

Satyam R. Dube

B.sc, PGDJ, ADR, LL.B



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ADVOCATE HIGH COURT

Reff:- D & A / 59/2023

Date- 17/03/2023

FORMAT-A

(Circular 28/2021 dated 08/03/2021)

To,

THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

Near BKC, Bandra East,

Mumbai-400051.

LEGAL TITLE REPORT

Sub: - Title clearance certificate with respect to Survey No. 113 (part), Corresponding to C.T.S. No. 356 (pt), land admeasuring 1643.89 Sq. Mtrs + tit bit admeasuring area 671.48 Sq.Mtrs totalling 2315.37 Sq. Mtrs., situated at Village- Hariyali, Taluka- Kurla, District- Mumbai Suburban along with building thereon known as **KANNAMWAR NAGAR JANHAVI CHS LTD.**, Building No. 26, 27, 28, and 29, Kannamwar Nagar No.1, Vikhroli (E), Mumbai 400083, (hereinafter referred as the "Said Property").

I have investigated the title of the said Property on the request of Kannamwar Nagar Janhavi CHS Ltd and the following documents i.e.: -

- 1) Description of the Said property: **As above;**
- 2) Indenture of Lease dated 09/11/2021, bearing document no. KRL4-20467-2021 dated 10/11/2021 in respect of KANNAMWAR NAGAR SAKET CHS LTD.;
- 3) Deed of Sale dated 09/11/2021 bearing document no. KRL4-20469-2021 dated 10/11/2021 in respect of KANNAMWAR NAGAR SAKET CHS LTD.;

- 4) Indenture of Lease dated 09/11/2021, bearing document no. KRL4-20546-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR PRERNA CHS LTD.;
- 5) Deed of Sale dated 09/11/2021 bearing document no. KRL4-20547-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR PRERNA CHS LTD.;
- 6) Indenture of Lease dated 09/11/2021, bearing document no. KRL4-20544-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR KALPAVRUKSH CHS LTD.;
- 7) Deed of Sale dated 09/11/2021 bearing document no. KRL4-20545-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR KALPAVRUKSH CHS LTD.;
- 8) Indenture of Lease dated 09/11/2021, bearing document no. KRL4-20539-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR JANHAVI CHS LTD.;
- 9) Deed of Sale dated 09/11/2021 bearing document no. KRL4-20540-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR JANHAVI CHS LTD.;
- 10) Amalgamation Order dated 28/01/2022 passed by Dy. Registrar Cooperative department MHADA, for amalgamation of the above said four societies, (as mentioned in clause no. 2 to 9).;
- 11) Property Cards issued by City Survey Office.;
- 12) The copy of Demarcation letter dated 13/04/2022 issued by Executive Engineer Kurla Division/Mumbai Board in respect of building no. 26, 27, 28, and 29, as stated above;
- 13) Search Report dated 13/03/2023 issued by Search Clerk MR. SUNIL S. KANGANE in respect of above referred the said Property for the period of 1994 to 2023 (30 Years);

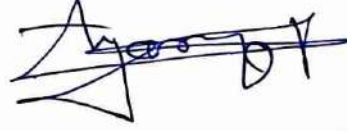
On perusal of the above- mentioned documents and all other relevant documents relating to title of the said property I am of the opinion that the title of **KANNAMWAR NAGAR JANHAVI CHS LTD.**, as the Owners is clear, marketable and without any encumbrances.

Owners of the land: **KANNAMWAR NAGAR JANHAVI CHS LTD.**, Survey No. 113 (part), Corresponding to C.T.S. No. 356 (pt), land admeasuring 1643.89 Sq. Mtrs + tit bit admeasuring area 671.48 Sq.Mtrs totalling 2315.37 Sq. Mtrs., situated at Village- Hariyali, Taluka- Kurla, District- Mumbai Suburban along with buildings thereon known as Kannamwar Nagar Janhavi CHS Ltd, Building No. 26, 27, 28, and 29, situated at Kannamwar Nagar No.1, Vikhroli (E), Mumbai 400083,



The report reflecting the flow of the title of the **KANNAMWAR NAGAR JANHAVI CHS LTD.**, as the Owners of the said land is enclosed herewith as annexure.

