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TITLE REPORT

To,
M/S. EMPIRE VENTURES,
201, Tanishka Commercial Premises
Co-operative Society Ltd.,
Akurli Road, W. E. Highway,
Kandivali (East),
Mumbai 400 101.

A. DESCRIPTION OF THE PROPERTY:

All that piece and parcel of land bearing Survey No.177 (Part), corresponding to New C.T.S. No.2519 [Private Scheme Plot No.115 (Part) and 117 (Part)] admeasuring 334.40 sq. mtrs. or thereabouts of Village Eksar, Taluka Borivali, Mumbai Suburban District, along with the building known as "Kirti Apartment" consisting of ground plus 2 (two) upper floors standing thereon, lying being and situate at Daulat Nagar Road No.8, Borivali East, Mumbai 400 066 and bounded as follows:

On or towards the North	:	By Rajendra Kutir Building;
On or towards the South	:	By Desai Bunglow;
On or towards the West	:	By Road No.8; 9.15 mtr. D.P.Road;
On or towards the East	:	By Jilyan Building

B. LIST OF DOCUMENTS PERUSED:

For the purpose of this Report, our client M/s. Empire Ventures has handed over to us the following documents and we have perused the same and relied upon the contents therein being true and correct:

1. Photocopy of the Registration Certificate dated 16.07.1979 of Borivali Daulat Nagar Kirti Co-operative Housing Society Limited;

2. Photocopies of IOD bearing No. EB/CE/ 3136/BS II/AR dated 27.04.1978 and Commencement Certificate bearing No. EB/CE/ 3136/BS II/AR dated 11.05.1978 both issued by the MCGM;
3. Photocopy of the Order Cum Certificate bearing No. DDR-4/Mum./DC/Borivali Daulat Nagar Kirti CHSL/278/2019 dated 02.02.2019 issued by the District Deputy Registrar of Co-operative Societies, Mumbai City – 4;
4. Photocopy of the Conveyance Deed (Deemed/Unilateral) dated 11.02.2022 registered with the office of the Sub-Registrar of Assurances at Borivali under Serial No. BRL-8/2164/2022;
5. Photocopy of the Development Agreement dated 04.03.2022 registered with the office of the Sub-Registrar of Assurances at Borivali under Serial No. BRL-8/2978 of 2022;
6. Photocopy of the Power of Attorney dated 04.03.2022 registered with the office of the Sub-Registrar of Assurances at Borivali the office of the Sub-Registrar under Serial No. BRL-8/2983 of 2022;
7. Photocopy of the Property Register Card in respect of the said Property;
8. Public notices in the newspapers Free Press Journal and Navshakti both dated 19.03.2022 and Corrigendum in the newspaper Navshakti dated 23.3.2022;
9. Photocopy of Search Report dated 04.04.2022 issued by Sandeep Shedge in respect of the searches relating to the said Property.

C. DEVOLUTION OF TITLE :

On perusal of the documents more particularly listed in Paragraph B above, we observe that the devolution of title to the said Property is as under :

1. It appears that Harendra Balkrishna Vasudev was seized and possessed of or otherwise well and sufficiently entitled to all that piece or parcel of land bearing Survey No.177(Part)

corresponding to New C.T.S No.2519 [Private Scheme Plot No.115 (Part) and 117 (Part)] admeasuring 334.4 sq. meters of Village Eksar, Taluka Borivali, Mumbai Suburban District, lying being and situate at Daulat Nagar, Borivali East, Mumbai - 400 066 (hereinafter referred to as **"the said Plot of Land"**).

