

CHARUSHILA J. RAORANE, B.COM, LL. B,



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H/505, Fifth Floor, Ekta Bhoomi Garden, Dattapada Road, Opp. TATA Steel, Borivali (East), Mumbai - 400 066

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TITLE REPORT

To,
Maharashtra Real Estate
Authority (MahaRERA),
Bandra West, Mumbai - 400051

Sub: ALL THAT piece or parcel property bearing City Survey No. 1448/1A, lying, being and situate at Village Eksar, Borivali (West), Mumbai, Mumbai Suburban District, in the Registration District and sub-district of Mumbai City and Suburban admeasuring about to 2010.75 Square Meters and 1986.32 Sq. Meters as per physical survey on site along with a presently incomplete building structure standing at the society property after demolishing the building structures of each known as Building No.7 and Building No. 8, belonging to the Borivali Amrapali Cooperative Housing Society Limited and within registration Sub-district and District of Mumbai City and Mumbai Suburban within Greater Mumbai; (**"hereinafter referred to as the said Property for the sake of brevity"**).

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A. I have investigated the title of the said Property on the request and instructions of our clients M/s. Rishabraj Estate Developers Pvt. Ltd., having its office at 103, Jai Tirth Building, Daulat Nagar, Road No. 10, Borivali (East), Mumbai - 400 066, on perusal of the following documents.

I. **DESCRIPTION OF THE PROPERTY:**

ALL THAT piece or parcel property bearing City Survey No. 1448/1A, lying, being and situate at Village Eksar, Borivali (West), Mumbai, Mumbai Suburban District, in the Registration District and sub-district of Mumbai City and Suburban admeasuring about to 2010.75 Square Meters and 1986.32 Sq. Meters as per physical survey on site along with a presently incomplete building structure standing at the society property after demolishing the building structures of each known as Building No.7 and Building No. 8, belonging to the **Borivali Amrapali Co-operative Housing Society Limited** and within registration Sub-district and District of Mumbai City and Mumbai Suburban within Greater Mumbai and bounded as follows:



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On or towards the North: by Bldg. No. 9 & 10,

On or towards the South: by Garden,

On or towards the East: by 9.15 mtr. Internal Layout Road,

On or towards the West: by 13.40 mtr Wide D. P. Road, of the said Property.

II DOCUMENTS OF ALLOTMENT OF PLOT PERUSED AND GRANT OF DEVELOPMENT RIGHTS IN RESPECT THEREOF:

- i) By a Registered Indenture of Lease dated 3rd May, 2006 vide registration No. 3589-2006, dated 10.05.2006 made by and between MHADA, therein referred to as the Party of the One Part and the Society, herein referred to as the Lessee of the Other Part, MHADA demised unto the Society, the said property for a term of 90 years commencing from 1st July, 1992 upon a yearly rent of Rs.10,560/- (Rupees Ten Thousand Five Hundred Sixty only) and upon the terms and conditions.
- ii) By a Registered Sale Deed dated 3rd May, 2006 vide registration No. 3590-2006, dated 10th May, 2006 made by and between MHADA, therein referred to as the Authority of the One Part and the Society, herein referred to as the Party of the Other Part, MHADA sold, conveyed and transferred unto the Applicant Society the two buildings constructed on the said property for the consideration and upon the terms and conditions.
- iii) The said Society i.e., **BORIVALI AMRAPALI CO-OPERATIVE HOUSING SOCIETY LTD.**, is a Society registered under the provision of Maharashtra Cooperative Societies Act. 1960, bearing Registration No. BOM(WR)/HSG(TC)/9238/95-96, (hereinafter referred to as the said Society).
- iv) The said Society as Landlords were also sized and possessed of and otherwise well and sufficiently entitled to Society Building consisting of Ground and Four Upper Floors consisting of 40 Members of two building i.e. Building No.7 and 8 out of which 20 each Members were fully let to Member.
- v) The Said society by and under Tripartite Development Agreement dated 28/07/2021 executed by and between the said society, its members and the Developer and duly registered with the sub- registrar of assurances under Sr. No.



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BRL-09-9217 of 2021, Dated 28/07/2021, the Society and Members therein did thereby grant and assign Development Rights in respect of the said property for consideration and on terms, conditions and covenants therein recorded. The said society have also issued registered Power of Attorney Dated 28/07/2021 with duly registered with the sub- registrar of Assurance under Sr. No. BRL-9/9218/2021, Dated 28/07/2021. The said documents are not the subject matter of any litigation and the same is valid, subsisting and binding upon the parties thereto.

III. **PROPERTY CARD AND REVENUE RECORD:**

The Property Card in respect of the said property is standing in the name of MHADA and the MHADA Authority is given on Lease Vide Indenture of Lease dated 3rd May 2006 to the Lessee i.e. Borivali Amrapali Co-operative Housing Society Limited.

IV. **OWNERS OF THE LAND**

The said property is standing in the name of the **MHADA**, and the MHADA Authority is given on Lease Vide Indenture of Lease dated 3rd May 2006 to the Lessee i.e. Borivali Amrapali Co-operative Housing Society Limited at being City Survey No. 1448/1A, lying, being and situate at Village Eksar, Borivali (West), admeasuring about to 2010.75 Square Meters and 1986.32 Sq. Meters as per physical survey building known as Building No.7 and Building No. 8, belonging to the **Borivali Amrapali CHSL**, situate at MHADA Colony, Eksar, Borivali (West), Mumbai-400103 was seized, possessed and sufficiently entitled of the Property.

2. Thus, the appointment of M/s. Rishabraj Estate Developer Pvt. Ltd. as developers of the said property by the society is valid and legal and as Developers M/s. Rishabraj Estate Developer Pvt. Ltd. is fully entitled to implement redevelopment of the said property.
3. 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 society



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in respect of the said property is clear and marketable and the developer is well and sufficiently entitled to re- develop the said property vide registered Development Agreement Dated 28/07/2021.

4. The Report regarding the Flow of Title as also particulars of encumbrances, if any, including litigations etc., regarding the title of the said property is enclosed herewith as Annexure.

Dated this 04TH day of March, 2022

Yours faithfully,

CHARUSHILA J. RAORANE
Advocate, High Court



Place: Mumbai