



Anil Patil & Associates

Advocate, Consultant, Legal Advisor (S.R.A., Redevelopment Scheme)
All Types of Legal Work, Documentation & Revenue

FORMATE-A **(Circular No-28/2021)**

To,

Maharashtra Real Estate Regulatory Authority
Bandra Kurla Complex,
Bandra (East),
Mumbai - 400051.

LEGAL TITLE REPORT

Subject: - Title clearance certificate with respect to plot bearing CTS No-254, 254/ 1to 124 of Village-Bandivali, Taluka- Andheri, Mumbai Suburban District situated at Caves Road, Jogeshwari (East), K-East Ward, Mumbai – 400060.

I have investigated the title of the said plot on the request of M/s. Nexus Builders and Developers having office at 1115, 11th Floor, Viva Hub Town, Western Express Highway, Jogeshwari (East), Mumbai-400060.

1. **Description of Property:-** C.T.S. No- 254, 254/1 to 124 of Village-Bandivali, Taluka- Andheri, M.S.D situated at Caves Road, Jogeshwari (East), K-East Ward, Mumbai – 400060.
2. **The Documents of Allotment of Plot:** - by executing Deed of Conveyance dated 28th day of April 2016 duly registered with the office of The Joint Sub Registrar Andheri-02, bearing Registration No- BDR-04/3990/2016.
3. Copy of Property Card issued by City Survey Officer-Andheri, M.S.D, Dated-05/08/2016 along with Mutation Entry No-446.
4. Search Report for 30 years from 1992 till 2016 and again conduct Search for 6 years from 2016 till 2022.

On perusal of the above mentioned documents and all other relevant documents relating to the title of the said property I am of the opinion that the title of M/s. Nexus Builders and Developers having office 1115, 11th Floor, Viva Hub Town, Western Express Highway, Jogeshwari (East), Mumbai-400060 is clear, marketable and without any encumbrances.

Owner of the Land: - M/s. Nexus Builders and Developers having office at 1115, 11th Floor, Viva Hub Town, Western Express Highway, Jogeshwari (East), Mumbai-400060 owner of plot bearing CTS No-254, 254/ 1to 124 of



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Village-Bandivali, Taluka- Andheri, Mumbai Suburban District situated at Caves Road, Jogeshwari (East), K-East Ward, Mumbai – 400060.

The report reflecting the flow of the title of M/s. Nexus Builders and Developers on the said land is enclosed herewith as annexure.

Enclosures:-

1. Copy of Deed of Conveyance dated 28th day of April 2016 duly registered with the office of The Joint Sub Registrar Andheri-02, bearing Registration No- BDR-04/3990/2016. As Annexure-I.
2. Copy of Property Card issued by the City Survey office Andheri dated 16/12/2019. As Annexure-II.
3. Copy of L.O.I issued by the Slum Rehabilitation Authority, Mumbai dated-20/01/2021 bearing No- SRA/ENG/2095/K-E/PL/LOI. As Annexure-II.
4. Copy of I.O.A issued by the Slum Rehabilitation Authority, Mumbai dated-24/03/2021 bearing No-SRA/ENG/KE/PVT/0227/20170123/AP. As Annexure-IV.
5. Copy of Commence Certificate issued by the Slum Rehabilitation Authority, Mumbai dated-07/04/2022 bearing No- KE/PVT/0227/20170123/AP. As Annexure-V.

Place- Mumbai.
Date-08/04/2022

Yours Faithfully
ANIL DEVIDAS PATIL (B.A., LL.B.)
Advocate High Court, Mumbai
13/104, Unnat Nagar No.3,
M. G. Road, Behind Shabri Hotel,
Goregaon (W), Mumbai - 400 104.
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FORMATE-A

(Circular No-28/2021)

FLOW OF THE TITLE OF THE SAID LAND

Ref: All those piece and parcel of land along with structure standing thereon know as **“Shree Saikrupa SRA Co-operative Housing Society (Proposed)”**. Situated at situated at Caves Road, Jogeshwari (East), K-East Ward, Mumbai – 400060 on plot bearing CTS No-254, 254/ 1to 124 of Village-Bandivali, Taluka- Andheri, Mumbai Suburban District, Hereinafter referred to as the said property.

M/s. Nexus Builders and Developers having office at 1115, 11th Floor, Viva Hub Town, Western Express Highway, Jogeshwari (East), Mumbai-400060 is the Developer, the purchaser of the property under reference have produced the documents listed herein below for my perusal and for investigation into marketability of the title of property under reference and to issue appropriate certificate as to the marketability certifying the **“Title”** in respect of said property.

