

FORMAT – A

(Circular No.:- 28/2021)

To,

MahaRERA

Housefin Bhavan, Near RBI,

Plot No C 21, E Block,

Bandra Kurla Complex

Bandra Kurla East, Mumbai 400 051.

LEGAL TITLE REPORT

Sub: Title certificate with respect to property as follows:-

All that piece and parcel of land admeasuring 1513.89 sq. mtrs. situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) and more particularly described in the **Schedule I** hereunder written (hereinafter referred as “**the said Property**”), forming part of Plot No. 18 comprising of Building Nos.61 to 81, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) (hereinafter referred to as the “**said Plot No 18**”) more particularly described in **Schedule II** hereunder; and of Plot No.3 (part) comprising of Building Nos 2, and 4 to 18, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) and more particularly described in the **Schedule III** hereunder written (hereinafter referred to as the “**said Plot No 3**”).

(hereinafter collectively referred as “**the said Larger Property**”)

We have investigated the title of the said Larger Property on the request of Suncity Infrastructure (Mumbai) LLP and following documents i.e. :-

- 1. Description of the Larger Property.** - All that piece and parcel of lands comprising of Plot No.18 comprising of Building Nos. 61 to 81, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) and more particularly described in the **Schedule II** hereunder written (hereinafter referred to as the “**said Plot No 18**”)

and Plot No.3 (part) comprising of Building No.2, 4 to 18, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon), Tehsil and District Thane (Navi Mumbai) and more particularly described in the **Schedule III** hereunder written (hereinafter referred to as the “**said Plot No 3**”); and the combined area of the amalgamated property is – all that piece or parcel of land admeasuring 18,272.710 Sq. Mtrs. Or thereabouts being Plot No. 03 & 18 at Sector-9, Vashi, Navi Mumbai which is more particularly described in the **Schedule IV**.

2. The documents in respect of aforesaid Property :-

A. Plot No. 18

- Order bearing no. RB/WS/IV/679 dated June 18, 1975 of the Collector, Thane;
- Declaration dated July 16, 1985 executed by CIDCO in favour of the Gulmohar Condominium registered with the office of the Sub-Registrar of Assurances at Serial No.P-525 dated July 17, 1985;
- Indenture of Lease dated July 26, 1985 executed by CIDCO in favour of Bhausaheb Dhondiba Lakade and others as lessees being tenants-in-common in shares equal to their respective percentage of undivided interest in the aforesaid Gulmohar Condominium;
- Registration certificate of Utkarsh CHS dated February 16, 1984;
- Registration certificate of Annapurna Co-operative Housing Society Limited dated March 26, 1984;
- Registration certificate of Gulmohar CHS dated August 27, 2018.
- Order dated January 11, 2018 passed by the Joint Co-operative Society (CIDCO) bearing No.JA.KR.S.NI/S.S/CIDCO/2018/2644, vide which Annapurna CHS was merged with Utkarsh CHS under the provisions of the Maharashtra Co-operative Societies Act, 1960;
- Order dated February 12, 2019 bearing No.JA.KR.S.NI/S.S/CIDCO/952/2019 passed by the Joint Co-operative Society (CIDCO) vide which the apartment owners of Building No.62 were inducted as members of the Utkarsh CHS;
- Declaration dated February 10, 2014 issued by Gulmohar Apartment Owners Association;

- NOC from CIDCO dated January 15, 2021 bearing number CIDCO/MTS-I/EO(I)/2021/26 and all previous NOCs issued from time to time in favour of the Gulmohar Association;
- NOC from CIDCO dated January 15, 2021 bearing number CIDCO/MTS-I/EO(I)/2021/25 and all previous NOCs issued from time to time in favour of the Utkarsh CHS;
- Deed of Declaration dated August 18, 2018 by Gulmohar Association registered with the office of the Sub-Registrar of Assurances at Serial No.TNN-11/9009/2018;
- Deed of Rectification dated January 29, 2019 registered with the office of the Sub-Registrar of Assurances at Serial No.TNN-6/1127/2019.
- Supplementary Lease Deed dated May 24, 2019 between CIDCO and Gulmohar CHS and Utkarsh CHS registered with the Sub-Registrar of Assurances at Thane bearing No.TNN3-13832-2019;
- Letter dated March 29, 2019 bearing No. JA/K/SN/SS/CIDCO/R/2035/2019 by the Jt. Registrar of Co-operative Societies (CIDCO) in favour of Gulmohar CHS;
- Letter dated March 29, 2019 bearing No. JA/K/SN/SS/CIDCO/R/2035/2019 by the Jt. Registrar of Co-operative Societies (CIDCO) in favour of Utkarsh CHS;
- Development Agreement dated April 3, 2019 executed between Gulmohar CHS and the Suncity Infrastructures (Mumbai) LLP;
- Supplementary Deed dated January 24, 2020 executed between Gulmohar CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub- Registrar of Assurances at Thane and bearing serial No. TNN-11/1106 of 2020;
- Power of Attorney dated January 24, 2020 executed between Gulmohar CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1107/2020;
- Development Agreement dated April 3, 2019 executed between Utkarsh CHS and the Suncity Infrastructures (Mumbai) LLP;

- Supplementary Deed dated January 24, 2020 executed between Utkarsh CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub- Registrar of Assurances at Thane and bearing serial No. TNN-11/1101 of 2020;
- Power of Attorney dated January 24, 2020 executed between Utkarsh CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1102/2020;
- Development Agreement dated February 21, 2022, executed between Gulmohar CHS and Suncity Infrastructure (Mumbai) LLP [registered with the office of Sub-registrar of Assurances at Thane and bearing Serial No. TNN-11/2540/2022];
- Development Agreement dated February 18, 2022, executed between Utkarsh CHS and Suncity Infrastructure (Mumbai) LLP [registered with the office of Sub-registrar of Assurances at Thane and bearing Serial No. TNN-11/2478/2022];
- Letter dated October 07, 2024 [Ref. No. CIDCO/M(TS-I)2024/1770] by CIDCO regarding Allotment of balance FSI and Amalgamation of Condominium No. 18 and Condominium No. 03;
- Modified Supplementary Lease Deed dated December 16, 2024 between CIDCO, Gulmoar CHS, Utkarsh CHS, and Sai Ashirwad CHS registered with the Sub-Registrar, Thane under Registration No. TNN-11/22167/2024, which notes the change in area of the amalgamated plots;
- Litigation Report dated January 08, 2025, of Suncity issued by Zelican Infortech Pvt. Ltd.;
- Search Reports dated February 27, 2020 and February 11, 2021 issued by Mr. Sameer Sawant, as provided to us by Suncity, and Search Report dated January 20, 2025, of Mr. Satish Rane for search conducted for the period October 2021 till January 2025
- Search Report dated 23.01.2025 conducted by N.V. Associates with the Registrar of Companies.

