J. R. VAKIL & ASSOCIATES (Reg.)

ADVOCATES

J.R.VAKIL

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Br. Off: 58 Joy Villa, 103, 1st Floor, Road No. 4, Near Jain Mandir, Jawahar Nagar, Goregaon (West), Mumbai 400 104. Tel: 7666533588

FORMAT- A

(Circular No. :-28/2021)

To
MahaRERA
6th and 7th Floor, Housefin Bhavan,
Plot No. C-21, E-Block, Bandra Kurla Complex,
Bandra (East), Mumbai 400051

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to all that piece and parcel of land bearing Sub Plot nos. 79, 80 and 81 of revised layout approved by Town Planning Department from Final Plot nos. 18 & 19 TPS VI Santacruz, C.T.S. No. 1610/8 admeasuring 2853 square yards i.e. 2385.5 Square metres or thereabouts of Revenue Village and City Survey Vile Parle (West), Taluka Andheri in the Registration District and Sub-District of Mumbai Suburban, in Brihan Mumbai Mahanagarpalika H/W Ward (hereinafter referred to as **"said Land"**) along with a building known as "Shining Star" consisting of (i) 'A' wing having ground plus 2 (Two) upper floors along with a terrace consisting of an aggregate 12 (Twelve) residential flats, (ii) 'B' wing having ground plus 3 (Three) upper floors along with a terrace consisting of an aggregate 8 (Eight) residential flats and (iii) 'C' wing having ground plus 3 (Three) upper floors along with a terrace consisting of an aggregate 8 (Eight) residential flats (hereinafter jointly referred to as the **"said Building")** lying, being and situate at 79, 80, 81, Relief Road, Daulat Nagar, Santacruz (West), Mumbai 400 054 (hereinafter the said Land and said Building is collectively referred to as the "**said Property**").

****

1. I have investigated the title of the said property on the request of the Developer i.e. Pranav Constructions Private Limited and following documents i.e. :-

   i. All that piece and parcel of land bearing Sub Plot nos. 79, 80 and 81 of revised layout approved by Town Planning Department from Final Plot nos. 18 & 19 TPS VI Santacruz, C.T.S. No. 1610/8 admeasuring 2853 square yards i.e. 2385.5 Square metres or thereabouts of Revenue Village and City Survey Vile Parle (West), Taluka Andheri in the Registration District and Sub-District of Mumbai Suburban, in Brihan Mumbai Mahanagarpalika H/W Ward (hereinafter

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h) The Revenue and Forest Department by Notification dated 8th March 2019 notified The Maharashtra Land Revenue Rules, 2019 ("Rules") for conversion of Conversion of Occupancy Class – II and Leasehold Lands into Occupancy Class – I Lands. In furtherance of the said Rules, the said Society made requisite Application dated 16th November, 2021 to the Office of the District Collector for conversion of the said Land (which is an Occupancy Class – II land) into Occupancy Class – I land subject to payment of all the requisite conversion premiums/charges and subject to obtaining the final order issued from the office of the Collector for conversion of the said Land into Occupancy Class – I land.

i) Vide an Application dated 16.11.2021 and 29.3.2023 the Shining Star CHSL had preferred an application for conversion of the land in their possession, from CLASS II to CLASS I Freehold Land. Further, vide an Order dated 29.05.2023, the Collector Mumbai Suburban, allowed the said conversion subject to payment of premium of Rs. 4,17,83,225 /- (Rupee Four Crores Seventeen Lakh Eighty-Three Lakh Two Hundred and Twenty Five Only). Accordingly, the necessary payment of the aforesaid premium amount was made and pursuant thereto the Collector, Mumbai Suburban, vide an order dated 02.06.2023, have allowed the conversion of the said land from Class II to Class I.

