

Varun N. Mamniya

Advocate & Solicitor

Address: 303/B, Jeerawali Residency, Opp. Jain Temple, Derasar Lane, Ghatkopar (East), Mumbai 400077.
M: +91 9819094944 / +91 8779911600 || E: adv.varun@gmail.com

FORMAT - A
(Circular No.: 28/2021)

To,
Hon'ble MahaRERA
Housefin Bhavan, E - Block
Bandra Kurla Complex
Bandra (E), Mumbai 400051

LEGAL TITLE REPORT

Sub: All that piece and parcel of land admeasuring about 1156.46 sq. meters equivalent to about 1383 sq. yards bearing plot No. 2/4 being C.S. No. 10E/124 (earlier bearing C.S. No. 124 (part)) of the Mazgaon Division ("**said Plot**") together with the old structures standing thereon situated at the Junction of Mathar Pakhadi Road and Shivdas Champs Marg, (Mazgaon Road) in the registration District and Sub-District of Mumbai City.

A. I have investigated the title of the said Plot on request of: (1) Shri Mahendra Ravji alias Shri Mahendra Ravji Chheda, (2) Shri Kekin Kunverji alias Shri Kekin Kunverji Chheda, (3) Shri Rasik Kunverji alias Shri Rasik Kunverji Chheda, (4) Shri. Ramesh Ravji alias Shri Ramesh Ravji Chheda ("**Owners**") and following documents i.e.:

1. **Description of the property:**

All that piece and parcel of land admeasuring about 1156.46 sq. meters equivalent to about 1383 sq. yards bearing plot No. 2/4 bearing C.S. No. 10E/124 (earlier bearing C.S. No. 124 (part)) of the Mazgaon Division ("**said Plot**") together with old structures standing thereon known as "**Patni Chawl**" ("**said Structures**") situated at the Junction of Mathar Pakhadi Road and Shivdas Champs Marg, (Mazgaon Road) in the registration District and Sub-District of Mumbai City (the said Plot and the said Structures are collectively hereinafter referred as "**said Property**").

2. The documents of allotment of plot:

- (i) Indenture of Lease dated 22nd June 1968 ("**Head Lease**") between Governor of Maharashtra and K.M.D. Thackersey and others, the Trustees of Tulsidas Gopalji Charitable and Dhakleshwar Temple Trust;
- (ii) By a Deed of Assignment dated 15th October 1968 (registered - Serial No. 3624 of 1968) executed by the said Trustees in favour of Shri Ravji Premji, Shri Kunverji Premji and 32 others (including Owners) ("**Co-Lessees**").

- (iii) Complaint in respect of Suit No. 9172 of 1990 filed before the Hon'ble Bombay City Civil Court and the Consent Decree dated 26th August 1990;
- (iv) Probates granted by Hon'ble Bombay High Court in respect of last will and testament of (1) Shri Ravji Premji, (2) Shri Kunverji Premji and (3) Smt. Mithaben Kunverji and Smt. Laxmiben Ravji;
3. ~~7/12 extract~~ or property card in respect of C.S. No. 10E/124 (earlier bearing C.S. No. 124 (part)) of the Mazgaon Division issued by Superintendent Cum City Survey Office, Mumbai on 13th March 2023 Mutation Entry No. 141 to 145/2017.
4. Search report for 30 years from Shri Ramakant Jaiswal dated 25th March 2023 from 1994 till 2023.
- B. (1) By an Indenture of Lease dated 22nd June 1968 ("**Head Lease**") executed between Governor of Maharashtra and K.M.D. Thackersey and others, the Trustee of Tulsidas Gopalji Charitable and Dhakleshwar Temple Trust (the Lessees), the State of Maharashtra granted lease of a large property including *inter alia* said Plot in favour of the Lessees for a period of 99 years commencing from 1st April, 1968;
- (2) By a Deed of Assignment dated 15th October 1968 registered with the Sub-Registrar of Assurances, Bombay under Serial No. 3624 of 1968, the said Trustees, after obtaining requisite orders from the Hon'ble Bombay City Civil Court, Bombay, assigned and transferred the said large property unto and in favour of Shri Ravji Premji, Shri Kunverji Premji and 32 others (including the Owners) ("**Co-Lessees**") as set out therein.
- (3) Shri Ravji Premji died on 17th June 1981 leaving behind his last will and testament, thereby bequeathing the said Property to wife, Smt. Laxmibai Ravji.
- (4) Pursuant thereto, a Consent Decree dated 26th August 1990 in Civil Suit No. 9172 of 1990 came to be passed, which was to operate as a Sub-Lease in favour of the respective Co-Lessees. Therefore, Shri Kunverji Premji and the Owners abovenamed became the Sub-Lessees in respect of the said Property bearing Plot No. 2/4 and bearing C.S. No. 124 (part) for residuary period of 99 years - less one month. The said Plot bearing C.S. No.124 (part) was subsequently re-numbered as **C.S. No. 10E/124**.
- (5) Shri Kunverji Premji died on 3rd March 2005 leaving behind his last will and testament and thereby bequeathing all his 1/6th share in the said Property unto and in favour of his wife, Smt. Mithaben Kunverji. The said Smt. Mithaben Kunverji also expired on 5th April 2007, leaving behind her last will and testament and thereby bequeathing all her undivided share in the said Property unto and in

