

MAYUR THORAT

ADVOCATE

To
MahaRERA
6th & 7th Floor, Housefin Bhavan,
Plot No. C-21, E-Block,
Bandra Kurla Complex, Bandra (E),
Mumbai 400051

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to survey No. 100 Hissa no. 2 (part) corresponding City Survey No. 180/C admeasuring about 1076.20 Square Meters and Survey No. 26 Hissa no. 12 corresponding to City Survey No. 163, 163/1 to 163/10 admeasuring about 1072.20 Sq. Meters, all collectively lying and being at Village:- Sahar Taluka:- Andheri District:- Mumbai Suburban District and situate, lying and being at J.B. Nagar, Andheri east, Mumbai :- 400 059 and within the Registration District and Sub-District of Mumbai City and Mumbai Suburban hereinafter referred to as "*the said plot*"

I have investigated the title of the said plot on the request of Messrs. Satre Infrastructure Private Limited and following documents i.e.: -

1) Description of the property: -

All that piece or parcel of land admeasuring 2148.40 Square meters, being part of Survey No. 100 Hissa no. 2 (part) corresponding City Survey No. 180/C admeasuring about 1076.20 Square Meters and Survey No. 26 Hissa no. 12 corresponding to City survey no. 163, 163/1 to 163/10 admeasuring about 1072.20 Sq. Meters, all collectively lying and being at Village:- Sahar Taluka:- Andheri District:- Mumbai Suburban District and situate, lying and being at J.B. Nagar, Andheri east, Mumbai:- 400 059 and within the Registration District and Sub-District of Mumbai City and Mumbai Suburban.

2) The documents of allotment of plot.

More particularly described in Annexure A

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3) Property card issued by City Survey Officer, Ville Parle, mutation entry No. 207 and 296.

4) Search report for 30 years from 1989 till 2021

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 **Messrs. Satre Infrastructure Private Limited** is clear, marketable and without any encumbrances.

Owners of the land

Sr. No.	Village	City Survey Number	Area (SQ. MTR)	Name of Owner in property Card
1	Kirol	180 C	1076.20	State Of Maharashtra (Area 868 SQ. MTR) Messrs Satre Infrastructure Private Limited (Area 208.2 SQ. MTR)
2	Kirol	163	926.2	State Of Maharashtra (Area 654.50 SQ. MTR) Messrs Satre Infrastructure Private Limited (Area 271.7 SQ. MTR)
3	Kirol	163/1	14.6	State Of Maharashtra
4	Kirol	163/2	14.6	State Of Maharashtra
5	Kirol	163/3	14.6	State Of Maharashtra
6	Kirol	163/4	14.6	State Of Maharashtra
7	Kirol	163/5	14.6	State Of Maharashtra
8	Kirol	163/6	14.6	State Of Maharashtra

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9	Kirol	163/7	14.6	State Of Maharashtra
10	Kirol	163/8	14.6	State Of Maharashtra
11	Kirol	163/9	14.6	State Of Maharashtra
12	Kirol	163/10	14.6	State Of Maharashtra
		Total	2148.40	

The report reflecting the flow of the title of the **Messrs. Satre Infrastructure Private Limited** on the said land is enclosed herewith as annexure.

Encl: Annexure.


Mayur Thorat

Advocate.

MAYUR S. THORAT
Advocate

14, 'MAITREYA', RSC-5,
New MHADA Colony,
Pawar Nagar, Thane (W) - 400 610

Date: 19/05/2021

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ANNEXURE

FLOW OF THE TITLE OF THE SAID LAND.

