party of the Second Part and the Member/s of the Society therein referred to as “Member/s” and Party of the Third Part and duly registered with the Sub-Registrar of Assurances at Mumbai under Sr. No. BRL-6/14669 of 2023 dated 20th June 2023, the Society and Members therein did thereby grant and assign Development Rights in favour of M/s. Tamos Associates in respect of the said property for consideration and on terms, conditions, and covenants therein recorded.

III. PROPERTY REGISTER CARD:

The name of Kandivali Sanghvi Co-Operative Housing Society Ltd has been mutated in the Property Card as the Owner/ Holder of the said property vide Mutation Entry No. 539 dated 2nd March 2021 for CTS No. 3, 3/1 to 3/38 of Village Akurli and the Society is in process of mutating name on the CTS Nos. 377, 377/1 to 377/20 of Village Poisar.

IV. SEARCH REPORT:

As per the Search Report dated 20th September 2022 issued by Search Clerk Mr. Sachin Pawar by undertaking and conducting Search in the Office of the concerned Office of the Sub-Registrar of Assurances for the period of 30 years i.e., 1992 to 2022 (“**Search Report**”). The Search Report dated 20th September 2022 is subject to the availability of certain records being torn and mutilated. The said Search Report does not notify any adverse Mutation Entry during the last 30 years of Search conducted commencing from the period 1992 to 2022.



OPINION:

Upon perusal of the documents and all other relevant records relating to the Title of the said Property, we are of the opinion that the Title of Kandivali Sanghvi Co-Operative Housing Society Ltd to the said said property is clear and marketable and Kandivali Sanghvi Co-Operative Housing Society Ltd as Owner is seized and possessed of and otherwise well and sufficiently entitled to the said property and by virtue of Tripartite Development Agreement dated 12th July 2023, M/S. TAMOS DEVELOPERS as Developer of the said property is well and sufficiently entitled to implement re-development of the said property on terms and conditions as recorded in the Development Agreement.

OWNER OF THE SAID PROPERTY:

Kandivali Sanghvi Co-Operative Housing Society Ltd - C.T.S Nos. 3, 3/1 to 3/38 under Akurli Village and CTS Nos. 377A, 377/1 to 377/20 of Village Poisar.

QUALIFYING REMARKS:

1. This Title Certificate has been issued under the instructions of M/s. Tamos Associates and shall not be used or relied upon by any other person/s for any purpose other than registration and compliance of RERA Acts and the Rules and Regulations framed by MahaRera Authorities.
2. This Title Certificate and the Title Report being Annexure "A" is based on documents submitted, furnished and produced before us from time to time during the course of due diligence and investigation undertaken by us on the basis of the Search Report and the Revenue Records obtained in course of title due diligence.
3. While conducting title due diligence we have assumed the genuineness of all signatures as also the authenticity and completeness of all documents submitted and produced before us including copies thereof. In addition, we have assumed and have not verified the accuracy as to factual matters of each document we have reviewed.
4. This Title Certificate and Title Report is confined and limited to the state of affairs as on the date of issuance hereof. We are not aware of any information to the contrary, which would lead us to believe that the observations stated herein are no longer valid.
5. This Title Certificate and Title Report is limited to the matters expressly set forth in this document and no comment is implied or may be inferred beyond the matters expressly stated herein. This Title Certificate and Title Report is based only on the documents made available for our examination and information provided to us.
6. Matters expressed herein are limited to reflect the state of the law applicable to the particular facts herein contained only as on the date hereof. We express no opinion as



to the consequence or application of any law existing and applicable after such date, and expressly decline any continuing obligation to advise after the date of this Title Certificate and Title Report of any changes in the foregoing or any changes of circumstances of which we may become aware that may affect our observations contained herein.

7. We expressly disclaim any liability which may arise due to any decision taken by any person or persons, on the basis of this Title Certificate and Title Report.

The Title Report reflecting the Flow of Title of M/s. Tamos Associates to the said Property is enclosed herewith as an **ANNEXURE-“A”**

DATED THIS 22ND DAY OF SEPTEMBER 2023

YOURS FAITHFULLY,

DM LEGAL ASSOCIATES
ADVOCATES AND SOLICITOR



ANNEXURE "A"

RE: All that piece and parcel of land admeasuring 2223.20 sq. meters or thereabouts bearing CTS Nos. 3, 3/1 to 3/38 under Akurli Village and CTS Nos. 377, 377/1 to 377/20 of Village Poisar together with the building standing thereon "Sanghvi Apartments" comprising of Ground and 4 Upper Floors lying being and situate at Kamla Nehru Cross Road No. 1, Kandivali West, Mumbai 400067. (**"SAID PROPERTY"**).

