

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
Maharashtra Real Estate Regulatory Authority
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 C.T.S. No. G-92 corresponding to Final Plot No. 28 of TPS Santacruz No. II of Village Bandra "G", Taluka Andheri in the Registration District and Sub-District of Mumbai City and Mumbai Suburban admeasuring 1028 square metres or thereabouts (as per Town Planning Scheme Remarks of TPS Santacruz No. II (2nd Variation) (Final) and 1287.6 square meters or thereabouts (as per Property Registered Card) situated at Juhu Road, Santacruz (West), Mumbai - 400054, (hereinafter referred to as **the "said Land"**) together with the building known as **"Samrat"** comprising of two wings viz., A and B, both having ground floor *plus* 3 (three) upper floors and comprising a total of 18 (eighteen) residential flats therein, (hereinafter referred to as **the "said Building"**) and 2 (two) closed garages and ancillary structures such as pump room, meter room, etc. standing thereon (hereinafter referred to as **the "said Structures"**) and the said Land, the said Building, the said Structures are collectively referred to as the **"said Property"**).

1. I have investigated the title of the said Property on instructions of our client Pranav Constructions Private Limited ("**PCPL**" or "**Developer**"), a Private Limited Company, duly registered and incorporated under the Companies Act, 1956 and validly existing under the provisions of Companies Act, 2013, bearing CIN No. U70101MH2003PTC141547, having its registered office address at 1001, DLH Park, S.V. Road, Opp. Goregaon MTNL, Goregaon (W), Mumbai – 400062 and following documents i.e. :-



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- i. All that piece and parcel of land bearing C.T.S. No. G-92 corresponding to Final Plot No. 28 of TPS Santacruz No. II of Village Bandra "G", Taluka Andheri in the Registration District and Sub-District of Mumbai City and Mumbai Suburban admeasuring 1028 square metres or thereabouts (as per as per Town Planning Scheme Remarks of TPS Santacruz No. II (2nd Variation) (Final) and 1287.6 square meters or thereabouts (as per Property Registered Card) situated at Juhu Road, Santacruz (West), Mumbai - 400054, , (hereinafter referred to as **the "said Land"**) together with the building known as **"Samrat"** comprising of two wings viz., A and B, both having ground floor *plus* 3 (three) upper floors and comprising a total of 18 (eighteen) residential flats therein, (hereinafter referred to as **the "said Building"**) and 2 (two) closed garages and ancillary structures such as pump room, meter room, etc. standing thereon (hereinafter referred to as **the "said Structures"** and the said Land, the said Building, the said Structures are collectively referred to as the **"said Property"**).
- ii. By and under a Development Agreement dated 16th September, 2022 entered into by and between (1) Samrat Cooperative Housing Society Limited (therein referred to as "Society") of the First Part, (2) Tejas Prakash Dharia & Others (therein referred to as "Executing Members") and (3) Pranav Constructions Private Limited (therein referred to as "Developers") of the Third Part, duly registered on 6th October, 2022 with the Sub-Registrar of Assurances at Mumbai bearing Serial No.BDR18-16851-2022 (hereinafter to be referred to as **the "Development Agreement"**), wherein the said 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.
- iii. Further, vide Supplemental Agreement dated 12th October, 2022, executed between (1) Samrat Co-operative Housing Society Limited ("Society") of the First Part, (2) Mukesh M. Shah and Zarna M. Shah ("Members") of the Second Part and (3) Pranav Constructions Private Limited ("Developer") of the Third Part, duly registered on 12th October, 2022 with the Sub-Registrar of Assurances at Mumbai bearing Serial No.BDR18-17186-2022 ("herein referred to as **"Supplemental Deed"**), wherein Mukesh Shah and Zarna Shah, the members for Flat No. B-7, being unavailable for execution of the aforesaid



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Development Agreement dated 16th September, 2022 have executed and registered the Supplemental Deed viz., have given their unconditional consent for the appointment of the Developer to undertake the redevelopment of the said Property and the same to be read with the Development Agreement dated 16th September 2022 and also confirmed the terms and conditions as mentioned in the Development Agreement dated 16th September, 2022.

- iv. By and under a Power of Attorney dated 12th October, 2022, duly registered with the Sub-Registrar of Assurances at Mumbai bearing Serial No.BDR18-17185-2022, wherein Samrat 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.
 - v. The Property Registered Card dated 25th February, 2019 with respect to the said Property.
 - vi. I have been furnished with a copy of Search Report dated 13.05.2022 with respect to the said Property issued by Search Clerk, Vishwas J. Daware with the Sub-Registrar's Offices at Mumbai, Bandra, Andheri for 88 years i.e. 1935 to 2022.
 - vii. I have been furnished with a copy of Search Report dated 09.05.2023 with respect to the said Property issued by Search Clerk, Yogesh Sane with the Sub-Registrar's Offices at Andheri – 1,2 and others for the period 2022 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 as a Developer is clear, marketable and without any encumbrances.

