

FORMAT A

(AS PER CIRCULAR NO. 28 OF 2021)

09th March, 2022

To,

MahaRERA,

Mumbai, Maharashtra,

Sub: - Title clearance certificate with respect to All those pieces and parcels of Lands bearing Plot Nos. 135 (Part), 136, 137 and bearing Survey No. 287 (part) corresponding to City Survey No. 19 (part), admeasuring in the aggregate approximately 843.09 square meters or thereabouts situate, lying and being at 12th Gulmohar Cross Road, JVPD Scheme, Vile Parle West, Mumbai 400 049 in the registration district and sub district of Mumbai City and Mumbai Suburban. ("Property")

We have investigated the title of the said Property on the request of Marriott Realtors Private Limited (the Developer) and following documents i.e.:

1. Description of Property: - All those pieces and parcels of Lands bearing Plot Nos. 135 (Part), 136, 137 and bearing Survey No. 287 (part) corresponding to City Survey No. 19 (part), admeasuring in the aggregate approximately 843.09 square meters or thereabouts situate, lying and being at 12th Gulmohar Cross Road, JVPD Scheme, Vile Parle West, Mumbai 400 049 in the registration district and sub district of Mumbai City and Mumbai Suburban. ("Property").

2. The Documents of allotment of Plot: -

kmw

- i. Lease Deed dated 18th January, 2019 registered with the Sub- Registrar of Assurances at Serial No. BDR- 18- 642 of 2019;
 - ii. Minutes of the Special General Body Meeting of the Society held on 26th September, 2019,
 - iii. Development Agreement dated 26th August, 2021, registered with the Joint Sub- Registrar of Assurances at Mumbai at Serial No. 7562 of 2021.
3. Property card dated 23.08.2018
 4. Search report for 59 years from 1962 till 2021.

On perusal of the above-mentioned documents and all other relevant documents relating to title of the said property We are of the opinion that the title of the Developer Marriott Realtors Private Limited is clear marketable and without any encumbrances except what is mentioned in title certificate.

Owner of the said Property: 'Maharashtra Housing and Area Development Authority'

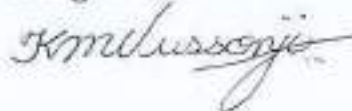
Lessor of the Property: 'Shree Navratna Co-operative Housing Society Limited'

The Report reflecting the flow of the title of the Developer being Marriott Realtors Private Limited of the said Property is annexed herewith as annexure.

Encl:- annexure

Date:- 09.03.2022

Kanga & Co.



(Partner)
Advocates & Solicitors

KMV/ 951 /2022

Marriott Realtors Private Limited,
31, Sakhar Bhavan,
230 Nariman Point,
Mumbai 400 021

REPORT ON TITLE

Re: All those pieces and parcels of Lands bearing Plot Nos. 135 (Part), 136, 137 and bearing Survey No. 287 (part) corresponding to City Survey No. 19 (part), admeasuring in the aggregate approximately 843.09 square meters or thereabouts situate, lying and being at 12th Gulmohar Cross Road, JVPD Scheme, Vile Parle West, Mumbai 400 049 in the registration district and sub district of Mumbai City and Mumbai Suburban. ("Property")

1. We have been furnished certain originals and photocopies of certain documents and papers in respect of the captioned property more particularly described in the Schedule hereunder written.
2. Our observations are limited only to the extent of the documents, papers and information furnished to us. We presume that what is stated in the said deeds, documents, papers and writings by the executants therein is true and correct and that they are correctly stamped and registered and we take no responsibility for the correctness of the statements made therein or for payment of the proper stamp duty or the registration of the documents given to us for our perusal. We also take no responsibility of any information, declaration or undertakings that may be contained in such documents and papers as may not have been provided to us for the purpose of issuing this Report on Title or such information or particulars or details as may not have been disclosed to us.
3. For the purposes of this Report on Title, it may be noted that:

