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(Circular No.:- 28/2021)

Date: May 15, 2023

To
MahaRERA
BKC, E-Block, 7th Floor,
Housefin Bhavan, near RBI,
Bandra Kurla Complex,
Bandra East, Mumbai 400051

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to Final Plot No. 61, of Town Planning Scheme - Borivali II, corresponding to C. T. S. No. 490, 490/1 to 9 of Village Kanheri, Taluka Borivali, admeasuring in aggregate 1169.3 (One Thousand One Hundred and Sixty Nine point Three) square meters or thereabouts (hereinafter referred to as the "**Land**") alongwith a tenanted building(s)/structure(s) standing thereon known as "**Shanti Bhuvan**" consisting of a building ground plus 3 (Three) upper floors comprising of 15 (Fifteen) residential flats/Rooms and 7 (Seven) commercial shops ("**Tenanted Building**"), out of said 15 (Fifteen) flats, 2 (Two) flats on the third floor are Self-Occupied Flats and all the 7 (seven) shops are also self-occupied by the Owners and another building standing thereon known as "**Mahavir Darshan**" consisting of ground plus 4 (Four) upper floors and comprising of total 12 (Twelve) residential rooms/flats ("**Society Building**") situated at 6th Road, Kasturba Main Road, Village Kanheri, F.P. No. 61, Borivali (East), (R-Central Ward), Mumbai - 400066, in Greater Bombay and in Registration Sub - District and District Mumbai city and Mumbai Suburban (hereinafter referred as the said "**Property**").

I. We have investigated the title of the said Property on the request of M/s Sanghvi Greens LLP ("**Developer**") and following documents i.e.:-

- 1) Description of the Property: ALL THAT pieces or parcels of land being all that piece or parcel of land bearing CTS No. 490, 490/1, 490/2, 490/3, 490/4, 490/5, 490/6, 490/7, 490/8, 490/9 admeasuring approximately 1169.3 (One Thousand One Hundred and Sixty Nine point Three) square meters or thereabouts situated at 6th Road, Kasturba Main Road, Village Kanheri, F.P. No. 61, Borivali (East), (R-Central Ward), Mumbai - 400066, in Greater Bombay and in Registration Sub-District and District Mumbai City and Mumbai Suburban along with 2 (Two) buildings thereon known as 'Shanti Bhuvan' and 'Mahavir



Darshan'.

- 2) The documents of title of Property.
 - a. Search and title report issued by Ms. Trupti Guha, Guha Law Associates for the Owners and the Society.
 - b. Development Agreement dated February 16, 2022 and Power of Attorney dated February 16, 2022.
- 3) Property card issued by Revenue Department of Maharashtra Government.
- 4) Search for 60 years from 1964 till 2023 in respect of the Land.
- 5) Public Notices in English newspaper called "Free Press Journal" and in Marathi newspaper called "Nav Shakti" both published on January 06, 2023.
- 6) A notarised declaration dated February 14, 2023 from the Developer regarding their right, title and interest to develop the Property.
- 7) Requisition on title of the Developer to develop the Property, which were duly answered by the Developer on February 14, 2023.

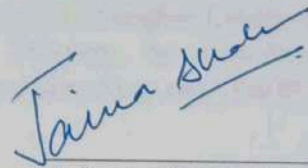
II. On perusal of the above mentioned documents and all other relevant documents relating to title of the said property we are of the opinion that the title of M/s. Sanghvi Greens LLP to redevelop the Property is clear, marketable and without any encumbrances.

Owners of the land

- (1) Mr. Narendra S. Kapadia and Mr. Sunil S. Kapadia, Final Plot no. 61, of town planning Scheme - Borivali-II, corresponding to CTS No. 490, 490/1 to 9.

III. The report reflecting the flow of the title of the M/s. Sanghvi Greens LLP on the said Property is enclosed herewith as annexure.