Owners of the land:



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- i. Samrat Co-operative Housing Society Limited, a society duly registered under the Maharashtra Co-operative Societies Act, 1960 under Registration No. **BOM/HSG/1377/1967** dated 17th April 1967, vide PAN: AACAS0150Q ("**said Society**") is the owner of the said Land.
 - ii. Qualifying comments/remarks – The Property Card stands in the name of Samrat Co-operative Housing Society Limited.
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



Advocate

Date: 16th October, 2023

Encl : Annexure "1".

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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**TITLE CERTIFICATE****TO WHOMSOEVER IT MAY CONCERN**

Ref: All that piece and parcel of land bearing C.T.S. No. G-92 corresponding to Final Plot No. 28 of TPS Santacruz No. II of Village Bandra "G", Taluka Andheri in the Registration District and Sub-District of Mumbai City and Mumbai Suburban admeasuring 1028 square metres or thereabouts (as per Town Planning Scheme Remarks of TPS Santacruz No. II (2nd Variation) (Final) and 1287.6 square meters or thereabouts (as per Property Registered Card) situated at Juhu Road, Santacruz (West), Mumbai - 400054, (hereinafter referred to as **the "said Land"**) together with the building known as **"Samrat"** comprising of two wings viz., A and B, both having ground floor *plus* 3 (three) upper floors and comprising a total of 18 (eighteen) residential flats therein, (hereinafter referred to as **the "said Building"**) and 2 (two) closed garages and ancillary structures such as pump room, meter room, etc. standing thereon (hereinafter referred to as **the "said Structures"**) and the said Land, the said Building, the said Structures are collectively referred to as the **"said Property"**).

1. I have at your request, prepared this certificate for Pranav Constructions Private Limited (PCPL), being the Developer of all that piece and parcel of land bearing C.T.S. No. G-92 corresponding to Final Plot No. 28 of TPS Santacruz No. II of Village Bandra "G", Taluka Andheri in the Registration District and Sub-District of Mumbai City and Mumbai Suburban admeasuring 1028 square metres or thereabouts (as per as per Town Planning Scheme Remarks of TPS Santacruz No. II (2nd Variation) (Final) and 1287.6 square meters or thereabouts (as per Property Registered Card) situated at Juhu Road, Santacruz (West), Mumbai - 400054, , (hereinafter referred to as **the "said Land"**) together with the building known as **"Samrat"** comprising of two wings viz., A and B, both having ground floor *plus* 3 (three) upper floors and comprising a total of 18 (eighteen) residential flats therein, (hereinafter referred to as **the "said Building"**) and 2 (two) closed garages and ancillary structures such as pump room, meter room, etc. standing thereon (hereinafter referred to as **the "said Structures"**) and the said Land, the said Building, the said Structures are collectively referred to as the **"said Property"**) to redevelop the above referred property.



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2. Samrat Co-operative Housing Society Limited, a society duly registered under the Maharashtra Co-operative Societies Act, 1960 under Registration No. **BOM/HSG/1377/1967** dated 17th April 1967, vide PAN: AACAS0150Q ("**said Society**"). A copy of the Society Registration Certificate is annexed hereto as **ANNEXURE "A"**.
3. The Property Registered Card dated 25th February, 2019 with respect to the said Property stands in the name of Samrat Co-operative Housing Society Limited i.e. the said Society. A copy of the Property Card with respect to the said Property is annexed hereto as **ANNEXURE "B"**.
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 22nd September 2021, bearing no. Ch.E./DP34202109111345819, issued by the Municipal Corporation of Greater Mumbai ("**MCGM**"). A copy of D. P. Remarks dated 22nd September 2021, along with a coloured plan is annexed hereto, and marked as **ANNEXURE "C" (colly)**.
5. The said Land falls under the Town Planning Scheme Santacruz No. II (2nd Variation) (Final) for F. P. No. 28 that has been stated and shown in T.P Remarks dated 29th September 2021 bearing No. ChE/DP/TPRF202109111345823/TPS/29.09.2021, along with the Plan and Form I enclosed to it. A copy of the Town Planning Scheme Santacruz No. II (2nd Variation) (Final) along with the plan and Form I is for further clarity annexed hereto as **ANNEXURE "D" (colly)**.
6. One J & G Associates (Advocates) published (a) Public Notice dated 13th August, 2022 in Free Press Journal (English, Mumbai Edition) and in Navakal (Marathi, Mumbai Edition) inviting claims/objections with respect to investigating the title of Original Conveyance Deed of the said Property which had lost/misplaced by the said Society and was not traceable by the said Society and (b) Public Notice dated 19th August, 2022 in Free Press Journal (English, Mumbai Edition) and in Navakal (Marathi, Mumbai Edition) inviting claims/objections with respect to investigating the title of Samrat Co-operative Housing Society Limited i.e. the said Society to the said Property (collectively referred as "**said Public Notices 1**"). The said J & G Associates (Advocates) vide both their Letters dated 10th



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September, 2022 bearing reference nos. No Claims/1/2022 and No Claims/2/2022 ("said No Claim Letters 1") have informed that they have not received any claims and/or objection to the said Public Notices 1. A copy of the said Public Notices 1 and a No Claim Letters 1 is annexed hereto as **ANNEXURE "E"** (colly).

