

AVV/AJ/ 0043

FORMAT- A
(Circular No. 28/2021)

To,
MahaRERA
Housefin Bhavan, Near RBI,
E Block, Bandra Kurla Complex, Bandra East,
Mumbai – 400 051.

LEGAL TITLE REPORT

Sub.: All that piece and parcel of land bearing C.T.S. No. 349 (part) (corresponding to City Survey No. 113 (part) admeasuring 596.03 square meters or thereabouts, subject to road set back of 0.88 square meters, (hereinafter referred to as the "said Land") together with 246.32 square meters of tit bit land and the building on the said Land known as Building No. 36 consisting of Ground plus 3 upper floors having 32 tenements (hereinafter referred to as the said "Building") situated at Village Hariyali, Tagore Nagar, Vikhroli (East) in the registration sub - district of Kurla and District of Mumbai Suburban. The said Land and the said Building shall hereinafter collectively be referred to as the "said Property".

1. We have investigated the title of the said Property on the request of **M/s. Swastik Homes ("Developers")** and the following documents i.e.:
 - a. Description of the said Property:

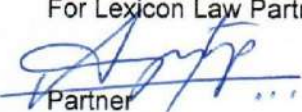
All that piece and parcel of land bearing C.T.S. No. 349 (part) (corresponding to City Survey No. 113 (part) admeasuring 596.03 square meters or thereabouts, subject to road set back of 0.88 square meters, (hereinafter referred to as the "said Land") together with 246.32 square meters of tit bit land and the building on the said Land known as Building No. 36 consisting of Ground plus 3 upper floors having 32 tenements (hereinafter referred to as the said "Building") situated at Village Hariyali, Tagore Nagar, Vikhroli (East) in the registration sub - district of Kurla and District of Mumbai Suburban. (The said Land and the said Building shall hereinafter collectively be referred to as the "said Property").
 - b. The documents of allotment of the said Property are mentioned in Annexure "A".
 - c. Property Register Card issued by City Survey Office dated 22nd February 2019 in respect of C.T.S. No. 349 of Village Hariyali.
 - d. Search report for 30 (Thirty) years from 1993 to 2022.
2. On perusal of the above-mentioned documents and all other relevant documents relating to the title of the said Property, we are of the opinion that the Tagore Nagar Shree Sai Co-operative Housing Society, registered under the provisions of the Maharashtra Co-operative Housing Societies Act, 1960 and bearing registration No. BOM(WS)HSG(OH)/3904/ 1988-89 dated 7th December, 1988 ("**Society**") is the lessee of the said Property and the leasehold rights are valid and subsisting and the title of the said Property is clear, marketable and without any encumbrances.

Owners of the Property:

 - i. Maharashtra Housing and Area Development Authority is the owner of the said Property and the Society is entitled to the leasehold rights of said Property.
 - ii. Qualifying remarks / comments if any: Subject to detailed Title Report dated 1st January, 2023.
3. The report reflecting the flow of title of the said Developers to the said Property is enclosed herewith as an annexure.

Encl: Annexure
Date: 6th January, 2023.

Yours truly
For Lexicon Law Partners


Partner

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FLOW OF THE TITLE OF THE SAID PROPERTY