Encl: Annexure



ADV. JAINA SHAH
Founder,
JS Law Associates

FLOW OF THE TITLE OF THE SAID PROPERTY

1. One Mr. Narendra S. Kapadia and Mr. Sunil S. Kapadia ("**Owners**") are absolutely seized and possessed of and/or otherwise well and sufficiently entitled to the Property described in the Schedule hereunder written. As on date of application for registration, the Property Register card stands in the name of the Owners.
2. The various flat purchasers of the said building formed and registered themselves in to a Co-operative Housing Society Ltd known as "**New Mahavir Darshan Co-operative Housing Society Limited**" bearing Registration No. BOM/WR/HSG (TC)/3840/88-89 under the Maharashtra Co-operative Housing Society Act ("**Society**").
3. The manner in which the title of the Property was acquired by the Owners, is based and relied on the title report issued by Advocate Trupti Guha, Guha Law Associates.
4. The Old Buildings i.e Shanti Bhuvan and Mahavir Darshan were constructed approximately 45 and 35 years ago, respectively and required extensive repairs, both internally and externally. Further, the condition of both the Old Buildings is dilapidated. Considering the cost for undertaking such repairs and maintenance, the Owners and the Society considered to redeveloped the said Old building jointly by demolishing both the Old Buildings and constructing a new building to accommodate the members, the tenants, the Owners and the purchasers by utilizing the Base floor space index ("**FSI**"), Fungible FSI and Transferrable Development Rights ("**TDR**") plus other FSI available relating to and arising out of the Land as per prevailing Development Control Regulations for Greater Mumbai, 1991 (as may be amended and modified from time to time) and Development Control Regulations for Greater Mumbai, 2034 (as may be amended and modified from time to time) ("**DC Rules**").
5. Subsequently, the Owners, the tenants of Shanti Bhuvan and the Society approached the Developer, for appointing the Developer i.e Sanghvi Greens LLP as the developer for the redevelopment of the Property, by demolishing Tenanted Building and the Society Building and constructing new buildings thereon.
6. The Developer gave its offer to the Owners by his Offer letter dated December 4, 2017 and the Society by his Offer letter dated March 20, 2018 with various terms and conditions ("**Offer**").
7. Thereafter, in its Special General Body meeting on April 23, 2018, all the members of the Society unanimously resolved to appoint the Developer i.e. Sanghvi Green LLP on the terms and conditions of the Offer and to carry out the re-development

of the Property, and accordingly resolutions were passed to such effect.

8. All the tenants of Shanti Bhuvan executed individual consents in favour of the Developer irrevocably consenting to the appointment of the Developer for redevelopment of the Property vide consent letters dated March 29, 2018.
9. Subsequently, the Owners, the tenants of Shanti Bhuvan, the Society, and the members of Society executed development agreement with the Developer, on February 16, 2022 whereby they granted development rights of the Property to the Developer ("**Development Agreement**"). Simultaneously, the Owners, and the Society also granted a power of attorney to the Developer on February 16, 2022 ("**Power Of Attorney**") granting various powers for redevelopment purpose in favour of the Developer.
10. Thereafter, on February 16, 2022, the Development Agreement was registered with the Sub-Registrar of Assurances at Andheri No.1 bearing registration no. BRL-9-2676/2022, and on the same day i.e, February 16, 2022, the Power of Attorney was registered with the Sub-Registrar of Assurances at Andheri No.1 bearing registration no. BRL-9/2684-2022. Consequently, the Developer has the right, title and interest to redevelop the Property as a developer thereof.
11. An search was caused to be taken from e-search maintained by the Sub-Registrar of Assurances vide GRN no. MH013678744202223P, January 12, 2023, for a period of 60 years from 1964 to 2023. The Search report did not reveal any adverse entry / transfer of the Land and/or the development rights.
12. 2 (Two) notices were published in 2 (two) newspapers in the locality, one in English newspaper called "Free Press Journal" and one in the Marathi newspaper called "Nav Shakti" both published on January 6, 2023, inviting claims of any party or person to the Property. No claims were received in response to the public notices.
13. A duly notarized declaration dated February 14, 2023 was provided by the Developer, regarding the title of the Developer to develop the Property, declaring the development rights to be clear and marketable and free from all encumbrances.
14. Requisition was also raised on title of the Developer to develop the Property on February 14, 2023 and the answers provided by the Developer did not reveal any adverse remark pertaining to the title of the Property and the development rights of the Developer to the Property.

