



LAW SCRIBES

Advocates & Solicitors

Reference Number: **LS/NM/AP/016**

Date : **8th May, 2024**

To:

The Maharashtra Real Estate Regulatory Authority (MAHARERA)
6th & 7th Floor, Housefin Bhavan, Plot No: C - 21, E - Block,
Bandra Kurla Complex, Bandra (E), Mumbai 400051.

LEGAL TITLE REPORT

Sub: Title clearance report with respect to all that piece and parcel of land admeasuring 1,306.04 square meters or thereabouts (as per the title documents and admeasuring 1,243.10 square meters or thereabouts as per the Property Register Card) bearing CTS no. 1058 of Village Versova, Taluka Andheri, Mumbai Suburban District lying, being and situate at J. P. Road, Versova, Andheri (West), Mumbai 400 061 (hereinafter referred to as "**the said Land**").

On instructions of our clients **Richfeel Real Estate Private Limited**, a company incorporated under the provisions of the Companies Act, 2013, holding CIN U70102MH2015PTC269360 and having its office at Shop no. S34A, Prime Mall, Beside Irla Church, Irla Society Road, Vile Parle (West), Mumbai 400056, (hereinafter referred to as "**the Developer**"), we have investigated the title of the Sagar Sameer Co-operative Housing Society Limited, a co-operative society registered under Maharashtra Co-operative Societies Act, 1960, bearing registration no. BOM/HSG/2450 dated 22nd July 1970 and having its registered office at Sagar Sameer, J. P. Road, Versova, Andheri (West), Mumbai 400061 (hereinafter referred to as "**the Society**") to the said Land, and the Developer's entitlement to put up construction on the said Land.

1. Description of the Property:

All that piece and parcel of land admeasuring 1,306.04 square meters or thereabouts (as per the title documents and admeasuring 1,243.10 square meters or thereabouts as per the Property Register Card) bearing CTS no. 1058 of Village Versova, Taluka Andheri, Mumbai Suburban District lying, being and situate at J. P. Road, Versova, Andheri (West), Mumbai 400 061.

2. Documents pertaining to the Property:

In the course of such investigation, we have perused photocopies of the following documents:

- a. Property Register Card in respect of the said Land viz. CTS no. 1058 of Village Versova, Taluka Andheri, Mumbai Suburban District;
- b. Indenture dated 7th November, 1970 registered with the Sub-Registrar of Assurances at Bandra under serial no. BND/2287/1970;
- c. Development Agreement dated 22nd October, 2022 registered with the Sub-Registrar of Assurances at Andheri no. 4 under serial no. BDR15-15673-2022;



- d. Power of Attorney dated 24th November, 2022 registered with the Sub-Registrar of Assurances at Andheri no. 4 under serial no. BDR15-15673-2022;
 - e. LOI (Letter of Intent) dated 10th April, 2023 bearing number KW/PVT/0181/20230215/LOI issued by the Slum Rehabilitation Authority (hereinafter referred to as the "SRA");
 - f. Intimation of Approval dated 11th April, 2023, bearing number KW/PVT/0181/20230251/AP/C issued by the SRA;
 - g. Letter dated 1st September, 2023 issued by the Maharashtra Coastal Zone Management Authority bearing no. CRZ/2023/CR123/TC4;
 - h. Commencement Certificate dated 2nd November, 2023, bearing number KW/PVT/0181/20230215/AP/C issued by the SRA;
 - i. Property Register Card issued by the concerned city survey office in respect of CTS no. 1058 of Village Versova, Taluka Andheri, Mumbai Suburban District; and
 - j. Search report dated 30th November, 2023, in respect of the searches taken with the offices of the Sub-Registrar of Assurances at Mumbai, Bandra and Andheri Taluka for a period of 30 (Thirty) years from 1994 to 2023.
3. We have also issued public notices in 2 (two) newspapers viz. Free Press Journal (English – Mumbai edition) and Navshakti (Marathi – Mumbai edition) both dated 13th November, 2023 for inviting claims in respect of the said Land.
 4. On perusal of the above mentioned documents and all relevant documents relating to title of the said Land, and subject to what is stated therein, we are of the opinion that the title of the Society viz. the Sagar Sameer Co-operative Housing Society Limited to the said Land is clear, marketable and without any encumbrances; and further that the Developer viz. **Richfeel Real Estate Private Limited** is entitled to undertake redevelopment of the said Land by demolishing the old building (earlier standing) thereon and constructing a new multi-storied building on the said Land, in accordance with the terms and conditions of the Development Agreement dated 22nd October, 2022.

Owner of the said Land: Sagar Sameer Co-operative Housing Society Limited, CTS no. 1058 of Village Versova, Taluka Andheri, Mumbai Suburban District.

Developer: Richfeel Real Estate Private Limited, CTS no. 1058 of Village Versova, Taluka Andheri, Mumbai Suburban District.