j) By and under Development Agreement dated 16th June, 2023, entered into by and between (1) Shining Star Co-operative Housing Society Limited (therein referred to as "Society") of the First Part, (2) Mrs. Sunanda G. Kudchadkar & Others (therein collectively referred to as "the Confirming Parties/Executing Members") and (3) Pranav Constructions Private Limited (therein referred to as "the Developer") of the Third Part, duly registered on 16th June, 2023 with the office of the Sub-Registrar of Assurances at Mumbai under Serial No.BDR18-10631-2023 (hereinafter to be referred to as the **"Development Agreement"**), the Society for itself and for/on behalf of its members granted absolute redevelopment rights to the Developer i.e., Pranav Constructions Private Limited to re-develop the said Property, for the consideration and on the terms and conditions as mentioned therein.

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k) Under the abovementioned circumstances, Pranav Constructions Private Limited became entitled to redevelopment rights with respect to the said Property.

l) By and under a Power of Attorney dated 16.6.2023, duly registered with the Sub-Registrar of Assurances at Mumbai bearing Serial No.BDR-18-10633-2023, Shining Star Co-operative Housing Society Limited i.e. the Society granted certain powers to Pranav Constructions Private Limited i.e. the Developer in respect to redevelop the said Property and to enable the Developer to do all such acts matters and things as is necessary for the purpose of redevelopment of the said Property.

m) Further, the concerned authority has issued Intimation of Disapproval (IOD) dated 18th July, 2023 bearing no. P-11253/2022/(FP No. 18-19-79 to 81 and Other)/H/W Ward/Santacruz-HW/IOD/New Dated – 18 July 2023 have been procured in the name of Shining Star Co-operative Housing Society Limited in respect of the said Property. A copy of the Intimation of Disapproval dated 18th July 2023, is hereto annexed as **ANNEXURE "H".**

11. I have examined the title of Pranav Constructions Private Limited to the subject property. I have for the purpose and the course of the said Title Certificate, perused the following copy of the documents:
    a) Shining Star Co-operative Housing Society Limited Registration Certificate dated 29th April 1967 bearing Registration No. BOM/HSG/1383/1967.
    b) Order for Allotment dated 16th January 1970 bearing no. C/LND-II-13.
    c) Certificate of Possession dated 25th August 1970 bearing no. C/LND/D-13
    d) D. P. Remarks dated 8th September 2020, bearing no. Ch.E./ DP34202009111279372, issued by the Municipal Corporation of Greater Mumbai.
    e) Property Registered Card dated 13th August 2021.
    f) Application dated 16th November 2021 to the Office of the District Collector for conversion of the said Land (which is an Occupancy Class – II land) into Occupancy Class – I.

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iv. (a) Search Report dated 7th December 2021 taken by Search Clerk, Rajesh Pawale with the Sub-Registrar's Offices at Bandra (Andheri – 1, 2, 3, 4, 5, 6, 7 & 8) & Mumbai (Old Custom House) for 55 years i.e. 1967 to 2021 and (b) Search Report dated 26th June, 2023 taken by Search Clerk, R. Pawale with the Sub-Registrar's Offices at (Andheri – 1, 2, 3, 4, 5, 6, 7 & 8) and others for the period 2021 to 2023 (2 years).

2. 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 Pranav Constructions Private Limited is clear, marketable and without any encumbrances.

Owners of the land:

i. Shining Star Co-operative Housing Society Limited, a society duly registered under the Maharashtra Co-operative Societies Act, 1960 under Registration No. BOM/HSG/1383/1967 is the owner of the said Land i.e. all that piece and parcel of land bearing Sub Plot nos. 79, 80 and 81 of revised layout approved by Town Planning Department from Final Plot nos. 18 & 19 TPS VI Santacruz, C.T.S. No. 1610/8 admeasuring 2853 square yards i.e. 2385.5 Square metres or thereabouts of Revenue Village and City Survey Vile Parle (West), Taluka Andheri in the Registration District and Sub-District of Mumbai Suburban, in Brihan Mumbai Mahanagarpalika H/W Ward.

ii. Qualifying comments/remarks – The Property Card stands in the name of State Government of Maharashtra and the same needs to be mutated in the name of the Society.