favour of her two sons, Shri Kekin Kunverji and Shri Rasik Kunverji. Similarly, Smt. Laxmibai Ravji expired on 21st April 2020, leaving behind her last will and testament and thereby bequeathing all her undivided share in the said Property unto and in favour of her two sons, Shri Mahendra Ravji and Shri. Ramesh Ravji.

(6) In the circumstances, the Owners/ Sub-Lessees abovenamed have become the Co-Lessees of *inter alia* the said Property. Property Card in respect of the said Plot was accordingly issued.

- C. On perusal of the abovementioned documents and all other relevant documents relating to title of the said property, I am of the opinion that the title of the said Owners i.e. (1) Shri Mahendra Ravji alias Shri Mahendra Ravji Chheda, (2) Shri Kekin Kunverji alias Shri Kekin Kunverji Chheda, (3) Shri Rasik Kunverji alias Shri Rasik Kunverji Chheda, (4) Shri. Ramesh Ravji alias Shri Ramesh Ravji Chheda is clear, marketable and without any encumbrances. (~~If any encumbrances please mention in separate sheet~~).
- D. We also conducted a search with the office of Sub-Registrar of Assurances at Mumbai for any encumbrance, mortgage or charge created on the said Property by the Owners/ Sub-Lessees but could not find any such mortgage or encumbrance. Further, we couldn't find any pending litigation challenging the rights of the Owners/ Sub-Lessees hereinabove mentioned.
- E. We have also perused the DP Remark of DP 2034 and note that no part of the said Property has been reserved for any public purposes. The Owners are also entitled to undertake a process of redevelopment as per the prevalent State Government Orders/ Notifications under the Development Control Regulations, 2034.

Owners/ Sub-Lessees of the land:

(1) (1) Shri Mahendra Ravji alias Shri Mahendra Ravji Chheda, (2) Shri Kekin Kunverji alias Shri Kekin Kunverji Chheda, (3) Shri Rasik Kunverji alias Shri Rasik Kunverji Chheda, (4) Shri. Ramesh Ravji alias Shri Ramesh Ravji Chheda - Plot No. 2/4 being C.S. No. 10E/124 of the Mazgaon Division

(2) Qualifying comments/ remarks if any - None.

The report reflecting the flow of the title of the Owners/ Sub-Lessees of the said Plot is enclosed herewith as Annexure.

Date: 25th May 2023
Encl: Annexure


Varun Mamniya
Advocate & Solicitor



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FLOW OF THE TITLE OF THE SAID LAND

Sr. No.

- 1) Indenture of Lease dated 22nd June 1968 ("**Head Lease**") between Governor of Maharashtra and K.M.D. Thackersey and others, the Trustees of Tulsidas Gopalji Charitable and Dhakleshwar Temple Trust;
- 2) By a Deed of Assignment dated 15th October 1968 (registered - Serial No. 3624 of 1968) executed by the said Trustees in favour of Shri Ravji Premji, Shri Kunverji Premji and 32 others (including Owners) ("**Co-Lessees**").
- 3) Consent Decree dated 26th August 1990 in Civil Suit No. 9172 of 1990 came to be passed, which was to operate as a **Sub-Lease** in favour of the respective Co-Lessees;
- 4) Probates granted by Hon'ble Bombay High Court in respect of last will and testament of (1) Shri Ravji Premji, (2) Shri Kunverji Premji and (3) Smt. Mithaben Kunverji and Smt. Laxmiben Ravji;
- 5) ~~7/12 extract~~ P.R. Card as on date of application for registration
Date of Application: 2nd March 2023 [Ref: 606903620234]
Date of issue/~~download~~: 13th March 2023
- 6) Mutation Entry No. 141 to 145/2017
- 7) Search report for 30 years from Shri Ramakant Jaiswal dated 25th March 2023 from 1994 till 2023.
- 8) Any other relevant title - NIL.
- 9) Litigations if any - NIL.

Date: 25th May 2023



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Advocate & Solicitor

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Derasar Lane, Chatkopar (E), Mumbai-400 077,