B. Plot No.3

- Order bearing no. RB/WS/IV/679/75 dated June 18, 1975 of the Collector, Thane;
- Order bearing no. RB/Desk II/LBP/V/WS/121 dated April 29, 1980 of the Collector, Thane;
- Declaration dated July 16, 1985 which was executed by CIDCO in favour of the Sai Ashirwad Condominium registered with the office of the Sub-Registrar of Assurances at Serial No.P-527 dated July 17, 1985;
- Indenture of Lease dated August 9, 1985, by which CIDCO leased and demised the said Plot No.3 in favour of Arun Sindagaoda Patil and others as lessees being tenants-in-common in shares equal to their respective percentage of undivided interest in the aforesaid Sai Ashirwad Condominium;
- NOC from CIDCO dated May 24, 2019 bearing number CIDCO/EMS/Redevlp/AEO(Vashi)/2019/275 and all previous NOCs issued from time to time in favour of the Sai Ashirwad CHS;
- Declaration dated December 19, 2018 by Sai Ashirwad Condominium registered with the office of the Sub-Registrar of Assurances at Thane bearing Serial No.TNN-6/13596/2018;
- Registration certificate of Sai Ashirwad CHS;
- Supplementary Lease Deed dated May 24, 2019 between CIDCO and Sai Ashirwad CHS and Naivedya CHS registered with the Sub-Registrar of Assurances at Thane bearing No.TNN3-13842-2019;
- Letter dated March 29, 2019 bearing No. JA/K/SN/SS/CIDCO/NAV/R/2022/2019 by the Jt. Registrar of Co-operative Societies to Sai Ashirwad CHS;
- Development Agreement dated April 3, 2019 executed between Sai Ashirwad CHS and the Suncity Infrastructures (Mumbai) LLP;
- Supplementary Deed dated January 24, 2020 executed between Sai Ashirwad CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub- Registrar of Assurances at Thane and bearing serial No. TNN-11/1110 of 2020;

- Power of Attorney dated January 24, 2020 executed between Sai Ashirwad CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1111/2020;
- Order dated February 14, 2020 of the NMMC *inter alia*, approving the amalgamation of the Plot No.18 comprising of Buildings No. 61 to 81, Plot No.3 comprising of Buildings No. 2, 4 to 18;
- Search Report dated February 27, 2020 and updated Search Report dated February 11, 2021 of Mr Sameer Sawant, Search Clerk;
- Development Agreement dated February 17, 2022, executed between Sai Ashirwad CHS and Suncity Infrastructure (Mumbai) LLP [registered with the office of Sub-registrar of Assurances at Thane and bearing Serial No. TNN-11/2444/2022];
- Letter dated October 07, 2024 [Ref. No. CIDCO/M(TS-I)2024/1770] by CIDCO regarding Allotment of balance FSI and Amalgamation of Condominium No. 18 and Condominium No. 03;
- Modified Supplementary Lease Deed dated December 16, 2024 between CIDCO, Gulmoar CHS, Utkarsh CHS, and Sai Ashirwad CHS registered with the Sub-Registrar, Thane under Registration No. TNN-11/22167/2024, which notes the change in area of the amalgamated plots;
- Litigation Report dated January 08, 2025, of Suncity issued by Zelican Infotech Pvt. Ltd.;
- Search Reports dated February 27, 2020 and February 11, 2021 issued by Mr. Sameer Sawant, as provided to us by Suncity, and Search Report dated January 20, 2025, of Mr. Satish Rane for search conducted for the period October 2021 till January 2025.
- Search Report dated January 23, 2025 conducted by N.V. Associates with the Registrar of Companies.

3. 7/12 extracts:

They are not applicable as the said Larger Property is granted on lease by the CIDCO.

4. Search Reports:

The search has been carried out in the offices of the Sub-Registrar of assurances at CIDCO, Village Juhu (as per 7/12 extract village Juigaon) and Village Vashi from the year 1985 to 2021 (Last 36 Years) through Mr. Sameer Sawant, Search Clerk, who has issued his Search Report dated February 27, 2020 and updated Search Report dated February 11, 2021. Further search has been carried out from 12 February 2021 to 8 October 2021. The Search Reports are subject to torn / partly torn pages and mutilated index-II records, and the Computer Index-II records are not properly maintained or are unavailable and some of the records are found in loose sheets (untied). Further search was carried out by Mr. Satish Rane in the offices of the Sub-Registrar of assurances at CIDCO Village Juhu, from October 2021 till January 2025 and accordingly the Search Report dated January 20, 2025 has been issued by Mr. Satish Rane.

We are also relying upon Legal Audit Reports dated March 11, 2020 and February 11, 2021 which cover the litigation search conducted in several courts by Cubictree Technology Solutions Pvt. Ltd. and Litigation Report dated January 08, 2025, issued by Zelican Infotech Pvt. Ltd. The said reports do not indicate any litigation pending in the name Gulmohar CHS, Sai Ashirwad CHS and Utkarsh CHS. We have also conducted search with Registrar of Companies through N.V. Associates. N.V. Associates through its report dated 25.01.2025 has informed that there is no change in the name of **Suncity Infrastructures (Mumbai) LLP**.

5. Owners of Said Property:

On perusal of the above mentioned documents and all other relevant documents relating to title of the said property we are of the opinion that -

Pursuant to and in accordance with what is stated in the detailed Title Report dated 08/10/2021, City and Industrial Development Corporation of Maharashtra ("CIDCO") is the owner of the said Larger Property, which also includes the said Property, and the Gulmohar Co-operative Housing Society Limited and Utkarsh Co-operative Housing Society Limited are the Lessees of Plot No.18 comprising of Building Nos. 64 to 81 and 61 to 63 thereon, respectively, and Sai Ashirwad Co-operative Housing Society Limited is the lessee of Plot No.3 (part) comprising of Building Nos.2 and 4 to 18 thereon. *Vide* three separate Development Agreements, all dated April 3, 2019, Gulmohar Co-operative Housing Society Limited and Utkarsh Co-operative Housing Society Limited have assigned the development rights in respect of Plot No.18 and Building Nos. 64 to 81 and 61-63 respectively, and Sai Ashirwad Co-operative Housing Society

Limited have assigned the development rights in respect of Plot No.3 (part) and the Building Nos. 2 and 4 to 18 thereon in favour of **Suncity Infrastructures (Mumbai) LLP**, on the terms and conditions mentioned therein. And the Power of Attorneys in this respect are executed and duly registered. As the Plot No. 3 is undivided between Naivedya CHS and Sai Ashirwad CHS, Naivedya CHS shall have undivided right in Plot No. 3.

In furtherance thereto, we have been provided with the Letter dated October 07, 2024, by CIDCO [Ref. No. CIDCO/M(TS-I)/2024] regarding the Allotment of balance FSI and Amalgamation of Condominium No. 18 and Condominium No. 03. As per the said Letter, after the NOC was issued by the Corporation, the existing plot was re-surveyed and the plot area of the Condominium No. 18 was found to be 10334.13 sq. mtrs. and the plot area of Condominium No. 3 was found to be 8803.25 sq. mtrs. It is further stated CIDCO's letter dated October 07, 2024, that the letter dated August 09, 2024 [Ref. No. CIDCO/M(TS-I)/2024/1653], CIDCO intimated the Gulmohar CHS and Utkarsh CHS to make a payment of additional lease premium amounting to Rs. 11,38,98,940/- (excluding GST) in respect of the balance FSI 0.11 for BUA 1136.75 sq. mtrs. in Condominium No. 18 and Rs. 5,29,23,054/- (excluding GST) in respect of the balance FSI 0.06 for BUA 528.19 sq. mtrs. in Condominium No. 3. Pursuant to the said payment, CIDCO has allotted the balance FSI 0.11 for BUA 1136.75 sq. mtrs to Gulmohar CHS (Building nos. 64 to 81) and Utkarsh CHS (Building No. 61 to 63), and the balance FSI 0.06 for BUA 528.19 sq. mtrs. to Sai Ashirwad CHS (Building nos. 1 to 18). CIDCO further granted the permission to amalgamate Gulmohar CHS (Building nos. 64 to 81), Utkarsh CHS (Building No. 61 to 63), and Sai Ashirwad CHS (Building nos. 1 to 18), subject to the payment of administrative charges of Rs. 2,00,000/- plus 18% GST. CIDCO's letter dated October 07, 2024, further notes that the said three societies have paid the administrative charges of Rs. 2,00,000/- plus 18% GST and in furtherance to the said payment, CIDCO has permitted the area of plots under said three societies to be amalgamated and the combined area of the Amalgamated Plot i.e. Condominium No. 3 and Condominium No. 18 are now admeasured as 18,272.710 sq. mtrs. considering one single plot, which is more particularly described under **Schedule IV**.

