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FORMAT-A

(CIRCULAR NO. 28/2021)

To,

Maha RERA,

BKC, Housefin Bhavan, Near RBI,

Plot no. C-21, E Block,

Bandra Kurla Complex, Bandra East,

Mumbai, Maharashtra 400 051.

TITLE REPORT

Sub: ALL THAT piece or parcel of land being Plot No. B bearing, CTS No. 68/C/3/A admeasuring 2860.13 sq. mts. (out of the larger layout bearing CTS 68/C/3A, 68/C/3B, 92/C, 68/C/2 admeasuring 7381.4 sq mtr) or thereabouts plus the proportionate benefit existing D P road area, set back area and incidental benefit at common R G portion (*as per the Registered Deemed Conveyance Deed dated 20.04.2015*) of revenue Village Valanai, Taluka Borivali, in the Registration District and Sub-District of Mumbai City and Mumbai Suburban, lying and being situated at Shankar Lane, Kandivali (West), Mumbai-400 067., **TOGETHERWITH** the building thereon (*now demolished*) known as **G. K. NAGAR NO. 2 CO-OPERATIVE HOUSING SOCIETY LTD.,** which was consisting of two wings i.e. "A wing" comprising of Stilt plus Seven upper floors and "B wing" comprising of Stilt plus Four upper floors, further comprising of 55 Flats and standing on the said Land and situated at Shankar Lane, Kandivali West, Mumbai – 400 067 (*hereinafter called and referred to as "**the said property**"*).

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We are investigating the Title in respect of the abovesaid property on request of our client **CHANDRAKOSHA KONSTRUCTIONS PRIVATE LIMITED**, (*hereinafter referred to as "**Our Client**"*) having registered office at 702, Om Asha Niketan Chs Ltd Jitendra Cross Road, Malad (East) Mumbai-400097., the documents are as follows:

1. DESCRIPTION OF THE SAID PROPERTY AS FOLLOWS:

ALL THAT piece or parcel of land being Plot No. B bearing, CTS No. 68/C/3/A admeasuring 2860.13 sq. mts. or thereabouts plus the proportionate benefit existing D P road area, set back area and incidental benefit at common R G portion (as per the Registered Deemed Conveyance Deed dated 20.04.2015) of revenue Village Valanai, Taluka Borivali, in the Registration District and Sub-District of Mumbai City and Mumbai Suburban, lying and being situated at Shankar Lane, Kandivali (West), Mumbai-400 067., **TOGETHERWITH** the building thereon (now demolished) known as **G. K. NAGAR NO. 2 CO-OPERATIVE HOUSING SOCIETY LTD., w**hich was consisting of two wings i.e. "A wing" comprising of Stilt plus Seven upper floors and "B wing" comprising of Stilt plus Four upper floors, further comprising of 55 Flats and standing on the said Land and situated at Shankar Lane, Kandivali West, Mumbai – 400 067.

2. THE DOCUMENT OF ACQUISITION OF THE SAID PROPERTY:

i. The **G. K. NAGAR NO. 2 CO-OPERATIVE HOUSING SOCIETY LTD.,** is well seized and possessed or otherwise sufficiently entitled as the Owner in respect of the said Property;

ii. By and under the Development Agreement dated 28.01.2023 registered with Sub-registrar of Assurance at Borivali Mumbai, under Sr. No 2183/2023 dated 07.02.2023 made and entered into between the said Society (*therein also referred to as the Society*) of the First part, our client herein (*therein also referred to as the Developer*) of the Second Part and Dhaval Shailesh Kapasi & Ors., and the being the members of the said Society (*therein also referred to as the Members*) of the Third Part, the Society with the consent and confirmation of its Members have granted the right of development of the said property, unto and in favour of Our

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client to develop the said property by demolishing the existing building on the said Property and constructing the New Residential Building at and for consideration and on the terms and conditions more particularly recorded therein.

iii. By and under Power of Attorney dated 03.02.2023 in order to obtain various permissions and sanctions from the M.C.G.M. and other concerned authorities and also for the development of the said Property in favour of our client. The said Society had granted power to Our Client for Development of the said property.