KMV

- a. Save and except the documents which have been provided to us for our review and perusal, we have not perused or reviewed any other documents.
 - b. We have assumed that each document/ paper has been signed / executed by persons purporting to sign/ execute the same and such person has full authority and power to do so.
 - c. In no circumstances, shall the cumulative liability, if any, of our firm viz., Messrs. Kanga and Company, Advocates and Solicitors, its Partners, Associates or employees, in connection with the preparation or the issuance of this Report on Title, exceed the professional fees paid to us in that behalf.
4. The following documents have been provided to us for our perusal:
- i. Lease Deed dated 18th January, 2019 registered with the Sub-Registrar of Assurances at Serial No. BDR- 18- 642 of 2019;
 - ii. Minutes of the Special General Body Meeting of the Society held on 26th September, 2019;
 - iii. Development Agreement dated 26th August, 2021, registered with the Joint Sub- Registrar of Assurances at Mumbai at Serial No. 7562 of 2021.

5. **Observations:**

On perusal of the aforesaid documents, we observe as under: -

- I. It appears that:
 - A. Prior to 1964 the Maharashtra Housing Board, a corporation then established under the Bombay Housing Board Act, 1948 (BOM LXIX OF 1948) (hereinafter referred to as "the Board") were the owners in respect of all those pieces or parcels of land or ground bearing Plot Nos.135(part), 136, 137 and bearing Survey No.287 (part) corresponding to City Survey No.19 (part), admeasuring in the aggregate approximately 843.09 square metres or thereabouts situate, lying and being at 12th Gulmohar Cross Road, JVPD Scheme, Vile Pane (West), Mumbai 400049 in the registration district and sub district of Mumbai City and Mumbai Suburban and more particularly described in the Schedule hereunder written (hereinafter referred to as "**the said Property**");
 - B. In the year 1964, on an application made by the then promoters/

DMU

members of the Society, the Board agreed and allotted to the Society the said Property for the purpose of construction of tenements / residential dwelling units for the members of the Society for residential use at or for the Lease Premium/ Rent and on certain terms and conditions specified therein;

- C. The then Promoters/ members of the Society constructed a building on the said Property known as "Sai Niwas" and "Navratna" having two wings namely Wing A and Wing B consisting of ground and three upper floors having total 16 flats / tenements collectively known as "Shree Navratna Co-operative Housing Society Limited" and the Society allotted the said 16 flats/ tenements to the then members of the Society on ownership basis. The construction of the said buildings were completed in the year 1980 and the Occupation Certificate was duly received by the Society vide O.C. No.CR/6726/BSII/AK by Municipal Corporation of Greater Mumbai;
- D. By virtue of Maharashtra Housing and Area Development Act, 1976 (MAH-XXVIII of 1977) coming into force, the said Board stood dissolved and all the properties/ assets and the rights of the said Board which included the said Property stood vested and transferred in favour of Maharashtra Housing And Area Development Authority (MHADA) with effect from 5th December, 1976.
- E. Accordingly, an Indenture of Lease dated 18th January, 2019 was executed between MHADA, therein referred to as the Lessor of the One Part and the Society, therein referred to as the Lessee of the Other Part and registered with the Sub- Registrar of Assurances at Serial No. BDR- 18- 642 of 2019, the Lessor therein granted to the Lessee a Lease for the Term of 99 years commencing from 4th September, 1964 at or for an annual rent of Rs. 1/- and on the terms, conditions and covenants contained therein and to be observed and performed by the Society;
- F. By virtue of the said Indenture of Lease dated 18th January, 2019, the Society acquired absolute Leasehold rights with respect to the said Property;
- G. The members of the Society after following the due process of law as laid down under Section 79 (A) of the Maharashtra Co-operative Society Act, 1960 appointed Marriot Realtors Private Limited to undertake the work of redevelopment of the said Property; and in the

KMU

meeting held on 26th September, 2019 all the members unanimously voted to appoint Marriot Realtors Private Limited.

- H. Further, the Society by a Letter dated 3rd October, 2019, addressed to the Deputy Registrar of Co. op. Soc., informed him about the appointment of Marriot Realtors Private Limited as the Developer. The Sub- Registrar Co-op Housing Society, Mumbai, Western Suburban of MHADA by its letter dated 14th October, 2019 confirmed the appointment of Marriot Realtors Private Limited as the Developer to carry out the redevelopment of the said Property held by Shree Navratna Co-operative Housing Society Limited;
- I. By and under a Development Agreement dated 26th August, 2021, made and entered into between Shree Navratna Co-operative Housing Society Limited, therein referred to as the Society of the First Part, Marriott Realtors Private Limited therein referred to as the Developer of the Second Part and Mr. Dharamdas N. Mehta & Others, therein referred to as the Members of the Third Part, the Society, granted unto the Developers, all the development rights to the said Property on the terms and conditions specified therein and such grant was confirmed by the Members therein and registered with the Sub- Registrar of Assurances at Serial No. 7562 of 2021.