Thereafter, CIDCO, Glumohar CHS, Utkarsh CHS, and Sai Ashirwad CHS executed 'Modified Supplementary Lease Deed' on December 16, 2024 registered with the Sub-Registrar, Thane under Registration No. TNN-11/22167/2024, which effects the modification *qua* area of the combined plots as mentioned under the Supplmentary Lease Deeds dated 24.05.2019 entered into between CIDCO, Gulmohar CHS, and Utkarsh CSH [TNN/11/22167/2024] and dated

24.05.2019 between CIDCO, Sai Ashirwad CHS, and Naivedya CHS. The said 'Modified Supplementary Lease Deed' *inter alia* notes that the combined area of amalgamated plot comprising Condominium No. 3 and Condominium No. 18 shall stand modified as admeasuring 18,272.710 sq. mtrs., considering one single plot having boundaries more particularly described under the schedule therein and **Schedule IV** herein.

The report reflecting the flow of the title of the said property, is enclosed herewith as annexure.

Encl : Annexure.



Adv Omprakash Jha

For The Law Point

Date: 31 January, 2025

ANNEXURE**REPORT ON TITLE****Description of the property :-**

All that piece and parcel of lands admeasuring 1513.89 sq. mtrs. situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) and more particularly described in the **Schedule I** hereunder written (hereinafter referred as “**the said Property**”), forming part of comprising of Plot No.18 comprising of Building Nos. 61 to 81, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) (hereinafter referred to as the “**said Plot No 18**”) more particularly described in **Schedule II** hereunder; and of Plot No.3 (part) comprising of Building No.s 2, and 4 to 18, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) and more particularly described in the **Schedule III** hereunder written (hereinafter referred to as the “**said Plot No 3**”); and the combined area of the amalgamated property is – all that piece or parcel of land admeasuring 18,272.710 Sq. Mtrs. or thereabouts being Plot No. 03 & 18 at Sector-9, Vashi, Navi Mumbai which is more particularly described in the **Schedule IV**.
(hereinafter collectively referred as “**the said Larger Property**”)

We have investigated the title of the said Larger Property on the request of Suncity Infrastructure (Mumbai) LLP.

Documents available for perusal :-**A. Plot No.18**

- Order bearing no. RB/WS/IV/679 dated June 18, 1975 of the Collector, Thane;
- Declaration dated July 16, 1985 executed by City and Industrial Development Corporation of Maharashtra (“**CIDCO**”) in favour of the Gulmohar Condominium registered with the office of the Sub-Registrar of Assurances at Serial No.P-525 dated July 17, 1985;
- Indenture of Lease dated July 26, 1985 executed by CIDCO in favour of Bhausahab Dhondiba Lakade and others as lessees being tenants-in-common in shares equal to their respective percentage of undivided interest in the aforesaid Gulmohar Condominium;
- Registration certificate of Utkarsh CHS dated February 16, 1984;

- Registration certificate of Annapurna Co-operative Housing Society Limited dated March 26, 1984;
- Registration certificate of Gulmohar CHS dated August 27, 2018.
- Order dated January 11, 2018 passed by the Joint Co-operative Society (CIDCO) bearing No.JA.KR.S.NI/S.S/CIDCO/2018/2644, *vide* which Annapurna CHS was merged with Utkarsh CHS under the provisions of the Maharashtra Co-operative Societies Act, 1960;
- Order dated February 12, 2019 bearing No.JA.KR.S.NI/S.S/CIDCO/952/2019 passed by the Joint Co-operative Society (CIDCO) *vide* which the apartment owners of Building No.62 were inducted as members of the Utkarsh CHS;
- Declaration dated February 10, 2014 issued by Gulmohar Apartment Owners Association;
- NOC from CIDCO dated January 15, 2021 bearing number CIDCO/MTS-I/EO(I)/2021/26 and all previous NOCs issued from time to time in favour of the Gulmohar Association;
- NOC from CIDCO dated January 15, 2021 bearing number CIDCO/MTS-I/EO(I)/2021/25 and all previous NOCs issued from time to time in favour of the Utkarsh CHS;
- Deed of Declaration dated August 18, 2018 by Gulmohar Association registered with the office of the Sub-Registrar of Assurances at Serial No.TNN-11/9009/2018;
- Deed of Rectification dated January 29, 2019 registered with the office of the Sub-Registrar of Assurances at Serial No.TNN-6/1127/2019.
- Supplementary Lease Deed dated May 24, 2019 between CIDCO and Gulmohar CHS and Utkarsh CHS registered with the Sub-Registrar of Assurances at Thane bearing No.TNN3-13832-2019;
- Letter dated March 29, 2019 bearing No.JA/K/SN/SS/CIDCO/R/2035/2019 by the Jt. Registrar of Co-operative Societies (CIDCO) in favour of Gulmohar CHS;
- Letter dated March 29, 2019 bearing No.JA/K/SN/SS/CIDCO/R/2035/2019 by the Jt. Registrar of Co-operative Societies (CIDCO) in favour of Utkarsh CHS;
- Development Agreement dated April 3, 2019 executed between Gulmohar CHS and the Suncity Infrastructures (Mumbai) LLP;

- Supplementary Deed dated January 24, 2020 executed between Gulmohar CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub- Registrar of Assurances at Thane and bearing serial No. TNN-11/1106 of 2020;
- Power of Attorney dated January 24, 2020 executed between Gulmohar CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1107/2020;
- Development Agreement dated April 3, 2019 executed between Utkarsh CHS and the Suncity Infrastructures (Mumbai) LLP;
- Supplementary Deed dated January 24, 2020 executed between Utkarsh CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub- Registrar of Assurances at Thane and bearing serial No. TNN-11/1101 of 2020;
- Power of Attorney dated January 24, 2020 executed between Utkarsh CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1102/2020;
- Development Agreement dated February 21, 2022, executed between Gulmohar CHS and Suncity Infrastructure (Mumbai) LLP [registered with the office of Sub-registrar of Assurances at Thane and bearing Serial No. TNN-11/2540/2022];
- Development Agreement dated February 18, 2022, executed between Utkarsh CHS and Suncity Infrastructure (Mumbai) LLP [registered with the office of Sub-registrar of Assurances at Thane and bearing Serial No. TNN-11/2478/2022];
- Letter dated October 07, 2024 [Ref. No. CIDCO/M(TS-I)2024/1770] by CIDCO regarding Allotment of balance FSI and Amalgamation of Condominium No. 18 and Condominium No. 03;
- Modified Supplementary Lease Deed dated December 16, 2024 between CIDCO, Gulmoar CHS, Utkarsh CHS, and Sai Ashirwad CHS registered with the Sub-Registrar, Thane under Registration No. TNN-11/22167/2024, which notes the change in area of the amalgamated plots;
- Litigation Report dated January 08, 2025, of Suncity issued by Zelican Infortech Pvt. Ltd.;

- Search Reports dated February 27, 2020 and February 11, 2021 issued by Mr. Sameer Sawant, as provided to us by Suncity, and Search Report dated January 20, 2025, of Mr. Satish Rane for search conducted for the period October 2021 till January 2025.
- Search Report dated January 23, 2025 conducted by N.V. Associates with the Registrar of Companies.