7. For the purpose of giving this Certificate, I have relied on Search Reports (a) Dated 13.05.2022 taken by Search Clerk, Vishwas J. Daware with the Sub-Registrar's Offices at Mumbai, Bandra, Andheri for 88 years i.e. 1935 to 2022 and (b) Dated 09.05.2023 taken by Search Clerk, Yogesh Sane with the Sub-Registrar's Offices at Andheri – 1, 2 and others for the period 2022 to 2023 (2 years). A copy of the aforesaid Search Reports dated 13.05.2022 and 09.05.2023, respectively is annexed hereto as **ANNEXURE "F"** (colly).
8. I have published Public Notices inviting claims/objections with respect to investigating the title 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 04th May, 2023 ("**said Public Notices 2**"). I have not received any claims and/or objection till date pursuant to the said Public Notices 2. A copy of the said Public Notices 2 and a No Claim letter dated 2nd June 2023 is annexed hereto as **ANNEXURE "G"** (colly).
9. I am issuing this Title Certificate in furtherance to the Legal Title Certificate dated 10th September, 2022 bearing no. Title Certificate/7/2022 issued by one J & G Associates (Advocates) with respect to the title of the said Society to the said Property and what is stated therein. A copy of the said Title Certificate dated 10th September, 2022 is annexed hereto as **ANNEXURE "H"**.
10. The facts relating to the said property as they appear from the documents/revenue records available with me are as under:
 - i. On perusal of the Legal Title Certificate dated 10th September, 2022 bearing no. Title Certificate/7/2022 issued by one J & G Associates (Advocates), it appears that M/s. New Builders constructed the said Building and/or the said Structures on the said Land and further



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understand that by executing various deeds/documents, M/s. New Builders sold and transferred such units/garages in the said Building/Structures standing on the said Land to various individual purchasers/allottees for a valuable consideration and on the terms and conditions recorded therein.

- ii. Further, it appears that the purchasers/allottees of units and/or garages in the said Building/said Structures together formed a society under the name and style of Samrat Co-operative Housing Society Limited, 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/1377/1967 and all the purchasers/allottees of various premises were admitted as the members of the said Society and were issued shares thereof.
- iii. Further, it appears that by an Indenture dated 10th February 1968 made and executed between (1) M/s New Builders ("the Vendors" therein) and (2) Samrat Co-operative Housing Society Limited ("the Purchasers therein"), the Vendors did thereby sell, grant, transfer, convey, assign and assure the said Property to the Purchasers for a consideration and on the terms and conditions as set out therein. Further, the name of Samrat Co-operative Housing Society Limited was recorded in the Property Card dated 12.12.1975 as owner of the said property.
- iv. In view of the aforesaid, the Society i.e., Samrat Co-operative Housing Society Limited became the owner of and / or seized and possessed of or otherwise is well and sufficiently entitled to the said property.
- v. Thereafter, the said Society proposed to re-develop the said Property through a Developer and further by a Letter of Intent dated 4th September, 2021 appointed Pranav Constructions Private Limited as developer to re-develop the said Property.
- vi. By and under a Development Agreement dated 16th September, 2022 entered into by and between (1) Samrat Cooperative Housing Society Limited (therein referred to as "Society") of the First Part, (2) Tejas Prakash Dharla & Others (therein referred to as "Executing



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Members") and (3) Pranav Constructions Private Limited (therein referred to as "Developers") of the Third Part, duly registered on 6th October, 2022 with the Sub-Registrar of Assurances at Mumbai bearing Serial No.BDR18-16851-2022 (hereinafter to be referred to as the "**Development Agreement**"), wherein the said 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.