I have investigated their title to all that piece or parcel of land admeasuring 2148.40 Square meters, being part of Survey No. 100 Hissa no. 2 (part) corresponding City Survey No. 180/C admeasuring about 1076.20 Square Meters and Survey No. 26 Hissa no. 12 corresponding to City survey no. 163, 163/1 to 163/10 admeasuring about 1072.20 Sq. Meters, all collectively lying and being at Village:- Sahar Taluka:- Andheri District:- Mumbai Suburban District and situate, lying and being at J.B. Nagar, Andheri east, Mumbai :- 400 059 and within the Registration District and Sub-District of Mumbai City and Mumbai Suburban hereinafter referred to as "*the said Land*" and more particularly described in the Schedule hereunder written,

My client has produced the copy of Search Reports prepared by Mr. Manoj Kunde, Search Clerk dated 22nd March 2021 bearing receipt No.MH0135400922021E dated 20th march 2021 for period of 1989-2021 long with 7/12 extracts, property cards & all other title documents as required for scrutiny of title in respect of the said Land.

I have also issued public notice dated 21st April 2021 published in two daily newspapers namely "Free Press Journal" in English and "Janshakti" in Marathi, in respect of the said Land wherein calling upon any claim and objection or any share, right, title and interest of any third person in respect of the said land, but till date no objection or notice was received pursuant to public notice dated 21st April 2021.

Accordingly, I have perused the Search Reports, the Property Card, Title Deeds, other documents, LOI, Intimation of Approvals, Plans & permission sanctioned by Planning authority (SRA) and, from the above given documents as well as the information furnished by client and observed as follows: -

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- (A) A. H. Wadia Trust, ("the Trust"), a public charitable trust was seized and possessed of and otherwise well and sufficiently entitled to all that piece and parcel of land bearing Survey No. 100 Hissa No. 2(Part), corresponding to C.T.S. No.180/C, admeasuring 1076.20 Square Meters, situate at Village: Sahar, Taluka: Andheri, District: Mumbai Suburban, J.B. Nagar, Andheri East, Mumbai 400 059 (hereinafter for the sake of brevity be referred to as **Plot "A"**) and more particularly described in the Schedule;
- (B) Mr. Krishna Shivaji Masurkar and Mrs. Satyabhama Shivaji Masurkar were seized and possessed of and otherwise well and sufficiently entitled to piece and parcel of land bearing Survey No.26, Hissa No.12, corresponding to C.T.S. No.163, 163/1 to 10, admeasuring about 1072.20 square meters or thereabout situate, lying and, being at Village: Sahar, Taluka: Andheri, District :- Mumbai Suburban at J.B. Nagar Andheri (East), Mumbai 400 059 (hereinafter referred to as **the Plot "B"**) and more particularly described secondly in the Schedule hereunder mentioned;
- (C) It has been informed that Plot "A" and Plot "B" property was substantially occupied and encroached by various occupiers over a period of time.
- (D) By an Indenture of Conveyance dated 10th November 1989, Krishna Shivaji Masurkar and Smt. Satyabhama Shivaji Masurkar conveyed and sold a part of the Plot B which was open land to J.K. Builders and Developers. The said Deed of Conveyance was lodged for Registration on 10th November 1989 under No. PBBJ/5052 of 1989; However, the Deed of Conveyance dated 10th November 1989 erroneously described the area at different places as 529 square yards, 529 square meters and/or 526 square meters etc. A plan showing description was also not annexed to the said Deed of Conveyance;
- (E) The Competent Authority issued a Notification dated 8th February 1996 under No. DCA/ENC/ Janata Colony Tenant Association under Section 4 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 ("**Slum Act**") notifying area admeasuring about 959.9 square meters out of Plot A and CTS No.163(Part), admeasuring about 670.2 square meters and

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CTS No.163/1 to 10, admeasuring about 146 square meters as 'Slum' out of Plot B.

