

346/PM/2022

To,

MahaRERA,
Mumbai Headquarters,
6th & 7th Floor, Housefin Bhavan,
Plot No: C - 21, E - Block,
BandraKurla Complex,
Bandra (East),
Mumbai 400051.

LEGAL TITLE REPORT

Sub:- Title Clearance Certificate with respect to

(1) **First Property:**

ALL THAT pieces and parcels of lands or grounds bearing C.T.S. No. 664A and 664A/1 to 9, being the part of Khot Old Survey No.22, New Survey No. 32/1//A, Plot No.1, admeasuring approximately 1,449 sq. yds., equivalent to 1,211.90 sq. mtrs., situated at 54-A, Ramchandra Lane, Malad (West), Taluka Borivali, Mumbai - 400 064, in the Registration District and Sub-District, Bandra and bounded as follows:-

On or towards the North : By C.T.S. Nos.633 and 634

On or towards the South : By Right of Way through
Passage of 54-A,
Ramchandra Lane as
also through the
passage of C.T.S. No. 666.

On or towards the West : By C.T.S. No. 664B.

On or towards the East : By C.T.S. No.669.

(2) **Second Property:**

ALL THAT piece and parcel of strip of land or ground bearing C.T.S. No. 666, admeasuring approximately about 160 sq. mtrs., situated at 54-A, Ramchandra Lane, Malad (West), Taluka Borivali, Mumbai - 400 064, in the Registration District and Sub-District, Bandra and bounded as follows:-

On or towards the North : By C.T.S. No.664A.

On or towards the South : Ramchandra Lane

On or towards the West : By C.T.S. No.665.

On or towards the East : By C.T.S. No.667.

Hereinafter First Property and Second Property are collectively referred to as "**the said Property.**"

- A. We have investigated the title of the said Property at the request of the Owner/Promoter, **M/s. Mamtara Foundation** and the following documents i.e.:-

1) **DESCRIPTION OF THE SAID PROPERTY:**

ALL THAT piece and parcel of land mentioned in the subject above and referred to as "**the said Property.**"

2) **THE DOCUMENTS OF TITLE OF SAID PROPERTIES.**

The documents relating to title of the said property are listed in **Annexure "C"**.

3) **PROPERTY CARD, 7/12 EXTRACT and MUTATION ENTRIES**



We have perused the Property Register Card (PRC), 7/12 Extracts and Mutation Entries and the name of M/s Mamtara Foundation as the Owners, in respect of the First Property has been mutated on the Property register

Card and subject to the name of the Owner not mutated in the PR card in respect of the Second Property, we have not found any encumbrance to the said Property.

4) **SEARCH REPORT FOR 70 YEARS FROM 1952 till 2022.**

M/s Mamtara Foundation have through their search clerk, Mr. Nilesh Vagal taken necessary search with the concerned Sub-Registrar of Assurances from 1952 till 2022 and have not found any encumbrance to the said Property.

- B. On perusal of the above mentioned documents and all other relevant documents relating to title of the said Property and subject to what is set out in the Title Report of even date issued by us, we are of the opinion that the title of M/s Mamtara Foundation as the Owners to the said Property is clear and marketable, free from encumbrances and subject to what is mentioned therein, M/s Mamtara Foundation is entitled to redevelop the said Property.

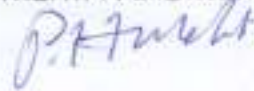
Original Owners/Present Owners of the Land as per PR Card:-

C.T.S. No.	NAME AS PER PRC
664A and 664A/1 to 9	M/s Mamtara Foundation
666	-----

There are no pending litigation in respect of the said Property as mentioned in **Annexure 'B'**

- C. The report reflecting the flow of the title of the Owners/Promoters to the said Property is enclosed herewith as **Annexure "A"**.

For PRAVIN MEHTA AND MITHI & CO.,



Partner

Place: Mumbai

Date: 13th June, 2022 .

Encl:-

Annexure A:- Flow of Title of the said Property

Annexure B:- List of pending Suits

Annexure C:- List of Documents

ANNEXURE-"A"

345/PM/2022

TITLE REPORT

M/s. Mamta Foundation
12, Sanjay Patel Chawl,
Shailesh Nagar, Tank Road,
Malad West, Mumbai -4000,

Dear Sirs,

As instructed by you, we have investigated the title in respect of the following Properties:-

1. ALL THAT pieces and parcels of lands or grounds bearing C.T.S. No. 664A and 664A/1 to 9, being part of Khot Old Survey No.22, New Survey No. 32/1/A, Plot No.1, admeasuring approximately 1,449 sq. yds., equivalent to 1,211.90 sq. mtrs., situated at 54-A, Ramchandra Lane, Malad(West), Taluka Borivali, Mumbai -400 064, in the Registration District and Sub-District of Bandra, Mumbai ("First Property").
2. ALL THAT piece and parcel of strip of land or ground bearing C.T.S. No. 666, admeasuring approximately about 160 sq. mtrs., situated at 54-A, Ramchandra Lane, Malad (West), Taluka Borivali, Mumbai - 400 064, in the Registration District and Sub-District of Bandra, Mumbai ("Second Property")

