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Sandeep Kumar Singh

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ADVOCATE HIGH COURT

Office : Opp. Bandra Court, Suruchi Corner, Anant Kanekar Marg, Bandra (E), Mumbai - 400 051.

To
Maharashtra Real Estate Regulatory Authority
4th Floor, HousefinBhavan,
Near RBI, E Block,
BandraKurla Complex
Bandra (East) Mumbai,
Maharashtra 400051.

LEGAL TITLE REPORT

Sub: Title ClearanceCertificate with respect to all that piece and parcel of land admeasuring 11,502sq.mtrs or thereabouts bearing CTS No. 307/13, 307/14, 307/15, Village Valnai, TalukaBorivali, District and Sub-district of Mumbai city and Mumbai Suburban within the limit of P/N ward of Municipal Corporation of Greater Mumbai, situated atMithiChowki, Evershine Nagar, Khandelwal Layout, Link Road, Malad (W), Mumbai 400064.("**saidProperty**")

I/We have investigated the title of the said Propertyon request of **M/s. AMI MODISPACES LLP** ("**Developers**")a Partnership Firm (**Firm**) having its address at Ruparel Iris, Plot No. 273, SenapatiBapat Marg, MatungaRoad West, Mumbai 400016,on the basis of following;

1. **Description of the Property**:
   All that piece and parcel of land admeasuring 11,502 sq.mtrs or thereabouts bearing CTS No. 307/13, 307/14, 307/15, Village Valnai, TalukaBorivali located at MithiChowki, Evershine Nagar, Khandelwal Layout, Link Road, Malad (W), Mumbai 400064, in the Registration District and Sub-district of Mumbai City and Mumbai suburban.("**Property**").

2. The documents for redevelopment of the said Property as mentioned in the report reflecting the flow of the title of the said Property is enclosed herewith as **Annexure – A.**

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3. Copy of the Property Card downloaded on 28th August, 2023from the official website https://digitalsatbahra.mahabhumi.gov.in/DSLR/Login/VerifyPropertyCard.

4. Search Reportfor the last 30 (Thirty) years from1984to 2023.

5. **Property Register Card/Owners of the said Property**:
   UjjwalNandadeepCo-operative Housing Society Limited (as per Property Card)is the Owner of the said Property, and/or otherwise well and sufficiently entitled to the right, title and interest in respect of said Property ("**Society**").

6. On perusal of the above mentioned documents and all other relevant documents relating to the title of the said Property, I/we am/are of the opinion that the title of said Property is/are clear, marketable and without any encumbranceand the Developers/Promoters are entitled to development rights in respect to the said Property and also have clear and marketable rights, free from all encumbrances and are further entitled to create mortgage and charge inter-alia in respect of the said Property including FSI/TDR to be utilized thereupon, subject to compliance with terms and conditions of all approvals and permissions issued by SRA/MCGM/MHADA from time to time and revalidation of the requisite approvals and permissions from time to time.

7. The list of litigations on the title of the said Property is annexed herewith as **Annexure B.**

Place: Mumbai
Date: 17thday of January2024

Sandeep Kumar Singh
Advocate

Encl: As above.

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Annexure - A

Report reflecting the flow of title of all that piece and parcel of land admeasuring 11,502 sq. meters or thereabouts bearing CTS No.307/13, 307/14, 307/15, Village Valnai, TalukaBorivali, District and Sub-district of Mumbai City and Mumbai Suburban within the limit of P/N ward of Municipal Corporation of Greater Mumbai Situated at MithiChowki, Evershine Nagar, Khandelwal Layout, Link Road, Malad (W), Mumbai 400064 ("**said Property**").

On perusal of the documents furnished to us, I/we observe as under: -

A) **DETAILS OF THE SAID PROPERTY**:-

(I) One (i) Mr.AchutkumarShantilalInamdar, (ii) Mr.HarishkumarShantilalInamdar, & (iii) Mr.DevkichandraShantilalInamdarwere the original owners of the said Property.

(II) By registered Sale Deed dated 30th December 1970 bearing registration no. 2413 of 1970, the original owners sold the said Property to Pankaj Co-operative Housing Society Limited.

(III) By registered Sale Deed dated 8th April 1971 bearing registration no. 5511 of 1970, Pankaj Co-operative Housing Society Limited sold the said Property to Khandelwal Builders Private Limited.

(IV) By registered Sale Deed dated 25th September 1972 bearing registration no. 2144 of 1972, Khandelwal Builders Private Limited sold the said Property to UjjwalNandadeep Co-operative Housing Society Limited.

B) In view of the above and the as per the Property Card, UjjwalNandadeep Co-operative Housing Society Limited, is the Owner of the said Property, and/or otherwise well and sufficiently entitled to the right, title and interest in respect of said Property ("**Society**").

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C) The said Society is registered under the Maharashtra Co-operative Societies Act, 1960 having Registration Certificate No. BOM/HSG/2005 of 1969 dated 11th March 1969.

D) On the portion of the said Property there exists 4 (four) buildings namely "Sankalp", "Sumant", "Sanket", and "Swaroop" (hereinafter referred to as "**saidBuildings**") comprising of 208 flats ("hereinafter referred to as "**saidFlats**"), for which the Municipal Corporation of Greater Mumbai, has issued Occupation Certificate. There is one more building on the portion of the said Property known as 'Tirumala' comprising of 67 flats, for which no Occupation Certificate has been issued by the Municipal Corporation of Greater Mumbai and which is excluded from the said Property.At present there are 208 Members ("**Members**") in the said Buildings. The said Buildings are demolished and the said Property is vacant.

