

**DIAMONDWALA & Co.**  
ADVOCATES & SOLICITOR

**REPORT ON TITLE**

Re:- **ALL THAT** piece and parcel of land situate, lying and being at Village Malad, Taluka Borivali bearing Survey No. 273/1 (pt), CTS No. 738/B/1A (part), admeasuring 3387.5 sq. mtrs. or thereabouts, within the Registration Sub-District of Mumbai City and District of Mumbai Suburban within the limits of Ward P/N Ward of the Municipal Corporation of Greater Mumbai hereinafter referred to as "**the said Property**" and fully occupied by the Slum Dwellers.

-----

We have been requested by our clients, Messers Reliance Construction Co, a proprietary concern of Mr. Raices Yasin Lashkaria having its Office at 1<sup>st</sup> Floor, Juhu Azad Nagar Co-operative Housing Society Limited, C.D. Barfiwala Road, Near New India Colony, Andheri (West), Mumbai - 400 058, as the Developers and Messers New Ajmera Construction & Developers, a Partnership firm registered under the Indian Partnership Act, having its registered office at 5<sup>th</sup> Floor, Joshi Apartments, S.V. Road, Bandra (West), Mumbai - 400 050 as the Owners, to give our report on title in respect of the abovementioned Property.

We have investigated the title of our clients, Messers New Ajmera Construction & Developers, the Owners and Messers Reliance Construction Co. (the said Developers) who are developing the said Property by constructing building/s thereon by causing to take



searches in the office of Sub-Registrar of Assurance both at Bombay and Bandra for 30 years i.e. from 1991 to 2020 and also in the office of the Collector and also by causing to publish Public Notices in two newspapers namely Free Press Journal in its issue dated 31<sup>st</sup> August, 2020 and Navshakti in its issue dated 31<sup>st</sup> August, 2020. We have also perused the original title deeds relating to the above referred property and upon perusal of the title deeds and search note submitted by our Search Clerk, we have to state as follows.

Our clients Messers Reliance Construction Co. have acquired the development rights of the said Property from Messers New Ajmera Construction & Developers under an Agreement for Development dated 1<sup>st</sup> July, 2019 duly registered with the Sub-Registrar of Assurances, Mumbai under Serial No. BRL-2-7222-2019 dated 1<sup>st</sup> July, 2019.

We have been provided with a file containing photocopies of the Agreements and other documents in respect of the acquisition of the said Property by our clients Messers New Ajmera Construction & Developers, the Owners and also the acquisition of development rights by our clients, Messers Reliance Construction Co., with a request to give a report on title in respect of the above referred Property.

**Based on the aforesaid, we have to report as under:**

**Flow of title of the said Property:-**



1. Upon perusal of the documents produced, we have to state that the Owners have acquired the said Property as follows :-
  - i. One F.E. Dinshaw Trust was well and sufficiently entitled to ALL THAT piece and parcel of land situate, lying and being at Village Malad, Taluka Borivali bearing Survey No. 273/1 (pt), CTS No. 738/B/1A (part), admeasuring 3387.5 sq. mtrs. or thereabouts, within the Registration Sub-District of Mumbai City and District of Mumbai Suburban within the limits of Ward P/N Ward of the Municipal Corporation of Greater Mumbai hereinafter referred to as "**the said Property**" and fully occupied by the Slum Dwellers.
  - ii. By Notification No. IMC-48/RA/230/86 dated 12<sup>th</sup> December, 1986 and Published at Page No. 48 of the Maharashtra Government Gazette dated 22<sup>nd</sup> January, 1987, the Deputy Collector (ENC) and Competent Authority, Sub-Division, Borivali, declared the said Property as a Slum Area under Section 4 of the Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971.
  - iii. In pursuance to the Sanction granted by the Office of the Charity Commissioner under Section 36 (1) (A) of the

Bombay Public Trust Act, 1950 on 3<sup>rd</sup> November, 1989 and extended by order dated 21<sup>st</sup> March, 1996, the Trustees of F.E. Dinshaw Trust completed the transaction by execution of Indenture of Conveyance dated 6<sup>th</sup> December, 1996 made and entered into between the said Mr. Nusli Neville Wadia, Mrs. Maureen Nusli Wadia, Mr. Rajesh Kumar Bhatra and Mr. Hudrali Subbana Srinivas, the then Trustees of F. E. Dinshaw Trust there in referred to as the Vendors of the First Part and Shri Vakil Mohamed Rehmulla, the Chief Promoter of Shane Rehmat Co-Operative Society (Proposed) and Shri Vishwanath Hublal Yadav, the Chief Promoter of Shree Ram Co-Operative Society (Proposed) therein referred to as the Purchasers of the Second Part the said Vendors therein did thereby convey, transfer and assure unto the said Purchasers therein the said Property, at or for the consideration and on the terms and conditions more particularly stated therein.