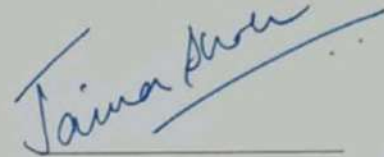
Schedule above referred to

SCHEDULE HEREINABOVE REFERRED TO:

ALL THAT pieces or parcels of land being all that piece or parcel of land bearing CTS No. 490, 490/1, 490/2, 490/3, 490/4, 490/5, 490/6, 490/7, 490/8, 490/9 admeasuring approximately 1169.3 (One Thousand One Hundred and Sixty Nine point Three) square meters or thereabouts situated at 6th Road, Kasturba Main Road, Village Kanheri, F.P. No. 61, Borivali (East), (R-Central Ward), Mumbai - 400066, in Greater Bombay and in Registration Sub-District and District Mumbai City and Mumbai Suburban alongwith 2 (Two) buildings thereon known as 'Shanti Bhuvan' and 'Mahavir Darshan' and bounded as follows:-

On or towards East by:	Thaver Apartment
On or towards South by:	Pradip Mansion
On or towards North by:	Kasturba Road
On or towards West by:	Goyal Plaza

Date: May 15, 2023



JAINA SHAH
Founder,
JS Law Associates

Annexure

Sr. No.	Particulars
1.	A copy of Title report issued by Advocate Trupti Guha dated April 10, 2019
2.	Search Report dated January 12, 2023 vide GRN no. MH013678744202223P.
3.	A copy of Development Agreement dated February 16, 2022, duly registered with the Sub-Registrar of Assurances at Andheri No.1 bearing registration no. BRL-9-2676/2022.
4.	A copy of Power of Attorney dated February 16, 2022, duly registered with the Sub-Registrar of Assurances at Andheri No.1 bearing registration no. BRL-9/2684-2022.
5.	Requisition dated February 14, 2023
6.	Declaration dated February 14, 2023 issued by the Developer.

Title Report

Introduction:

We, at the request of M/s. SANGHVI GREENS LLP, a partnership firm incorporated under the Indian Partnership Act, 1932 having PAN ADFFS625R, and having its registered office at Floor No.1, Plot-46,5, Veetrag House, Cawasji Patel Road, Horniman Circle, Fort, Mumbai-400001, represented through its Partners (1) Mr. Prithviraj Sankalchand Sanghvi (2) Mr. Pakshal Prithviraj Sanghvi, (3) Mr. Dinesh Sumermal Jain, have verified title of the immovable property described in the "First Schedule" hereunder written (hereinafter referred to as the "Scheduled Property").

The process followed:

1. We have perused the copies of the title deeds and other papers produced for our perusal. The list of such title deeds and other papers are set out in Annexure "1" hereto.
2. We have caused a search to be taken in the offices of Sub-Registrar of Assurances of Bombay at Kahneri vide search receipt no. 4065 dated 11th April 2018 for a period from 1989 to 2018 (30 years) in respect of the Scheduled Property ("Search").
3. We have published three notices in two newspapers in the locality one in English newspaper called "Business Standard", the Marathi newspaper called "Navshakti", all published on April 5, 2018, inviting claims of any party or person to the Scheduled Property ("Public Notices").
4. We have obtained a declaration dated December 17, 2018, from the Owners (defined below) regarding title of the Property.
5. We have obtained a declaration dated December 17, 2018, from the Society (defined below) regarding title of the Property.
6. We have also raised requisition on title to the Owner, which were duly answered by the Owner.



