

PRATIK K. SHAH

Advocate High Court

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(Circular No. 28/2021)

To,
Maharashtra Real Estate Regulatory Authority
MAHARERA Headquarter
Houssefin Bhavan, Plot No. C – 21,
E – Block, Bandra Kurla Complex,
Bandra (East), Mumbai – 400 051.

LEGAL TITLE REPORT

Title Clearance Certificate with respect to all that portion of an area admeasuring 15,216.63 sq. meters (12,233.06 sq meters open residential, 1,008.67 sq meters Municipal School and 1,974.90 sq. meters Playground) forming part of the land bearing CTS Nos. 1289 (part), 1290 (part), 1292(part), 1293(part), 1294(part), 1295(part), 1296(part) and 1297(part) all of Village- Mulund (East), Taluka- Kurla in the Registration and Sub District of Mumbai Suburban originally forming part of and/or comprised in Survey Nos. 83 to 90 of Village- Mulund (**“the said Property”**).

A. I have investigated the title of M/S. K. V. BUILDHOME LLP, a Limited Liability Partnership firm duly formed and registered under the provision of the Limited Liability Partnership Act, 2008 bearing registration No. AAA-5199 and having its registered office at 322, Commerce House, 140, Nagindas Master Road, Fort, Mumbai- 400 023 (hereinafter referred to as **the said Developer**) and have scrutinized the following documents i.e.:

1. Description of the Property:

All that portion of an area admeasuring 15,216.63 sq. meters (12,233.06 sq meters open residential, 1,008.67 sq meters Municipal School and 1,974.90 sq. meters Playground) forming part of the land bearing 1289 (part), 1290 (part), 1292(part), 1293(part), 1294(part), 1295(part), 1296(part) and 1297(part) all of Village- Mulund (East), Taluka- Kurla in the registration and sub district of Mumbai Suburban.



2. **The documents of entitlement to develop the said Property:**

- a. Consent Decree dated 6th May, 1998 filed in the Suit No. 252 of 1980 before the High Court at Bombay;
- b. Title Certificate dated 10th December, 2020 issued by M/s. Narayanan & Narayanan;
- c. Deed of Addendum made on 4th March, 2022 to the Reconstituted Partnership dated 29th March, 2018;
- d. Development Agreement dated 8th July, 2022 duly registered under Serial No. KRL-1-12655 of 2022 made and executed by and between Swas Construction Co and K. V. Buildhome LLP;
- e. Digital P. R Card dated 10th July, 2021;

3. On perusal of the digital Property Register Card dated 10th July, 2021 the name of Swas Construction Co. as Owners has been mutated.

4. Search for the period of 30 years from 1993 to 2022 has been carried out through Search Clerk Jitendra Chavan dated 30th December, 2022.

B. On perusal of the above-mentioned documents and relying upon the Title Certificate of M/s. Narayan & Narayan and all other relevant documents relating to title of the said property afore recited and subject to what is stated in flow of title annexed hereto as Annexure- A I am of the opinion that M/s. K. V. Buildhome LLP are entitled to develop the said property particularly in terms of the Development permissions as have been granted from time to time by the Planning Authority.

OWNERS OF THE LAND

M/s. Swas Construction Co. in respect of 1289 (part), 1290 (part), 1292(part), 1293(part), 1294(part), 1295(part), 1296(part) and 1297(part) all of Village-Mulund (East), Taluka- Kurla in the Registration and Sub District of Mumbai Suburban.



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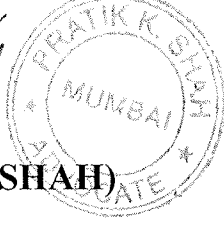
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C. The report reflecting the flow of entitlement to development rights of the M/s. K. V. Buildhome LLP on the said property is enclosed herewith as annexure-“Annexure-A”.

Dated this 18th day of January, 2023.


(PRATIK K SHAH)
Advocate



Encl: Flow of Title

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ANNEXURE- A

FLOW OF THE TITLE OF THE SAID PROPERTY

1. Pursuant to an Order dated 10th November, 2020 passed by the Collector, Mumbai Suburban District conferring the status of Occupant Class- I Owner on Swas Construction Co in terms as recorded in the letter dated 1st October, 2020, subsequent to the payment of price made by Swas Construction Co., Swas Construction Co. holds lands bearing Survey Nos. 83 to 90 (excluding the portions which are already transferred to and/or vested in the Municipal Corporation of Greater Mumbai) and now comprised in CTS Nos. 1290, 1292, 1289, 1293, 1294, 1295, 1297 and 1296 all of Village- Mulund, Taluka- Kurla, of area admeasuring 96464.9 sq. meters in the District Mumbai Suburban ("the said Larger Property").
2. The chain of title and entitlement of Swas Construction Co as owner to the said Larger Property is more particularly set out in the Title Certificate dated 10th December, 2020 issued by M/s. Narayanan & Narayanan.
3. Due to diverse reasons the Partners of Swas Construction Co. have mutually agreed and decided to develop the said Larger Property as a separate and independent project by the particular Partner as recorded under the Deed of Addendum executed on 4th March, 2022 to the Reconstituted Partnership dated 29th March, 2018 on the terms and conditions set out therein.
4. M/s. Neelam Buildtech Enterprise LLP being one of the Partner of the said Owner being responsible for the execution of the Swas Construction Phase C Project is desirous of carrying out the development of and construction of an aggregate area admeasuring 15,216.63 sq. meters (12,233.06 sq. meters open residential Plot, 1,008.67 sq. meters Municipal School in EPRE.1 and 1,974.90 sq. meters Playground ROS 1.4) forming portion of the land bearing CTS Nos. 1289 (part), 1290 (part) and 1292 to 1297 (all part) of Village- Mulund (East), Taluka- Kurla in the registration and sub district at Mumbai Suburban (the said Property).
5. By and under Development Agreement dated 8th July, 2022 duly registered under Serial No. KRL-1-12655 of 2022 made and executed by and between



Swas Construction Co therein and herein referred to as the Owner on the one Part and the K V Buildhome LLP therein referred to as the Developer, the Owner therein have granted and transferred unto the Developer absolute and exclusive development rights in respect of the said Property for the consideration and on the terms and conditions set out therein.

6. As per the digital Property Register Card the name of the Owners i.e. Swas Construction Co. has been mutated as owners.
7. I have been furnished with a search to be carried out through Search Clerk Jitendra Chavan, in the office of Sub Registrar of Assurances.

In the sequence hereinabove and on the basis of the documents furnished including copies of the title deeds, revenue records as well as the Title Certificate dated 10th December, 2020 issued by Narayan & Narayan and the representation given and made by the Developer with respect to the said Property I am of the opinion and do certify that the entitlement of the Developer to the said property subject to what is set out in the Title Certificate dated 10th December, 2020 and hereinabove is clear marketable and free of reasonable doubts and are entitled to construct the building/s on the said property in terms of the development permissions as have been granted by the Planning Authority.

Dated this 18th day of January, 2023.


(PRATIK K. SHAH)
Advocate