Dated this 17th day of March 2023



SATYAM R. DUBEY
B.Sc. P.G.D.J., A.D.R., LL.B.
Advocate High Court
201/B, Shree Hari Enclave CHS. Ltd,
Nahur Village, Nahur Village Road,
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Encl: Annexure.

Satyam R. Dube



B.sc, PGDJ, ADR, LLB

ADVOCATE HIGH COURT

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Ref:-D & A/58/2023

Date-17/03/2023

FORMAT-A

CIRCULAR NO. 28 (2021)

FLOW OF THE TITLE OF THE SAID LAND

Ref: - ALL THAT plot of land admeasuring 1643.89 Sq. Mtrs + Tit Bit admeasuring area 671.48 Sq.Mtrs totalling 2315.37 Sq. Mtrs., as per property card bearing Survey No. 113 (part), Corresponding to C.T.S. No. 356 (pt), of Village-Hariyali, Taluka-Kurla, District- Mumbai Suburban along with building thereon known as **KANNAMWAR NAGAR JANHAVI CHS LTD.**, Buildings No. 26, 27, 28, and 29, Kannamwar Nagar No.1, Vikhroli (East), Mumbai 400083(Hereinafter referred as to "the Said Property").

- 1) Description of the Said Property: **As above;**
- 2) Indenture of Lease dated 09/11/2021, bearing document no. KRL4-20467-2021 dated 10/11/2021 in respect of KANNAMWAR NAGAR SAKET CHS LTD.;
- 3) Deed of Sale dated 09/11/2021 bearing document no. KRL4-20469-2021 dated 10/11/2021 in respect of KANNAMWAR NAGAR SAKET CHS LTD.;
- 4) The Society registration Certificate of KANNAMWAR NAGAR SAKET CHS LTD., bearing registration No. MUM/MHADDB/HSG/(TC)/12028/2002-2003 dated 24/01/2003.;
- 5) Indenture of Lease dated 09/11/2021, bearing document no. KRL4-20546-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR PRERNA CHS LTD.;
- 6) Deed of Sale dated 09/11/2021 bearing document no. KRL4-20547-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR PRERNA CHS LTD.;

- 7) The Society registration Certificate of KANNAMWAR NAGAR PRERNA CHS LTD., bearing registration No. MUM/MHADB/WS/HSG/(TC)/11364/2001-2002 dated 05/10/2001;
- 8) Indenture of Lease dated 09/11/2021, bearing document no. KRL4-20544-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR KALPAVRUKSH CHS LTD.;
- 9) Deed of Sale dated 09/11/2021 bearing document no. KRL4-20545-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR KALPAVRUKSH CHS LTD.;
- 10) The Society registration Certificate of KANNAMWAR NAGAR KALPAVRUKSH CHS LTD., bearing registration No. MUM/MHADB/WS/HSG/(TC)/10016/1998-1999 dated 08/10/1998;
- 11) Indenture of Lease dated 09/11/2021, bearing document no. KRL4-20539-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR JANHAVI CHS LTD.;
- 12) Deed of Sale dated 09/11/2021 bearing document no. KRL4-20540-2021 dated 11/11/2021 in respect of KANNAMWAR NAGAR JANHAVI CHS LTD.;
- 13) The Society registration Certificate of KANNAMWAR NAGAR JANHAVI CHS LTD., bearing registration No. MUM/MHADB/WS/HSG/(TC)/9773/1997-1998 dated 02/09/1997;
- 14) Amalgamation Order dated 28/01/2022 passed by Dy. Registrar Cooperative department MHADA, for amalgamation of the above, said four societies;
- 15) Property Cards issued by City Survey Office;
- 16) The copy of the Demarcation letter dated 13/04/2022 issued by Executive Engineer Kurla Division/Mumbai Board in respect of building no. 26, 27, 28, and 29, as stated above;
- 17) Search Report dated 13/03/2023 issued by Search Clerk MR. SUNIL S. KANGANE in respect of the above-referred the said Property for the period of 1994 to 2023 (30 Years);
- 18) A Development Agreement dated 17/01/2023 registered under Serial No. KRL-3-1029-2023;
- 19) A General Power of Attorney dated 17/01/2023 registered under Serial No. KRL-3-1040-2023;