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The flow of title:

On perusal of the title deeds, our observation is as under:

1. The manner in which the title of the Property has been acquired by the Owners is as under:
 - i. Vide an indenture dated March 8, 1929, duly registered with the office of Sub Registrar of Assurances at Mumbai on 11th March 1929 at Serial No. 1168 of 1929 at Book No. 1, one Mr. Tailor (Darji) Jivraj Prabhu sold, transferred and conveyed the Scheduled Property along with a structure standing thereon known as 'Gohel Nivas' ("Old Property"), in the favour of Govindji Dharamsey and Morarji Dharamsey, on such terms and conditions and for consideration as more specifically set out thereunder;
 - ii. Govindji Dharamsey and Morarji Dharamsey were brothers. Morarji Dharamsey sold his one-half undivided right, title, share and interest in the Old Property to Govindji Dharamsey for a consideration paid by Govindji Dharamsey to him. However, a proper deed of conveyance was not executed by the said Morarji Dharamsey. Morarji Dharamsey died intestate on April 10, 1932 leaving behind his widow, Mrs. Manvantibai Morarji Dharamsey, as his only surviving legal heir;
 - iii. Said Govindji Dharamsey also died intestate at Mumbai on 19th March, 1944 leaving behind his only son Shantikumar Govindji as his sole heir and legal representative to succeed to his estate including his undivided one half right, title share and interest in the said Old Property, as per the provisions of law by which he was governed;
 - iv. Said Mrs. Manvantibai widow of Morarji Dharamsey vide an Indenture dated June 11, 1945 duly registered with the Sub-Registrar bearing Number 3143/45, duly recorded the transfer and assignment of the undivided one half right, title, share and interest of Morarji Dharamsey in favour of Shantikumar Govindji as per the agreement arrived by and between said Morarji Dharamsey and Govindji Dharamsey and for consideration paid by said Govindji Dharamsey to said Morarji Dharamsey;



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- v. In the premises aforesaid said Shantikumar Govindji became the sole and absolute owner of the Old Property;
- vi. Said Shantikumar Govindji renamed the structure standing on the said Old Property from "Gohel Nivas" to "Shanti Bhuvan" wherein said Shantikumar Govindji resided with his family;
- vii. In or around 1974-75 said Shantikumar Govindji, with due permission of the Municipal Corporation of Greater Mumbai constructed 3 upper floors on the Old building Shanti Bhuvan and the Municipal Corporation issued the occupation certificate for the said additional Construction on July 14, 1976 bearing number CE/1262/BSII/AR to occupy the same.
- viii. All the premises in the said newly constructed building Shanti Bhuvan save and except the shops on the ground floor and the entire third Floor, which is use and occupation of Shantikumar Govindji, have been let out on monthly tenancy basis to various tenants on monthly rent. A list showing the names of the tenants is annexed hereto and marked as Annexure "II";
- ix. In or around the year 1978-79, the Town Planning Authority announced a Town Planning Scheme being T. P. S. II Borivali (East) and the said Old property bearing C. T. S. Nos. 490, 490 / 1 to 9 was merged into the Scheme and the arbitrator, Town Planning Scheme renumbered the said Plot of Land as Final Plot No. 61 with final area of the Plot as 1130.44 sq. mtrs. and redistributed the same;
- x. Vide an Articles of Agreement dated 2nd October 1979, Mr. Shantikumar Govindji granted the development rights for construction of new building on the portion of the said Old Property to one Sikaria Constructions Co. ("Builder") and permitted them to construct a new building in the rear portion of the said Scheduled Property by utilizing the balance F. S. I. of the said Land on the terms and conditions and for consideration stipulated in the said Agreement;
- xi. The Builder, constructed a new building comprising of ground plus 4 (Four) upper floors and sold the residential flats to the prospective purchasers on ownership basis. The various flat

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purchasers of the said building formed and registered themselves in to a Co-operative Housing Society Ltd. bearing Registration No. BOM/WR/HSG(TC)/3840/88-89 under the Maharashtra Co-operative Housing Society Act.

