



Ref no. 06/2024

24th January, 2024

To,

1. **The Maharashtra Real Estate
Regulatory Authority (MahaRERA)**
6th & 7th floor,
Housefin Bhavan,
Plot No. C-21, E-Block,
Bandra Kurla Complex,
Bandra (East),
Mumbai 400 051
2. **Messrs. Jaihind Oil Mills Company**
387-389,
Narsi Natha Street,
Mumbai 400 009
("JHOMCO")

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to the title of JHOMCO to the Lands (defined hereinafter).

1. We have investigated the title of JHOMCO to the Lands (defined hereinafter), on the request of JHOMCO based on the following:

- a. **Description of the Lands:**

(A) lands admeasuring in the aggregate 1,810 square yards bearing Survey no. 95 Pot no.1, Survey no. 95 Pot no. 2 and Survey no. 95 Pot no. 3 (collectively, "**Freehold Lands**"); (B)(i) leasehold lands admeasuring in the aggregate 16,703 square yards bearing Survey no. 94 (part) admeasuring 968 square yards, Survey no. 153 Pot no. 9 (part) admeasuring 1,094 square yards, Survey no. 153 Pot no. 11 (part) admeasuring 14,641 square yards, all situate, lying and being at Village of Kanjur (collectively, "**First Part of First Lands**"); and (ii) leasehold lands admeasuring in the aggregate 2,426 square yards bearing Survey no. 95 Falni no. 3 admeasuring 530 square yards, Survey no. 95 Pot no. 4 (part) admeasuring 433 square yards, Survey no. 153 Pot no. 7 (part) admeasuring 10 square yards and Survey no. 153 Pot no. 10 (part) admeasuring 1,453 square yards, all situate, lying

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and being at Village of Kanjur (collectively, "**Second Part of First Lands**"). The First Part of First Lands and the Second Part of First Lands are collectively referred to as "**First Lands**"; (iii) leasehold lands admeasuring in the aggregate 1,690 square yards bearing Survey no. 153 Pot no. 11 (part), Survey no. 95 Falni no. 3 (part), Survey no. 95 Pot no. 4 (part), Survey no. 153 Pot no. 11 (part), and Survey no. 153 Pot no. 10 (part), all situate, lying and being at Village of Kanjur (collectively, "**Second Lands**"); (iv) leasehold lands admeasuring in the aggregate 16,799 square yards bearing Survey no. 153 Pot no. 11 (part) admeasuring 37 square yards, Survey no. 95 Falni no. 2 (part) admeasuring 163 square yards, Survey no. 95 Falni no. 3 (part) admeasuring 52 square yards, Survey no. 95 Falni no. 4 admeasuring 818 square yards, Survey no. 95 Falni no. 5 admeasuring 698 square yards, Survey no. 95 Falni no. 6 (part) admeasuring 192 square yards, Survey no. 95 Falni no. 7 (part) admeasuring 31 square yards, Survey no. 95 Pot no. 9 admeasuring 13,144 square yards, Survey no. 94 (part) admeasuring 1,638 square yards, and Survey no. 94 (part) admeasuring 26 square yards, all situate, lying and being at Village of Kanjur (collectively, "**First Part of Third Lands**"); and leasehold lands admeasuring in the aggregate 2,280 square yards bearing Survey no. 95 Pot no. 4 (part) admeasuring 1,046 square yards, Survey no. 95 Pot no. 5 (part) admeasuring 543 square yards, Survey no. 95 Pot no. 6 (part) admeasuring 319 square yards, Survey no. 95 Pot no. 7 admeasuring 372 square yards, all situate, lying and being at Village of Kanjur (collectively, "**Second Part of Third Lands**"). The First Part of Third Lands and Second Part of Third Lands are hereinafter collectively referred to as "**Third Lands**", and the First Lands, the Second Lands and the Third Lands are hereinafter collectively referred to as "**Leasehold Lands**"; (C) lands admeasuring in the aggregate 3,220 square yards bearing Survey no. 153 Pot no. 11 (part) admeasuring 2,446 square yards, Survey no. 153 Pot no. 9 (part) admeasuring 743 square yards and Survey no. 153 Pot no. 7 (part) admeasuring 31 square yards (collectively, "**Licence Lands**"); all bearing new Survey nos. 66, 67, 68, 72, 241, 242, and 272, all corresponding to C.T.S. nos. 611, and 611/1 to 611/10, admeasuring in the aggregate approximately 44,928 square yards (as per title deeds), that is, approximately 37,565.53 square metres and 36,689.3 square meters (as per the property register cards), situate lying and being at Village Kanjur, Taluka Mulund, District Mumbai Suburban Mumbai 400 078, within the limits of the Municipal Corporation of Greater Mumbai (collectively, "**Lands**").