1. Maharashtra Housing Board ("**Board**"), as established under the Maharashtra Housing Board Act, 1948 was the owner and was seized and possessed off or otherwise well and sufficiently entitled to all that piece and parcel of land City Survey No.349 (part) admeasuring 596.03 square meters or thereabouts situate lying and being at Tagore Nagar, Vikhroli (East) in the registration sub-district of Bandra and Bombay Suburban District (hereinafter referred to as the "**said Land**");
2. The Board constructed a building on the said Land being building bearing No. 36 (hereinafter referred to as the "**said Building**"). The said Land alongwith the said Building, shall hereinafter, unless referred to individually, be collectively referred to as the "**said Property**";
3. Maharashtra Housing and Area Development Authority (hereinafter referred to as the "**Authority**") was constituted with effect from December 5, 1977 *vide* Government Notification by the Public Works and Housing Development bearing No. ARD/1077(1)/Desk-44 and the Board, stood dissolved by operation of Section 15 of the Maharashtra Housing Board Act, 1948 (hereinafter referred to as the "**MHAD Act**").
4. In terms of Clause 189 (a) and (b) of the MHAD Act, all the property, rights, liabilities and obligations of the Board including those arising under any agreement or contract became the property, rights, liabilities and obligations of the Authority;
5. In view thereof, the said Property became the property of the Authority and all the rights liabilities and obligations of the Board as aforesaid in relation to the said Property became the rights liabilities and obligations of the Authority;
6. The tenement holders of the said Building formed themselves into a Co-operative Housing Society viz. Tagore Nagar Shree Sai Co-operative Housing Society Limited (hereinafter referred to as the "**said Society**") which has 32 members and registered the same under the provisions of the Maharashtra Co-operative Housing Societies Act, 1960 and bearing registration No BOM(WS)HSG (OH)/3904/1988-89 dated 7th December 1988.
7. Since the said Building was in a dilapidated condition, the said Society was desirous of redeveloping the said Property. In that regard, a Special General Body Meeting of the Society was held on 20th December, 2020, wherein the proposal offer of M/s. Swastik Homes was accepted and it was resolved that M/s. Swastik Homes would be appointed as the developer to redevelop the said Property.
8. By and under an Indenture of Lease dated 24th September, 2021 and executed by and between Maharashtra Housing and Area Development Authority, therein referred to as the Authority of the One Part and Tagore Nagar Shree Sai Co-operative Housing Society Limited, therein referred to as the Society of the Other Part and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL1/15127/2021, the Authority demised by way of lease unto the Society, the said Land, for a period of Thirty (30) years and renewable every Thirty (30) years commencing from 1st April, 1980 which expired on 31st March 2010 and the next Thirty (30) years commenced from 1st April 2010, at or for the yearly rent and subject to the terms and conditions contained therein.
9. By and under a Sale Deed dated 24th September, 2021 and executed by and between Maharashtra Housing and Area Development Authority, therein referred to as the Authority of the One Part and Tagore Nagar Shree Sai Co-operative Housing Society Limited, therein referred to as the Society of the Other Part, and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL1/15130/2021 the Authority conveyed, granted and assured unto the Society, by way of sale, the said Building, at for the consideration and in the manner contained therein.
10. By and under a Development Agreement dated 10th December 2021 ("**Development Agreement**") executed by and between (a) Tagore Nagar Shree Sai Co-operative Housing Society Limited, therein

referred to as the Society of the First Part, (b) (i) Shri Jenish Winstone Livingstone (ii) Shri Ghehrilal Udaylal Kothari (iii) Shri Yogesh Tavaji Gorule (iv) Shri Dattaram Ravji Kokate (v) Shri Sudam Maruti Pawar (vi) Smt. Qamrunnissa Mumtaz Ahmed (vii) Smt. Bharati Bharatbhushan Bagwe (viii) Smt. Omana Andy R. (ix) Shri Shah Kantilal Devshi (x) Shri Sandesh Vishnu Kulkarni (xi) Smt. Swatisantosh Sable (xii) Smt. Vidya Ramesh Lagad (xiii) Smt. Jacqueline Kelwin Simon (xiv) Shri Kishor Laxman Chavan (xv) Smt. Helen Violet Ancent Soans (xvi) Shri Bhaskar Simon Samuel Amanna (xvii) Shri Melwin Johnson Samuel Amanna (xviii) Smt. Anita Robert Nixon Amanna (xix) Smt. Sanjivani Uday Bhat (xx) Shri Rajkumar Chandulal Jain (xxi) Smt. Shambhavi Sadanand Shetty (xxii) Shri Nilesh Narayan Panhale (xxiii) Shri Satywan Govind Dabhilkar (xxiv) Shri Satish Rajaram Nimbalkar (xxv) Smt. A. L. Jayanthi (xxvi) Smt. Sulochana S Gurav (xxvii) Shri Krishna S. Gosavi (xxviii) Shri Narendra Rama Naik (xxix) Smt. Chanda D Kale (xxx) Smt. Jayashree Jayawant Chavan (xxxi) Rajashree Rajaram Powle (xxxii) Smt. Catherine James Anthony (xxxiii) Smt. Meera Venugopal (xxxiv) Shri P K Venugopal and (xxxv) Shri Ravindra A Shetty, therein referred to as Existing Members of the Second Part (hereinafter referred to as the "**Existing Members**"), and M/s. Swastik Homes, therein referred to as Developer of the Third Part and hereinafter referred to as the "**Developer**") and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL3/19103/2021, the Society granted to the Developer, sole and exclusive and irrevocable development/re-development rights to carry out and complete the development/redevelopment in respect of said Property together with the adjoining tit bit land areas, at or for the consideration and subject to the terms and conditions therein contained.