- A) Copy of Index-II issued by Sub-Registrar of Assurance showing there in that “Deed of Conveyance” is executed on 28th day of April 2016 in respect of property under reference for Re-development under Slum Redevelopment Act 1971 along with the provision of Development Control Rules & Regulation 1991 with Modified DCPR - 2034 of MGGM and is favour of M/s. Nexus Builders and Developers and their partner’s the said “Deed of Conveyance” duly registered with the office of The Joint Sub Registrar Andheri-02, bearing Registration No- BDR-04/3990/2016.



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- B) Revenue Village-Bandivali, Taluka- Andheri M.S.D. all records of property card along with mutilation on property card for CTS No-254, 254/ 1to 124 of Village-Bandivali, Taluka- Andheri, Mumbai Suburban District.
- C) Certified as well as original copy of "Deed of Conveyance" dated 28th day of April 2016 showing therein that the Deed of Conveyance executed on 28/04/2016 in respect of property under reference for Re-development under the provision of Slum Redevelopment Act 1971 in favour of M/s. Nexus Builders and Developers.
- D) Certified as well as copy of all other supporting document submitted by M/s. Nexus Builders and Developers for my perusal and for investigation into marketability of the title of the property under reference.

Form all the aforesaid documents and all other records and document and after its perusal, it reveals as follows.

- a) One Kaikushroo Ardeshir Lalkaka was absolutely seized and posses of or otherwise well and sufficiently entitled to the land, hereditaments and premises presently bearing Survey No. 9 and 11 corresponding to C.T.S. No. 254, 254/1 to 124 situated Village-Bandivali, Taluka- Andheri admeasuring 4796.2 Sq. Mtrs and more particularly described in the Schedule hereunder written and hereinafter referred to as the "said property".
- b) The said Kaikushroo Ardeshir Lalkaka died at Bombay on or about 10th day of November 1945 without leaving a will and his wife Mrs. Allan Kaikushroo Lalkaka and his children namely Mersap Kaikushroo Lalkaka, Dhun Kaikushroo Lalkaka being his sons and Freny Cawas Variava his daughter as his only heirs and legal representatives entitled to his estate including the said property according to Parsi Law of Intestate Succession, which he was governed at the time of his death;



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- c) The Letter of Administration to the estate of the said Kaikushroo Ardeshir Lalkaka was granted to his widow Mrs. Allan Kaikushroo Lalkaka by the High Court of Judicature at Bombay on 2nd day of April, 1946;
- d) By a Deed of Conveyance dated 19.07.1961 duly registered with the Sub Registrar of Assurances at Bombay under Serial No. BOM/14753 of 1961 entered into by and between the said Allan Kaikushroo Lalkaka as the Vendors of the First Part and (1) Mersap Kaikushroo Lalkaka, (2) Dhun Kaikushroo Lalkaka and (3) Freny Cawas Variava as the confirming Parties of the Second Part and the said (1) Mr. Devendra Vanmildas Saraiya and (2) Mr. Dhirendra Vanmildas Saraiya as the Purchasers of the Third Part, the vendors therein with the consent and confirmation of the confirming parties, did thereby sold, conveyed and transferred the said property to the purchasers therein at or for consideration and on terms and conditions as contained therein;
- e) The said Mr. Dhirendra Vanmildas Saraiya expired on or about 28th January, 1995 leaving behind him (1) Mr. Atul Dhirendra Saraiya (his son) (i.e. Vendor No. 2) and (2) Parul Hemant Kansara (his daughter) and a will dated 7th November, 1994 wherein he bequeathed his 1/2 (One Half) shares of the said property together with his 1/2 share of all right, title and interest in the said property exclusively to his son Mr. Atul Dhirendra Saraiya.
- f) The said Mr. Dhirendra Vanmildas Saraiya and Mr. Atul Dhirendra Saraiya, became absolute Owners of or otherwise well and sufficiently entitled to the said property being all that piece and parcel of land with structured standing thereon and bearing old Survey No. 9 & 11 corresponding to C.T.S> No. 254, 254/1 to 124 of Village Bandivali, Taluka Andheri Mumbai Suburban District admeasuring about 4796.2 sq. mtrs equipment to 51,626 sq. ft. or thereabouts.
- g) The said property is encroached upon by the slum dwellers and by a Notification dated 16th August, 1972 bearing No. DC-A/ENC-2 Subhash Nagar, the Deputy Collector (Encroachment and Competent Authority,



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Andheri, Taluka, has declared the said property as Slum Area under Section 4 (1) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, which was published in Maharashtra Government Gazette, Part I, Mumbai Division, dated 01/09/1977 at Page Part - 1.