B. Plot No.3

- Order bearing no. RB/WS/IV/679/75 dated June 18, 1975 of the Collector, Thane;
- Order bearing no. RB/Desk II/LBP/V/WS/121 dated April 29, 1980 of the Collector, Thane;
- Declaration dated July 16, 1985 which was executed by CIDCO in favour of the Sai Ashirwad Condominium registered with the office of the Sub-Registrar of Assurances at Serial No.P-527 dated July 17, 1985;
- Indenture of Lease dated August 9, 1985, by which CIDCO leased and demised the said Plot No.3 in favour of Arun Sindagaoda Patil and others as lessees being tenants-in-common in shares equal to their respective percentage of undivided interest in the aforesaid Sai Ashirwad Condominium;
- NOC from CIDCO dated May 24, 2019 bearing number CIDCO/EMS/Redevlp/AEO(Vashi)/2019/275 and all previous NOCs issued from time to time in favour of the Sai Ashirwad CHS;
- Declaration dated December 19, 2018 by Sai Ashirwad Condominium registered with the office of the Sub-Registrar of Assurances at Thane bearing Serial No.TNN-6/13596/2018;
- Registration certificate of Sai Ashirwad CHS;
- Supplementary Lease Deed dated May 24, 2019 between CIDCO and Sai Ashirwad CHS and Naivedya CHS registered with the Sub-Registrar of Assurances at Thane bearing No.TNN3-13842-2019;
- Letter dated March 29, 2019 bearing No.JA/K/SN/SS/CIDCO/NAV/R/2022/2019 by the Jt. Registrar of Co-operative Societies to Sai Ashirwad CHS;

- Development Agreement dated April 3, 2019 executed between Sai Ashirwad CHS and the Suncity Infrastructures (Mumbai) LLP;
- Supplementary Deed dated January 24, 2020 executed between Sai Ashirwad CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub- Registrar of Assurances at Thane and bearing serial No. TNN-11/1110 of 2020;
- Power of Attorney dated January 24, 2020 executed between Sai Ashirwad CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1111/2020;
- Order dated February 14, 2020 of the NMMC *inter alia*, approving the amalgamation of the Plot No.18 comprising of Buildings No. 61 to 81, Plot No.3 comprising of Buildings No. 2, 4 to 18;
- Search Report dated February 27, 2020 and updated Search Report dated February 11, 2021 of Mr. Sameer Sawant, Search Clerk;
- Development Agreement dated February 17, 2022, executed between Sai Ashirwad CHS and Suncity Infrastructure (Mumbai) LLP [registered with the office of Sub-registrar of Assurances at Thane and bearing Serial No. TNN-11/2444/2022];
- Letter dated October 07, 2024 [Ref. No. CIDCO/M(TS-I)2024/1770] by CIDCO regarding Allotment of balance FSI and Amalgamation of Condominium No. 18 and Condominium No. 03;
- Modified Supplementary Lease Deed dated December 16, 2024 between CIDCO, Gulmoar CHS, Utkarsh CHS, and Sai Ashirwad CHS registered with the Sub-Registrar, Thane under Registration No. TNN-11/22167/2024, which notes the change in area of the amalgamated plots;
- Litigation Report dated January 08, 2025, of Suncity issued by Zelican Infotech Pvt. Ltd.;
- Search Reports dated February 27, 2020 and February 11, 2021 issued by Mr. Sameer Sawant, as provided to us by Suncity, and Search Report dated January 20, 2025, of Mr. Satish Rane for search conducted for the period October 2021 till January 2025.

- Search Report dated January 23, 2025 conducted by N.V. Associates with the Registrar of Companies.

FLOW OF TITLE :-

A. Plot No.18

1. *Vide* the order bearing no. RB/WS/IV/679 dated June 18, 1975, the Collector, Thane vested in favour of CIDCO all that piece and parcel of land admeasuring a total of 9240.13 square meters bearing Survey numbers 138(part), 111(part), 126(part), 137(part), 89(part), 50(part) and 135(part), situated at Plot No. 18, Sector 9, Village Juhu, Tehsil Thane and District Thane and more particularly described in the **Schedule I** hereunder ("**Plot No.18**").
2. CIDCO carried out construction of the said Plot No.18 by constructing twenty one (21) buildings thereon bearing nos. 61 to 81 and known as VS-II comprising an aggregate of 336 apartments, with each building consisting of ground + 2 upper floors having 16 apartments. ("**Plot No.18 Buildings**").
3. CIDCO formed a condominium by the name of VS II Condominium 18, Vashi ("**Gulmohar Condominium**") and the said Plot No.18 Buildings were submitted to the provision of the Maharashtra Apartment Ownership Act, 1970 *vide* Declaration dated July 16, 1985 ("**Gulmohar CIDCO Declaration**"). The said Gulmohar CIDCO Declaration has been registered with the office of the Sub-Registrar of Assurances at Serial No.P-525 dated July 17, 1985.
4. *Vide* an Indenture of Lease dated July 26, 1985, CIDCO leased and demised the said Plot No.18 in favour of Bhausahab Dhondiba Lakade and others as lessees being tenants-in-common in shares equal to their respective percentage of undivided interest in the aforesaid Gulmohar Condominium for a term of 60 (sixty) years commencing from July 26, 1985 for an annual lease rent of Re.1/- and on the terms and conditions as more particularly provided therein.
5. CIDCO has executed various Agreements for Sale and Deeds of Apartment whereby the various apartments / units in the Plot No.18 Buildings have been allotted and sold by

CIDCO to various apartment owners on ownership basis at the price and on the terms and conditions therein mentioned.

6. The apartment owners of Building No.61 formed the Utkarsh Co-operative Housing Society Limited dated February 16, 1984 bearing registration number TNA/1743/1984 and registered as a 'tenant co-partnership society' ("**Utkarsh CHS**") for the purpose of maintenance and upkeep of Building No.61.
7. The apartment owners of Building No.63 formed the Annapurna Co-operative Housing Society Limited dated March 26, 1984 bearing registration number TNA/1757/1984 and registered as a 'tenant co-partnership society' ("**Annapurna CHS**") for the purpose of maintenance and upkeep of Building No.63.
8. *Vide* the Order dated January 11, 2018 passed by the Joint Co-operative Society (CIDCO) bearing No.JA.KR.S.NI/S.S/CIDCO/2018/2644, the Annapurna CHS was merged with Utkarsh CHS under the provisions of the Maharashtra Co-operative Societies Act, 1960, read with the rules framed there under ("**MCS Act**") as more particularly stated in the aforesaid Order.
9. *Vide* the order dated February 12, 2019 bearing No.JA.KR.S.NI/S.S/CIDCO/952/2019 passed by the Joint Co-operative Society (CIDCO), the apartment owners of Building No.62 were inducted as members of the Utkarsh CHS and accordingly, the apartment owners of Building Nos.61 to 63 became members of Utkarsh CHS.
10. Accordingly, the apartment owners in the Building Nos.61 to 63 on the said Plot No.18 are members of and presently form a part of Utkarsh CHS.
11. Building Nos. 64 to 81, having 288 apartments forms part of an association named 'Gulmohar Apartment Owners Association' ("**Gulmohar Association**"). *Vide* a Declaration dated February 10, 2014 issued by Gulmohar Apartment Owners Association, it is understood that the said Gulmohar Condominium formed by CIDCO under the Gulmohar CIDCO Declaration and the aforesaid Gulmohar Association refer to the same condominium.