5. The report reflecting the flow of the entitlement of the Developer to redevelop the said Land is enclosed herewith and marked as Annexure 'A'.

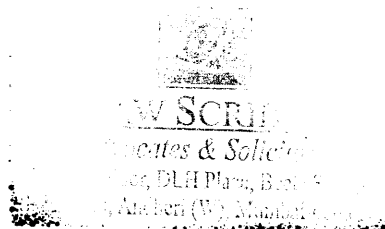
Yours faithfully

For *Law Scribes*

(Neil Mandevia)

Advocate & Solicitor

Encl: Annexure



**Annexure 'A'****Flow of the entitlement of the Developer to redevelop the said Land**

On instructions of our clients viz. the Developer being **Richfeel Real Estate Private Limited**, a company incorporated under the provisions of the Companies Act, 2013, holding CIN U70102MH2015PTC269360 and having its office at Shop no. S34A, Prime Mall, Beside Irla Church, Irla Society Road, Vile Parle (West), Mumbai 400056, we have investigated the Developer's entitlement to put up construction on the said Land as more particularly described in the **Schedule** hereunder written and as requested by the Developer, we are issuing this certificate in respect of its entitlement thereof.

1. **Property Register Card:** The name of the Society is reflected on the Property Register Card in respect of the said Land as the holder thereof.
2. **Mutation Entry:** The name of the Society is entered on the Property Register Card as the holder of the said Land vide a mutation entry dated 21st January, 2004.
3. **Searches:** We have caused necessary searches to be taken with the office of the Sub-Registrar of Assurances at Mumbai, Bandra and Andheri Taluka for a period of 30 (Thirty) years from 1994 to November, 2023.
4. **Devolution of Title:** The Developer has furnished to us copies of various documents with regard to the said Land; and we have perused the same and the following emanates therefrom:
 - a. One Sagar Sameer Co-operative Housing Society Limited, is a co-operative society registered under Maharashtra Co-operative Societies Act, 1960, bearing registration no. BOM/HSG/2450 dated 22nd July 1970 and having its registered office at Sagar Sameer, J. P. Road, Versova, Andheri (West), Mumbai 400061 (hereinafter referred to as "**the Society**") and is seized and possessed, as the sole and absolute owner of the said Land.
 - b. By and under an Indenture dated 7th November, 1970, which is registered with the Sub-Registrar of Assurances at Bandra under serial no. BND/2287/1970 (hereinafter referred to as "**the said Indenture**"), the Society has acquired title to the said Land as the owner thereof, at and for the consideration and on the other terms and conditions more particularly set out therein. We have perused a photocopy of the said Indenture.
 - c. It is recorded in the Recitals to the Development Agreement, as referred to hereinbelow that
 - i. earlier, there stood on the said Land, a building known as '**Sagar Sameer**' comprising of ground plus 6 (Six) upper floors and containing in aggregate 17 (Seventeen) self-contained residential flats (hereinafter referred to as "**the Old Building**") (now demolished), which was



constructed by the Society out of its own funds in or around the year 1972. The Old Building has since been demolished as elaborated hereinafter. The said Land and the Old Building are hereinafter collectively referred to as “**the said Property**”.

- ii. the Society presently has 17 (Seventeen) members who are holding shares issued by the Society and corresponding thereto were occupying their respective premises in the Old Building, prior to demolition of the Old Building (hereinafter collectively referred to as “**the Existing Members**”).
- iii. the Old Building was in a dilapidated condition and beyond economical repairs and in view thereof, the Society was desirous of appointing a fit and a proper entity engaged in the business of development and redevelopment of immoveable properties to undertake the redevelopment of the said Land by demolishing the Old Building, and by constructing on the said Land, a new multi-storeyed building, by using and utilizing the entire available Floor Space Index (hereinafter referred to as “**FSI**”) emanating from the said Land and also by consuming any additional FSI as may be consumable on the said Land.
- d. By and under a Development Agreement dated 22nd October, 2022 (hereinafter referred to as “**the Development Agreement**”) made and executed between the Society, some of the Existing Members of the Society and the Developer, the Society, has granted development rights in respect of the said Land to and in favour of the Developer, at and for the consideration and on terms and conditions more particularly contained therein. The said Development Agreement is registered with the Sub-Registrar of Assurances at Andheri no. 4 under serial no. BDR15-15673-2022. We have perused a photocopy of the Development Agreement.
- e. In addition to the said Development Agreement, the Society has also executed a Power of Attorney dated 24th November, 2022, in favour of the Developer (acting through its directors/representatives) and have conferred upon the Developer, certain powers and authorities to do various acts, things, and matters with respect to the redevelopment of the said Land (hereinafter referred to as “**the Power of Attorney**”). The said Power of Attorney is registered with the Sub-Registrar of Assurances at Andheri no. 4 under serial no. BDR15-15674-2022. We have perused a photocopy of the Power of Attorney.
- f. As per the terms of the Development Agreement, the Developer has agreed to provide certain constructed premises to the Existing Members, as and by way



of their respective permanent alternate accommodation in lieu of their respective old premises in the said Old Building; and the Developer has been further authorised by the Society to sell or otherwise create third party rights in respect of the additional units/premises in the new building (defined in the Development Agreement and hereinafter referred to as **“the Developer’s Sale Area”**) to and in favour of third parties on such terms as the Developer may deem fit and proper and which third parties would be admitted by the Society as its new members along with the Existing Members of the Society.