3. 7/12 EXTRACT OR PROPERTY REGISTRATION CARD OF THE SAID PROPERTY:

a) As per Property Card of the said property bearing CTS No. 68/C/3/A, admeasuring 2860.13 sq. mtrs., of Village Valanai, Taluka Borivali.

b) The property card reflects the name of the Society viz. **G.K. Nagar No.2 Co Operative Housing Society Ltd.**

4. SEARCH AT THE OFFICE OF THE SUB-REGISTRAR OF ASSURANCES, MUMBAI:

- Our Client have instructed us to take the notes of search dated 10.08.2022 for the period of 30 years from the year 1993 to 2023. Upon the instructions of our client we have also caused to issue a public notice dated 13.09.2022 and accordingly, a no claim certificate was issued on 28.09.2022.
- On perusal of the above-mentioned documents and all other relevant documents relating to title of the said property we are of the opinion that the redevelopment title of our client, is clear, marketable and without any encumbrances.

6. OWNER OF THE LAND:

G. K. NAGAR NO. 2 CO-OPERATIVE HOUSING SOCIETY LTD., is well seized and

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possessed or otherwise well and sufficiently entitled as the Owner in respect of **ALL THAT** piece or parcel of land being Plot No. B bearing, CTS No. 68/C/3/A admeasuring 2860.13 sq. mts. or thereabouts plus the proportionate benefit existing D P road area, set back area and incidental benefit at common R G portion (*as per the Registered Deemed Conveyance Deed dated 20.04.2015*) of revenue Village Valanai, Taluka Borivali, in the Registration District and Sub-District of Mumbai City and Mumbai Suburban, lying and being situated at Shankar Lane, Kandivali (West), Mumbai-400 067., **TOGETHERWITH** the building thereon known as **G. K. NAGAR NO. 2 CO-OPERATIVE HOUSING SOCIETY LTD. w**hich was consisting of two wings i.e. "A wing" comprising of Stilt plus Seven upper floors and "B wing" comprising of Stilt plus Four upper floors, further comprising of 55 Flats and standing on the said Land and situated at Shankar Lane, Kandivali West, Mumbai – 400 067.

The said Property forms a part of entire Layout bearing CTS Nos. bearing CTS 68/C/3A, 68/C/3B, 92/C, 68/C/2 admeasuring 7381.4 sq mtr) of village Valnai, at Shankar Lane, Kandivli (W), Taluka Borivali, Bombay Subarban District and sub-District. As sanctioned by MCGM under file no. IOD / Layout CHE/WSII/0661/P/337(NEW)/IOD/1/New the latest amendment plan of the layout the bifurcation of the area and the proportionate FSI which were accepted by all the landowners are as under:

Sr.	CTS No.	Plot Area (as per PR Card)	15% R.G.	Net Plt Area	Bldg No.	Built up area as per OCC plan	Proportionate DP road/ setback area	Gross Plot Area as oer FSI Consumed till finalization of EP27	Amenity as per Reg. 14(A)	Balance Plot Area	50% Additional FSI	Admissible TDR
1.	68 C/3A	4681.60	720.24	3979.36	1	3334.84	195.64	2897.01	144.85	2752.17	1376.09	1761.06
					2	2860.13	167.75	2484.65	124.23	2360.42	1180.20	1510.46
2.	68 C/3B	2196.00	329.40	1866.60	3	1454.92	85.34	1263.90	63.20	1200.70	600.35	768.30
3.	92/C	420.60	63.09	357.51	4	228.65	13.41	198.63	9.93	188.70	94.35	120.79
4.	68 C/2	83.20	12.48	70.72	STR	80.94	4.75	70.31	3.52	66.79	33.40	42.68
Total		7381.40	1107.21	6274.19	5	7959.48	466.90	6914.50	345.73	6568.77	3284.39	4203.29
Ratio of BUA as per OCC to plot area					7959.48		1.0783					
As pe PR Card					7381.40							

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Accordingly, as per sanctioned layout Plan, Promoter is entitled to develop the said property i.e. CTS No. 68/C/3/A admeasuring 2860.13 sq. mts. as mentioned hereinabove out of larger layout bearing 68/C/3/A, 68/C/3/B, 92/C, 68/C/2 admeasuring 7381.40 sq. mts.

3/- The Report reflecting the flow of the Title in respect of the said property is enclosed as Annexure.