- iv. By a Development Agreement dated 20<sup>th</sup> March, 2006 executed between Shane Rehmat Co-operative Housing Society (Prop) therein referred to as the Society of the One Part and Messers New Ajmera Construction & Developers, therein referred to as the Developers of the Other Part.



The Society therein granted development rights to the Developers in respect of the said Property for the consideration and on the terms and conditions more particularly recorded therein.

- v. By a Power of Attorney dated 20<sup>th</sup> March, 2006, the Society authorised the Owners to do various acts and deeds with respect to redevelopment of the said Property under the Regulation 33(10) of Development Control Regulation, 1991 as amended from time to time.
- vi. By Deed of Conveyance dated 2<sup>nd</sup> February, 2008, registered with the Office of Sub-Registrar of Assurances at Bandra under Serial Nos. BDR12-00950-2008 dated 2<sup>nd</sup> February, 2008 and executed by and between (i) Shane Rehmat Co-operative Society (Prop) and (ii) Shree Ram Co-operative Society (Prop) therein referred to as the Vendors of the One Part and M/s. New Ajmera Construction & Developers, therein referred to as the Purchaser of the Other Part, the Vendors therein sold, conveyed and transferred the said Property to the Purchaser for the consideration and upon the terms and conditions stated therein.
- vii. Messers New Ajmera Construction & Developers thereafter submitted the Proposal for sanction of Slum

Rehabilitation Scheme to Slum Rehabilitation Authority on 23<sup>rd</sup> August, 2006 and revised proposal on 30<sup>th</sup> August, 2019.

- viii. The Competent Authority issued a certified list of the Eligible Slum Dwellers entitled for Permanent Alternate Accommodation under Annexure II dated 3<sup>rd</sup> May, 2012 and Revised Annexure II dated 9<sup>th</sup> January, 2013.
- ix. By the General Body Resolution dated 19<sup>th</sup> March, 2018 Shane Rehmat Co-operative Society (Prop) appointed the Developers and Owners as the Developers for redevelopment of the said Property.
- x. By an Agreement for Development dated 19<sup>th</sup> May, 2018 Shane Rehmat Co-operative Society (Prop) granted development rights in respect of the said Property favour of the Owners and the Developers on terms and condition recorded therein.
- xi. In pursuance to the Agreement for Development dated 19<sup>th</sup> May, 2018, Shane Rehmat Co-operative Society (Prop) executed Power of Attorney dated 19<sup>th</sup> May, 2018 thereby authorising the Owners and the Developers to do various acts and deeds with respect to redevelopment of the said Property.



- xii. By an Agreement for Development dated 1<sup>st</sup> July, 2019, registered with the office of the Sub-Registrar of Assurances at Borivali under Sr. No. BRL-2-7222-2019 dated 1<sup>st</sup> July, 2019 and executed between, Messers New Ajmera Construction & Developers therein referred to as the Developers of the First Part and Mr. Mohd. Raees Abdul Rub Khan therein referred to as the Confirming Party of the Third Part Messers Reliance Construction Co therein referred to as the Co-Developers of the Second Part, Messers New Ajmera Construction & Developers granted development rights in respect of the said Property to Messers Reliance Construction Co., on the terms that i) Messers New Ajmera Construction & Developers shall be entitled to 7.2% in the sale component, ii) Mohd. Raees Abdul Rub Khan shall be entitled to 2.4% in the sale component and iii) Messers Reliance Construction Co. shall be entitled to 90.4% in the sale component and on the terms and conditions mentioned therein.
- xiii. As agreed under the Agreement for Development dated 1<sup>st</sup> July, 2019, Messers New Ajmera Construction & Developers executed Power of Attorney dated 1<sup>st</sup> July, 2019 thereby granting powers to Messers Reliance



Construction Co. to do various acts and deeds with respect to redevelopment of the said Property.