:FLOW OF TITLE OF THE SAID PROPERTY:

- (i) Originally, one Trimbaklall Anandji Sanghavi as Owner was seized and possessed of and otherwise well sufficiently entitled to the said Plot of Land bearing C.T.S No. 3, 3/1 to 38, of Village Akurli and C.T.S. No. 377, 377/1 to 20 of Village Poisar admeasuring 2223.20 sq. meters or thereabouts situate at Kamla Nehru Cross Road No. 1, Kandivali (West), Mumbai - 400067 in the Registration District and Sub-District of Mumbai Suburban which is more particularly described in the Schedule hereunder written together with a Chawl standing thereon known as Sanghavi Chawl wherein the tenements were by monthly tenants in whose favour Rent Receipt were issued by Trimbaklall Anandji Sanghavi.
- (ii) By and under an Agreement of Sale dated 20th December 1974 executed between Trimbaklall Anandji Sanghavi and his son Pranal Trimbaklall Sanghavi being the proprietor of M/s Anant Construction Co., the said Trimbaklall Anandji Sanghavi agreed to sale and transfer and the said M/s Anant Construction Co. agreed to purchase and acquire all the right title and interest in the said land described in the Schedule hereunder written together with Sanghavi Chawl on the terms and conditions therein recorded.
- (iii) M/s Anant Construction Co., after having entered into aforesaid Agreement dated 20th December 1974 for devised a Scheme for re-development of the said land by demolition of the existing Sanghavi Chawl and for that purpose got the plans in respect of the proposed building consisting of 2 (two) wings containing a total of 82 (Eighty-two) Flats sanctioned from MCGM under IOD bearing No. CE/1371/BSII AR dated 29th March 1978.



- (iv) M/s. Anant Construction Co., as per the sanctioned plans carried out and completed the construction of the proposed building consisting of 2 (two) Wings viz., Wing “A” comprising of Ground + Three Upper Floors and Wing “B” comprising of Ground plus Four Upper Floors having in aggregate 82 [Eighty-Two] Flats in the building standing on the said Property.
- (v) M/s. Anant Construction Co. sold all the flats constructed in the said building to various third parties vide diverse Agreements for Sale for consideration and on terms and conditions therein recorded and before the formation of the Society handed over and placed the purchaser in possession of the respective premises purchased and acquired by them under diverse Agreements for Sale. Thereafter, the Flat Purchasers came together and constituted themselves in a Society known as “KANDIVALI SANGHAVI CO-OPERATIVE HOUSING SOCIETY” as per Section 10 of MOFA Act, which was duly registered with the Registrar of Co-operative Housing Societies bearing Registration No. BOM/HSG/R /9675/1984 dated 07/02/1984 with its registered address at CTS No.3,3/1 to 38, of Village Akurli and C.T.S. No. 377, 377/1 to 20, of Village Poisar, having address at Kamala Nehru Cross Road No. 1, Kandivali(West), Mumbai- 400 067.
- (vi) The said Pranal Trimbaklal Sanghavi died intestate leaving behind him surviving his two sons Anantra Pranal Sanghavi and Ashok Pranal Sanghavi as his only heirs and legal representatives as and under the Hindu Succession Act, under which he was governed at the time of his death.
- (vii) As per Section 11 of the Maharashtra Ownership of Flats [Regulation of Promotion of Construction, Sale, Management and Transfer] Act, 1963 read with Rule 9 of the Maharashtra Ownership Rules, 1964 the Promoters viz., M/s. Anant Construction Co., was under Statutory obligation to convey the land and the building constructed thereon to the Society within period of four months from its formation, however the Promoters failed to comply with the said obligation and convey the said land and the building in favour of the said Society. Consequently, the said Society finally adopted proceedings for Deemed Conveyance by invoking the provisions of Section 5A of the Maharashtra Ownership of Flats [Regulation of Promotion of Construction, Sale, Management and Transfer) Act, 1963 by filing Application bearing No. 210 of 2018 before the District Deputy Registrar of Co-operative Societies, Mumbai City (4) being the Competent Authority for issuance of Certificate of Entitlement under Section 11(3) of the MOFA in favour of Society to and to have an Unilateral Deemed Conveyance executed in its favour and to have it registered.