A. On perusal of the search report, property cards, chain of documents, for societies registration certificates, amalgamation order, letter dated 13-04-2022 issued by Mhada and other documents it is revealed that initially MHADA was the owner of plot of land bearing Survey No. 113 (part), Corresponding to C.T.S. No. 356 (pt), of Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban, situated at Kannamwar Nagar, Vikhroli (East), Mumbai 400083. Later on, constructed four buildings viz. 1) building no. 26 (KANNAMWAR NAGAR SAKET CHS LTD.) upon land admeasuring 411.60 sq. mtrs bearing survey no. 113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban. 2) Building no. 27 (KANNAMWAR NAGAR PRERNA CHS LTD.,) upon land admeasuring 410.39 sq. mtrs bearing survey no. 113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban, 3) Building no. 28 (KANNAMWAR NAGAR KALPAVRUKSH CHS LTD.,) upon land admeasuring 411.79 sq. mtrs bearing survey no. 113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban and 4) Building no. 29 (KANNAMWAR NAGAR JANHAVI CHS LTD.,) upon land admeasuring 411.79 sq. mtrs bearing survey no. 113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban for the residential purposes and the tenements in the said building have been allotted to the individual allottees. Each building consisting of ground plus three upper floors with 16 tenements. Later on, the allottees of the above-named four buildings formed four deferent cooperative housing society under MCS Act 1960 and its Rules 1961 i.e. 1) building no. 26 registered as KANNAMWAR NAGAR SAKET CHS LTD., 2) Building no. 27 registered as KANNAMWAR NAGAR PRERNA CHS LTD., 3) Building no.28 registered as KANNAMWAR NAGAR KALPAVRUKSH CHS LTD., and 4) Building no. 29 registered as KANNAMWAR NAGAR JANHAVI CHS LTD. That each society has 16 tenements occupied by its 16 members therefore, all four societies have 64 members collectively.

B. By an Indenture of Lease dated 09/11/2021, registered in the sub-registrar of assurances, under document no. KRL4-20467-2021 dated 10/11/2021 and executed between Maharashtra Housing Area Development Authority and KANNAMWAR NAGAR SAKET CHS LTD., thereby the said MHADA demised unto the society herein the rights, title, and interest in respect of land admeasuring 411.60 sq. mtrs



bearing survey no. 113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban.

- C. By an under Deed of Sale dated 09/11/2021 registered in the sub-registrar of assurances under Serial number KRL4-20469-2021 dated 10/11/2021 executed between the MHADA herein described as Authority/Vendor and KANNAMWAR NAGAR SAKET CHS LTD., therein described as the purchasers, the said purchasers purchased the land admeasuring 411.60 sq. mtrs bearing survey no. 113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban.
- D. By an Indenture of Lease dated 09/11/2021, registered in the sub-registrar of assurances, under document no. KRL4-20546-2021 dated 11/11/2021 and executed between Maharashtra Housing Area Development Authority and KANNAMWAR NAGAR PRERNA CHS LTD., thereby the said MHADA demised unto the society herein the rights, title, and interest in respect of land admeasuring 410.39 sq. mtrs bearing survey no. 113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban.
- E. By an under Deed of Sale dated 09/11/2021 registered in the sub-registrar of assurances under Serial number KRL4-20547-2021 dated 11/11/2021 executed between the MHADA herein described as Authority/Vendor and KANNAMWAR NAGAR PRERNA CHS LTD., therein described as the purchasers, the said purchasers purchased the land admeasuring 410.39 sq. mtrs bearing survey no. 113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban.
- F. By an Indenture of Lease dated 09/11/2021, registered in the sub-registrar of assurances, under document no.KRL4-20544-2021 dated 11/11/2021 and executed between Maharashtra Housing Area Development Authority and KANNAMWAR NAGAR KALPAVRUKSH CHS LTD., thereby the said MHADA demised unto the society herein the rights, title, and interest in respect of land admeasuring 411.79 sq. mtrs bearing survey no. 113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban.



