

Ref. No. :

Date: 24/08/2021.

FORMAT - A

To,
MAHARERA
BKC, Housefin Bhavan, near RBI,
E Block, Bandra Kurla Complex, Bandra East,
Mumbai. Maharashtra 400051.

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to the property being all that piece and parcel of land area admeasuring about 5820.61 sq. mtrs. forming part of old C.T.S. Nos. 3, 4, 5, 6 and 7 and now bearing New CTS Nos. 3B(1), 3B(2) & 3B(3), situate lying and being at SuhasModi Road, Kandivli (East). Mumbai – 400 101 in the Revenue Village Wadhavan, Taluka:Borivli, in the Registration District of Mumbai Suburban (hereinafter referred as the “said Property”).

I had in the year 2011 investigated the title of the said Property on the request of M/s. Mahaveer Construction, a partnership firm, having its Office at 101, Jeevan Vaibhav, behind Patel Nagar, M.G. Cross Road No.04, Kandivali (W), Mumbai – 400 067 (hereinafter for the sake of brevity referred to as the “the said Firm”) and thereafter, I have once again investigated the title of the said firm to the said property for the period from 2011 till 2020 and in respect thereof, I had also issued my title certificate dated 17.10.2011 and Supplementary Title Certificate dated:20/08/2021 which records as under i.e.:-



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I. Description of Property:

All that pieces and parcels of land area admeasuring about 5820.61 sq. mtrs. forming part of old C.T.S. Nos. 3, 4, 5, 6 and 7 and now bearing New CTS Nos. 3B(1), 3B(2) & 3B(3) situate lying and being at Suhas Modi Road, Kandivli (East), Mumbai - 400 067 in the Revenue Village Wadhavan, Taluka Borivli, in the Registration District of Mumbai Suburban and bounded as follows:

North Side : Existing Suhas Modi Road
South Side : 27.45mtr wide DP road, Rajguru Flyover.
East Side : CTS No. 8(pt)
West Side : CTS No.3 (pt)

II. Documents referred to:

1. Notification No. SAA/Borivli II dated 30th September, 1977 published in the Gazette of the Government of Maharashtra declaring the said Property as Slum Area.
2. Resolution dated 14th March, 2004 passed by the members of the "Suhas Modi Co-Operative Housing Society (Proposed)", in its General Body Meeting convened on 14th March, 2004, wherein the said Society agreed to appoint the said Firm herein as 'Developer' to carry out re-development of the said property.
3. Development Agreement dated 1st August, 2004 and also a Power of Attorney in favour of the said Firm
4. Annexure-II issued by the Concerned Authorities appointed under the provisions of the Slum Act, on 18th February 2005 along with corrigendum dated 16th May 2006.



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5. Final Notification dated 11th May, 2006 issued by the Additional Collector and Competent Authority of Government of Maharashtra in exercise of the powers conferred by sub-section (i) of Section 14 of the said Slum Act dated 11th May, 2006
6. Letter of Intent dated 25th July 2006, inter alia, allowing the development/re-development of the said property under the Slum Rehabilitation Scheme, subject to the terms and conditions recorded therein;
7. Amended to the Part Occupation Certificate dated 14/07/2021 in respect of the Composite building comprising of the rehab wings 'A', 'B' and 'C' and the Amended to the Part Occupation Certificate dated 14/07/2021 upto the 18th floor of the Composite Building Sale wing 'D' forming part of Phase I of the said Property.
8. All permissions related documents required for commencing the construction of the buildings forming part of the Phase II of the said Property [under the amended provisions of the Development Control and Promotions Regulation, 2034 (DCPR)] including:
 - (i) Last Revised LOI dated 21.06.2021;
 - (ii) Last Amended IOA of Rehab Building No. 3 dated 13.07.2021;
Re- endorsement of Commencement Certificate for Rehab Building No. 3 dated 14.07.2021
 - (iii) Last Amended IOA of Sale Building No. 2 dated 13.08.2021;
 - (iv) Re- endorsement of Commencement Certificate for Sale Building No. 2 dated 17.08.2021
 - (v) Last Amended layout/subdivision dated 13.07.2021;
 - (vi) Sub-division order from the Collector dated 08.11.2019;



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- (vii) Amalgamation and separate property register cards for sub-plots A, B, C & D of the said property dated 16.11.2019;
 - (viii) Supplementary Annexure II of eligible and non-eligible slum dwellers.
9. Property Card issued by City Survey officer, Goregoan dated 16/11/2019.
 10. NOC issued by the Collector, Mumbai Suburban District,
 11. Search Report dated 5th November, 2020 for the search taken in the office of the Sub-Registrar of Assurances at Bandra i.e. office Nos.1 to 7, for the period from 2011 to 2020 through search clerk Mr. Nilesh B. Vagal.