The First and Second Property shall hereinafter collectively be referred to as the "Said Property" and is more particularly described in Clause I herein below and we submit our report, *inter alia*, as under:-

I. **DESCRIPTION OF THE PROPERTY:-**

Firstly:-

First Property

- (1) ALL THAT pieces and parcels of lands or grounds bearing C.T.S. No. 664A and 664A/1 to 9, being the part of Khot Old Survey No.22, New Survey No.32/1/A, Plot No.1, admeasuring approximately 1,449 sq. yds., equivalent to 1,211.90 sq. mtrs., situated at 54-A, Ramchandra Lane, Malad(West), Taluka Borivali, Mumbai -400 064, in the Registration District and Sub-District, Bandra and bounded as follows:-

On or towards the North :By C.T.S. Nos.633 and 634

On or towards the South:By Right of Way through
passage of 54-A,
RamchandraLane as also
through the passage of
C.T.S. No. 666.

On or towards the West: By C.T.S. No. 664B.

On or towards the East: By C.T.S. No.669.

Secondly:

Second Property

- (2) ALL THAT piece and parcel of strip of land or ground bearing C.T.S. No. 666, admeasuring approximately about 160 sq. mtrs., situated at 54-A, Ramchandra Lane, Malad (West), Taluka Borivali, Mumbai - 400 064, in the Registration District and Sub-District, Bandra and bounded as follows:-

On or towards the North : By C.T.S. No.664A.

On or towards the South : Ramchandra Lane

On or towards the West : By C.T.S. No.665.

On or towards the East : By C.T.S. No.667.

II. **INSTRUCTIONS:-**

Under instructions from M/s. Mamtara Foundation, the Owners, the Search Clerk, Mr. N. B. Vagal has taken searches of the records of Sub-Registrar of Assurances at Mumbai, Bandra, Goregoan, Borivali and Kandivali between the period 1952 to 2022 in respect of the said Property and we have caused Public Notice to be published in newspapers inviting claims from members of the Public in respect of the First and Second Property.

III. **DEVOLUTION OF TITLE:-**

We have perused the documents of title, copies of permissions furnished by the Competent Authorities for the development of the said property and the Search Report of the Search Clerk, Mr. N. B. Vagal and we find as under:-

(1) The First Property:-

- (a) Mr. Govinddas Haridas Morzaria and Mrs. Khushlata Govinddas Morzaria were the Owners and seized and possessed of all that piece and parcel of land bearing C.T.S. No. 664A and 664A (1 to 9), admeasuring 1211.90 sq. mtrs or thereabouts of Village Malad (North), Taluka Borivali, situated at 54A, Ramchandra Lane Extn., Malad (West) Mumbai-

400064 (hereinafter referred to as "the plot of land") together with the Building standing thereon known as "Govind Bhuvan" (hereinafter referred to as "the said Building") and more particularly described Firstly in Clause 1 hereinabove (hereinafter collectively referred to as "**the First Property**");

- (b) The said Govinddas Haridas Morzaria expired testate on 6th July, 1980 leaving behind him his widow, viz. Mrs. Khushlata Govinddas Morzaria, and his 5 daughters (1) Smt. Vijayaben V. Sutaria (2) Smt. Jasvantiben B. Vondia (3) Ms. Urvashi D. Panda (4) Smt. Yashodara B. Thakkar and (5) Smt. Jayshree S. Sayta and three sons (1) Hasmukh G. Morzaria, (2) Bhupendra G. Morzaria and (3) Sureshchandra G. Morzaria as his only heirs and legal representatives as per the provisions of law by which he was governed at the time of his death.
 - (c) The said Govinddas Haridas Morzaria left behind him a Will dated 2nd March, 1980 whereby he appointed his son the said Hasmukh G. Morzaria as the Executor of his Will. By the said Will, the said Govinddas Haridas Morzaria bequeathed his undivided share, right, title and interest in the First Property and the Second Property to his wife the said Khushlata Govinddas Morzaria.;
 - (d) The said Hasmukh Morzaria filed a Petition for Probate in its Testamentary and Intestate Jurisdiction of the Hon'ble High Court at Bombay by Petition No.84 of 1983 and the same was granted by the Hon'ble High Court on 20th December, 1986.
- Pr