- h) Vide a Deed of Conveyance dated 28/11/2007 duly registered with the Sub Registrar of Assurances at Bombay under Serial No. BDR/08486/2007 entered into by and between (1) Mr. Devendra Vanmildas Saraiya and (2) Mr. Dhirendra Vanmildas Saraiya as the Vendor of the First Part and the said M/s. Housing Development and Infrastructure Ltd., as the Purchasers of the Second Part, the vendors thereby sold, conveyed and transferred the said property to the Purchasers therein at or for consideration and on terms and conditions as contained therein;
- i) In the Premises above the vendors herein being M/s. Housing Development and Infrastructure Ltd. became absolute Owners of or otherwise well and sufficiently entitled to the said property being all that piece and parcel of land with structures standing thereon and bearing old Survey No. 9 & 11 corresponding to C.T.S. No. 251, 251/1 to 124 of Village Bandivali, Taluka Andheri Mumbai Suburban District admeasuring about 4796.2 sq. mtrs. Equivalent to 51,626 Sq.Ft. or thereabouts.
- j) Whereas the Purchasers approached the Vendors for the aforesaid property at lumpsum price of Rs. 4,00,00,000/- (Rupees Four Crore Only) and in consideration of purchasers providing to the vendors and area admeasuring 5500 sq. feet (Five Thousand Five Hundred Square Feet), carpet area free of cost together with 10 car parking in the proposed building / building to be constructed on the aforesaid property by the purchasers and or their assigns and the vendors agreed to sell assign and convey the said property to the purchaser herein including all their rights and benefits of the said property on AS-IS-WHERAS basis



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and more particularly described in the schedule hereunder written to the Purchasers.

OPINION

The present Owner as per all the available records M/s. Housing Development and Infrastructure Ltd and their heirs and legal representatives agreed to assign all the rights and interest including all the benefits under Slum Re-development of the reference property arising thereto in respect of the said property and the said demolished structure known as **“Shree Saikrupa SRA Co-operative Housing Society (Proposed)”**. Situated at situated at Caves Road, Jogeshwari (East), K-East Ward, Mumbai – 400060 on plot bearing CTS No-254, 254/ 1 to 124 of Village-Bandivali, Taluka- Andheri, Mumbai Suburban District thereon to my client for the valuable consideration under slum redevelopment scheme and upon the terms and conditions agreed by and between them. The copy of all the revenue records and available documents along with the copy of Index-II issued by the Sub-Registrar of Assurances showing therein that M/s. Housing Development and Infrastructure Ltd have relinquished all their rights title and interest including all the benefits arising thereto in respect of the said property under reference thereon in favour of my client **M/s. Nexus Builders and Developers** furthermore, the said property is also assessed to Non Agriculture Taxes and also has L.O.I bearing No- SRA/ENG/2095/K-E/PL/LOI issued by Slum Authority, dated-24/03/2021 bearing No- SRA/ENG/KE/PVT/0227/20170123/AP and Commencement Certificate dated- 07/04/2022 upto plinth level bearing No- KE/PVT/0227/20170123/AP over and above, no claim of any nature and/or any kind of objection have been received by anyone arising in valid claim and/or entitlement and/or any kind of charge and/or any kind of third party right, title and interest in respect of the said Property.



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Therefore I am of the opinion that the rights of **M/s. Nexus Builders and Developers** in respect of the property under reference is clear and marketable and the property under reference is free from all encumbrances and title of the property under reference is clear and marketable.

SCHEDULE OF THE PROPERTY REFERED HERETO:

All those piece and parcel of land along with structure standing thereon know as **“Shree Saikrupa SRA Co-operative Housing Society (Proposed)”**. Situated at situated at Caves Road, Jogeshwari (East), K-East Ward, Mumbai – 400060 on plot bearing CTS No-254, 254/ 1to 124 of Village-Bandivali, Taluka-Andheri, Mumbai Suburban District, Hereinafter referred to as the said property

By East Side – By C.T.S No- 263 and D.P.Road.

By West Side – By Western Railway

By North Side – By C.T.S No- 250.

By South Side – By C.T.S No- 255 and 259

This title report based on the following documents.

1. Property Card as on 08/04/2022 of application for registration.
2. Mutation entry bearing No- 446 by City Survey Officer-Andheri, M.S.D, Dated-05/08/2016.
3. Search Report for 30 years from 1992 till 2016 and again conduct Search for 6 years from 2016 till 2022.

Dated this 08th day of April, 2022.


08/04/2022
Yours Faithfully,
ANIL D. PATIL (B.A., LL.B.)
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