- xii. Though no conveyance has been executed in favour of the Society by the Owners, the Society undivided right, title and interest in the Scheduled Property. Further, the Society has not received the occupation certificate and also the said Scheduled Property has not been sub-divided in the revenue records of the Government and/or local Body between the Owners and the Society.
 - xiii. Vide an unregistered Indenture of Conveyance dated 31st March 1982, Shantikumar Govindji and Smt. Sumati alias Taraben Shantikumar, sold and transferred to one Shree Purshottam Park Shree Sambhavnathji Jain Derasar Trust, the adjoining plot of land adjacent to the Scheduled Property bearing Plot No. 64/A/2 and being a portion of the Final Plot No. 64 of T.P.S. II Borivali (East), admeasuring 785 square yards equivalent to 653.30 square meters along with the repass /user of right, of way of 18 (Eighteen) feet wide road on the Scheduled Property ("Right of Way").
 - xiv. Said Shantikumar Govindji died on 31st May 1993 leaving behind his two sons Narendra and Sunil ("the Owners") herein as his only heirs and legal representatives to succeed to his estate as per the provisions of law by which he was governed, his wife Mrs. Sumati alias Taraben Shantikumar predeceased said Shantikumar and had died intestate at Mumbai on 23rd February 1985;
- 2. The property registered card stands in the name of the Owners. A copy of the Property Registered Card is marked and annexed hereto as Annexure "III".
 - 3. The Old Property is currently occupied by the Owners and 13 tenants.
 - 4. The Search report did not reveal any adverse entry/transfer of the Schedule Property.
 - 5. We did not receive any adverse claim in response to the Public Notices.



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6. The Owner and the Society has given us a declaration dated December 17, 2018 regarding title of the Owner and Society in respect of the Scheduled Property declaring the Scheduled Property to be clear and marketable and free from all encumbrances.
7. The Owner has also responded to the requisitions raised by us, which did not reveal any adverse remark pertaining to the title of the Scheduled Property.

Certificate:

Subject to the rights of the tenants and the Right of Way, the Owners have a clear and marketable title to the Old property with the Owners and the Society having undivided interest in the scheduled Property.



Schedule above referred to

SCHEDULE HEREINABOVE REFERRED TO:

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On or towards East by:	Thaver Apartment
On or towards South by:	Pradip Mansion
On or towards North by:	Kasturba Road
On or towards West by:	Goyal Plaza

For Guha Law Associates

TB Guha
Ms. Trupti Guha



Guha Law Associates

ANNEXURE I

List of Documents Perused

1. An indenture dated March 8, 1929, duly registered with the office of Sub Registrar of Assurances at Mumbai on 11th March 1929 at Serial No. 1168 of 1929 at Book No. 1;
2. An Indenture dated June 11, 1945 duly registered with the Sub-Registrar bearing Number 3143/45;
3. Articles of Agreement dated 2nd October 1979;
4. Unregistered Indenture of Conveyance dated 31st March 1982;
5. Copy of the Property Registered Card;
6. Declaration dated December 17, 2018



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ANNEXURE II
Names of the Tenants

1. Mr. Hemanth Manilal Sejpai;
2. Mr. Viren Anantrai Mehta;
3. Mr. Ashvin Kumar Desai and Mr. Vasant Kumar Desai;
4. Mrs. Kantaben Ratilal Patel;
5. Mrs. Manjulaben Hasmukh Thakkar;
6. Mr. Naresh Haridas Gandhi (Heirs and legal representatives of deceased Mrs. Radhaben Haridas Gandhi);
7. Mr. Ramnik Chagganlal Poria and Mrs. Harsha Ramnik Poria;
8. Mr. Jayesh Hasmukhlal Shah alias Mr. Jayesh Hashmukhlal Shah;
9. Mrs. Sonal Jayesh Shah and Mr. Jainam Jayesh Shah;
10. Mrs. Gita Govindji Gandhi and Bhupesh Govindji Gandhi;
11. Mrs. Dharmista Subash Shah alias Mrs. Dharmishta Subash Shah;
12. Mrs. Pramilaben Rasiklal Shah;
13. Mr. Subash Rasiklal Shah.