- (e) As such the said Khushlata Govinddas Morzaria became the absolute Owner of the First and Second Property.
- (f) During the pendency of the probate Petition, by a Deed of Conveyance dated 1st August, 1986 registered with the Office of the Sub-Registrar of Assurances, Mumbai under Sr. No. SBBJ/2660 of 1986 in Book No.1 on 23rd August, 2008 executed between the said Khushlata Govinddas Morzaria, therein called the Vendor of the One Part and Mr. Usman Ahmed Patel and Mrs. Zohra Usman Patel, therein called the Purchasers of the Other Part, the vendor therein sold, transferred and conveyed to the Purchasers therein the First Property more particularly described in the Schedule there under written and Firstly in Clause I hereinabove and the Purchasers therein became absolute Owners of the First Property.
- (g) By a Deed of Conveyance dated 14th October, 2010 duly registered with the Sub Registrar of Assurances at Borivali - 7, under Sr. No. BDR-16/455/2011 on 17th January, 2011, executed between Mr. Usman Ahmed Patel and Mrs. Zohra Usman Patel, therein referred to as "The Vendors" of the One Part, and M/s. Mamtara Foundation, therein called as "The Purchasers" of the Other Part, the said Mr. Usman Ahmed Patel and Mrs. Zohra Usman Patel conveyed and transferred to M/s. Mamtara Foundation all their right, title and interest in all that piece and parcel of land bearing C.T.S. No. 664A and 664A (1 to 9), admeasuring 1211.90 sq. mtrs or thereabouts of Village Malad (North), Taluka Borivali, situated at 54A, Ramchandra Lane Extn., Malad (West)
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Mumbai- 400064 together with the Building standing thereon known as "Govind Bhuvan" and more particularly described in the Schedule thereunder written and Firstly in Clause I hereinabove (hereinafter referred to as **"the First Property"**);

- (h) The said Usman Ahmed Patel and Zohra Usman Patel have also executed an Irrevocable General Power of Attorney dated 14th October, 2010 duly registered with the Joint Sub-Registrar of Assurances at Borivali-7 Mumbai Suburban District under Sr. No.BDR-16/456/2011 in favour of Partners of the said Mamtara Foundation.
- (i) The building Govind Bhuvan standing on the First Property comprises of Ground and 2 upper floors (**"Existing Building"**) has 30 Rooms with monthly tenants. The Tenancy of the Tenants of the said Building Govind Bhuvan has also been attorned in favour of M/s Mamtara Foundation.

(2) The Second Property:-

- (j) The said Khushlata Govinddas Morzaria expired at Mumbai on 29th April, 1999 leaving behind her Last Will and Testament dated 16th October, 1992 whereby she bequeathed her estate including the Second Property described secondly in Clause I herein above, to her son the said Hasmukh G. Morzaria. The probate of the said Will has not been obtained, but the Will has been acted upon.
- (k) Hasmukh G. Morzaria's predecessors-in-title have granted a Right of Way passing over the said Property to the beneficial enjoyment of the adjoining

Properties and the below mentioned Deed of Conveyance dated 2nd June, 2018 is executed subject to the said rights.

- (l) By a Deed of Conveyance dated 2nd June, 2018 duly registered with the Joint Sub-Registrar of Assurances at Borivali-6 under Sr. No. BRL-6/6820 of 2018 executed between Shri Hasmukh Govinddas Morzaria therein called the Vendor of the One Part and M/s. Mamtara Foundation as Purchaser of the Other Part, the said Shri Hasmukh Govinddas Morzaria conveyed and transferred all his right, title and interest in all that piece and parcel of land bearing C.T.S. No. 666, admeasuring 160 sq. mtrs or thereabouts of Village Malad (North), Taluka Borivali situated at 54A, Ramchandra Lane Extn., Malad (West) Mumbai- 400 064 and more particularly described in the Schedule thereunder written and Secondly in Clause 1 hereinabove (hereinafter referred to as **"the Second Property"**);
- (m) The said Shri Hasmukh Govinddas Morzaria has also executed a Power of Attorney dated 2nd June, 2018 duly registered with the Joint Sub-Registrar of Assurances at Borivali-6 under Sr. No. BDR-16/456/2011 in favour of Mr. Natver Mathuradas Lal Partner of the said Mamtara Foundation.
- (n) By a declaration dated 6th June, 2018, Mr. Hasmukh G. Morzaria has declared that the heirs of the said Khushlata Govinddas Morzaria had a family arrangement, whereby the heirs have not challenged the Will, but accepted the will of the said Khushlata Govinddas Morzaria and acted upon it



and as such Mr. Hasmukh G. Marzaria was entitled to the Second Property.