- G.** By an under Deed of Sale dated 09/11/2021 registered in the sub-registrar of assurances under Serial number KRL4-20545-2021 dated 11/11/2021 executed between the MHADA herein described as Authority/Vendor and KANNAMWAR NAGAR KALPAVRUKSH CHS LTD., therein described as the purchasers, the said purchasers purchased the land admeasuring 411.79 sq. mtrs bearing survey no. 113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban.
- H.** By an Indenture of Lease dated 09/11/2021, registered in the sub-registrar of assurances, under document no. KRL4-20539-2021 dated 11/11/2021 and executed between Maharashtra Housing Area Development Authority and KANNAMWAR NAGAR JANHAVI CHS LTD., thereby the said MHADA demised unto the society herein the rights, title, and interest in respect of land admeasuring 411.79 sq. mtrs bearing survey no.113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban.
- I.** By an under Deed of Sale dated 09/11/2021 registered in the sub-registrar of assurances under Serial number KRL4-20540-2021 dated 11/11/2021 executed between the MHADA herein described as Authority/Vendor and KANNAMWAR NAGAR JANHAVI CHS LTD., therein described as the purchasers, the said purchasers purchased the land admeasuring 411.79 sq. mtrs bearing survey no. 113 (pt), corresponding CTS No.356 (pt), Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban.
- J.** That after execution of above referred Indenture of Lease and Sale Deed in respect of above four respective society, the none of the society has not complied the formalities to transferred the lands they owned in their name.
- K.** That the above named four societies i.e., 1) KANNAMWAR NAGAR SAKET CHS LTD., 2) KANNAMWAR NAGAR PRERNA CHS LTD., 3) KANNAMWAR NAGAR KALPAVRUKSH CHS LTD., and 4) KANNAMWAR NAGAR JANHAVI CHS LTD., are situated adjoining one another. Therefore, the above four societies called Special General Body Meeting on 10/05/2018 and



therein with 2/3rd majority decided for amalgamation/ merger of the above named three societies, i.e., 1) KANNAMWAR NAGAR SAKET CHS LTD., 2) KANNAMWAR NAGAR PRERNA CHS LTD., 3) KANNAMWAR NAGAR KALPAVRUKSH CHS LTD. with KANNAMWAR NAGAR JANHAVI CHS LTD. The building No.26,27,28 is merged with building no.29 keeping society name as KANNAMWAR NAGAR JANHAVI CHS LTD. The Dy. Co-operative Registrar MHADA vide its order dated 28/01/2022 permitted for the said amalgamation/merge therefore, the registration of above named three societies i.e., 1) KANNAMWAR NAGAR SAKET CHS LTD., 2) KANNAMWAR NAGAR PRERNA CHS LTD., 3) KANNAMWAR NAGAR KALPAVRUKSH CHS LTD., cancelled and all the right, title, and interest of each of the above three societies assigned/ transferred to the said KANNAMWAR NAGAR JANHAVI CHS LTD. Furthermore, the share certificates of all the members of all four societies are cancelled and fresh share certificates be issued to all 64 members on the amalgamation of societies by KANNAMWAR NAGAR JANHAVI CHS LTD. Now, building no. 26, 27, 28, and 29 are part and belongs KANNAMWAR NAGAR JANHAVI CHS LTD. and have a total of 64 members. Thus, the amalgamated society namely KANNAMWAR NAGAR JANHAVI CHS LTD., Kannamwar Nagar No.1, Vikhroli (E), Mumbai 400083, bearing registration no. MUM/MHADDB/HSG/(TC)/9773/1997-1998 dated 02/09/1997, (Hereinafter referred to as "the said society") is now entitled to seize and possessed of or otherwise well and sufficiently entitled to all that piece and parcel of land bearing Survey No. 113 (part), Corresponding to C.T.S. No. 356 (pt), land admeasuring 1643.89 Sq. Mtrs + tit bit admeasuring area 671.48 Sq. Mtrs totalling 2315.37 Sq. Mtrs., situated at Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban, (hereinafter referred to as (the said Property")) along with the buildings thereon. The said society has in all 64 members.