- (F) By Deed of Conveyance dated 24th January 2008, M/s. J.K. Builders and Developers conveyed and sold a part of the Plot B to the M/s. Orbit Ventures & Company. The portion of land was erroneously described as 526 square meters in the said Deed of Conveyance. The said Deed of Conveyance is registered with the office of the Sub- Registrar of Assurances at Serial No. BDR-1/2011/2008.
- (G) The slum dwellers of Plot A and Plot B proposed a Janata Colony Co-operative Housing Society and decided to develop the Slum Area in accordance with the provisions of Slum Act read with the Development Control Regulations for Greater Mumbai 1991 ("DCR 1991") by appointing the Developer in accordance with the Scheme;
- (H) The proposed society of slum dwellers, appointed "**Messrs. Satre Infrastructure Private Limited**" as Developer unanimously as per norm prescribed by Slum Rehabilitation Authority, Mumbai. The slum dwellers also given their individual consents in favour of **Messrs. Satre Infrastructure Private Limited**. And were also put in possession of the land declared as 'Slum' through the slum dwellers as their Developer;
- (I) By a Corrigendum dated 2nd January 2012 issued by the Controller (Encroachment / Removal), Greater Mumbai, the CTS Number which was erroneously mentioned as CTS No.180K in the Notification bearing No. DC/ENC/Janata Colony Tenants Asso. dated 8th February 1996 was corrected and rectified to be read as a CTS 180/C;
- (J) Pursuant to the proposal submitted by the slum dwellers and on recommendation of the Competent Authority to acquire the said Land declared as 'Slum', the State of Maharashtra issued a Notification dated 10th January 2012 bearing No. Busampa 2011/Pra.Ka.217/Zhopin-2 under Section 14 of the Slum Act, acquiring land bearing CTS No.180C, admeasuring about 868 square meters forming a part of part of Plot A and CTS No.163 admeasuring

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654.50 square meters and CTS No.163/1 to 163/10 admeasuring 146 square meters forming a part of the Plot B;

- (K) Thus, a portion of land bearing CTS No.180 C admeasuring 868 square meters forming a part of Plot A and CTS No.163 admeasuring about 654.5 square meters and CTS No.163/1 to 10 admeasuring about 146 square meters forming a part of Plot B stood vested in the State Government in accordance with the Notification dated 10th January 2012;
- (L) The A. H. Wadia Trust intended to sell the balance portion admeasuring about 208.20 square meters forming a part of Plot A and issued Public Advertisement dated 25th May 2016 inviting the offers for the sale thereof. **Messrs. Satre Infrastructure Private Limited** submitted their bid and offered to purchase the same;
- (M) The Charity Commissioner Mumbai has granted and accorded sanction U/S 36 (1) (a) of the Maharashtra Public Trust act 1950 in Application No. CC/428/2016/36 (1) (a) to the Trustees of A.H. Wadia Trust to sell the property bearing Survey No.100 Hissa No. 2 corresponding to CTS No. 180c (Pt) admeasuring 208.20 Square Meter of in favour of **Messrs. Satre Infrastructure Private Limited** by vide Judgment and Order dated 5th December 2016.
- (N) By Deed of Conveyance dated 3rd May 2017, the Trust conveyed, sold and transferred all its right, title and interest in respect of the property admeasuring about 208.20 Square Meters forming part of Plot A to **Messrs. Satre Infrastructure Private Limited**. The said Deed of Conveyance is registered with the Joint Sub-Registrar of Assurances, Andheri-4 under Serial No.BDR-15/2838/2017 on 11th May 2017. The land admeasuring about 208.20 Square Meters is thereafter, mutated name of **Messrs. Satre Infrastructure Private Limited** and name is duly entered in the Property Register Card of C.T.S. No.180/C to the extent of 208.20 Square Meters as Owner thereof;
- (O) **Messrs. Satre Infrastructure Private Limited** negotiated with Orbit Venture & Company to purchase part of Plot B. My client & The Orbit Venture &

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Company carried out actual survey of the open plot of said Plot B and also verified their physical conditions. **Messrs. Satre Infrastructure Private Limited** and Orbit Ventures & Co. compared the same with the City Survey Plans, the acquisition plan and the plan prepared by the Slum Authorities while declaring the slum area. The said plans were compared with the description of the property as contained in Conveyances dated 10th November 1989 and 24th January 2008;

