

SANDESH D. JADHAV, B.Com; LL.B
(Advocate High Court)

40 / 23, NAVJIVAN NAGAR
TAGORE NAGAR, GROUP NO. 3
VIKHROLI (E), MUMBAI – 400 083
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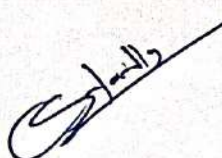
To,
Maha RERA, Mumbai,
Maharashtra.

FORMAT -A
(Circular No: - 28/2021)
LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to Plot of Land bearing Survey No. 67 to 71 C.T.S. No. 826, as per demarcation by MHADA the area of the Plot admeasures 1465.51 Sq. Mtrs. Situated at Building No. 09, Subhash Nagar Navrang C H S Ltd; Subhash Nagar, N. G. Acharya Marg, Chembur – (East), Mumbai – 400071 of Village – Chembur, Taluka – Kurla hereinafter referred as “the SaidPlot” along with the Building of Ground + 2 Floors standing thereon hereinafter referred to as “the Said building” and both together the said Plot and the said Building together hereinafter referred to as “the Said Property”.

I have investigated the Title of the Said Property on the request of Developer, **M/S. ROYALE HOUSING** and also perused the documents related to the said Property provided to me and I hereby provide my opinion as under –

1. MHADA in pursuance of Scheme introduced by Government constructed Building No. 09 consisting of 36 residential tenements each having a carpet area of 180.00 Sq. Feet i.e. 16.72 Sq. Mtrs. or thereabouts on the said Plot for housing purpose as provided in the said scheme.
2. All the individual tenants of said 36 Tenements formed a co-operative Housing society viz. “SUBHASH NAGAR NAVRANG C H S LTD;” Consisting of said 36 members under Registration Number No. BOM/HSG/7952/1982 dated 30/11/1982.



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3. By the Deed of Sale executed between MHADA and society dated **30th June, 1992** Registered at Bombay, bearing Registration No. **P5977/92** the MHADA / Housing Board Transferred, Conveyed, Sold Assigned unto the society consisting of Building Structure of Building No. **09**, standing on the above referred Plot situated at **Subhash Nagar, N. G. Acharya Marg, Chembur – (East), Mumbai – 400071** known as **"SUBHASH NAGAR NAVRANG C H S LTD;"** for 36 members and then **"SUBHASH NAGAR NAVRANG C H S LTD;"** Became owner of the said Residential Building
4. By the Indenture of Lease, the Land was leased as on date **30th June, 1992** bearing Registration No. - **P5979/92**.
5. There was a Development Agreement (DA) dated **17/10/2003** and an Irrevocable Power of Attorney (POA) dated **14/09/2003** between the Society and the erstwhile Developer, G. A. Builders Pvt. Ltd; for the Redevelopment of the Society's Building Property. However Arbitration proceedings were held under Sole Arbitrator, Salil Shah. After hearings the Sole Arbitrator, Salil Shah, gave his **ORDER** dated **03/02/2020** thereby dismissing the claim of G. A. Builders Pvt. Ltd; As per the **ORDER** of the Sole Arbitrator, Salil Shah, the Society herein has a clear and marketable title to the Said Property.
6. WHEREAS, **"SUBHASH NAGAR NAVRANG C H S LTD;"** Leasehold owner of the said land and owner of the said building consisting of 36 residential tenements having plot area as per demarcation by MHADA the area of the Plot admeasures **1465.51 Sq. Mtrs.** In the above premise, the society is leasehold owner of the said land. The owner of the said structure consisting of 36 residential flat having plot area as per demarcation by MHADA the area of the Plot admeasures **1465.51 Sq. Mtrs.** to avail benefits of balance F.S.I. available with MHADA, on society plot and also the society

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members were desirous of having additions to their existing tenements by using the benefits of MHADA F.S.I. and hence Resolution was passed in Special General Body Meeting held on 3rd January, 2022, in the presence of Mr. Pramod Kulkarni, the authorized representative of Deputy Registrar of Co-operative Societies MW Ward, decided to do extensions to their existing tenement and appointed **M/S. ROYALE HOUSING** for reconstruction and redevelopment of the said Property through the Developers herein.

7. As the said Tenements were in quite dilapidated condition and unfit for human habitation, after following due legal procedure the said society granted unto the **M/S. ROYALE HOUSING** having address at Shop Nos. 4 & 5, Navrang C H S Ltd; Building No. 86, Tilak Nagar, Chembur – (West), Mumbai – 400089 all the redevelopment and reconstruction rights of the said Property vide Development Agreement (DA) dated **12/12/2022** and registered with the concerned sub-register of Assurance at Kurla under Document Registration No. **KRL-1/22303/2022** on the terms and condition as therein contained and Power of Attorney (POA) dated **12/12/2022** bearing Document Registration Serial No. **KRL-1/22304/2022** and thereby transferred all Development rights, title, interest of the said plot to **M/S. ROYALE HOUSING**.

Confirm and Verified Documents as under –

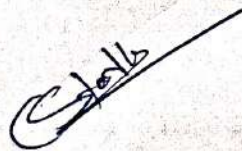
- Society Registration Certificate No. **BOM/HSG/7952/1982** dated **30/11/1982**.
- Property Card / Extract of Land Survey No. **67 to 71** C.T.S. No. **826** which is showing land property in the name of Maharashtra Housing and Area Development Board.