- L. That the MHADA has issued a letter bearing no.EE/DE-III/KD/MB/20/2022 dated 13/04/2022 and thereby demarcated the plot boundary of building no. 26, 27, 28, and 29 known as KANNAMWAR NAGAR JANHAVI CHS LTD., on plot bearing Survey No. 113 (part), Corresponding to C.T.S. No. 356 (pt), land admeasuring 1643.89 Sq. Mtrs + Tit Bit admeasuring area 671.48 Sq. Mtrs totalling 2315.37 Sq.



Mtrs., situated at Village-Hariyali, Taluka- Kurla, District- Mumbai Suburban. Furthermore, in the said letter Mhada has stated at under: -

- i. The plot area as per lease deed executed on 09/11/2021 with Building No. 26, 27, 28, 29 ($411.60 + 410.39 + 411.79 + 410.11$) is 1643.89 sq.mtr.
- ii. The total plot area as per site measurement of Bldg. No 26, 27, 28, 29 is = 2315.37 sq.mtr.
- iii. There is difference of area (Tit-Bit) is 671.48 sq.mtr between area as per site measurement and conveyance deed executed with Mhada.
- iv. Total Plot area of Bldg. No 26, 27, 28, 29 as per approved layout with 3.00 F.S.I ($563.82 + 599.63 + 548.10 + 598.83$) is 2310.38 sq.mt.
- v. Area as per site measurement is more than area as per approved layout. Hence for F.S.I. purpose Tit-Bit area $2310.38 - 1643.89$ is = 666.49 sq.mtr.
- vi. Road set Back area for building no.26,27,28, 29 ($12.70 + 5.47 + 27.37$) is = 45.54 sq.mts.

Therefore, the KANNAMWAR NAGAR JANHAVI CHS LTD. is the owner of the said Property Hence, in my opinion, the title of KANNAMWAR NAGAR JANHAVI CHS LTD., to the above referred said Property is clear, marketable, and free from encumbrances.

M. By a Development Agreement dated 17/01/2023 registered under serial no. KRL3-1029-2023 dated 17/01/2023 the said society viz. KANNAMWAR NAGAR JANHAVI CHS LTD. and its members have granted the development right in respect of the above referred said Property and the said society unto M/S. SHRADDHA LANDMARK PVT LTD., on the terms and conditions mentioned therein to redevelop the above-referred The Said Property.

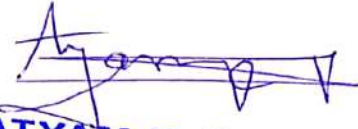
N. The said society i.e. KANNAMWAR NAGAR JANHAVI CHS LTD., has also granted General Power Of Attorney dated 17/01/2023 registered under serial no. KRL3-1040-2023 dated 17/01/2023 unto M/S. SHRADDHA LANDMARK PVT LTD., for the purpose of redevelopment of the above, referred to The Said Property.



O. In my opinion **M/S. SHRADDHA LANDMARK PVT LTD.**, as a developers and promoters of the above-referred the said property, has acquired clear and marketable title to the above-referred property and the same is free from encumbrances. The **M/S. SHRADDHA LANDMARK PVT LTD.**, all right as per the above referred development agreement.

20. Litigation if any: **No**

Dated this 17th day of March 2023


SATYAM R. DUBEY
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Advocate High Court
201/B, Shree Hari Enclave CHS. Ltd,
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