Encl: Annexure

Dated: 01.10.2023

Place: Mumbai

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Yours Faithfully,

For Prime Legem

Advocate High Court,

ANNEXURE

FLOW OF THE TITLE OF THE SAID PROPERTY

a. At all the material time, (1) Mr. John Felix Pereira, (2) Mr. Thomas Eustace Pereira, (3) Mr. Hubert Pereira (4) Mr. Andrew Pereira, (5) Mrs. Angelina D' Lima nee Miss. Angelina Pereira, (6) Mr. Adrian Pereira, (7) Mr. Gerard Pereira, (8) Miss. Gilray Rose Pereira, (9) Mrs. Christina Maria nee Miss Christiana Pereira, (10) Mrs. Lueba Maria nee Miss Lueba Pereira (11) Miss Muriel Rose Pereira, (12) Mrs. Lalita Casteliao nee Miss Lalita Pereira, (13) Miss Rumila D'cruz, (14) Mrs. Kate Pereira (15) Ms. Nita Pereira, (16) Mr. Dilip Pereira, (17) Mrs. Olive Irein nee Miss. Olive Pereira (18) Mr. Dicky Pereira (*hereinafter referred to as the said "**Erstwhile Owners**"*) were the owners with respect to ALL that piece or parcel of land bearing Survey No. 7 Hissa No. 5 (part), Survey No. 58 Hissa No. 3 (part) & 8 (part) and Survey No. 8 Hissa no. 1 (part) admeasuring 12,240 Sq. meters or thereabout of Revenue Village Valanai, Taluka Borivali, Mumbai Suburban District situated at Shankar Lane, Kandivali (west), Mumbai – 400 067; (*hereinafter referred to as the **"said Entire Layout"***)

b. By and under Development Agreement dated 4th July, 1980 read with diverse deeds of Confirmations/Declarations, made and entered between the said Erstwhile Owners and Mr. Satish Jamnadas Dattani, the said Erstwhile Owners have granted Development Right in respect of the area admeasuring 9,196 sq. mts. out of the said entire Layout i.e. ALL THAT piece or parcel of land bearing CTS No. 67,68 & 92 (part) now bearing CTS No. 67/A, 67/B, 67/C/1, 67/C/2, 68/A, 68/B, 68/C/1, 68/C/2, 68/C/3, 92/A, 92/B and 92/C admeasuring 9,196 Sq. meters or thereabout of Revenue Village Valanai, Taluka Borivali, Mumbai Suburban District situated at Shankar Lane, Kandivali (west), Mumbai – 400 067 (*hereinafter referred to as the said "**Larger Property**"*) unto and in favor of the said Mr. Satish Jamnadas Dattani for the price and the consideration and upon the terms and conditions more particularly mentioned therein;

c. By and under an Agreement dated 12th August 1981, made and entered between the said Satish Jamnadas Dattani of First part and M/s G.K. Development Corporation (*hereinafter referred to* as *"**the said Erstwhile Developer**"*), of Other Part. The said Satish Jamnadas Dattani have transfer and assigned the development rights in respect of the said Larger

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Property to said Erstwhile Developer, for the price and consideration and upon the terms and conditions more particularly mentioned therein;

d. The said Erstwhile Developer has got the plan sanctioned under file no. E.B./CE/4530/BS II/AR for Development and constructed on the land bearing ALL THAT piece or parcel of land or ground Plot No. B, bearing CTS No. 68/C/3/A admeasuring 2860.13 sq. mts. or thereabouts together with benefits of the existing D.P. Road now bearing CTS No. 68/B and incidental benefits of common 'R.G.' portion (forming the part and parcel of the approved layout of the said larger property) of Revenue Village Valanai, Taluka Borivali, Mumbai Suburban District situated at Shankar Lane, Kandivali (west), Mumbai – 400 067 (*hereinafter referred to as the "**said Land**"*) a building known as "**G. K. NAGAR NO.2**" consisting of two wings "A wing" comprising of Stilt plus Seven upper floors and "B wing" comprising of Stilt plus Four upper floors, Further comprising of 55 Flats and based on which the entire building was developed (*hereinafter referred to as the said Building*); (*The said Land and the said Building individually, hereinafter shall be collectively referred to as the "**said Property**);*

e. The building was ready in all respect under file no. E.B./CE/4530/BS II/AR and accordingly the Flats were allotted to 55 Members with total area of 2575.27 sq. Mtrs. carpet area;

f. The respective Purchasers of the said Flats in the said building have come together and have formed Co-Operative Housing Society under the name and style of as **G. K. NAGAR NO. 2 CO-OPERATIVE HOUSING SOCIETY LTD.**, formed and registered under the provisions of Maharashtra Co-operative Societies Act, 1960, and under Registration No. BOM/WR/HSG/TC/3833/1988-1989 dated 28.11.1988 having its Registered office at Shankar Lane, Kandivali West, Mumbai – 400 067 (*hereinafter referred to as the said **Society***);

g. Under the provisions of the Maharashtra Ownership Flats (Regulation of the Promotion of