- (o) From the perusal of the Property Register Card, it has been observed that the City Survey Officer has not mentioned any area in respect of the Second Property as the area was not certified. However, the City Survey Office has, by his letter dated 12th October, 2018 recorded having carried out the measurement of the said Second Property and certified the area as 145.2 sq. mtrs. or thereabouts.
- (p) The name of M/s. Mamtara Foundation has been mutated in the Property register Card in respect of the First Property and remains to be mutated in respect of the Second Property.
- (q) You have informed us that some of the Tenants of Govind Bhuvan had disputes with M/s. Mamtara Foundation and M/s. Mamtara Foundation had filed Suits against those Tenants in the Court of Small Causes at Mumbai (Bandra Branch) for Eviction of the Tenants and for other reliefs mentioned therein. Pursuant thereto, Consent Terms with various Tenants have been filed in the respective Suits and the Hon'ble Court passed orders disposing of the said suits in terms of the respective Consent Terms. There is no pending litigation in respect of the said Property.
- (r) You have also informed us that pursuant to the negotiations and the said consent terms executed by M/s Mamtara Foundation with the Tenants, M/s Mamtara Foundation has agreed to provide to the Tenants of the existing building, permanent alternate



accommodation ("PAA") in the new building proposed to be constructed on the said Property after demolition of existing building "Govind Bhuvan" on the terms and conditions recorded therein.

- (s) Pursuant to the above, M/s. Mamtara Foundation proposes to redevelop the said Property by demolishing the existing building "Govind Bhuvan" and constructing thereon a new multi storied building consisting of two wings namely 'A' and 'B' and each wing comprising of stilt plus 1 to 10 upper floors in accordance with the provisions of the sanctioned building Plans on the said property described in Clause I hereinabove ("**new building**").
- (t) M/s Mamtara Foundation has submitted the building plans to the Municipal Corporation of Greater Mumbai ("**MCGM**") which has been duly approved by MCGM under IOD dated: 31st December, 2021 bearing No. CHE/A-0190/BP(WS)/AP/IOD/1/New 2021.

IV. SEARCHES:-

M/s Mamtara Foundation has also caused the searches made. Search Clerk Mr. N. B. Vagal has taken searches of the records of Sub-Registrar of Assurances at Mumbai, Bandra, Goregoan, Borivali and Kandivali between the period 1952 to 2022 [70 years] in respect of the said Property.

V. PUBLIC NOTICE:-

 We have caused public notice to be issued in the newspapers in vernacular language i.e. (1) Navshakti (2) Janmbhoomi and in English language (2) Free Press Journal

both published on 31st May, 2022 in respect of the First and Second Property and we have not received any claim or objection affecting the title of the said Property till date.

TITLE REPORT

Subject to what is stated hereinabove and after perusing the papers and documents, we are of the opinion that M/s Mamtara Foundation is the Owner of the said Property and their title is marketable, free from encumbrances, subject to the name of M/s. Mamtara Foundation being mutated in the property register card in respect of the second Property and subject to the compliance of the conditions laid down by MCGM and other Statutory Authority, they are entitled to redevelop the said Property in accordance with the sanctioned plans and the applicable rules and regulations with an obligation to construct rehab component for the Tenants on the said Property and rehabilitating them by providing permanent alternate accommodation to them as agreed.

Dated this 13th day of June, 2022.

Yours faithfully,
For PRAVIN MEHTA AND MITHI & CO.,

P. H. Mehta

Partner

ANNEXURE - "B"

THE LIST OF LITIGATION

NIL

For PRAVIN MEHTA AND MITHI & CO.,

P. H. Mehta

Partner

Place: Mumbai

Date: 13-06-2022 .

ANNEXURE "C"

LIST OF DOCUMENTS

- a. Probate dated 20th December, 1986 granted by the Hon'ble High Court at Bombay in its Testamentary and Intestate Jurisdiction in Petition No. 84 of 1983.
- b. Deed of Conveyance dated 1st August, 1986 registered under Sr. No. SBBJ/2660 of 1986 on 23rd August, 2008 in respect of First Property.
- c. Deed of Conveyance dated 14th October, 2010 registered with the Sub Registrar of Assurances at Borivali - 7, under Sr. No. BDR-16/455/2011 on 17th January, 2011 in respect of the First Property;
- d. Irrevocable General Power of Attorney dated 14th October, 2010 duly registered with the Joint Sub-Registrar of Assurances at Borivali-7 Mumbai Suburban District under Sr. No. BDR-16/456/2011 in respect of First Property;
- e. Deed of Conveyance dated 2nd June, 2018 registered with the Joint Sub-Registrar of Assurances at Borivali-6 under Sr. No. BRL-6/6820 of 2018 in respect of Second Property
- f. Power of Attorney dated 2nd June, 2018 registered with the Joint Sub-Registrar of Assurances at Borivali-6 under Sr. No. BDR-16/456/2011 in respect of Second Property
- g. Declaration of Title dated 6th June, 2018 of Mr. Hasmukh G. Morzaria in respect of Second Property
- h. Search report for 70 years from 1952 to 2022.

J. H. Mehta