11. By and under a Power of Attorney dated 10th December 2021 and registered with the office of the Sub-Registrar of Assurances under Serial No KRL-3/19106/2021 ("**Power of Attorney**") executed by Tagore Nagar Shree Sai Co-operative Housing Society Limited, the said Society nominated, constituted and appointed (i) M/s. Swastik Homes and (ii) Mr. Rahul Samar being the nominee of the Developer, jointly and severally as their Constituted Attorneys to do the acts, deeds, matters and things as described therein in respect of the said Property.
12. By an Offer Letter dated 29th December 2021 bearing reference no. CO/MB/REE/NOC/F-1364/3236/2021 issued by Maharashtra Housing and Area Development Authority and addressed to the Society, the Society was permitted to undertake development of the said Land [*corresponding to Survey No.113 (part)*] admeasuring 596.03 square meters subject to road set back of 0.88 square meters together with the adjoining Tit-Bit Land admeasuring 246.32 square meters. The Society's proposal for utilization of additional buildable area in respect of the said Land [*corresponding to Survey No.113 (part)*] and the adjoining Tit-Bit Land, under Regulation 33(5) of the Development Control and Promotion Regulations 2034 was approved subject to payment of premiums and on the terms and conditions set out therein.

Date: 6th January 2023.

Yours Truly,
For Lexicon Law Partners


Partner

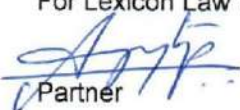
ANNEXURE "A"

LIST OF DOCUMENTS

- a) Registration Certificate bearing no. BOM(WWS)HSG(OH)/3904/ 1988-89 dated 7th December, 1988 issued under the provisions of the Maharashtra Co-operative Housing Societies Act, 1960;
- b) Deed of Sale dated 24th September, 2021 executed by and between Maharashtra Housing and Area Development Authority and Tagore Nagar Shree Sai Co-operative Housing Society Limited and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL-1/15130/2021;
- c) Indenture of Lease dated 24th September 2021 executed between Maharashtra Housing and Area Development Authority and Tagore Nagar Shree Sai Co-operative Housing Society Limited and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL-1/15127/2021;
- d) Development Agreement dated 10th December, 2021 executed by and between (a) Tagore Nagar Shree Sai Co-operative Housing Society Limited, (b) (i) Shri. Jenish Livingstone and 30 ors. and (c) M/s. Swastik Homes and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL-3/19103-2021;
- e) Power of Attorney dated 12th December 2021 and registered with the office of the Sub-Registrar of Assurances under Serial No KRL-3/19106/2021 executed by Tagore Nagar Shree Sai Co-operative Housing Society Limited in favour of (i) M/s. Swastik Homes and (iii) Mr. Rahul Samar;
- f) Property Register Card dated 22nd February 2019 in respect of CTS No. 349;
- g) No Objection Certificate (NOC) dated 28th July, 2022 bearing reference no. CO/MB/REE/NOC/F-1364/1921/2022 regarding redevelopment of building no. 36 known as Tagore Nagar Shree Sai Co-operative Housing Society issued by Maharashtra Housing and Area Development Authority;
- h) Offer Letter dated 29th December, 2021 bearing reference no. CO/MB/REE/NOC/F-1364/3236/2021 issued by Maharashtra Housing and Area Development Authority;

Date: 6th January, 2023.

Yours Truly,
For Lexicon Law Partners


Partner