(Signature)

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8. Copy of Minutes and Resolution passed by **"SUBHASH NAGAR NAVRANG C H S LTD;** in favour of **M/S. ROYALE HOUSING,** for Development of Building No. 09 of Subhash Nagar Navrang C H S Ltd; Subhash Nagar, N. G. Acharya Marg, Chembur – (East), Mumbai – 400071 of Village – Chembur, Taluka – Kurla.
9. In view of the above said records and searches the Title of **"SUBHASH NAGAR NAVRANG C H S LTD;"** In respect of the above said MHADA allotted Property is clear and marketable and is free from all encumbrance of whatsoever nature.
10. I have perused the relevant documents that have been provided to me and I am of the opinion that the Title is clear of **"SUBHASH NAGAR NAVRANG C H S LTD;** in respect of the residential plot situated at Survey No. 67 to 71 C.T.S.No. 826 the Plot as per demarcation by MHADA the area of the Plot admeasures **1465.51 Sq. Mtrs.** at Building No. 09, Subhash Nagar Navrang C H S Ltd; Subhash Nagar, N. G. Acharya Marg, Chembur – (East), Mumbai – 400071 of Village – Chembur, Taluka - Kurla together with the building structure standing thereon comprising the Ground + 2 Floors situated at Building No. 09, Subhash Nagar Navrang C H S Ltd; Subhash Nagar, N. G. Acharya Marg, Chembur – (East), Mumbai – 400071 of Village – Chembur, Taluka – Kurla and whereas Maharashtra Housing and Area Development Authority (MHADA) has Surveyed and demarcated the said Plot.
11. **Description of the Property:** Leasehold Residential Plot situated at Building No. 09, bearing Survey No. 67 to 71 C.T.S.No. 826 as per demarcation by MHADA the area of the Plot admeasures **1465.51 Sq. Mtrs.** at Building No. 09, Subhash Nagar Navrang C H S Ltd; Subhash Nagar, N. G. Acharya Marg, Chembur – (East), Mumbai – 400071 of Village – Chembur, Taluka - Kurla together with the building structure standing thereon comprising of Ground + Two upper Floors situated at



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Building No. 09, Subhash Nagar Navrang C H S Ltd; Subhash Nagar, N. G. Acharya Marg, Chembur – (East), Mumbai – 400071 of Village – Chembur, Taluka - Kurla In Registration District and Sub – District of Mumbai Suburban, “The said Property” for last 30 years and have found that the Title of the plot leased by M.H.A.D.A., a statutory corporation constituted under the Maharashtra Housing and Area Development Act, 1976 (Maharashtra XXVIII of 1977), are clear and marketable and are free from all encumbrances of whatsoever nature. The schedule plot is bounded as under:-

ON OR TOWARDS THE NORTH : 60.00 Feet Wide Road

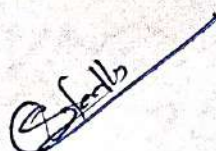
ON OR TOWARDS THE SOUTH : Building No. 11

ON OR TOWARDS THE EAST : Building No. 8

ON OR TOWARDS THE WEST : Building No. 10

12. The documents of Allotment of Plot: Search Report for 30 years dated 24/02/2023 by Search Clerk, Mr. Swapnil More.
13. Development Agreement (DA) dated 12/12/2022 Registered at the Sub-Registrar of Assurances, Kurla bearing Document Registration Serial No. KRL-1/22303/2022 and Registered Power of Attorney (POA) dated 12/12/2022 at the Sub-Registrar of Assurances, Kurla bearing Document Registration Serial No. - KRL-1/22304/2022.
14. 7/12 extract or Property Registration Card issued by City Survey officer reflects the name of Maharashtra Griha Nirman Bhavan.
15. Search report for 30 years from 1994 till 2023.

2/- On perusal of the abovementioned documents and all other relevant documents



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relating to the title of the said property, I am of the opinion that the title of the Developer, **M/S. ROYALE HOUSING**, is clear, marketable and without any encumbrances vide Development Agreement (DA) registered between **[1] SUBHASH NAGAR NAVRANG C H S LTD; [2] M/S. ROYALE HOUSING** and **[3] Members of SUBHASH NAGAR NAVRANG C H S LTD**; Registered at Kurla - 1 vide Document Registration Serial No. **KRL-1/22303/2022** dated **12/12/2022** and Registered Power of Attorney (POA) dated **12/12/2022** at Kurla – 1 vide Document Registration Serial No. - **KRL-1/22304/2022**.

Owner of the land –

Maharashtra Griha Nirman Bhavan, Mumbai Survey No. **67 to 71 C.T.S. No. 826** (As per 7/12 - Property card).

Owner of the Building structure –

SUBHASH NAGAR NAVRANG C H S LTD; vide Deed of Sale in the year **1992** from Maharashtra Housing and Area Development Board, Mumbai (As per Search Report dated **24/02/2023** by Search Clerk **Mr. Swapnil More**).

3/- The report reflecting the flow of the title of the Owner and Developer for the said Property is enclosed herewith as **Annexure – “A”**.

Encl: Annexure – “A”.

Date: **02/06/2023**



Sandesh D. Jadhav

(Adv. High Court, Bombay)

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ADVOCATE HIGH COURT
40/23, Navjeevan Nagar, Tagore Nagar, Gr. No. 3, Vikhroli (E)
Mumbai - 83.