

Dhananjay R. Singh

B. Com., L.L.B.
Advocate High Court

Malad Office:

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Ref. No. _____

Date : _____
13th June, 2023

To:
PLATINUM STRATEGIC DEVELOPERS LLP
9th Floor, Peninsula Heights, C.D. Barfiwala Marg,
Juhu Lane, Andheri- West,
Mumbai- 400 058

LEGAL TITLE REPORT

Sub: Title clearance report with respect to all that piece and parcel of land admeasuring about 836 square meters comprising of property bearing Plot No. 101, Survey No. 141A, and forming part of land bearing CTS No. 833 (pt) of Ambivali, Taluka Andheri in the Registration District of Mumbai Suburban and lying being and situate at Plot No. 101, Model Town, off J. P. Road, Four Bungalows, Andheri West, Mumbai 400 053 (hereinafter referred to as "**the said Land**").

1. On instructions of our clients **PLATINUM STRATEGIC DEVELOPERS LLP**, a limited liability partnership firm incorporated under the provisions of the Limited Liability Partnership Act, 2008 and having its registered office at 9th Floor, Peninsula Heights, C.D. Barfiwala Marg, Juhu Lane, Andheri- West, Mumbai- 400 058 (hereinafter referred to as "**the Developer**"), we have investigated the title of AMOD CO-OPERATIVE HOUSING SOCIETY LIMITED, a co-operative society duly registered under Maharashtra Cooperative Societies Act, 1960, bearing registration no. BOM/HSG/K-West/7377/1984 and having its registered office at Plot No. 101, Model Town (Ambivali), Behind Sunil Nivas, Off J. P. Road, Four Bungalows, Andheri- West, Mumbai- 400 053 hereinafter referred to as "**the Society**", and the Developer's entitlement to put up construction on the said Land. In the course of such investigation, we have perused photocopies of the following documents:
 - a. Agreement dated 26th March 1984 entered and executed between the Shri R. J Tilakar, Chairman of the society, Shri R. N. Patil, Secretary of the Society and the Additional Collector, Bombay Suburban District, Bombay in respect of the said land whereby the use of said land for residential purpose is granted ;
 - b. Property Register Card in respect of the said Land viz. CTS no. 833 of Village Ambivali, Taluka Andheri, Mumbai Suburban District;
 - c. Registration Certificate of the society issued under Maharashtra Cooperative Societies Act, 1960, bearing registration no. BOM/HSG/K-West/7377/1984 dated 27th February, 1984;
 - d. Development Agreement dated 31st March, 2022, entered and executed between Platinum Strategic Developers LLP, the Developer and Amod Co-operative Housing Society Limited, the Society registered with the Sub-Registrar of Assurances at Andheri no. 1 under serial no. BDR1-5766-2022;

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- e. Power of Attorney dated 31st March, 2022 issued by Amod Co-operative Housing Society Limited, the Society, in favour of Platinum Strategic Developers LLP, the Developer, registered with the Sub-Registrar of Assurances at Andheri no. 1 under serial no. BDR1-6643-2022;
 - f. Letter of Intent dated 19th January, 2023 bearing no. K/W/PVT/017020221004/LOI issued by the Slum Rehabilitation Authority;
 - g. Intimation of Approval dated 16th February, 2023, bearing number K/W/PVT/0170/20221004/AP/C issued by the Slum Rehabilitation Authority;
 - h. Tax Clearance certificate dated 24th February 2023, issued by the Asstt. Assessor & Collector, K/West Ward, Brihanmumbai Mahanagarpalika till 31st March, 2023;
 - i. Search report dated 30th June 2022 of the searches taken with the offices of the Sub-Registrar of Assurances at Mumbai, Bandra and Andheri from 1993 to 2022 (30 Years).
2. 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. Amod Co-operative Housing Society Limited to the said Land is clear and without any encumbrances; and further that the Developer viz. **Platinum Strategic Developers LLP** 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 31st March, 2022.
- Owner : Amod Co-Operative Housing Society Limited, Plot No. 101, Model Town (Ambivali), Behind Sunil Nivas, Off J. P. Road, Four Bungalows, Andheri-West, Mumbai- 400 053.**
- Developer : Platinum Strategic Developers LLP, 9th Floor, Peninsula Heights, C.D. Barfiwala Marg, Juhu Lane, Andheri- West, Mumbai- 400 058.**
3. 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



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Annexure 'A'

Date : _____

Flow of the entitlement of the Developer to redevelop the said Land.

1. On instructions of our clients viz. the Developer being **Platinum Strategic Developers LLP**, a limited liability partnership incorporated under the provisions of the Limited Liability Partnership Act, 2008, holding LLP identification no. AAB-3827 and having its registered office at 9th Floor, Peninsula Heights, C.D. Barfiwala Marg, Juhu Lane, Andheri- West, Mumbai- 400 058, we have investigated the Developer's entitlement to put up construction on the said Land as more particularly described in the **First Schedule** hereunder written and as requested by the Developer, we are issuing this certificate in respect of its entitlement thereof.
2. In the course of such investigation of the entitlement of the Developer to put up construction on the said Land we have caused necessary searches to be taken with the office of the Sub-Registrar of Assurances at Mumbai, Bandra and Andheri from 1993 to 2022 (30 Years).
3. During the course of investigation, the Developer has furnished to us copies of certain documents with regard to the said Land; and we have perused the same and the following emanates therefrom:
 - a. By and under an Agreement dated 26th March 1984 entered and executed between the Shri R. J Tilakar, Chairman, Shri R. N. Patil, Secretary of Amod Co-operative Housing Society Limited and the Additional Collector, Bombay Suburban District, Bombay in respect of the said land thereby the use of said land for residential purpose granted.
 - b. Pursuant to the aforesaid, the said Society became seized and possessed of the said Property.
 - c. It is recorded in the documents perused by us that, the Society is seized and possessed of and otherwise well and sufficiently entitled to the said Property. The said Property comprises of the said Land and the Old Building standing thereon comprising of Ground plus 4 (Four) upper storeys containing in the aggregate 20 self-contained flats occupied by the existing members. The various premises in the Old Building were occupied by the members of the society.
 - d. Thereafter, the said Society was desirous of appointing a fit and proper entity/person to undertake the redevelopment of the said Property by demolishing the old building and constructing on the said Land a new multi-storied building, by using and utilizing the entire available floor space index (F.S.I) emanating from the said Land and available for consumption thereof, in which the Existing Members would, inter alia, be rehabilitated.
 - e. By and under a resolution passed by the said Society in its special general body meeting dated 15th December, 2013, the said Society approved the