- (P) On verification it was noticed that the said open plot being a portion of Plot B admeasures only about 271.70 square meters and the references in the Deed of Conveyance dated 10th November 1989 and 24th January 2008 were erroneous.
- (Q) The area of the part of the Plot B was verified by City survey officer by carrying out demarcation and measurement survey on site and the authority vide order dated 20th May 2017 has confirmed area of open plot being portion of Plot B as that being 271.70 square meters;
- (R) By Deed of Conveyance Dated 28th November 2017, the Orbit Ventures & Company conveyed, sold and transferred all their right, title and interest in respect of the land admeasuring 271.70 square meters from CTS No.163, forming part of Plot B to **Messrs. Satre Infrastructure Private Limited**. The said Deed of conveyance is registered with Joint Sub-Registrar of Assurances at Andheri II under serial No.BDR-4/10457/2017. The said portion is thereafter mutated and name of **Messrs. Satre Infrastructure Private Limited** is duly entered in the Property Register Card of CTS No.163 as owner thereof;
- (S) **Messrs. Satre Infrastructure Private Limited** is lawful owner and entitled for piece and parcel of land bearing CTS No.180C, admeasuring about 208.2 square meters forming part of Plot A and CTS No.163, admeasuring about 271.10 square meters forming part of Plot B. **Messrs. Satre Infrastructure Private Limited** name has been mutated in the records of Property Register Card in respect of CTS No. 180/C admeasuring about 208.20 Sq. Meters

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forming part of Plot "A" & CTS No. 163 admeasuring about 271.10 Sq. Meters forming part of plot "B" respectively.

- (T) In addition to that Messrs. **Satre Infrastructure Private Limited** is also entitled to develop CTS No.180C, admeasuring about 868 square meters forming part of Plot "A" and CTS No.163, admeasuring about 654.5 square meters forming part of Plot "B" & further CTS No. 163/1 to 163/10 admeasuring about 146 Sq. Meters forming a part of Plot "B". Since these properties stood vested in the name of State Government in accordance with the notification dated 10th January 2012, the property Register cards in respect of these properties i.e. 180/C admeasuring 868 Sq. Meters forming part of plot "A" and CTS No. 163 admeasuring 654.5 Sq. Meters and CTS No. 163/1 to 163/10 admeasuring 146 sq. Meters forming Plot "B" has been mutated in the name of Maharashtra State Government vide Mutation Entry No. 296 dated 24th September 2019.
- (U) The land bearing CTS No.180C being Plot A was converted in to Non-Agricultural lands vide an Order dated ADC/LND/D/4844 dated 15th July 1978 and the land bearing CTS No.163 and 163/1 to 10 being Plot B was converted into Non Agricultural purpose lands vide an Order dated ADC/LND/-D/1788 dated 30th November 1970 passed by the Dy. Collector, Mumbai Suburban;
- (V) **Messrs. Satre Infrastructure Private Limited** have appointed Smt. Sheetal Nikhare of M/s. S.S. Associates, as Architect and has entered into a standard agreement with them as prescribed by the council of Architects. **Messrs. Satre Infrastructure Private Limited** has appointed M/s. Epicons Consultants Private Limited, as Structural Engineers, for the proposed buildings;
- (W) **Messrs. Satre Infrastructure Private Limited** submitted a scheme for re-development of the said Land on the plot bearing Survey No.100 Hissa No.2 (part) & survey No.26 Hissa No. 12, corresponding to C.T.S. No.180/C & 163, 163/1 to 163/10 admeasuring about 2148.4 square meters, under the Development Control Regulations for Greater Mumbai 1991 to the Slum Rehabilitation Authority and the Slum Rehabilitation Authority has issued

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Annexure – II certifying the eligibility of the occupiers for rehabilitation on 20th August 2014. Thereafter, Supplementary Annexure II was issued by the Deputy Collector (Encroachment & Removal) and Competent Authority vide reference on 19th September 2015;