- g. The Development Agreement and the Power of Attorney are hereinafter collectively referred to as “**the Redevelopment Documents**”.
- h. In the circumstances, by virtue of the Redevelopment Documents, the Developer has become entitled to undertake redevelopment of the said Property on the terms and conditions mentioned in the Redevelopment Documents.
- i. The Developer has informed us that, the Existing Members have since vacated the Old Building, in accordance with the terms and conditions of the Redevelopment Documents; and the Developer has thereupon demolished the Old Building.
- j. The Developer had made an application to the SRA, and the SRA has issued a Letter of Intent (“**the LOI**”) 10th April, 2023 bearing number KW/PVT/0181/20230215/LOI, in respect of the redevelopment of the said Land under the provisions of Regulation 33(11) of the Development Control & Promotion Regulation, 2034 for Greater Mumbai;
- k. Thereafter, the Developer had made the requisite application for sanction of plans for putting up construction of a multi-storeyed building on the said Land and based on such application, the SRA has issued an Intimation of Approval, dated 11th April, 2023, bearing number KW/PVT/0181/20230251/AP/C, for construction on the said Land and has approved plans for construction of the new building on the said Land;
- l. By and under a letter dated 1st September, 2023 issued by the Maharashtra Coastal Zone Management Authority bearing no. CRZ/2023/CR123/TC4 addressed to the Developer it is recorded that the Maharashtra Coastal Zone Management Authority in its 168th meeting held on 10th August, 2023, the said Authority has decided to recommend the proposal from CRZ point of view under the Notification dated 18th January 2019, issued by the Ministry of Environment, Forest and Climate Change under the provisions of Section 3 of the Environment (Protection) Act, 1986 (usually referred to as the CRZ Notification, 2019) to the concerned planning authority subject to compliance of the conditions set out therein; and
- m. Pursuant thereto, the SRA has issued a Commencement Certificate dated 2nd November, 2023 bearing no. KW/PVT/0181/20230215/AP/C; and has

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permitted the Developer to commence construction on the said Land to the extent set out therein.

5. **Litigation:** The Developer has informed us that there is no pending litigation or pending legal proceeding pertaining to the said Land and/or construction of the new building thereon.
6. As regards development and construction on the said Land as proposed by the Developer, from the documents and information furnished to us it appears that the Developer has obtained the approvals as set out hereinabove:
7. In the course of the searches caused to be taken by us with the offices of Sub-Registrars of Assurances, at Mumbai, Bandra and Andheri Taluka for a period of 30 (Thirty) years from 1994 to 2023 as aforesaid, we have not come across any entries of registration of any documents, whereby the Society's title to the said Land and/or the Developer's entitlement to put up construction on the said Land in accordance with the terms of the Redevelopment Documents, may be adversely affected.
8. We have also issued public notices in 2 (two) newspapers viz. Free Press Journal (English – Mumbai edition) and Navshakti (Marathi – Mumbai edition) both dated 13th November, 2023 for inviting claims in respect of the said Land. In pursuance of the above referred public notices issued by us, we have not received any claims/objections till date.
9. The Developer has informed us, that the Developer shall be making an application to the Maharashtra Real Estate Regulatory Authority for registering the project of construction on the said Land under the provisions of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as “RERA”).
10. In the circumstances, in our opinion, subject to what is stated hereinabove, we are of the opinion that the Developer viz. Richfeel Real Estate Private Limited is entitled to undertake development of the said Land by constructing a new multi-storied building on the said Land in accordance with the terms and conditions of the said Redevelopment Documents and in accordance with the approvals already granted and as may hereafter be granted by the SRA and the concerned authorities for carrying out construction on the said Land; and subject to the Developer obtaining registration of the project of construction on the said Land under the provisions of RERA, the Developer will be entitled to create third party rights in respect of the units/premises/flats comprised in the Developer's Sale Area as per the terms and conditions set out in the Redevelopment Documents.

SCHEDULE

Description of the said Land

All that piece and parcel of land admeasuring 1,306.04 square meters or thereabouts (as per the title documents and admeasuring 1,243.10 square meters or thereabouts as per the Property Register Card) bearing CTS no. 1058 of Village Versova, Taluka Andheri, Mumbai



Continuation Sheet No.: 7

Suburban District lying, being and situate at J. P. Road, Versova, Andheri (West), Mumbai 400 061.

Dated this 8th day of May, 2024

For *Law Scribes*

(Neil Mandevia)
Advocate & Solicitor