III. On perusal of the above mentioned documents, I have vide my Title Certificate dated 17.10.2011 and Supplementary Title Certificate dated 24.08.2021 recorded that subject to the terms and conditions contained in the above referred sanctions/ permissions, the title of the said Firm to the development rights in respect of the said property as per the slum scheme sanctioned by the SRA, is free from all encumbrances and is having a marketable title.

IV. Owner of the said Property

The revenue record i.e. property card in respect of the said Property bearing old C.T.S. Nos. 3, 4, 5, 6 and 7 and now bearing New CTS Nos. 3B (1), 3B(2) & 3B(3), stands in the name of the Government of Maharashtra.

V. The report reflecting the flow of the title of the said firm, my Title certificate dated 17.10.2011 and Supplementary Title Certificate dated 24.08.2021 are enclosed herewith as annexures.

Encl. as above.


Advocate, High Court
VIKAS R. HIRLEKAR
ADVOCATE, HIGH COURT
106, Giridwar Apartment,
Near Punjab National Bank,
Mathuradas Road, Kandivli (West)
MUMBAI-400 067



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FLOW OF THE TITLE

a. Vide Notification No. SAA/Borivli II dated 30th September, 1977 published in the Gazette of Government of Maharashtra, the Concerned Authorities appointed under the provisions of Maharashtra Slum Area (Improvement, Clearance And Re-development) Act, 1971 (for brevity's sake hereinafter referred to as "the said Slum Act") declared as "SLUM AREA" under Section 4(i) of the Slum Act the property being all that piece and parcel of land, ground, hereditament admeasuring about 7291.76 sq. mtrs. forming part of old C.T.S. Nos. 3, 4, 5, 6 & 7 [now bearing New CTS Nos. 3B (1), 3B (2) & 3B(3)] together with structure standing thereon situate lying and being at SuhasModi Road, Kandivli (East), Mumbai - 400 101 in the Revenue Village Wadhavan, TalukaBorivli, in the Registration District of Mumbai Suburban District (for brevity's sake hereinafter referred to as "**the said larger property**");

b. Portion admeasuring about 1371.15 sq. mtrs. of the said larger property was falling under the D.P. Road which has already been acquired by Municipal Corporation of Greater Mumbai (for short "the said MCGM") for the then proposed 27.45 mt. wide D. P. Road;

c. After deducting the portion falling under D.P. Road reservation which has already been acquired by MCGM, the remaining area admeasuring about 5820.61 sq. mtrs. forming part of old C.T.S. Nos. 3, 4, 5, 6 & 7 [now bearing New CTS Nos. 3B(1), 3B(2) & 3B(3)] is more particularly described in the First Schedule hereunder written (for brevity's sake hereinafter referred to as "**the said property**");

d. The slum dwellers occupying the then existing structures have formed into a proposed Society known as "SUHAS MODI CO-OPERATIVE HOUSING SOCIETY (PROPOSED)" (for brevity's sake hereinafter referred to as "**the said Society**"), to be registered under the provisions of Maharashtra Co-



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operative Societies Act, 1960 and thereby to avail the benefit of re-development of the said property in accordance with the provisions including under Regulation 33(10) of the Development Control Regulation, 1991 as amended and as per the guidelines laid down by the Slum Rehabilitation Authority and/or the Concerned Authorities.

e. By a Resolution unanimously passed by the members of the said Society in its General Body Meeting convened on 14th March, 2004, the said Society agreed to appoint M/s. Mahaveer Construction (hereinafter for the sake of brevity referred to as the "**the said Firm**") to carry out re-development of the said property. Accordingly, the Chief Developers appointed by the Slum Dwellers being the members of the said proposed Society executed a Development Agreement dated 1st August, 2004 and also a Power of Attorney to carry out development of the property described in the Schedule there under written which includes the property described in the First Schedule hereunder written, on the terms and conditions recorded therein;

f. On necessary applications being made and relevant documents being submitted, the Concerned Authorities appointed under the provisions of the said Slum Act issued Annexure-II on 18th February 2005, inter alia, certifying requisite numbers of Slum Dwellers "as eligible" to avail the benefit of the development under the Slum Scheme;

g. The Concerned Authorities being Additional Collector and Competent Authority of Government of Maharashtra after following due process including inviting objections, if any, to the proposed acquisition, in order to enable the Concerned Authorities to execute works of improvement in relation to the said property which constituted a slum area, issued a final Notification in exercise of-