E) The said Buildings were more than 40 years old and were in a dilapidated condition and were declared as "C-1" category Buildings as per the Structural Stability Audit conducted by the Society/MCGM.

F) The said Society floated tenders through Society's Project Management Consultants on 19thAugust, 2019 and invited offers from various Developers. Out of various offers received by the Society, the Society accepted the offer received from "Modispaces Real Estate Private Limited".

G) The Dy. Registrar Co-operative Societies "P" Ward Mumbai by its letter dated 6thJuly, 2021 confirmed that the Society has appointed the "Modispaces Real Estate Private Limited" as the Developers for redevelopment of the said Property.

H) Thereafter, Modispaces Real Estate Private Limited have informed the Society that they are desirous of undertaking the project in the name of "AMI Modispaces LLP" and the Society has acceded to the request and agreed to grant and execute all necessary documents in the name of "AMI Modispaces LLP" i.e. the Developers herein.

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I) The Society and the Members accepted the revised offer of "AMI Modispaces LLP"i.e. the Developer herein and selected the Developer herein to redevelop the said Property. Accordingly, in a Special General Meeting ("**SGM**") of the Society held on 10th September 2023, in the presence of an authorized representative of the Registrar of Co-operative Societies, unanimously passed a resolution for appointment of the Developer herein with respect to redevelopment of the said Property.

J) The Dy. Registrar Co-operative Societies "P" Ward Mumbai by its letter dated 1st December, 2023 confirmed that the Society has appointed the M/s. AMI Modispaces LLP, as the Developers for redevelopment of the said Property in place and stead of "Modispaces Real Estate Private Limited".

K) The said Society has obtained a No Objection Certificate ("**NOC**") dated 1st December, 2023from the office of Deputy Registrar, Co-operative Societies, "P" Ward/Division, for carrying out the redevelopment of the said Property by the said Developer.

L) By and under Development Agreement dated 1st December, 2023 ("**Development Agreement/DA**") executed between the UjjwalNandadeep Co-operative Housing Society Ltd("**Society**") and M/s. AMI Modispaces LLPi.e. the Developers herein (therein referred to as said **"the Developers"),**registered with the concerned Sub-Registrar of Assurances under No. BRL-7-18639-2023, the Societyinter-alia granted and conferred upon the Developer, the development rights in respect of the said Property on the terms and conditions contained therein.

M) The Society has executed an Irrevocable Power of Attorney ("**POA**")dated 1st December, 2023 duly registered with the concerned Sub-Registrar of Assurances under No. BRL-7-18641-2023, in favour of the Developers/Promoter, *inter alia*, conferring upon the Developers various powers to do various acts, deeds, matters and things for the purpose of carrying the redevelopment on the said Property and as more particularly contained therein.

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N) The Developer/Promoter for the purpose of carrying out the redevelopment of the said property has obtainedLetter of Intent ("**LOI**") on 16th January 2024 from the Slum Rehabilitation Authority ("**SRA**") for the implementation of redevelopment of the said Property under the Development Control & Promotion Regulation 2034 ("**DCPR-2034**") on the terms and conditions contained therein.

O) The Developer/Promoter for the purpose of carrying out the redevelopment of the said property has made an application forobtaining Intimation of Approval ("**IOA**") in respect of the Sale Building ("**Sale Building**") to be constructed on the said Property.

P) The Developer/Promoter has made an application for obtaining Commencement Certificate ("**CC**")in respect of the Sale Building ("**Sale Building**") to be constructed on the said Property.

Q) As per the D.P. Remarks the Property under reference is situated in the Residential (R) Zone.

R) The Developer/Promoter is in the process of registration of the Sale Buildingto be known as "**RUPAREL STARDOM**" ("**the Real Estate Project / Building**") proposed to be constructed on the said Property with the Real Estate Regulatory Authority ("**Authority**"), under the provisions of Section 5 of the Real Estate (Regulation and Development) Act, 2016, ("**RERA**") read with the provisions of the Maharashtra Real Estate (Regulation and Development) (Registration of real estate projects, Registration of real estate agents, rates of interest and disclosures on website) Rules, 2017 ("**RERA Rules**") and the Regulations.

S) On perusal of the above documents, and subject to what is stated above, in my/our opinion M/s. AMI Modispaces LLPare entitled to the development rights in respect to the said Property and also have clear and marketable rights, free from all

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encumbrances and are further entitled to create mortgage and charge inter-alia in respect of the said Property including the FSI /TDR to be utilised thereupon, subject to compliance with the terms and conditions of all approvals and permissions issued by SRA/MCGM/MHADA from time to time and revalidation of the requisite approvals and permissions from time to time.

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ANNEXURE –B

LIST OF LITIGATION/CASES OF UJJWAL NANDADEEP CHSL

Sr.No.	Litigation	Stage
1	Before Co-operative Court, No.IV Dispute No.112 Of 2021 VipulSawant and Ors. Vs UjjwalNandadeep CHSL and Ors.	**Pending,** For framing of issues
2	Before Co-operative Court, No.IV Misc. Application No.38 of 2022 IN Dispute No.112 Of 2021 VipulSawant and Ors. Vs UjjwalNandadeep CHSL and Ors.	**Pending,** For arguments

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