3. The report reflecting the flow of the title of the developer i.e. Pranav Constructions Private Limited development rights with respect to said property is enclosed herewith as **Annexure "1"**.

For J.R. Vakil & Associates

Date: 29th July, 2023

Advocate

Encl : Annexure "1".

J. R. VAKIL & ASSOCIATES
Advocates, High Court
103, Plot No. 58, Joy Villa,
Road No. 4, Jawahar Nagar,
Goregaon (W), Mumbai - 400104.

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TITLE CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

****

1. I have at your request, prepared this certificate of title for Pranav Constructions Private Limited (**"PCPL"**), being the Developer of all that piece and parcel of land bearing Sub Plot nos. 79, 80 and 81 of revised layout approved by Town Planning Department from Final Plot nos. 18 & 19 TPS VI Santacruz, C.T.S. No. 1610/8 admeasuring 2853 square yards i.e. 2385.5 Square metres or thereabouts of Revenue Village and City Survey Vile Parle (West), Taluka Andheri in the Registration District and Sub-District of Mumbai Suburban, in Brihan Mumbai Mahanagarpalika H/W Ward (hereinafter referred to as **"said Land"**) along with a building known as "Shining Star" consisting of (i) 'A' wing having ground plus 2 (Two) upper floors along with a terrace consisting of an aggregate 12 (Twelve) residential flats, (ii) 'B' wing having ground plus 3 (Three) upper floors along with a terrace consisting of an aggregate 8 (Eight) residential flats and (iii) 'C' wing having ground plus 3 (Three) upper floors along with a terrace consisting of an aggregate 8 (Eight) residential flats (hereinafter jointly referred to as the **"said Building")** lying, being and situate at 79, 80, 81, Relief Road, Daulat Nagar, Santacruz (West), Mumbai 400 054 (hereinafter the said Land and said Building is collectively referred to as the "**said Property**").

2. Shining Star Co-operative Housing Society Limited, a society duly registered under the Maharashtra Co-operative Societies Act, 1960 under Registration No. **BOM/HSG/1383/1967** dated 29th April 1967, vide PAN: AADAS3464J (**"Society"**). A copy of the Society Registration Certificate is annexed hereto as **ANNEXURE "A"**.

3. The Property Registered Card dated 13th August 2021 with respect to the said Property stands in the name of State Government of Maharashtra and the same needs to be mutated in the name of the Society. A copy of the Registered Property Card with respect to the said Property is annexed hereto as **ANNEXURE "B"**.

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4. The said Property is not under any reservation under the Development Plan, save and except as stated and shown in the D. P. Remarks dated 8th September 2020, bearing no. Ch.E./DP34202009111279372, issued by the Municipal Corporation of Greater Mumbai ("MCGM"). A copy of D. P. Remarks dated 8th September 2020, along with a coloured plan is annexed hereto as **ANNEXURE "C" (colly)**.

5. The said Land falls under the Town Planning Scheme Santacruz No. VI (1st Variation) (Final) for final plots that has been stated and shown in T.P Remarks dated 3rd February 2022 bearing No. ChE/DP/TPRF202202111372766/TPS/03.02.2022, along with the Plan and Form I enclosed to it. A copy of the Town Planning Scheme Santacruz No. VI (1st Variation) (Final) along with the plan and Form I is for further clarity annexed hereto as **ANNEXURE "D" (colly)**.

6. It appears that one Ms. Archana M. Gawli (Advocate) published Public Notice in two local newspapers namely Free Press Journal (English, Mumbai Edition) dated 24th February 2022 and Navshakti (Marathi, Mumbai Edition) dated 22nd February 2022 inviting claims/objections with respect to investigating the title of Shining Star Co-operative Housing Society Limited to the said Property (collectively referred as **"said Public Notice no. 1"**). The said Ms. Archana M. Gawli (Advocate) vide Letter dated 29th June 2022 (**"said No Claim Letter no. 1"**) have informed that she has not received any claims and/or objection to the said Public Notice no. 1. A copy of the No Claim Letter of Ms. Archana M. Gawli (Advocate) is annexed hereto as **ANNEXURE "E"**.