- (viii) The Competent Authority after scrutinization of the Application issued Show Cause Notices to the Promoters named above including issuing the Public Notice intimating filing of the above application and being satisfied with regards to the claims and entitlement of the said Society exercised the powers vested in the Competent Authority as provided in Section 5A of the MOFA Act and issued Order -cum- Certificate of Entitlement bearing Ref. No. DDR-4/Mum/ DC/ Kandivali Sanghavi CHSL/256/2019 dated 31st January 2019 certifying that the Society under the provisions of Section 11[3] of MOFA is entitled for grant of Unilateral Conveyance of the said property in favour of the Society and to have the same registered as provided under the Act with further directions to execute Conveyance Deed as Deed of Unilateral Conveyance of all the right title and interest in the said property in favour of the Society as contemplated under provisions of Section 11[5] of the Act with direction to Sub-Registrar of Assurances to register the Certificate of Entitlement issued by Competent Authority along-with instrument of Conveyance executed by the Authority as required under the Registration Act, 1908.
- (ix) By and under Unilateral Conveyance Deed dated 15th December 2015 executed between Dr. Kishor Mande, District Deputy Registrar, Co-operative Societies, Mumbai City (4), the Competent Authority as per the Powers conferred upon it by the Government of Maharashtra under Section 5A of the Maharashtra Ownership of Flats [Regulation of Promotion of Construction, Sale, Management and Transfer] Act, 1963 representing the defaulting Promoters under MOFA Act i.e. Trimbaklal Anandji Sanghavi, Anantrai Pranlal Sanghavi and Ashok Pranlal Sanghavi, therein referred to as defaulting “Vendor” and Party of the Second Part, M/s. Anant Construction Company, therein referred to “First Coming Party” and Party of the First Part and Kandivali Sanghavi Co-operative Housing Society Limited, therein referred to as “Society”, and Party of the Third Part, AND DULY registered with the Office of the Sub-registrar of Assurance bearing Sr. No. BRL/8/508/2021, the said District Dy. Registrar representing defaulting promoters and in due compliance of the Order-Cum- Certificate bearing Ref. No. DDR-4/Mum/DC/Kandivali Sanghavi CHSL/256/2019 dated 31st January 2019 certifying the entitlement of the Society for Conveyance as per the provision of Deemed Conveyance under Section 11 of the Act, sold, transferred, assigned assured and unto and in favour of the Purchaser/Society all the right title and interest in respect of the property being all that piece and parcel of land bearing C.T.S No. 3, 3/1 to 38, of Village Akurli and C.T.S. No. 377, 377/1 to 20 of Village Poisar admeasuring 2223.20 sq. meters or thereabouts the Registration District and Sub-District of Mumbai Suburban together with building standing thereon consisting of 2 (two) Wings viz., Wing “A” comprising of Ground + Three Upper Floors and Wing “B” comprising of Ground plus Four Upper Floors having in aggregate 82 [Eighty Two] Flats situate at Kamla



Nehru Cross Road No. 1, Kandivali (West), Mumbai-400067. Based on the registered Deemed Conveyance dated 15th December 2020 the name of the society was mutated in the Property Card vide Mutation Entry No. 539 dated 2nd March 2021 for CTS No. 3, 3/1 to 3/38 of Village Akurli.

- (x) **KANDIVALI SANGHVI CO-OPERATIVE HOUSING SOCIETY LTD.,** as Owner is seized and possessed of and otherwise well and sufficiently entitled to all right, title and interest in respect of the said property being all that piece and parcel of land admeasuring 2223.20 sq. meters or thereabouts bearing CTS Nos. 3, 3/1 to 3/38 under Akurli Village and CTS Nos. 377, 377/1 to 377/20 of Village Poisar together with the building standing thereon "Sanghvi Apartments" comprising of Ground and 4 Upper Floors lying being and situate at Kamla Nehru Cross Road No. 1, Kandivali West, Mumbai 400067.
- (xi) By an under a Tripartite Development Agreement dated 12th July 2023 executed between by and between Kandivali Sanghavi Co-operative Housing Society Limited therein referred to as the "Society" and Party of the First Part, M/s. Tamos Associates therein referred to as the "Developer" and Party of the Second Part and the Member/s of the Society therein referred to as "Member/s" and Party of the Third Part and duly registered with the Sub-Registrar of Assurances at Mumbai under Sr. No. BRL-6/14669 of 2023 dated 20th June 2023, the Society and the Member/s therein agreed to grant, assign and transfer unto and in favour of the Developer the development rights in respect of the said property more particularly described in the First Schedule hereunder written. The said Society also executed a Power of Attorney dated 12th July 2023 duly registered with Sub-Registrar of Assurances at Mumbai under Sr. No. BRL-6/14670/2023 dated 13th July 2023 in favour of the Developer for effectually carrying out the Redevelopment of the said property. The said Development Agreement and the Power of Attorney are valid, subsisting and binding on the parties thereto and the Developer while acting on the Power and the Authority that has been granted obtained sanctioned plans under I.O.D bearing Ref No. P-7691/2021/(3)/R/S-Ward/AKURLI-R/S/337/1/ New dated 9th August 2023.
- (xii) Thus, Kandivali Sanghvi Co-Operative Housing Society Ltd as Owner is seized and possessed of and otherwise well and sufficiently entitled to the said property and based on the documents and particulars provided to us, we are the opinion that the title of Kandivali Sanghvi Co-Operative Housing Society Ltd is clear and marketable. The appointment of M/s. Tamos Developers as the Developer of the said property by virtue of Tripartite Development Agreement dated 12th July 2023 is valid and legal and as Developers is well and sufficiently entitled to implement re-



development of the said property on terms and conditions as recorded in the Development Agreement.

DATED THIS 22ND DAY OF SEPTEMBER 2023

YOURS FAITHFULLY,

D M LEGAL ASSOCIATES
ADVOCATES AND SOLICITOR