6. **Litigation:**

We have been informed/ given to understand that the said Property or any part thereof is not the subject matter of any pending litigation or dispute or attachment either before or after judgment nor is there any restraint order or injunction passed by any court or judicial authority restraining the previous owners or the present owner from dealing with the said Property or any part thereof. We have not carried out any searches in any court/s and/or tribunal.

7. **Inspection of Originals:**

We have only perused the following original documents of title in respect of the said Property:

- i. Minutes of the Special General Body Meeting of the Society held on 26th September, 2019;
- ii. Lease Deed dated 18th January, 2019 registered with the Sub-Registrar of Assurances at Serial No. BDR- 18- 642 of 2019

KMU

- iii. Development Agreement dated 26th August, 2021, registered with the Joint Sub- Registrar of Assurances at Mumbai at Serial No. 7562 of 2021.

8. **Sub-Registrar Searches:**

- We have taken search at the office of the Sub-Registrar of Assurances at Mumbai with respect to the said Property through Mr. Sunil S. Kangane, search clerk for the period from 1962 to 2021, and save and accept the aforementioned documents no other document pertaining to the title has been found to be registered with the Sub- Registrar of Assurances which affects the rights of the said Society and/or the Developers to redevelop the said Property.

9. **Property Card:**

- Upon perusal of the Property Card, we observe that MHADA is the Lessor with respect to the Land bearing CTS NO. 19 (part) admeasuring 20185 square meters or thereabouts. The said Larger Land has been sub divided into several plots and has been allotted multiple Societies one such society is Shree Ramakrishna Co-operative Housing Society Limited.
- We are given to understand that the area allotted to Ramakrishna Co-operative Housing Society Limited has been further sub divided by virtue of the Lease Deed dated 18th January, 2019 executed between MHADA and Shree Shree Navratna Co-operative Housing Society Limited and Shree Navratna Co-operative Housing Society Limited has been given an area admeasuring 849.03 square meters. The effect of the further sub-division of the Ramakrishna Society into Shree Navratna Co-operative Housing Society Limited as aforesaid remains to be given effect to on the Property Card.

10. **Public Notice:**

We have not caused a public notice to be issued with respect to the said Property.

11. **Conclusion:**

In view of what is stated hereinabove, the Society is the Lessee with respect to the said Land a bearing Plot Nos. 135 (part), 136, 137 admeasuring 843.09 sq. mtrs. bearing City Survey No. 19 (Part). Further, it can be said that by virtue of the Development Agreement dated 26th August, 2021, executed between Shree Navratna Co-operative Housing Society Limited of the First Part and Marriot Realtors Private Limited of the Second Part is entitled to Develop the

SMW

said Property more particularly described in the Schedule hereunder written and Marriot Realtors Private Limited has the exclusive Development Rights of the said Property and has a right to sell the Free Sale units coming to their share as contemplated under the Development Agreement.

THE SCHEDULE ABOVE REFERRED TO

All those pieces and parcels of Lands bearing Plot Nos. 135 (Part), 136, 137 and bearing Survey No. 287 (part) corresponding to City Survey No. 19 (part), admeasuring in the aggregate approximately 843.09 square metres or thereabouts situate, lying and being at 12th Gulmohar Cross Road, JVPD Scheme, Vile Parle West, Mumbai 400 049 in the registration district and sub district of Mumbai City and Mumbai Suburban and bounded as follows:

on or towards the East: Part 134;

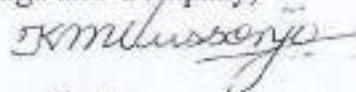
on or towards the West: 40' wide road;

on or towards the North: Part 138, 139, 140 and

on or towards the South: 40' wide road.

Dated this 09th day of March, 2022.

Kanga and Company,



Partner

Advocates and Solicitors