- (X) The Slum Rehabilitation Authority has also verified the financial capability of **Messrs. Satre Infrastructure Private Limited** in the form Annexure – III;
- (Y) **Messrs. Satre Infrastructure Private Limited** have proposed a layout and to implement Slum Rehabilitation Scheme collectively on the plot bearing C.T.S. No.180/C admeasuring about 1076.20 Square Meters along with the C.T.S. Nos.163, 163/1 to 163/10 admeasuring about 1072.20 Square Meters. The Plots A and B collectively to be referred to as the “**said Land**” and the area collectively shall be referred to as 2148.40 square meters and are more particularly described in the Schedule hereunder written.
- (Z) **Messrs. Satre Infrastructure Private Limited** applied for permission to develop the said Land for implementation of proposed Slum Rehabilitation Scheme and SRA granted Letter to Intent bearing Reference No. SRA/ENG/2715/KE/STGL/LOI dated 15th July 2016 as revised on 3rd August 2018 in respect of the said Land;
- (AA) **Messrs. Satre Infrastructure Private Limited** have received No Objection Certificate and height clearance from Airport Authority of India vide their letter dated 22nd September 2017 under Reference No.BT-1/NOC/ MUM/ 14/ NOC-AS/172/64/822 and certified the height clearance up to the height of 56.90 meters above mean sea level.
- (BB) The slum dwellers formed Society in the name of Janata Colony SRA Co-operative Housing Society and the said society has been duly registered under Maharashtra Co-operative Societies Act, 1960 vide Registration No. M.U.M./ S.R.A/ H.S.G/ T.C/ 12859/2018 dated 23rd February 2018;
- (CC) **Messrs. Satre Infrastructure Private Limited** have submitted the plans with the Slum Rehabilitation Authority for its approval and the Slum Rehabilitation Authority approved the layout plan & Authority has further

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issued the Intimation of Approval of plans bearing No. SRA/ENG/3377/KE/STGL/AP for Rehab Building on 28th November 2018 & Intimation of Approval of Plans bearing reference No. SRA/ENG/3813/KE/STGL/AP for Sale Building on 28th November 2018 (both consisting of two wings) subject to the various conditions;

(DD) Pursuant to the Development Control and Promotion Regulations 2034 ("DCPR 2034"), the Slum Rehabilitation Authority issued a Revised Letter of Intent dated 23rd December 2019 bearing Reference No. SRA/ENG/2715/KE/STGL/LOI.

(EE) The Slum Rehabilitation Authority issued two separate Amended Intimation of Approval's dated 4th January 2020 and in principle approved two buildings (of two wings each) i.e. Composite building consisting of two wings- Wing "A" consisting of stilt / ground plus 10 (ten) upper floors and Wing "B" consisting of stilt/ ground plus 9th Part floors & Sale building consisting of two wings, both, Wings "A" and "B" consisting of Stilt / ground plus 10 (ten) upper floors, subject to terms and conditions contained therein;

(FF) After the compliance of various conditions, the Slum Rehabilitation Authority issued the Commencement Certificate No. SRA/ENG/3377/STGL/KE/AP dated 17th February 2021 for the Composite Building and Commencement Certificate No. SRA/ENG/3813/STGL/KE/AP dated 17th February 2021 for the Sale Building.

(GG) There were in all 45 slum dwellers occupying their various structures on the said Land. The Slum Rehabilitation Authority has certified 41 slum dwellers as eligible for the rehabilitation and the claims of the balance occupiers are pending with the Competent Authority for its final adjudication;

(HH) Claims of various occupants in respect of their eligibility have not attained the finality. The proposed construction and the plans will be modified if additional persons are declared as eligible by the Competent Authority as **Messrs. Satre Infrastructure Private Limited** is under the statutory obligation to rehabilitate the occupiers who are declared as eligible;

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- (II) A portion of the said Land is a non-slum area and Schedule is developing the composite scheme in respect of a slum area as well as non-slum area by utilizing all available FSI in any form as may be available under the Development Control Regulations including the fungible FSI or by crediting the Transferable Development Right on the said Land or by utilizing the FSI received from the Slum Rehabilitation Authority/ Municipal Corporation of Greater Mumbai.
- (JJ) **Messrs. Satre Infrastructure Private Limited** having exclusive right to develop said Land in accordance with law & has further right to sell premises/flats/tenements being constructed/to be constructed in sale area on the said Land.

Date: 19/05/2021


Advocate,

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