2. It appears that by a Deed of Conveyance dated 21.10.1965 registered with the office of the Sub-Registrar of Assurances at Bandra under Serial No. BLD/2200 of 1965, the aforesaid Harendra Balkrishna Vasudev sold, assigned and transferred all right, title and interest in the said Plot of Land unto and in favour of (i) Laxman D. Poriya and (ii) Godavariben Laxman Poriya, at or for the consideration and in the manner therein contained.
3. It appears that by an Agreement dated 06.01.1978 read with a Conveyance Deed dated 08.05.1978, registered with the concerned office of the Sub-Registrar of Assurances under Serial No.503 of 1978, the aforesaid (i) Laxman D.Poriya and (ii) Godavariben Laxman Poriya, sold, assigned and transferred all their right, title and interest in the said Plot of Land alongwith the building known as "Kunda Ashram" standing thereon to and in favour of (i) Shantilal Mohanlal Doshi and (ii) Vimladevi Shantilal Doshi, at or for the consideration and in the manner therein contained.
4. It appears that the aforesaid (i) Shantilal Mohanlal Doshi and (ii) Vimladevi Shantilal Doshi formed a partnership firm in the name and style of M/s. Doshi Enterprises. It appears that the aforesaid firm, M/s. Doshi Enterprises developed the said Plot of Land by obtaining the necessary permissions/approvals from the Municipal Corporation of Greater Mumbai (MCGM) i.e. IOD bearing No. EB/CE/ 3136/BS II/AR dated 27.04.1978 and Commencement Certificate bearing No. EB/CE/ 3136/BS II/AR dated 11.05.1978 and constructed a building known as "Kirti Apartment" (hereinafter referred to as **"the said Building"**) on the said Plot of Land.

5. It appears that the aforesaid M/s. Doshi Enterprises sold the aforesaid flats in the said Building to various purchasers under the provisions of Maharashtra Ownership of Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 ("**MOFA**") from time to time.
6. The aforesaid flat purchasers formed a housing society under the name of "BORIVALI DAULATNAGAR KIRTI CO-OPERATIVE HOUSING SOCIETY LTD.", which was registered with the Registrar of Co-operative Societies, under the provisions of the Maharashtra Co-operative Societies Act, 1960 bearing Registration No. BOM/HSG/5889/1979 dated 16.07.1979 having its registered address at Kirti Apartment, Road No.8, Daulat Nagar, Borivali East, Mumbai 400 066 (hereinafter referred to as "**the said Society**").
7. The said Plot and the said Building are collectively hereinafter referred to as "**the said Property**".
8. Pursuant to an application made by the Society namely Application bearing No. 241 of 2018 before the Competent Authority appointed under Section 5A of MOFA i.e. the District Deputy Registrar of Co-operative Societies, Mumbai City – 4 under the relevant provisions of MOFA, by an Order Cum Certificate bearing No. DDR-4/Mum./DC/Borivali Daulat Nagar Kirti CHSL/278/2019 dated 02.02.2019, the Competent Authority held that the Society is entitled to Unilateral Conveyance of the said Plot of Land and the building standing thereon, and directed to take steps towards execution of the Deed of Unilateral Conveyance and have it registered as provided under Registration Act, 1908.
9. Pursuant to and in furtherance of the aforesaid and in exercise of the powers conferred upon the Competent Authority under Section 5A of MOFA, a Conveyance Deed (Deemed/Unilateral) dated 11.02.2022 ("**the said Deemed Conveyance**"), came to be executed by the District Deputy Registrar, Co-operative

Societies (4), on account of the defaulting predecessors/promoters in title viz., (A) (i) Laxman D. Poriya and (ii) Godavariben Laxman Poriya, therein referred to as the Vendor of the First Part; M/s. Doshi Enterprises therein referred to as the Confirming Party - I of the Second Part; (C) (i) Shantilal Mohanlal Doshi and (ii) Vimladevi Shantilal Doshi therein referred to as the Confirming Party - II of the Third Part and the said Society therein referred to as the Society of the Fourth Part, and registered with the office of the Sub-Registrar of Assurances at Borivali under Serial No. BRL-8/2164/2022, in favour of the said Society, whereby the Vendor therein sold, transferred, assigned and conveyed the said Property unto the said Society in the manner therein contained.

