



SL PARTNERS
ADVOCATES & SOLICITORS

FORMAT-A

(Circular No.:- 28/2021)

To
MahaRERA,
Housefin Bhavan,
BKC,Bandra East,
Mumbai-400051

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to CTS no. 88 (Part), 88/7 to 12 & 88/23 to 38, admeasuring about 1315.07 Sq. Mtrs. (One Thousand Three Hundred and Fifteen point Zero Seven) Square Meters, situated at Mauje Magathane Village, Rajendra Nagar, Borivali (East), Mumbai - 400066, within the registration district and sub-district of Mumbai City and suburbs and within the limits of Municipal Corporation of Greater Mumbai (hereinafter referred as the said "Plot")

1. I have investigated the title of the said Plot on the request of Rajendra Nagar Shradha Co-operative Housing Society Limited, a Society registered under the provisions of Maharashtra Co-operative Societies Act, 1960 and bearing registration number MUM/MHADDB/WR/HSG (TC)/10002/98-99, having PAN AAFAR7430P and having its registered office at Chawl No.1 to 4, Rajendra Nagar, Borivali (East), Mumbai- 400066 and following documents i.e. :-
 - (a) Description of the property: (As set out above)
 - (b) The documents of allotment of plot as set out in our Title Report, enclosed herewith as Annexure A.
 - (c) Property card for the Plot.
 - (d) Search Report dated May 22, 2022, for a period of 30 (Seventy-One) years from 1993 to 2022
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 Society, as the leaseholder of MHADA land, is clear, marketable and without any encumbrances, but subject to the Qualifications, Limitations and Assumptions as set out in Title Report dated July 24, 2022 enclosed herewith as Annexure A.

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— SL PARTNERS —

Lessee of the said Plot:

Rajendra Nagar Shradha Co-operative Housing Society Limited are the lessees of the said Plot bearing CTS No. 88 (Part), 88/7 to 12 & 88/23 to 38, admeasuring about 1315.07 Sq. Mtrs. (One Thousand Three Hundred and Fifteen point Zero Seven) Square Meters, situated at Mauje Magathane Village, Rajendra Nagar, Borivali (East), Mumbai - 400066, within the registration district and sub-district of Mumbai City and suburbs and within the limits of Municipal Corporation of Greater Mumbai and bounded as follows:

On or towards North by: Himgauri CHSL
On or towards South by: Mangal Deep CHSL
On or towards East by: Mangal Deep CHSL and Vikas Parishram CHSL
On or towards West by: Ram Mandir Road and Jai Santoshi Maa Tower.

3. The report reflecting the flow of the title of the lessee of the said Plot is enclosed herewith as annexure A

Encl:
Annexure A: Title Report

Date: July 24, 2022

Advocate.



(Stamp)





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(Circular No.:- 28/2021)

FLOW OF THE TITLE OF THE SAID LAND.

Sr.No.

- 1) P.R. Card as on date of application for registration.
- 2) Search report for 30 years from 1993 to 2022
- 3) Any other relevant title (As set out in title certificate dated July 24, 2022. Attached herewith As Annexure "A")
- 4) Litigations if any: There is no pending litigation.

Date: July 24, 2022

Advocate.
(Stamp)





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July 24, 2022

Title Certificate

Introduction:

We, at the request of Apex Infratec, having its office at 408, Blue Rose Industrial Estate, Near Metro Mall, Western Express Highway, Borivali (East), Mumbai-400066, have verified the title of:

RAJENDRA NAGAR SHRADHA CO-OPERATIVE HOUSING SOCIETY LIMITED, a co-operative housing society, registered under the Maharashtra Co-operative Societies Act, 1960, bearing its registration No. MUM/MHADDB/WR/HSG (TC)/10002/98-99 dated April 30, 1998, having PAN No. AAFAR7430P and having its registered office at Chawl No.1 to 4, Rajendra Nagar, Borivali (East), Mumbai- 400066, (hereinafter referred to as "**Society**") with respect to, all that pieces or parcels of land bearing CTS no. 88 (Part), 88/7 to 12 & 88/23 to 38, admeasuring in about 1315.07 square meters or thereabouts at Mauje Magathane Village, Rajendra Nagar, Borivali (East), Mumbai - 400066, (hereinafter referred to as the "**Land**") within the Registration District and Sub District of Mumbai City and Mumbai Suburban along with the chawl structure, which is now demolished, and was known as "**Rajendra Nagar Shradha Co-Operative Housing Society Limited**", together with 4 Chawls bearing nos. Chawl No. 1, Chawl No. 2, Chawl No. 3 and Chawl No. 4 having 6 (Six) tenements, 6 (Six) tenements, 6 (Six) tenements and 4 (Four) tenements respectively, having ground floor structure (hereinafter referred to as the "**Chawl Structure**"). The Land along with the Chawl Structure shall hereinafter be collectively referred to as the "**Property**". The Property is more particularly demarcated in the red color boundary line on the plan and is more particularly described in the Schedule herein under written.