- vii. Further, vide Supplemental Agreement dated 12th October, 2022, executed between (1) Samrat Co-operative Housing Society Limited ("Society") of the First Part, (2) Mukesh M. Shah and Zarna M. Shah ("Members") of the Second Part and (3) Pranav Constructions Private Limited ("Developer") of the Third Part, duly registered on 12th October, 2022 with the Sub-Registrar of Assurances at Mumbai bearing Serial No BDR18-17186-2022 ("herein referred to as "**Supplemental Deed**"), wherein Mukesh Shah and Zarna Shah, the members for Flat No. B-7, being unavailable for execution of the aforesaid Development Agreement dated 16th Septmeber, 2022 have executed and registered the Supplemental Deed viz., have given their unconditional consent for the appointment of the Developer to undertake the redevelopment of the said Property and the same to be read with the Development Agreement dated 16th September 2022 and also confirmed the terms and conditions as mentioned in the Development Agreement dated 16th September, 2022.
- viii. By and under a Power of Attorney dated 12th October, 2022, duly registered with the Sub-Registrar of Assurances at Mumbai bearing Serial No.BDR18-17185-2022, wherein Samrat Co-operative Housing Society Limited i.e. the Society granted ceratin 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.
- ix. Under the abovementioned circumstances, Pranav Constructions Private Limited became entitled to redevelopment rights with respect to the said Property.



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11. Thereafter, I have been informed that the concerned authorities have also issued following permissions and approvals, which have been perused by me.

- a) Intimation of Disapproval (IOD) dated 29th May, 2023 bearing no.P-12952/2022/(28)/H/W Ward/FP/IOD/1/New have been procured in the name of Samrat Co-operative Housing Society Limited in respect of the said Property. A copy of the Intimation of Disapproval dated 29th May, 2023, is hereto annexed as **ANNEXURE "I"**.
- b) Save and except as stated therein, D. P. Remarks dated 22nd September 2021, bearing no. Ch.E./DP34202109111345819 do not show any reservation.
- c) T.P. Remarks dated 29th September 2021 bearing No. ChE/DP/TPRF20210911 1345823/TPS/29.09.2021.
- d) No objection Certificate for Height Clearance dated 26.05.2022 is annexed hereto as **ANNEXURE "J"**.

12. 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) Society Registration Certificate dated 17th April, 1967 of Samrat Co-operative Housing Society Limited.
- b) Property Registered Card dated 25th February, 2019.
- c) D. P. Remarks dated 22nd September 2021, bearing no. Ch.E./DP342021091 11345819.
- d) T.P. Remarks dated 29th September 2021 bearing No. ChE/DP/TPRF20210911 1345823/TPS/29.09.2021.
- e) Public Notice dated 13th August, 2022 in Free Press Journal (English, Mumbai Edition) and in Navakal (Marathi, Mumbai Edition).
- f) Public Notice dated 19th August, 2022 in Free Press Journal (English, Mumbai Edition) and in Navakal (Marathi, Mumbai Edition).
- g) No Claim Letter dated 10th September, 2022 bearing reference nos. No Claims/1/2022.
- h) No Claim Letter dated 10th September, 2022 bearing reference nos. No Claims/1/2022 and No Claims/2/2022.
- i) Search Report dated 13.05.2022 taken by Search Clerk, Vishwas J. Daware with the Sub-Registrar's Offices at Mumbai, Bandra, Andheri for 88 years i.e. 1935 to 2022.



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- j) Search Report dated 09.05.2023 taken by Search Clerk, Yogesh Sane with the Sub-Registrar's Offices at Andheri – 1, 2 and others for the period 2022 to 2023 (2 years).
 - k) Public Notice dated 04th May, 2023, published in Free Press Journal (English, Mumbai Edition) and in Navshakti (Marathi, Mumbai Edition).
 - l) Legal Title Certificate dated 10th September, 2022 bearing no. Title Certificate/7/2022 issued by one J & G Associates (Advocates) with respect to the title of the said Society to the said Property.
 - m) Development Agreement dated 16th September, 2022 entered into by and between (1) Samrat Cooperative Housing Society Limited (therein referred to as "Society") of the First Part, (2) Tejas Prakash Dharia & Others (therein referred to as "Executing Members") and (3) Pranav Constructions Private Limited (therein referred to as "Developers") of the Third Part, duly registered on 6th October, 2022 with the Sub-Registrar of Assurances at Mumbai bearing Serial No.BDR18-16851-2022.
 - n) Supplemental Agreement dated 12th October, 2022, executed between (1) Samrat Co-operative Housing Society Limited ("Society") of the First Part, (2) Mukesh M. Shah and Zarna M. Shah ("Members") of the Second Part and (3) Pranav Constructions Private Limited ("Developer") of the Third Part, duly registered on 12th October, 2022 with the Sub-Registrar of Assurances at Mumbai bearing Serial No BDR18-17186-2022.
 - o) Power of Attorney dated 12th October, 2022, duly registered with the Sub-Registrar of Assurances at Mumbai bearing Serial No.BDR18-17185-2022.
13. Generally this title certificate is issued on the basis of 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.
14. 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



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15. 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.
16. 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.
17. 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.
18. 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.
19. 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 13th June, 2023

Yours faithfully

J. R. VAKIL & ASSOCIATES



Advocate