10. In view of the aforesaid circumstances, the Society has become the owner of and well seized and possessed of and sufficiently entitled to the said Property.
11. By and under a Development Agreement dated 04.03.2022 (hereinafter referred to as "**the Development Agreement**") made between the Society therein referred to as the Society of the First Part, M/s. Empire Ventures therein referred to as the Developers of the Second Part, and Kirti J. Tridevi & Others therein referred to as the Members of the Society of the Third Part, and registered with the office of the Sub-Registrar of Assurances at Borivali under Serial No. BRL-8/2978 of 2022, the Society with the confirmation of the Members of the Society, granted unto M/s. Empire Ventures, development rights and license to enter upon and the re-develop/construct a new building/s on the said Property, at or for the consideration upon the terms and conditions and in the manner therein contained.
12. In furtherance to the Development Agreement, the said Society has also executed a Power of Attorney dated 04.03.2022 ("**the POA**") in favour of the Mr. Sahil Virani, Partner of M/s. Empire Ventures, to do various acts, deeds and things on behalf of the Society in furtherance of the redevelopment of the said Society in respect of the said Property. The POA is registered with the office of the Sub-Registrar of Assurances at Borivali the office of

the Sub-Registrar under Serial No.BRL-8/2983 of 2022.

D. REVENUE RECORDS/ PROPERTY REGISTER CARD:

The Property Register Card in respect of the said Land bearing C.T.S. No.2519 records the area thereof as 334.4 sq. mtrs., the tenure thereof as "C", and the name of 'Borivali Daulatnagar Kirti Co-Operative Housing Society Limited' is recorded in the revenue records by an entry dated 29.03.2022 as the Owner/Holder thereof.

E. MORTGAGES:

We have been informed by M/s. Empire Realty, its Partners and the Society that the said Property or any part thereof is not mortgaged or encumbered in any respect to any party, person or entity.

F. LITIGATION:

We have been informed by M/s. Empire Ventures, its Partners and the Society, and the Society that there are no litigation or legal proceedings of any nature pending, in respect of the said Property or any part thereof affecting the title of the said Property.

G. SEARCHES:

We have been provided with a copy of the Search Report dated 04.04.2022 issued by Sandeep Ashok Shedge in respect of the online and manual searches relating to said Property conducted at the office of the Sub-Registrar of Assurances at Bombay & Bandra for the years 1993 until to 2022 (30 years) and Borivali and Goregoan for the year 2002 till 2022 (21 years).

H. PUBLIC NOTICE :

We have issued a Public Notice dated 19.03.2022 in the newspaper "Free Press Journal" and a Public Notice dated 19.03.2022 read together with the Corrigendum dated 23.3.2022 in the newspaper "Navshakti (Marathi)" for the investigation of the title of the said

Property. In pursuance of the above, we have not received any claims against the said Property.

I. **CONCLUSION:**

Subject to what is stated hereinabove and subject to and relying upon the list of documents perused as aforementioned, Borivali Daulatnagar Kirti Co-operative Housing Society Limited is entitled to the said Property as the owner thereof and thus it's title to the said Property appears to be clear, marketable and pursuant to the Development Agreement dated 04.03.2022, M/s. Empire Ventures is entitled to develop the said Property upon the terms and conditions provided thereunder.

J. **GENERAL :**

- (a) For the purpose of this Report we have assumed:
 - (i) the legal capacity of all natural persons, genuineness of all Signatures, authenticity of all documents submitted to us as certified or photocopies.
 - (ii) that there have been no amendments or changes to the documents examined by us.
 - (iii) the accuracy and completeness of all the factual representations made in the documents.
 - (iv) all prior title documents have been adequately stamped and registered.
- (b) For the purposes of this Report we have relied upon information relating to lineage on the basis of revenue records and information provided to us by yourselves.
- (c) A certificate determination, notification, opinion or the like will not be binding on an Indian Court or any arbitrator or judicial or regulatory body which would have to be independently satisfied despite any provisions in title documents to the contrary.

- (d) Even though this document is titled "Title Report" it is in fact an opinion based on the documents perused by us. The title report has been so given at the request of the client to whom it is addressed.
- (e) This Report is limited to the matters pertaining to Indian Law (as on the date of this Report) alone and we express no opinion on laws of any other jurisdiction.
- (f) We are not certifying the boundaries of the said Property nor are we qualified to express our opinion on physical identification at the said Property.

This Title Report is addressed to M/s. Empire Ventures only. This Report may not be furnished, quoted or relied on by any person or entity other than aforementioned M/s. Empire Ventures, for any purpose without our prior written consent.

Dated this 5th day of March 2022.

Yours truly,


Amit Mishra,
Partner,
ASD Associates,
Advocates & Solicitors.