The process followed:

- (1) We have perused the copies of the title deeds and other papers produced for our perusal. The list of such title deeds and other papers are set out in **Annexure** hereto.
- (2) We have caused a search (including online search) to be taken in the offices of Bombay Sub Registrar Office, for the period from 1993 to 2022, at Bandra/Borivali-1 Sub Registrar Offices from 1993 to 2022 and also at Borivali-1 to Borivali-11 Sub Registrar Offices from 2002 to 2022 vide search receipt no. MH002176558202223E dated May 22, 2022, in respect of the Land ("**Search**").

- (3) We have published notices in 2 (two) newspapers in the locality, one in English newspaper called "Free Press Journal" and the other in the Marathi newspaper called "Nav Shakti", both published on April 16, 2022, inviting claims of any party or person to the Land ("**Public Notices**").
- (4) The Society has submitted a declaration dated July 23, 2022, regarding title of the Property.
- (5) We have also raised requisition on title of the Society, which were duly answered by the office bearers of the Society on July 23, 2022.

The history of Title:

On perusal of the title deeds, our observation is as under:

1. The Maharashtra Housing and Development Authority ("**MHADA**") being duly constituted with effect from the 5th day of December, 1977, under the Government Notification in the Public works and Housing Development No.ARD-1077(1) Desk-44 dated the 5th December 1977, the Maharashtra Housing Board a Corporation established under the Mumbai Housing Board Act, 1948 (Bom LXLX of 1948) ("**Act**") (hereinafter referred to as '**the Board**') stood dissolved by operation of section 15 of the said Act.
2. The Government of India had formulated a Housing Scheme for the construction and allotment of tenements on rental basis to industrial workers known as the Subsidized Industrial Housing Scheme.
3. The Board had, pursuant to the said Government of India Scheme, built Chawl Structure on the Land, consisting of 22 (Twenty-Two) tenements.
4. Thereafter, the Board allotted the tenements/premises in the Chawl Structure to various individual allottees. These allottees then formed the Society in the year 1998.
5. Prior to the Board got dissolved, the Board was the owner of the Property, then as per clauses (a) and (b) of section 189 of the said Act all the property, rights, liabilities and obligations of the said dissolved Board including those arising under any agreement or contract became the property, rights, liabilities and obligations of MHADA.

6. Thus, MHADA became the owner of the Property.
7. Thereafter, by virtue of the indenture of lease dated May 29, 2012, registered with the Sub-Registrar of Assurances at Borivali no. 2, bearing serial number BDR-5/4765/2012, executed between MHADA and the Society, MHADA assigned the Land to the Society on lease, for a period of 60 (Sixty) years, commencing from January 1, 1993, renewable by every 30-30 years twice, on such terms and conditions as more precisely mentioned therein ("**Indenture of Lease**").
8. Simultaneously, by virtue of deed of sale dated May 29, 2012, registered with the Sub-Registrar of Assurances at Borivali no. 2, bearing serial number BDR-5/4766/2012, executed between MHADA and the Society, MHADA sold, transferred, conveyed and assured unto the Society the Chawl Structure. for the consideration and on the terms and conditions more particularly mentioned therein ("**Deed of Sale**").
9. Consequently, the Society became the rightful leaseholder of the Land and the owner of the Chawl Structure and has been seized and possessed of or otherwise well and sufficiently entitled to the Property. The name of the Society is not updated in the property card of the Land as a lessee of the Land.
10. The tenements/premises in the Chawl Structure were occupied by 20 (Twenty) members, being the bonafide members and shareholders of the Society (along with their families). Out of the total 22 (Twenty-Two) tenements, 2 (Two) were previously being used as a school by the Municipal Corporation of Greater Mumbai (**MCGM**) and belong to MHADA.
11. The Society entered into a development agreement for grant of development rights with respect to the Property to Apex Infratec ("**Developer**"), dated October 7, 2021, duly registered with the Sub-Registrar of Assurances at Borivali-5, bearing Serial No. BRL-5/13941/2021 ("**Development Agreement**") and also simultaneously executed a power of attorney for obtaining necessary approvals/permission/consents and do other incidental and ancillary acts, deeds, things and matters for the redevelopment of the Property, in favor of the Developer, dated October 7, 2021, duly registered with the Sub-Registrar of Assurances at Borivali (West), bearing Serial No. BRL-5/13942/2021.
12. The Search report did not reveal any entry/transfer of the Land.
13. We did not receive any claim in response to the Public Notices till the date of expiry of the Public Notice period.