12. CIDCO has issued a No Objection Certificate dated April 11, 2017 bearing number CIDCO/EMS/Redevlp/Vashi/2017/6413 in favour of the Gulmohar Association for redevelopment of the Building Nos.64 to 81 on the said Plot No.18 on the terms stated therein, with liberty to form a Co-operative Housing Society ("**Gulmohar CIDCO NOC**"). The said Gulmohar CIDCO NOC was revalidated from time to time and the last of such revalidation was on January 15, 2021 *vide* letter No. CIDCO/MTS-I/EO(I)/2021/26 on the terms and conditions as stated therein.
13. The Gulmohar Association comprising of 288 apartments (i.e. Building Nos. 64 to 81) have *vide* a Deed of Declaration dated August 18, 2018 (registered with the office of the Sub-Registrar of Assurances at Serial No.TNN-11/9009/2018) declared, *inter alia*, that the Gulmohar Association is cancelled, null and dissolved and that the aforesaid Declaration would be binding on all the members of the Gulmohar Association and that the rights, title and interest are released proportionately in favour of Gulmohar CHS (*as defined hereinafter*) and Utkarsh CHS (*as defined hereinafter*), and all the liquid assets including bank balance was recorded to stand transferred proportionately in favour of Gulmohar CHS (*as defined hereinafter*) and Utkarsh CHS (*as defined hereinafter*) and thereby each apartment owner has assigned their individual rights in the apartment and undivided interest in the common areas and facilities proportionately in favour of the Gulmohar CHS and Utkarsh CHS (*as defined hereinafter*). The aforesaid Deed of Declaration dated August 18, 2018 was rectified *vide* a Deed of Rectification dated January 29, 2019 (registered with the office of the Sub-Registrar of Assurances at Serial No.TNN-6/1127/2019) to include the Building Nos.61 to 63 in the Deed of Declaration.
14. The Gulmohar Co-operative Housing Society Limited was formed on August 27, 2018 bearing Registration No. NBOM/CIDCO/HSG/(TC)/7522/JTR/YEAR 2018-2019 and registered as a 'tenant co-partnership society' ("**Gulmohar CHS**") for the apartment owners of Gulmohar Association.
15. Accordingly, the Building Nos.64 to 81 on Plot No.18 form a part of Gulmohar CHS.
16. *Vide* a Supplementary Lease Deed dated May 24, 2019 between CIDCO as the Corporation therein and Gulmohar CHS and Utkarsh CHS as the New Lessees therein, CIDCO demised unto the New Lessees therein jointly the respective proportionate area along with undivided

interest in the said Plot No.18 for a term of 60 (sixty) years from Indenture of Lease dated July 26, 1985 at an annual rent of Rs.1/- per annum and on the terms and conditions as more particularly provided therein. The aforesaid Supplementary Lease Deed dated May 24, 2019 is registered with the Sub-Registrar of Assurances at Thane bearing No.TNN3-13832-2019.

17. CIDCO has issued a No Objection Certificate dated May 31, 2019 bearing number CIDCO/MTS-I/Redevlp/VASHI/2019/294 in favour of Utkarsh CHS for redevelopment of the Building Nos.61 to 63 on the said Plot No.18 on the terms stated therein (“**Utkarsh CIDCO NOC**”). The said Utkarsh CIDCO NOC is revalidated on January 15, 2021 vide letter No. CIDCO/MTS-I/EO(I)/2021/25 on the terms and conditions as stated therein.
18. *Vide* a letter dated March 29, 2019 bearing No. JA/K/SN/SS/CIDCO/R/2035/2019, the Jt. Registrar of Co-operative Societies (CIDCO) has granted a No Objection Certificate to Utkarsh CHS for appointment of Suncity Infrastructures (Mumbai) LLP as the Developer for Building Nos. 61 to 63, Plot No.18 on the conditions as more particularly stated therein.
19. *Vide* a letter dated March 29, 2019 bearing No.JA/K/SN/SS/CIDCO/R/2007/2019, the Jt. Registrar of Co-operative Societies (CIDCO) has granted a No Objection Certificate to Gulmohar CHS for appointment of Suncity Infrastructures (Mumbai) LLP as the Developer for Building Nos.64 to 81, Plot No.18 on the conditions as more particularly stated therein.
20. By and under a Development Agreement dated April 3, 2019 (“**Gulmohar Development Agreement No. 1**”) executed between Gulmohar CHS therein referred to as the Gulmohar Society of the One Part and the Suncity Infrastructures (Mumbai) LLP therein referred to as the Developer of the Other Part (hereinafter referred to as the “**Developer**”), the Gulmohar Society granted to the Developer, the development rights in respect of redevelopment of the Building Nos. 64 to 81, Plot No. 18 on the terms and conditions as more particularly contained therein.
21. By and under a Deed dated January 24, 2020 and registered with the office of the Sub-Registrar of Assurances at Thane and bearing serial No. TNN-11/1106 of 2020 executed

between Gulmohar CHS and the Developer, the Gulmohar CHS has confirmed the aforesaid Gulmohar Development Agreement.

22. By and under a Power of Attorney dated January 24, 2020 (“**Gulmohar POA**”) executed by the Gulmohar CHS in favour of the Developer, the Gulmohar CHS has granted the Developer the powers to undertake the necessary and incidental acts for the redevelopment of the Building Nos. 64-81, Plot No. 18 as more particularly set out therein. The aforesaid Gulmohar POA is duly registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1107/2020.
23. By and under a Development Agreement dated April 3, 2019 (“**Utkarsh Development Agreement No. 1**”) executed between Utkarsh CHS therein referred to as the Utkarsh Society of the One Part and the said Developer, the Utkarsh CHS granted to the Developer, the development rights in respect of redevelopment of the Building Nos.61 to 63, Plot No. 18 on the terms and conditions as more particularly contained therein.
24. By and under a Deed dated January 24, 2020 and registered with the office of the Sub-Registrar of Assurances at Thane and bearing serial No. TNN-11/1101 of 2020 executed between Utkarsh CHS and the Developer, the Utkarsh CHS has confirmed the aforesaid Utkarsh Development Agreement.
25. By and under a Power of Attorney dated January 24, 2020 (“**Utkarsh POA**”) executed by the Utkarsh CHS in favour of the Developer, the Utkarsh CHS has granted the Developer the powers to undertake the necessary and incidental acts for the redevelopment of the Building Nos.61 to 63, Plot No. 18 as more particularly set out therein. The aforesaid Utkarsh POA is duly registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1102/2020.
26. By and under a Development Agreement dated February 21, 2022 (“**Gulmohar Development Agreement No. 2**”) executed between Gulmohar CHS therein referred to as the Gulmohar Society of the One Part and the Suncity Infrastructures (Mumbai) LLP therein referred to as the Developer of the Other Part (hereinafter referred to as the “**Developer**”), the Gulmohar Society granted to the Developer, the development rights in respect of redevelopment of the additional area admeasuring 8857.83 square mtrs. with

respect to the Building Nos. 64 to 81 situated on Plot No. 18 on the terms and conditions as more particularly contained therein.