b. **Title Documents of Lands:**

The documents of title of JHOMCO in respect of the Lands are as follows:

- (i). Indenture dated 21st October, 1961 ("**First Lands Indenture**") made by and between Sir Mahomed Yusuf Khot as the 'Sub-Lessor' of the First Part, Devandas



Kodumal Kishnani ("**Devandas**") as the 'Confirming Party' of the Second Part and the then partners of JHOMCO as the 'Purchasers' of the Third Part, registered in the Office of Sub-Registrar of Assurances at Bombay under Serial no. 7298 of 1961 on 28th February, 1963, in respect of the First Lands;

(ii). Supplemental Indenture of Sub-Lease dated 23rd March, 1962 ("**Second Lands Indenture**"), made by and between Sir Mahomed Yusuf Khot as the 'Sub-Lessor' of the One Part, and the then partners of JHOMCO as the 'Sub-Lessees' of the Other Part, registered in the Office of Sub-Registrar of Assurances at Bombay under Serial no. 1377 of 1962, in respect of the Second Lands;

(iii). Indenture dated 14th September, 1962 ("**Third Lands Indenture-1**"), made and executed by and between Manubai Mingel Sutari ("**Manubai**") and Lawrence Mingel Sutari ("**Lawrence**") as the 'Vendors' of the First Part, Alex Simon Remedios ("**Alex**") and Vincent Simon Remedios ("**Vincent**") both carrying on business in partnership in the firm name and style of 'Messrs. Remedios Bros.' as the 'Confirming Parties' of the Second Part, and the then partners of JHOMCO as the 'Purchasers' of the Third Part, registered in the Office of Sub-Registrar of Assurances at Bombay under Serial no. 2715 of 1962, in respect of the Third Lands;

(iv). Indenture dated 14th September, 1962 ("**Third Lands Indenture-2**"), made by and between Sir Mahomed Yusuf Khot as the 'Sub-Lessor' of the First Part, Vincent and Alex both carrying on business in partnership in the firm name and style of 'Remedios Brothers' as the 'Confirming Parties' of the Second Part, and the then partners of JHOMCO as the 'Sub-Lessees' of the Third Part, registered in the Office of Sub-Registrar of Assurances at Bombay under Serial no. 2745 of 1962, in respect of the Third Lands;

(v). Indenture dated 14th September, 1962 ("**Freehold Lands Indenture**"), made and executed by and between Manubai and Lawrence as the 'Vendors' of the First Part, Alex and Vincent both carrying on business in partnership in the firm name and style of 'Messrs. Remedios Bros.' as the Confirming Parties of the Second Part, and the then partners of JHOMCO as the 'Purchasers' of the Third Part, registered in the Office of Sub-Registrar of Assurances at Bombay under Serial no. 2713 of 1962, in respect of the Freehold Lands;

(vi). Agreement dated 23rd March, 1962 ("**Licence Lands Agreement**"), made by and between Sir Mahomed Yusuf Khot as the 'Sub-lessor' of the One Part and the then partners of JHOMCO, as the Sub-lessees of the Other Part, in respect of the Licence Lands.

All aforementioned documents are collectively referred to as "**Title Documents**".

c. Property Register Cards:

(i). Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 10th January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611, of Village Kanjur, Taluka Mulund, District Mumbai Suburban;

(ii). Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of land bearing CTS no. 611/1, of Village Kanjur, Taluka Mulund, District Mumbai Suburban;

(iii). Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of land bearing CTS no. 611/2, of Village Kanjur, Taluka Mulund, District Mumbai Suburban;

(iv). Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/3, of Village Kanjur, Taluka Mulund, District Mumbai Suburban;

(v). Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/4, of Village Kanjur, Taluka Mulund, District Mumbai Suburban;

(vi). Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/5, of Village Kanjur, Taluka Mulund, District Mumbai Suburban;

(vii). Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/6, of Village Kanjur, Taluka Mulund, District Mumbai Suburban;

(viii). Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/7, of Village Kanjur, Taluka Mulund, District Mumbai Suburban;



(ix). Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/8, of Village Kanjur, Taluka Mulund, District Mumbai Suburban;

(x). Property Register Card (digitally signed) dated 6th January, 2021, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/9, of Village Kanjur, Taluka Mulund, District Mumbai Suburban; and,

(xi). Property Register Card (digitally signed) dated 6th January, 2021, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/10, of Village Kanjur, Taluka Mulund, District Mumbai Suburban.