14. As per the copy of the development plan remark dated September 15, 2021, issued by Municipal Corporation of Greater Mumbai, it appears from the development plan, that it does not reveal any adverse remark pertaining to the Property.
15. The office bearers of the Society have given us a declaration dated July 23, 2022, regarding title of the Society in respect of the Land declaring the Land to be clear and marketable and free from all encumbrances.
16. The office bearers of the Society have also responded on July 23, 2022, to the requisitions raised by us, which did not reveal any adverse remark pertaining to the title of the Land.

Certificate:

Subject to the aforesaid and assumption, qualification and limitations set out herein, we do hereby certify that the Society's title to the Property, is free, clear and marketable. The Society has validly granted development rights in respect of the Property to the Developer.

Schedule above referred to

ALL THAT pieces and parcels of land bearing CTS no. 88 (part), 88/7 to 12 & 88/23 to 38 admeasuring in aggregate about 1315.07 square meters or thereabouts of Village Borivali, Taluka Borivali, lying and being situated at Mauje Magathane Village, Rajendra Nagar, Borivali (East), Mumbai - 400 066 within the Registration Sub-District of Borivali and Mumbai Suburban District together with 4 (Four)/chawls which are now demolished and were bearing nos. Chawl No. 1, Chawl No. 2, Chawl No. 3 and Chawl No. 4, having 6 (Six) tenements, 6 (Six) tenements, 6 (Six) tenements and 4 tenements, having ground floor structure, and bounded as follows:

On or towards North by: Himgauri CHSL

On or towards South by: Mangal Deep CHSL

On or towards East by: Mangal Deep CHSL and Vikas Parishram CHSL

On or towards West by: Ram Mandir Road and Jai Santoshi Maa Tower.

Assumptions, Qualification and Limitations:

- (a) This certificate is given only with respect to the current laws of India and various government policies in force as of the date of this certificate. Any changes in the Indian law and/or policies after the date of this certificate, which are retrospective, could have an effect on the validity of our conclusions stated herein.
- (b) This certificate is strictly limited to the matters stated herein and does not extend to any other matters and is not to be read as extending by implication to any other subject matter.
- (c) Our understanding of facts is based upon and limited to the information/documents provided to us. We have no reason to believe that the information/documents provided to us is not genuine. Any variance of facts may cause a corresponding change in the analysis set out in this certificate.

For M/s. SL Partners,


Devang Mehta
(Partner)



Annexure

Sr. No.	Particulars
1.	The copy of certified extract of the property cards of the Land.
2.	Copy of indenture of lease dated May 29, 2012, registered with the Sub-Registrar of Assurances at Borivali no. 2, bearing serial number BDR-5/4765/2012.
3.	Copy of deed of sale dated May 29, 2012, registered with the Sub-Registrar of Assurances at Borivali no. 2, bearing serial number BDR-5/4766/2012.
4.	Copy of development agreement dated October 7, 2021, duly registered with the Sub-Registrar of Assurances at Borivali-5, bearing Serial No. BRL-5/13941/2021.
5.	Search Report done by search clerk for the Land dated May 22, 2022.
6.	Declaration dated July 23, 2022, issued by the Society.
7.	Response to the requisitions sent by the Owners on July 23, 2022.
8.	Electronically generated draft DP remark under the draft Development Plan (2034) dated September 15, 2021.