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the powers conferred by sub-section (i) of Section 14 of the said Slum Act dated 11th May, 2006 and acquired the said property admeasuring about 5820.61 sq. mtrs. and as more particularly described in the Schedule hereunder written and accordingly on publication of the said Notification in the Official Gazette, the said property vested absolutely in the State Government/Concerned Authority, free from all encumbrances;

h. After having issued the said Annexure-II on 18th February 2005 read with corrigendum dated 16th May 2006, in response to necessary applications and Scheme of Slum Rehabilitation being submitted by the Concerned Authority being Executive Engineer-II, SRA issued Letter of Intent dated 25th July 2006, inter alia, allowing development/re-development of the said property under the Slum Rehabilitation Scheme subject to the terms and conditions recorded therein;

i. The Proposed redevelopment is under a layout Scheme and was to be developed initially in two phases (i.e. phase I) on sub Plot 'A' and (phase II) on sub Plot 'B'. The Construction on Plot 'A' is of a Composite Building which consist of four wings 'A', 'B' and 'C' for Rehab & Sale and wing 'D' exclusively for Sale component and (phase II) on sub Plot 'B' is of Sale Building consisting two wings i.e. wing 'A' & 'B'.

j. The Said Firm obtained all the requisite approvals, plans and permissions from the concerned authorities and has already completed construction of the Phase I and has also obtained the Amended to the Part Occupation Certificate dated 14/07/2021 in respect of the Composite building rehab wings 'A', 'B' and 'C' and the Amended to the Part Occupation Certificate dated 14/07/2021 upto the 18th floor of the Composite Building Sale wing 'D'.



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k. The said Firm has thereafter modified the layout Scheme and the same now comprises of three sub Plots i.e. Sub Plot 'A' [construction whereon has already been completed under Phase I], Sub-Plot 'B' comprising of the Sale Building No.2 and Sub-Plot 'C' for the Rehab building No:3.

The construction on the Sub-Plots B & C forms part of the Phase II of the project, which is being presently undertaken by the Developer.

l. The said Firm has accordingly obtained the requisite permissions for the construction of the buildings forming part of the Phase II to be constructed on the above referred Sub-Plot 'B' & 'C' [under the amended provisions of the Development Control and Promotions Regulation, 2034 (DCPR)] including:

- (i) Last Revised LOI dated 21.06.2021;
- (ii) Last Amended IOA of Rehab Building No. 3 dated 13.07.2021;
- (iii) Re- endorsement of Commencement Certificate for Rehab Building No. 3 dated 14.07.2021
- (iv) Last Amended IOA of Sale Building No. 2 dated 13.08.2021;
- (v) Re- endorsement of Commencement Certificate for Sale Building No. 2 dated 17.08.2021
- (vi) Last Amended layout/subdivision dated 13.07.2021;
- (vii) Sub-division order from the Collector dated 08.11.2019;
- (viii) Amalgamation and separate property register cards for sub-plots A, B, C & D of the said property dated 16.11.2019;
- (ix) Supplementary Annexure II of eligible and non-eligible slum dwellers.



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m. I had also caused search to be taken in the office of Sub-Registrar of Assurances at Bandra i.e. office Nos.1 to 7, for the period from 2011 to 2020 through search clerk Mr. Nilesh B. Vagal, who has prepared his report dated 5th November, 2020 and on perusal thereof, I have not come across any encumbrances on the said property.

n. I have also checked the revenue records of the said property and after going through the same, it is noticed that the said property forms part of land bearing old C.T.S. Nos. 3, 4, 5, 6 and 7 and now bearing New CTS Nos. 3B (1), 3B(2) & 3B(3), and the same stands in the name of the Government of Maharashtra

THE SCHEDULE ABOVE REFERRED TO:

All that pieces and parcels of land area admeasuring about 5820.61 sq. mtrs. forming part of old C.T.S. Nos. 3, 4, 5, 6 and 7 and now bearing New CTS Nos. 3B(1), 3B(2) & 3B(3), situate lying and being at Suhas Modi Road, Kandivli (East), Mumbai - 400 067 in the Revenue Village Wadhavan, Taluka Borivli, in the Registration District of Mumbai Suburban and bounded as follows:

North Side : Existing Suhas Modi Road
South Side : 27.45mtr wide DP road, Rajguru Flyover.
East Side : CTS No. 8(pt)
West Side : CTS No.3 (pt)



Dated this 24th day of August, 2021

Yours truly,

Advocate, High Court

VIKAS R. HIRLEKAR
ADVOCATE, HIGH COURT
106, 1st Floor, Giridwar Apartment,
Near Punjab National Bank,
Mathuradas Road, Kandivli (West),
Mumbai - 400 067.