- d. **Search Report:** (i) Search Report dated 12th November, 2021, issued by Simply Cersai, from the year 1938 upto 2021 (that is, approximately 83 years), in respect of the Lands, and (ii) Search Report dated 22nd January, 2024, issued by D. K. Patil & Associates, from the year 2021 to January, 2024 (that is, approximately 3 years) in respect of the Lands.

2. On perusal of the abovementioned Title Documents and all other relevant documents relating to title of the Lands, we are of the opinion that the right, title and interest of JHOMCO, is clear, marketable and without any encumbrances:

- (a). JHOMCO is the owner of the Freehold Lands under the Freehold Lands Indenture;
- (b). JHOMCO is the lessee of the Leasehold Lands under the First Lands Indenture, Second Lands Indenture, Third Lands Indenture-1, and Third Lands Indenture-2; and,
- (c). JHOMCO is irrevocably entitled to use and occupy the License Lands as the licensee thereof under Licence Lands Agreement and entitled to obtain a lease in perpetuity in respect thereof on the terms and conditions as mentioned in the First Lands Indenture in the event the License Lands is not acquired by the municipal authorities for public road widening and/or release the Licence Lands from the proposed acquisition.

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3. The report reflecting the flow of the title of the Lands is enclosed herewith as **Annexure 'A'**.

Encl: Annexure 'A'

Dated This 24th January, 2024.

Yours faithfully,
Messrs. M. T. Miskita & Company
Advocates & Solicitors



Partner

FORMAT 'A'
(Circular No. 28/2021)
Annexure A - Flow of the Title of the Lands

1. The Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 10th January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611 of Village Kanjur, Taluka Mulund, District Mumbai Suburban, *inter alia*, records the area of the land as 29,964.60 square metres, the tenure of the land as "C", and the holder of the land as Sir Mahomed Yusuf Khot. The entry dated 15th July, 1976, records that the name of the then partners of JHOMCO as lessee of the said land.
2. The Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/1 of Village Kanjur, Taluka Mulund, District Mumbai Suburban, *inter alia*, records the area of the land as 68.30 square meters, the tenure of the land as "C-1", and the holder of the land as Sir Mahomed Yusuf Khot.
3. The Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/2 of Village Kanjur, Taluka Mulund, District Mumbai Suburban, *inter alia*, records the area of the land as 3,369.90 square meters, the tenure of the land as "C-1", and the holder of the land as Sir Mahomed Yusuf Khot.
4. The Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/3 of Village Kanjur, Taluka Mulund, District Mumbai Suburban, *inter alia*, records the area of the land as 465.90 square meters, the tenure of the land as "C-1", and the holder of the land as Sir Mahomed Yusuf Khot.
5. The Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/4 of Village Kanjur, Taluka Mulund, District Mumbai Suburban, *inter alia*, records the area of the land as 200 square meters, the tenure of the land as "C-1", and the holder of the land as Sir Mahomed Yusuf Khot.
6. The Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/5 of Village Kanjur, Taluka Mulund, District Mumbai Suburban, *inter alia*, records the area of the land as 1,689.70 square meters, the tenure of the land as "C-1", and the holder of the land as Sir Mahomed Yusuf Khot.



7. The Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/6 of Village Kanjur, Taluka Mulund, District Mumbai Suburban, *inter alia*, records the area of the land as 18.10 square meters, the tenure of the land as "C-1", and the holder of the land as Sir Mahomed Yusuf Khot.

8. The Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/7 of Village Kanjur, Taluka Mulund, District Mumbai Suburban, *inter alia*, records the area of the land as 104.90 square meters, the tenure of the land as "C-1", and the holder of the land as Sir Mahomed Yusuf Khot.

9. The Property Register Card (digitally signed) dated 6th January, 2023, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/8 of Village Kanjur, Taluka Mulund, District Mumbai Suburban, *inter alia*, records the area of the land as 623.50 square meters, the tenure of the land as "C-1", and the holder of the land as Sir Mahomed Yusuf Khot.

10. The Property Register Card (digitally signed) dated 6th January, 2021, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/9 of Village Kanjur, Taluka Mulund, District Mumbai Suburban, *inter alia*, records the area of the land as 59.80 square meters, the tenure of the land as "C-1", and the holder of the land as Sir Mahomed Yusuf Khot.