27. By and under a Development Agreement dated February 18, 2022 (“**Utkarsh Development Agreement No. 2**”) executed between Utkarsh CHS therein referred to as the Utkarsh Society of the One Part and the Suncity Infrastructures (Mumbai) LLP therein referred to as the Developer of the Other Part (hereinafter referred to as the “**Developer**”), the Utkarsh Society granted to the Developer, the development rights in respect of redevelopment of the additional area admeasuring 1476.28 square mtrs. with respect to the Building Nos. 61 to 63 situated on Plot No. 18 on the terms and conditions as more particularly contained therein.
28. In furtherance thereto, we have been provided with the Letter dated October 07, 2024, by CIDCO [Ref. No. CIDCO/M(TS-I)/2024/1770] regarding the Allotment of balance FSI and Amalgamation of Condominium No. 18 and Condominium No. 03. As per the said Letter, after the NOC was issued by the Corporation, the existing plot was re-surveyed and the plot area of the Condominium No. 18 was found to be 10334.13 sq. mtrs. and the plot area of Condominium No. 3 was found to be 8803.25 sq. mtrs. It is further stated CIDCO’s letter dated October 07, 2024, that *vide* the letter dated August 09, 2024 [Ref. No. CIDCO/M(TS-I)/2024/1653], CIDCO intimated the Gulmohar CHS and Utkarsh CHS to make a payment of additional lease premium amounting to Rs. 11,38,98,940/- (excluding GST) in respect of the balance FSI 0.11 for BUA 1136.75 sq. mtrs. in Condominium No. 18 and Rs. 5,29,23,054/- (excluding GST) in respect of the balance FSI 0.06 for BUA 528.19 sq. mtrs. in Condominium No. 3. Pursuant to the said payment, CIDCO has allotted the balance FSI 0.11 for BUA 1136.75 sq. mtrs to Gulmohar CHS (Building nos. 64 to 81) and Utkarsh CHS (Building No. 61 to 63), and the balance FSI 0.06 for BUA 528.19 sq. mtrs. to Sai Ashirwad CHS (Building nos. 1 to 18). CIDCO further granted the permission to amalgamate Gulmohar CHS (Building nos. 64 to 81), Utkarsh CHS (Building No. 61 to 63), and Sai Ashirwad CHS (Building nos. 1 to 18). CIDCO has permitted the area of plots under said three societies to be amalgamated and the combined area of the Amalgamated Plot i.e. Condominium No. 3 and Condominium No. 18 are now admeasured as 18,272.710 sq. mtrs. considering one single plot, which is more particularly described under **Schedule III**.

29. Thereafter, CIDCO, Glumohar CHS, Utkarsh CHS, and Sai Ashirwad CHS executed 'Modified Supplementary Lease Deed' on December 16, 2024 registered with the Sub-Registrar, Thane under Registration No. TNN-11/22167/2024, which effects the modification *qua* area of the combined plots as mentioned under the Supplementary Lease Deeds dated 24.05.2019 entered into between CIDCO, Gulmohar CHS, and Utkarsh CSH [TNN/11/22167/2024] and dated 24.05.2019 between CIDCO, Sai Ashirwad CHS, and Naivedya CHS. The said 'Modified Supplementary Lease Deed' *inter alia* notes that the combined area of amalgamated plot comprising Condominium No. 3 and Condominium No. 18 shall stand modified as admeasuring 18,272.710 sq. mtrs., considering one single plot having boundaries more particularly described under the schedule therein and **Schedule III** hereinbelow.

B. Plot No.3

1. *Vide* an order bearing no. RB/WS/IV/679/75 dated June 18, 1975 and RB/Desk II/LBP/V/WS/121 dated April 29, 1980, the Collector, Thane vested in favour of City and Industrial Development Corporation of Maharashtra ("**CIDCO**") all that piece and parcel of land admeasuring a total of 7782.07 square meters bearing Survey numbers 114(part), 113(part), 115(part), 42(part), 111(part), 131(part), 137(part) and 110(part), situated at Plot No.3, Sector 9, Village Juhu, Tehsil Thane and District Thane and more particularly described in the **Schedule II** hereunder ("**Plot No.3**").
2. CIDCO carried out construction of the said Plot No.3 by constructing eighteen (18) buildings thereon bearing nos.1 to 18 and known as VS-II comprising an aggregate of 288 apartments, with each building consisting of ground + 2 upper floors having 16 apartments. ("**Plot No.3 Buildings**").
3. CIDCO formed a condominium by the name of VS II Condominium 3, Vashi ("**Sai Ashirwad Condominium**") and the said Plot No.3 Buildings were submitted to the provision of the Maharashtra Apartment Ownership Act, 1970 ("**MAO Act**") *vide* Declaration dated July 16, 1985 ("**Sai Ashirwad CIDCO Declaration**"). The said Sai Ashirwad CIDCO Declaration has been registered with the office of the Sub-Registrar of Assurances at Serial No.P-527 dated July 17, 1985.

4. *Vide* an Indenture of Lease dated August 9, 1985, CIDCO leased and demised the said Plot No.3 in favour of Arun Sidagaoda Patil and others as lessees being tenants-in-common in shares equal to their respective percentage of undivided interest in the aforesaid Sai Ashirwad Condominium for a term of 60 (sixty) years commencing from August 9, 1985 for an annual lease rent of Re.1/- and on the terms and conditions as more particularly provided therein.
5. CIDCO has executed various Agreements for Sale and Deeds of Apartment whereby the various apartments / units in the Plot No.3 Buildings have been allotted and sold by CIDCO to various apartment owners on ownership basis at the price and on the terms and conditions therein mentioned.
6. The apartment owners of Building Nos.1 and 3 comprising of 32 apartments unilaterally formed the Naivedya Co-operative Housing Society Limited dated August 1, 2013 bearing registration number NBOM/CIDCO/HSG(TC)/5141/JTR Year 2013-14 (“**Naivedya CHS**”) for the purpose of maintenance and upkeep of Building Nos.1 and 3. However, the Building Nos. 1 and 3 and the land appurtenant thereto has not been sub-divided from the said Plot No.3.
7. Accordingly, the Building Nos.1 and 3 of Plot No.3 presently form a part of Naivedya CHS and accordingly, the said Sai Ashirwad Condominium then comprised only of Building Nos. 2 and 4 to 18 having an aggregate of 256 apartments with each building consisting of ground + 2 upper floors having 16 apartments each.
8. CIDCO has issued a No Objection Certificate dated April 11, 2017 bearing number CIDCO/EMS/Redevlp/Vashi/2017/6422 in favour of the Sai Ashirwad CHS (*as defined hereinbelow*) in favour of the Sai Ashirwad Condominium for redevelopment of the Building Nos.2 and 4 to 18 on the said Plot No.3 on the terms stated therein, with liberty to form a Co-operative Housing Society for the Building Nos.2 and 4 to 18 (“**Sai Ashirwad CIDCO NOC**”). The said Sai Ashirwad CIDCO NOC was revalidated from time to time and the last of such revalidation was on 24th May, 2019 vide letter No. CIDCO/EMS/Redevlp/AEO(Vashi)/2019/275 on the terms and conditions as stated therein.

9. The said Sai Ashirwad Condominium comprising of all 288 apartment owners, *vide* a Deed of Declaration dated December 19, 2018 (registered with the office of the Sub-Registrar of Assurances at Thane bearing Serial No.TNN-6/13596/2018) declared, inter alia, that the Ashirwad Condominium is cancelled, null and void and all the liquid assets of Ashirwad Condominium including bank balance was recorded to stand transferred proportionately in favour of Naivedya CHS and Sai Ashirwad CHS (*as defined hereinafter*).
10. The apartment owners of Building No.2 and 4 to 18 of Ashirwad Condominium formed the Sai Ashirwad Co-operative Housing Society Limited dated December 21, 2018 bearing Registration No. NBOM/CIDCO/HSG/(TC)/7710/JTR/YEAR 2018-2019 and registered as a 'tenant co-partnership society' ("**Sai Ashirwad CHS**").
11. Accordingly, the Building Nos.2 and 4 to 18 of Plot No.3 form a part of Sai Ashirwad CHS.
12. *Vide* a Supplementary Lease Deed dated May 24, 2019 between CIDCO as the Corporation therein and Sai Ashirwad CHS and Naivedya CHS as the New Lessees therein, CIDCO demised unto the New Lessees therein jointly the respective proportionate area along with undivided interest in the said Plot No.3 for a term of 60 (sixty) years from Indenture of Lease dated August 9, 1985 at an annual rent of Rs.1/- per annum and on the terms and conditions as more particularly provided therein. The aforesaid Supplementary Lease Deed dated May 24, 2019 is registered with the Sub-Registrar of Assurances at Thane bearing No.TNN3-13842-2019.
13. *Vide* a letter dated March 29, 2019 bearing No.JA/K/SN/SS/CIDCO/NAV/R/2022/2019, the Jt. Registrar of Co-operative Societies (CIDCO) has granted a No Objection Certificate to Sai Ashirwad CHS for appointment of Suncity Infrastructures (Mumbai) LLP as the Developer for Building Nos.2 and 4 to 18 on Plot No.3 on the conditions as more particularly stated therein.
14. By and under a Development Agreement dated April 3, 2019 ("**Sai Ashirwad Development Agreement No. 1**") executed between Sai Ashirwad CHS therein referred to as the Utkarsh Society of the One Part and the said Developer, the Sai Ashirwad CHS granted to the Developer, the development rights in respect of redevelopment of the

Building Nos. 2 and 4 to 18 on Plot No.3 on the terms and conditions as more particularly contained therein.