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Construction, Sale, Management and Transfer) Act, 1963 the said Society was entitled to obtain conveyance immediately after formation of the Society on 28.11.1988;

h. In spite of the said Society being statutorily entitled to, demanding and persisting for conveyance, the landlord/builder/Promoter/s owning the said Property did not convey the said Property to the said Society;

i. Under the provisions of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 and amended rules thereunder the said Society filed application with the Competent Authority for deemed conveyance and fulfilled the requirements of the amended rules;

j. Pursuant to order cum certificate dated 28.05.2014 Deemed conveyance No. DDR 4/Mum/D.C./G.K. Nagar No. 2 CHSL/754/2014 issued by Competent Authority u/s 11(3) & 11(4) of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 (hereinafter 'the M.O.F.A.') the competent authority was pleased to pass Unilateral Deemed Conveyance Order unto and in favour of said Society declaring the said Society as owner of the said Property under the Provisions of Maharashtra Ownership Flats Act, 1963;

k. Under the above background and circumstances, the entire purchase price of the said Property was paid by the Members and for the sake of convenience and for common maintenance and management, the said Property was acquired in the name of the said Society under Conveyance Deed dated 20.04.2015;

l. By and under Deed of Conveyance dated 20.04.2015, registered with the office of Sub Registrar of Assurance at Bombay under Serial No. BRL-7/4503 of 2015 dated 12.05.2015, made and entered into by Mr. Narendra Nikam, the Competent Authority & District Deputy Registrar, Co-Operative Societies, Mumbai city (4) (*hereinafter referred to as the Competent Authority*) on account of defaulting Erstwhile Owners (*therein referred to as the Vendors/ Competent Authority)* of the First Part and Mr. Narendra Nikam, the Competent Authority & District Deputy Registrar, Mumbai city (4) (*hereinafter referred to as the Competent Authority*) on account of Erstwhile Developer (*therein referred to as the Confirming Party/Competent Authority)* of the Second Part and said Society, (*therein Referred to as the Purchaser/The Society of the Third Part*); the Competent Authority in exercise of the powers conferred on it under section 5A of the M.O.F.A. conveyed, transfer,

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released and assured the said Property unto and in favour of the said Society for the terms and conditions more particularly mentioned therein;

m. Accordingly, the Society become the Owner well seized and possessed and is sufficiently entitled to the said Property as the Owners and has a clear and marketable title to the said Property free form all encumbrances;

n. On the basis of the documents enumerated hereinabove, the Ownership rights of the said Property as more particularly described hereinabove the title of the Society to the said property is clear and marketable;

o. Accordingly, the said Society have all the right to grant Development right to our client in respect of the said Property;

p. By and under a Development Agreement dated 28.01.2023 duly registered with the office of sub-registrar of Assurances at Borivali-6 under serial No. 2183/2023 dated 07.02.2023, made and entered into between the said Society (*therein also referred to as the Society*) of the First part, our client herein (*therein also referred to as the Developer*) of the Second P12art and Dhaval Shailesh Kapasi & Ors., and the being the members of the said Society (*therein also referred to as the Members*) of the Third Part, the said Society with the consent and confirmation of the Members therein, have granted the right of re-development of the said property, unto and in favour of our client i.e. **CHANDRAKOSHA KONSTRUCTIONS PRIVATE LIMITED** for the price and consideration and upon the terms and conditions more particularly mentioned therein;

q. The Society has also executed a Power of Attorney dated 03.02.2023, in order to obtain various permissions and sanctions from the M.C.G.M. and other concerned authorities and also for the development of the said Property in favour of our client.

r. Our client have investigated the title and in order to issue the title report, we have taken Search of Sub-Registrar Assurance for last 30 year.

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Sr. No.

1. 7/12 extract/Property Register Card/ with respect to the property mentioned hereinabove
2. Mutation entries: 441, 450, 463 and 502
3. Search Report for 30 years from the year 1993-2023 taken from office of Sub registrar.
4. We have investigated the title and in order to issue the said title report have published Notices in Newspapers dated 24.03.2023 in the Active Times in English Language, Mumbai Lakshdeep in Marathi Language and Hamara Mahanagar in Hindi Language.

Date:
Place: Mumbai

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Yours Faithfully,
For Prime Legem

Advocate High Court