7. For the purpose of giving this Certificate, I have relied on (a) Search Report dated 7th December 2021 taken by Search Clerk, Rajesh Pawale with the Sub-Registrar's Offices at Bandra (Andheri – 1, 2, 3, 4, 5, 6, 7 & 8) & Mumbai (Old Custom House) for 55 years i.e. 1967 to 2021 and (b) Search Report dated 26th June, 2023 taken by Search Clerk, R. Pawale with the Sub-Registrar's Offices at (Andheri – 1, 2, 3, 4, 5, 6, 7 & 8) and others for the period 2021 to 2023 (2 years). A copy of the aforesaid Search Reports dated 7th December 2021 and 26th June 2023, respectively is annexed hereto as **ANNEXURE "F" (colly)**.

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8. I have caused to be published, Public Notice inviting claims/objections with respect to investigating the title of Pranav Constructions Private Limited as Developer to the said Property, which notices were published in Free Press Journal (English, Mumbai Edition) and in Navshakti (Marathi, Mumbai Edition) both of which were published in their respective issues on 26th June, 2023 **("said Public Notices**). I have not received any claims and/or objection till date pursuant to the said Public Notices. A copy of the said Public Notices and a No Claim Letter dated 26th July 2023 is annexed hereto as **ANNEXURE "G" (colly)**.

9. I am issuing this Title Certificate in furtherance to the Legal Title Certificate dated 29th June 2022 issued by one Ms. Archana M. Gawli (Advocate) with respect to the title of the Society to the said Property and what is stated therein.

10. The facts relating to the said property as they appear from the documents/revenue records available with me are as under:

    a) Government of Maharashtra was well and sufficiently entitled to all that piece and parcel of land bearing Sub Plot nos. 79, 80 and 81 of revised layout approved by Town Planning Department from Final Plot nos. 18 & 19 TPS VI Santacruz, C.T.S. No. 1610/8 admeasuring 2853 square yards i.e. 2385.5 Square metres or thereabouts of Revenue Village and City Survey Vile Parle (West), Taluka Andheri in the Registration District and Sub-District of Mumbai Suburban, in Brihan Mumbai Mahanagarpalika H/W Ward (**"said Land"**).

    b) Shining Star Co-operative Housing Society Limited, a society came to be registered under the provisions of Maharashtra Co-operative Housing Societies Act, 1960 (Maharashtra Act XXIV of 1961) and the rules and regulations as framed thereunder bearing Registration No. BOM/ HSG/ 1383/1967 dated 29th April 1967 ("Society").

    c) The said Land has been granted by the Additional Collectors office to Shining Star Co-operative Housing Society Limited for residential purpose for accommodating its members on payment of occupancy charges vide its order

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for allotment dated 16th January 1970 bearing no. C/LND-II-13 ("said Order") in partial modification of its Order no. C/LND dated 12th November 1966.

d) Further, vide Certificate of Possession dated 25th August 1970 bearing no. C/LND/D-13 by the Additional Collector's Office, the possession of the said Land was handed over to the Society.

e) The building known as "Shining Star" **("the said building")** comprising of 3 wings viz, A wing [Ground plus 2 (Two) Upper floors] along with a terrace, consisting of an aggregate 12 (Twelve) residential flats, B wing [Ground plus 3 (Three) Upper floor] along with a terrace, consisting of an aggregate 8 (Eight) residential flats, C wing [Ground plus 3 (Three) Upper floors] along with a terrace, consisting of an aggregate 8 (Eight) residential flats was constructed and obtained occupation certificate in the year 1975. Various flat purchasers within the said building were allotted units/premises for a valuable consideration and on various terms and conditions and were issued shares vide their respective share certificates by the said Society and were inducted as the registered members of the said Society.