- xiv. Slum Rehabilitation Authority has now sanctioned a Slum Rehabilitation Scheme under Letter Of Intent bearing No: SRA/ENG/1578/PN/PL/LOI dated 9<sup>th</sup> March, 2020 for redevelopment of the said Property in terms of Regulation 33(10) and 32 of Development Control and Promotion Regulation-2034 (DCPR-2034) and subject to providing rehabilitation to 107 Eligible Slum Dwellers, providing 108 tenements to Project Affected Persons, 1 Balwadi, 1 Society Office, 1 Welfare Centre, 1 Yogalaya, 1 Library and 1 Community Hall, the Promoters shall be entitled to Free Sale FSI as sanctioned in terms thereof and subject to compliance of the terms and conditions stated therein. The Land area taken into consideration for the sanctioned Scheme is 3295.26 sq. mts. and after deduction of 326.29 sq. mts. towards Road Setback, the Plot Area remains for construction is 2968.91 sq. mts. (the said Property).
- xv. Slum Rehabilitation Authority has issued its Intimation of Approval bearing No: SRA/ENG/PN/PVT/0094/20060823/AP/COM dated 23<sup>rd</sup> July, 2020, thereby approving the Layout and Buildings plans with respect to construction of Composite Rehab Building and Sale



Building consisting of Basement having i) Puzzle Parking, ii) Space for OWC, iii) Dependant Pit Parking, iv) Flushing Tank, v) Pump Room, vi) Domestic Tank and vii) Fire Tank and Ground Floor having i) Puzzle Parking Stack, ii) Commercial Shops and First to Twenty Third Upper Floors with Refugee Areas and Physical Recreation Ground, hereinafter referred to as the "PROJECT".

- xvi. Slum Rehabilitation Authority has issued Commencement Certificate bearing No: SRA/ENG/PN/PVT/0094/20060823/AP/COM dated 23<sup>rd</sup> July, 2020.
  - xvii. The Property Cards with respect to the said Property stands in the name of Messers New Ajmera Construction & Developers being the owner of the said Property.
2. Messers Reliance Construction Co. has thus acquired the development rights of the Property under a registered Agreement for Development dated 1<sup>st</sup> July, 2019.
3. As per the search report submitted by our search clerk during the search no claim has been found during the search taken.
4. Messers Reliance Construction Co and Messers New Ajmera Construction & Developers have declared that they have not

created any charge, mortgage on the said Property in any manner whatsoever or any part or portion thereof of the said Property and that the owners have in their possession all the original title documents and have not deposited the original title documents in respect of the above mentioned Property with anyone as security or otherwise.

5. Messers Reliance Construction Co and Messers New Ajmera Construction & Developers have declared that the said Agreement for Development dated 1<sup>st</sup> July, 2019 is valid, subsisting and binding upon all and that they have not created any charge or encumbrance on their development rights in respect of the said Property in any manner whatsoever or any part or portion thereof. Except the Original Agreement for Development dated 1<sup>st</sup> July, 2019 of the said Property, the owners have in their possession all the other original title documents.
6. Based on the searches taken and relying upon the two declarations both dated 28<sup>th</sup> December, 2020 given by the owner and our clients, we are issuing this Report on Title.
7. We confirm that we have not received any objection/claim in response to the public notices caused to be published by us on

the development rights of our client, Messers Reliance Construction Co. and Messers New Ajmera Construction & Developers to develop the said Property. We record that as stated herein above we have not found any charge registered with both the office of Sub-Registrars against the said Property.

8. In the circumstances, relying on the aforestated search report, declarations on title of our clients the said Messers New Ajmera Construction & Developers, and Messers Reliance Construction Co., and the search of the revenue records and the Owners and Developers fulling their obligations in rehabilitating the eligible Slum Dwellers of the Slum Society and compliance of the terms of the Letter of Intent granted from time to time, the title of our clients the said Messers New Ajmera Construction & Developers is clear and the title of our clients the said Messers Reliance Construction Co., to develop the said Property is free from encumbrances, reasonable doubts and is marketable.

Dated this 29<sup>th</sup> day of December, 2020.

Yours faithfully,  
Diamondwala & Co.

  
Advocates & Solicitor