15. By and under a Deed dated January 24, 2020 and registered with the office of the Sub-Registrar of Assurances at Thane and bearing serial No. TNN-11/1110 of 2020 executed between Sai Ashirwad CHS and the Developer, the Sai Ashirwad CHS has confirmed the aforesaid Sai Ashirwad Development Agreement.
16. By and under a Power of Attorney dated January 24, 2020 (“**Sai Ashirwad POA**”) executed by the Sai Ashirwad CHS in favour of the Developer, the Sai Ashirwad CHS has granted the Developer the powers to undertake the necessary and incidental acts for the redevelopment of the Building Nos.61 to 63, Plot No. 3 as more particularly set out therein. The aforesaid Sai Ashirwad POA is duly registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1111/2020.
17. By and under a Development Agreement dated February 17, 2022 (“**Sai Ashirwad Development Agreement No. 2**”) executed between Sai Ashirwad CHS therein referred to as the Utkarsh Society of the One Part and the said Developer, the Sai Ashirwad CHS granted to the Developer, the development rights in respect of an additional area admeasuring 7938.18 square mtrs. for the Building Nos. 2 and 4 to 18 on Plot No.3 on the terms and conditions as more particularly contained therein.
18. In furtherance thereto, we have been provided with the Letter dated October 07, 2024, by CIDCO [Ref. No. CIDCO/M(TS-I)/2024] regarding the Allotment of balance FSI and Amalgamation of Condominium No. 18 and Condominium No. 03. As per the said Letter, after the NOC was issued by the Corporation, the existing plot was re-surveyed and the plot area of the Condominium No. 18 was found to be 10334.13 sq. mtrs. and the plot area of Condominium No. 3 was found to be 8803.25 sq. mtrs. It is further stated CIDCO’s letter dated October 07, 2024, that *vide* the letter dated August 09, 2024 [Ref. No. CIDCO/M(TS-I)/2024/1653], CIDCO intimated the Gulmohar CHS and Utkarsh CHS to make a payment of additional lease premium amounting to Rs. 11,38,98,940/- (excluding GST) in respect of the balance FSI 0.11 for BUA 1136.75 sq. mtrs. in Condominium No. 18 and Rs. 5,29,23,054/- (excluding GST) in respect of the balance FSI 0.06 for BUA 528.19 sq. mtrs. in Condominium No. 3. Pursuant to the said payment, CIDCO has allotted the balance FSI

0.11 for BUA 1136.75 sq. mtrs to Gulmohar CHS (Building nos. 64 to 81) and Utkarsh CHS (Building No. 61 to 63), and the balance FSI 0.06 for BUA 528.19 sq. mtrs. to Sai Ashirwad CHS (Building nos. 1 to 18). CIDCO further granted the permission to amalgamate Gulmohar CHS (Building nos. 64 to 81), Utkarsh CHS (Building No. 61 to 63), and Sai Ashirwad CHS (Building nos. 1 to 18), subject to the payment of administrative charges of Rs. 2,00,000/- plus 18% GST. CIDCO's letter dated October 07, 2024, further notes that the said three societies have paid the administrative charges of Rs. 2,00,000/- plus 18% GST and in furtherance to the said payment, CIDCO has permitted the area of plots under said three societies to be amalgamated and the combined area of the Amalgamated Plot i.e. Condominium No. 3 and Condominium No. 18 are now admeasured as 18,272.710 sq. mtrs. considering one single plot, which is more particularly described under **Schedule III**.

19. Thereafter, CIDCO, Glumohar CHS, Utkarsh CHS, and Sai Ashirwad CHS executed 'Modified Supplementary Lease Deed' on December 16, 2024 registered with the Sub-Registrar, Thane under Registration No. TNN-11/22167/2024, which effects the modification *qua* area of the combined plots as mentioned under the Supplementary Lease Deeds dated 24.05.2019 entered into between CIDCO, Gulmohar CHS, and Utkarsh CSH [TNN/11/22167/2024] and dated 24.05.2019 between CIDCO, Sai Ashirwad CHS, and Naivedya CHS. The said 'Modified Supplementary Lease Deed' *inter alia* notes that the combined area of amalgamated plot comprising Condominium No. 3 and Condominium No. 18 shall stand modified as admeasuring 18,272.710 sq. mtrs., considering one single plot having boundaries more particularly described under the schedule therein and **Schedule III** hereinbelow.

C. MISCELLANEOUS

- a) *Vide* an Order dated February 14, 2020, the NMMC approved the amalgamation of the Plot No.18 comprising of Buildings No. 61 to 81, Plot No.3 comprising of Buildings No. 2, 4 to 18, the relocation of the open space and garden surrounding thereto and also approved the revised Layout for the same on the terms and conditions as mentioned therein. As per the Amalgamation Order dated February 14, 2020, pursuant to a survey carried out by NMMC, the physical area occupied by Sai Ashirwad CHS (i.e. Building No.2, 4 to 18 on Plot No.3) is 7938.58 sq metres, the physical area occupied by Gulmohar CHS (i.e. Building No.64 to 81 on Plot No.18) is 8857.83 sq metres and the physical area occupied by Utkarsh CHS (i.e. Building No.61 to 63 on Plot No.18) is 1476.30 sq metres, and the aggregate physical area

occupied by all three (3) societies as aforesaid is 18272.71 sq. metres pursuant to the survey carried out by NMMC, while the aggregate area of the said Larger Property as per title documents is 16157.53 sq metres. Vide a Resolution passed in their Extraordinary General Meeting , all three (3) societies as aforesaid have agreed to grant the development rights in respect of such additional area being 2215.18 sq. metres which is in their physical occupation as aforesaid.