11. The Property Register Card (digitally signed) dated 6th January, 2021, downloaded on 22nd January, 2024, issued by State Government of Maharashtra, in respect of the land bearing CTS no. 611/10 of Village Kanjur, Taluka Mulund, District Mumbai Suburban, *inter alia*, records the area of the land as 124.60 square meters, the tenure of the land as "C-1", and the holder of the land as Sir Mahomed Yusuf Khot.

12. Search Reports: (i) Simply Cersai has undertaken physical searches in the Offices of the Sub-Registrar of Assurances at Mumbai, Bandra, and Kurla from the year 1938 upto 2021 (that is, approximately 83 years), in respect of the Lands, and in pursuance thereof Simply Cersai has issued its Search Report dated 12th November, 2021; and, (ii) D. K. Patil & Associates has undertaken physical searches, in the Offices of the Sub-Registrar of Chembur (Computerised Index) from 2021 to 2024, Office of the Sub-Registrar of Mulund (Computerised) from 2021 to 2024, in respect of the Lands, and in pursuance thereof D. K. Patil & Associates has issued its Search Report dated 22nd January, 2024.

13. Any other relevant title:

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Permissions, approvals, remarks, orders, NOCs, etc. have been obtained by JHOMCO in respect of the Lands, from time to time from MCGM, and other concerned authorities, including specifically: (I) Intimation of Disapproval bearing reference no. P-12131/2022/(611 And Other)/S Ward/KANJUR-W/IOD/1/New, dated 13th January, 2023, issued by the Executive Engineer of MCGM in respect of proposed development on the Lands, subject to terms and conditions mentioned therein, (II) Executive Engineer (Building Proposal) E.S.-II of Brihanmumbai Municipal Corporation vide its letter bearing reference no. P-12131/2022/(611 And Other)/S Ward/KANJUR-W/IOD/1/New granted its permission for development of the Lands as per regulation 17(1) of DCPR 2034, subject to the terms and conditions mentioned therein.

14. Litigations:

- (i). Civil Writ Petition no. (Stamp). 20811 of 2021 and Writ Petition no. 4042/2023 (Registered) filed by Mr. Eric Nicholas D'Mello, Mrs. Wilma Lavrt Canue, Mrs. Mathilda John Barretto, Mrs. Blanchie Anthony D'Souza, Mrs. Mary Besil Karzai, Mrs. Dorothy Gabriel D'Souza, Mrs. Maroleena Danny Baptisa, Mrs. Lucy Xavier D'Mello, Mrs. Jenita Roman Zabeth, Mrs. Cotty Micheal Prasad, and Mrs. Nika Joseph Gersu, against the State of Maharashtra through its Principal Secretary Revenue Department, Deputy Director of Land Records, Kokan Region, Superintendent of Land Records Mumbai Suburban District, City Survey Officer, JHOMCO, Mohd Farooque son of Mohd. Yusuf Khot, Mr. Allan Sebastain D'Souza, Mr. Edward Sebastain D'Souza, Mr. Roque Alex Mendonsa, Mr. Vincent Alex Mendonsa, and Mr. Melvin Alex Mendonza, in the High Court of Judicature at Bombay in its Civil Appellate Jurisdiction;
- (ii). WP/34804/2023 (Stamp) filed by JHOMCO against the Additional Collector and Competent Authority, Urban Land Ceiling, Greater Mumbai;
- (iii). Suit no. (L) 6896 of 2023 filed by Vimla Bhagchand Paryani, Sunil Matreja, Geeta Israni, Nadna Lillaney, Vrinda Makhija, and Nidhi Mangnani, against Chandiram Kishnani, Prithviraj Kishnani, Prakash Kishnani, Omprakash Hemrajani, Anil Kishnani, Sunil Kishnani, Rajesh Kishnani, Laju Godhwani, Pushpa Bajaj, JHOMCO, and Adani Realty, in the High Court of Judicature at Bombay;
- (iv). T. E. Suit no. 68 of 2023 filed by Roolal Hemrajani against JHOMCO, Chandiram Kishnani, Prithviraj Kishnani, Prakash Kishnani, Omprakash Hemrajani, Anil Kishnani, Sunil Kishnani, Rajesh Kishnani, Faruq A R Yusuf Khot, in the Hon'ble

Court of Small Cause, at Mumbai.

Dated This 24th Day of January, 2024.

Yours faithfully,
Messrs. M. T. Miskita & Company
Advocates & Solicitors

A handwritten signature in black ink, consisting of a large, stylized initial 'M' followed by a smaller 'T' and a final flourish.

Partner