f) Under the circumstances, the Society was granted the said Land subject to the certain terms and conditions and by virtue of the aforesaid Order and pursuant thereto the Society is seized and possessed of and or otherwise well and sufficiently entitled to the said Land along with the said Building (said Land and said Building is collectively referred to as the "**said Property**").

g) Thereafter, the members of the said Society expressed their views and desire to re-develop the said Property through an independent developer. Pursuant thereto, the Society invited offers from various prominent developers pertaining to re-development of the said Property. Thereafter, the developer i.e. Pranav Constructions Private Limited submitted their offer along with the other developers and further vide a Letter of Intent dated 2nd November, 2021, the Society appointed Pranav Constructions Private Limited as developer to undertake the re-development of said Property.

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h) The Revenue and Forest Department by Notification dated 8th March 2019 notified The Maharashtra Land Revenue Rules, 2019 ("Rules") for conversion of Conversion of Occupancy Class – II and Leasehold Lands into Occupancy Class – I Lands. In furtherance of the said Rules, the said Society made requisite Application dated 16th November, 2021 to the Office of the District Collector for conversion of the said Land (which is an Occupancy Class – II land) into Occupancy Class – I land subject to payment of all the requisite conversion premiums/charges and subject to obtaining the final order issued from the office of the Collector for conversion of the said Land into Occupancy Class – I land.

i) Vide an Application dated 16.11.2021 and 29.3.2023 the Shining Star CHSL had preferred an application for conversion of the land in their possession, from CLASS II to CLASS I Freehold Land. Further, vide an Order dated 29.05.2023, the Collector Mumbai Suburban, allowed the said conversion subject to payment of premium of Rs. 4,17,83,225 /- (Rupee Four Crores Seventeen Lakh Eighty-Three Lakh Two Hundred and Twenty Five Only). Accordingly, the necessary payment of the aforesaid premium amount was made and pursuant thereto the Collector, Mumbai Suburban, vide an order dated 02.06.2023, have allowed the conversion of the said land from Class II to Class I.

j) By and under Development Agreement dated 16th June, 2023, entered into by and between (1) Shining Star Co-operative Housing Society Limited (therein referred to as "Society") of the First Part, (2) Mrs. Sunanda G. Kudchadkar & Others (therein collectively referred to as "the Confirming Parties/Executing Members") and (3) Pranav Constructions Private Limited (therein referred to as "the Developer") of the Third Part, duly registered on 16th June, 2023 with the office of the Sub-Registrar of Assurances at Mumbai under Serial No.BDR18-10631-2023 (hereinafter to be referred to as the **"Development Agreement"**), the Society for itself and for/on behalf of its members granted absolute redevelopment rights to the Developer i.e., Pranav Constructions Private Limited to re-develop the said Property, for the consideration and on the terms and conditions as mentioned therein.

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k) Under the abovementioned circumstances, Pranav Constructions Private Limited became entitled to redevelopment rights with respect to the said Property.

l) By and under a Power of Attorney dated 16.6.2023, duly registered with the Sub-Registrar of Assurances at Mumbai bearing Serial No.BDR-18-10633-2023, Shining Star Co-operative Housing Society Limited i.e. the Society granted certain powers to Pranav Constructions Private Limited i.e. the Developer in respect to redevelop the said Property and to enable the Developer to do all such acts matters and things as is necessary for the purpose of redevelopment of the said Property.

m) Further, the concerned authority has issued Intimation of Disapproval (IOD) dated 18th July, 2023 bearing no. P-11253/2022/(FP No. 18-19-79 to 81 and Other)/H/W Ward/Santacruz-HW/IOD/New Dated – 18 July 2023 have been procured in the name of Shining Star Co-operative Housing Society Limited in respect of the said Property. A copy of the Intimation of Disapproval dated 18th July 2023, is hereto annexed as **ANNEXURE "H".**