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pappointment of the said Developer as the developer for re-development of the said Property. The aforesaid special general body meeting dated 15th December, 2013 was also confirmed by an authorized officer of the Deputy Registrar of Co-operative Societies.

- f. By and under a letter dated 9th January, 2014, bearing No. 3061/2014, issued by the Deputy Registrar of Co-operative Societies and addressed to the said Society, the Deputy Registrar of Co-operative Societies confirmed that the resolution passed by the members of the said Society in its special general body meeting held on 15th December, 2013 is in accordance with the provisions of the Maharashtra Co-operative Societies Act, 1960 and the directive issued under the provisions of Section 79-A thereof by the Government of Maharashtra, Co-operation, Marketing and Textiles Department dated 3rd January, 2009
- g. By and under a Development Agreement dated 31st March, 2022, registered with the office of the Sub-Registrar of Assurances under Serial No. BDR1-5766-2022 (hereinafter referred to as the "said DA"), executed amongst (i) the said Society, therein referred to as the Society of the First Part, (ii) the said Developer, therein referred to as the Developer of the Second Part, and (iii) members of the said Society, therein referred to as the Existing Members of the Third Part, the said Society irrevocably appointed the said Developer as the sole and exclusive developer for undertaking the re-development of the said Property and the said Society granted full, exclusive and absolute development rights in respect of the said Property in favour of the said Developer thereof for and at a consideration and subject to the terms and conditions as more particularly described therein.
- h. By and under a Power of Attorney dated 31st March, 2022, registered with the office of the Sub-Registrar of Assurances at Mumbai under Serial No. BDR1-6643-2022 (hereinafter referred to as the "said POA"), executed by the said Society, therein referred to as 'the Society' of the First Part in favour of the said Developer, therein referred to as 'the Developer' of the Second Part, the said Society granted powers to the said Developer to perform various acts, deeds and things in relation to the re-development of the said Property for and at a consideration and subject to the terms and conditions as more particularly described therein.
- i. We have been provided with the minutes of the Special General Body Meeting held on 15th December, 2013, whereby the members of the said Society appointed the said Developer as the developer for the redevelopment of the said Property. We observe that a majority of the Existing Members were present for the aforesaid Special General Body Meeting and consented for appointing the said Developer as the developer for redevelopment of the said Property.

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- j. The said DA states that the due process for appointment of a developer under the provisions of Section 79 (A) of the Maharashtra Co-operative Societies Act, 1960 has been followed for the appointment of the said Developer by the members of the said Society.
 - k. We observe that a majority of the Existing Members were present for the aforesaid special general body meeting and consented for appointing the said Developer as the developer for redevelopment of the said Property.
 - l. We have been provided with (i) copies of share certificates of all the Existing Members, and (ii) copies of Irrevocable Consents / Individual Consents cum Indemnity cum Declaration executed by all the Existing Members for the re-development of the said Society by the said Developer.
 - m. By and under a letter dated 22nd August, 2022, bearing No. JUHU/WEST/B/041922/667278, the Airports Authority of India has issued a 'No-objection for Height Clearance' in relation to the re-development of the said Property for and at a consideration and subject to the terms and conditions stated more particularly therein.
 - n. We have been provided with a letter dated 24th February, 2023, issued by the Municipal Corporation of Greater Mumbai, bearing No. KW/AA&C/TCC/136/2022-23 whereby the Municipal Corporation of Greater Mumbai has stated that the property tax in respect of the said Property has been paid up to 31st March, 2023.
 - o. We have been informed by the said Developer that the said Building has been demolished by the said Developer in June, 2023.
4. For this Report on Title, we have relied upon the Search Reports dated 30th June 2022 of Mr. Rajesh Nair, Advocate High Court from the year 1993 to 2022 for the searches taken in the office of the concerned Sub-Registrar of Assurances in relation to the said Property, we have not come across any entries of registration of any documents (other than the documents specifically referred to herein), 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.
 5. 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**").



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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 comprised in the Developer's Sale Area as per the terms and conditions set out in the Redevelopment Documents.

FIRST SCHEDULE

Description of the said Land

All that piece and parcel land admeasuring about 836 square meters comprising of property bearing Plot No. 101, Survey No. 141A, and forming part of land bearing CTS No. 833 (pt) of Ambivali, Taluka Andheri in the Registration District of Mumbai Suburban and lying being and situate at Plot No. 101, Model Town, off J. P. Road, Four Bungalows, Andheri West, Mumbai 400 053 and bounded as follows:

On or towards the North by : By Layout Road

On or towards the South by : By Plot No. 102

On or towards the East by : By Layout Road

On or towards the West by : By Plot No. 100

Dated this 13th of June, 2023



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