11. I have examined the title of Pranav Constructions Private Limited to the subject property. I have for the purpose and the course of the said Title Certificate, perused the following copy of the documents:

a) Shining Star Co-operative Housing Society Limited Registration Certificate dated 29th April 1967 bearing Registration No. BOM/HSG/1383/1967.

b) Order for Allotment dated 16th January 1970 bearing no. C/LND-II-13.

c) Certificate of Possession dated 25th August 1970 bearing no. C/LND/D-13

d) D. P. Remarks dated 8th September 2020, bearing no. Ch.E./ DP34202009111279372, issued by the Municipal Corporation of Greater Mumbai.

e) Property Registered Card dated 13th August 2021.

f) Application dated 16th November 2021 to the Office of the District Collector for conversion of the said Land (which is an Occupancy Class – II land) into Occupancy Class – I.

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g) Search Report dated 7th December 2021 taken by Search Clerk, Rajesh Pawale with the Sub-Registrar's Offices at Bandra (Andheri – 1, 2, 3, 4, 5, 6, 7 & 8) & Mumbai (Old Custom House) for 55 years i.e. 1967 to 2021.

h) T.P Remarks dated 3rd February 2022 bearing No. ChE/ DP/ TPRF202202111372766/ TPS/03.02.2022.

i) No Claim Letter dated dated 29th June 2022 of Adv. Ms. Archana Gawli

j) Development Agreement dated 16th June, 2023 under Serial No. BDR18-10631-2023.

k) Power of Attorney dated 16.06.2023, duly registered with the Sub-Registrar of Assurances at Mumbai bearing Serial No. BDR-18-10633-2023.

l) Search Report dated 26th June 2023 taken by Search Clerk, R. Pawale with the Sub-Registrar's Offices at (Andheri – 1, 2, 3, 4, 5, 6, 7 & 8) and others for the period 2021 to 2023 (2 years).

m) Intimation of Disapproval (IOD) dated 18th July, 2023 bearing no. P-11253/2022/(FP No. 18-19-79 to 81 and Other)/H/W Ward/Santacruz-HW/IOD/New Dated – 18 July 2023

12. Generally, this title certificate is issued based on the copies of the document perused by me and the same is on the assumption:

a) That the legal capacity of all natural persons, genuineness of all signatures, authenticity of all documents submitted to me as certified or photocopies.

b) That there have been no amendments or changes to the documents examined by me.

c) The accuracy and completeness of all the factual representations made in the document.

13. For the purpose of this Title Certificate, I have relied on the following:

a) Information relating to lineage on the basis of the revenue records as well as the copies of the documents and information provided to me.

b) The Property card in respect of the said Property.

14. I am not certifying the boundaries of the property and/or physical condition of the said Property since I have not visited the said Property.

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15. This Title Certificate has been given at your request and prepared on the basis of the said documents, papers and revenue records that have been furnished to me and presuming the contents of the said documents, papers and revenue records are true and correct. I take no responsibility for not having envisaged in this Title Certificate the contents of the documents, writings or revenue records that may relate to the said property, but which have not been provided to me for my perusal.

16. A determination, opinion or the like will not be binding on any Indian Court or any arbitrator or judicial or regulatory body which would have to be independently satisfied, despite any provisions in the documents to the contrary.

17. This opinion is limited to the matters pertaining to Indian Law (as on the date of this opinion) alone and I express no opinion on laws of any other jurisdiction.

18. Pursuant to what is stated above and based on various documents provided to me and perused by me, in my opinion the title of Pranav Constructions Private Limited as the Developer with respect to the said property is clear and marketable.

Dated this 29th July 2023

Yours faithfully

J. R. VAKIL & ASSOCIATES

Advocate

J. R. VAKIL & ASSOCIATES
Advocates, High Court
103, Plot No. 58, Joy Villa,
Road No. 4, Jawahar Nagar,
Goregaon (W), Mumbai - 400104.