- b) *Vide* the Letter of Intent dated February 14, 2020, the NMMC granted the permission to obtain Environment Clearance Certificate for re-development of Plot No.18 comprising of Buildings Nos. 61 to 81, Plot No.3 comprising of Buildings Nos. 2, 4 to 18 on the terms and conditions as mentioned therein.
- c) The total area of Plot no. 18 and Plot No. 3 after considering the additional area as mentioned in the respective Index-II of Gulmohar Development Agreement No. 2, Utkarsh Development Agreement No. 2, and Sai Ashirwad Development Agreement No. 2 is admeasuring 18,272.290 square mtrs. And the total area of the amalgamated plot (i.e. Plot No. 18 and Plot No. 3) as per the CIDCO letter dated October 07, 2024 [Ref. No. CIDCO/M(TS-I)/2024], is admeasuring 18,272.710 square mtrs.
- D.** The search has been carried out in the offices of the Sub-Registrar of assurances at CIDCO, Village Juhu (as per 7/12 extract village Juigaon) and Village Vashi from the year 1985 to 2021 (Last 36Years) through Mr. Sameer Sawant, Search Clerk, who has issued his Search Report dated February 27, 2020 and updated Search Report dated February 11, 2021. Further search has been carried out from 12 February 2021 to 8 October 2021. The Search Reports are subject to torn / partly torn pages and mutilated index-II records, and the Computer Index-II records are not properly maintained or are unavailable and some of the records are found in loose sheets (untied). As per the aforesaid Search Reports of Mr. Sameer Sawant, Search Clerk, CIDCO is the owner of the said Larger Property, which also includes the said Property, and *vide* the Supplementary Lease Deeds as stated hereinabove, the Gulmohar CHS and Utkarsh CHS are the Lessees of the said Plot No.18, Sai Ashirwad CHS is the Lessee of an undivided portion of Plot No.3. Further, the three separate Deeds as aforementioned (all dated January 24, 2020) confirm the aforesaid Development Agreements executed by Gulmohar CHS, Utkarsh CHS and Sai Ashirwad CHS in favour of the Developer. Further search was carried out by Mr. Satish Rane in the offices of the Sub-Registrar of assurances at CIDCO

Village Juhu, from October 2021 till January 2025 and accordingly the Search Report dated January 20, 2025 has been issued by Mr. Satish Rane.

No document adversely affecting the said Larger Property or any lispendens, encumbrance, mortgage, charge or any lien have been found to be registered in the records of the aforesaid Sub-Registrar Offices.

- E. We are relying upon the search caused as litigation search to be conducted in District Courts in Mumbai, Bombay High Court and the Supreme Court through Cubictree Technology Solutions Private Limited, who has issued their Legal Audit Reports in and around March 2020, the last report dated March 11, 2020 and updated Legal Audit Report dated February 11, 2021. The aforesaid Legal Audit Reports show various litigations, pending or disposed, in the name of Gulmohar CHS, Sai Ashirwad CHS and Utkarsh CHS, however, we have been informed that the litigations, pending or disposed, in the Legal Audit Reports are not pertaining to the said Gulmohar CHS and/or the said Utkarsh CHS, but some other societies of the same name. From the aforesaid, Legal Audit Reports, there are no litigations, proceedings order or injunctions affecting or restricting the re-development of the said Larger Property. We are also relying upon the Litigation Report dated January 08, 2025, provided by Zelican Infotech Pvt. Ltd. and the same is annexed herewith. The said Report does not indicate any litigation pending in the name of Gulmohar CHS, Sai Ashirwad CHS and Utkarsh CHS.

GENERAL

- a) This Report on Title is based on the documents relating to the said Larger Property that have been provided to us. For the purpose of this report we have assumed the legal capacity of all natural person, genuineness and accuracy of the documents submitted to us and have also assumed the authenticity of all seals and/or signatures and of any duty, stamp or marking on the documents which have been provided to us and which we have relied upon;
- b) We assume that, there have been no amendments or changes to the documents examined by us. We believe in the accuracy and completeness of all the factual representations made in the documents.
- c) This Report on Title is based on and subject to the foregoing assumptions and solely on our review of the documents which have been provided to us and which we have relied upon as well as subject to such legal and other considerations as we have considered relevant and

stated herein. This report does not cover any litigation, suits etc filed in any court, in respect of the scheduled properties.

- d) This Report on Title is expressly limited to the matters set forth above and we render no opinion, whether by implication or otherwise, as to any other matters relating to the Societies or any other persons having an interest in the said Larger Property or connected thereto or in the development thereof;
- e) This Report on Title should it be relied upon as a substitute for the warranties which should be sought in relation to the said Larger Property;
- f) This Report on Title is privileged and confidential and not meant for external circulation and dissemination without our prior consent in writing. We shall not be responsible or be held liable in any manner whatsoever in the event of any loss or damage suffered.

CONCLUSION

In accordance with what is stated hereinabove, CIDCO is the owner of the said Larger Property, which includes the said Property, the Gulmohar CHS and Utkarsh CHS are the Lessees jointly of the respective proportionate area along with undivided interest in Plot No.18 comprising of Building Nos. 64 to 81 and 61 to 63 thereon, respectively, and Sai Ashirwad CHS is the lessee of the respective proportionate area along with undivided interest in Plot No.3 (part) comprising of Building Nos.2 and 4 to 18 thereon. *Vide* three separate Development Agreements, all dated April 3, 2019, Gulmohar CHS and Utkarsh CHS have granted the development rights in respect of Plot No.18 and Building Nos. 64 to 81 and 61 to 63 and Sai Ashirwad CHS have granted the development rights in respect of Plot No.3 (part) and the Building Nos.2 and 4 to 18 thereon in favour of our Clients **Suncity Infrastructures (Mumbai) LLP**, on the terms and conditions mentioned therein. And the Power of Attorneys in this respect are executed and duly registered. Naivedya CHS has undivided rights with Sai Ashirwad CHS in Plot No. 3. In accordance with what is stated hereinabove, our Clients, Suncity Infrastructures (Mumbai) LLP are entitled to redevelop the said Larger Property and the buildings standing thereon in accordance with the applicable laws, the permissions obtained / to be obtained in relation thereto issued by CIDCO / NMMC and/or concerned authorities, from time to time, as the case may be.

THE SCHEDULE 1 ABOVE REFERRED TO

All that piece and parcel of lands admeasuring 1513.89 sq. mtrs. situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) forming part of Plot No.18 comprising of Building Nos.61 to 81, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai), more particularly described in the **Schedule II** hereunder; and of Plot No.3 (part) comprising of Building No.s 2, and 4 to 18, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) and more particularly described in the **Schedule III** hereunder written.

THE SCHEDULE II ABOVE REFERREED TO

ALL THAT piece and parcel of land bearing **Plot No.18**, Survey Nos.138(part), 111(part), 126(part), 137(part), 89(part), 50(part), 135(part)admeasuring 7920.11sq. metres as per title documents and 8857.83 sq. metres (being the physical area in occupation as per Amalgamation Order dated February 14, 2020), together with Building bearing Nos.64 to 81 (Gulmohar CHS) and land admeasuring 1320 sq. metres as per title documents and 1476.30 sq. metres (being the physical area in occupation as per Amalgamation Order dated February 14, 2020), Building bearing Nos.61 to 63 (Utkarsh CHS), situated in Sector 9, Village Juhu, (as per 7/12 Juigaon) Tehsil and District Thane (Navi Mumbai) and bounded as follows:

On or towards the north	: by Open Space;
On or towards the south	: by 18 mtr road;
On or towards the east	: by Plot No.17 and Open Space;
On or towards the west	: by Plot No.1 and Open Space.

THE SCHEDULE III ABOVE REFERREED TO

ALL THAT piece and parcel of land bearing **Plot No.3**, Survey Nos.114 (part), 113(part), 115(part), 42(part), 111(part), 131(part), 137(part), 110(part) admeasuring 6917.39 sq. metres as per title documents and 7938.58 sq. metres (being the physical area in occupation as per Amalgamation Order dated February 14, 2020), together with Building bearing Nos. 2, 4 to 18 (Sai Ashirwad CHS), out of a larger portion of land admeasuring 7782.02 sq. metres, and situated in Sector 9, Village Juhu, (as per 7/12 Juigaon) , Tehsil and District Thane (Navi Mumbai) and bounded as follows:

On or towards the north	: by Open Space;
On or towards the south	: by Pathway and Open Space;
On or towards the east	: by Open Space;
On or towards the west	: by 8 mtr road.

THE SCHEDULE IV ABOVE REFERREED TO

All that piece or parcel of land admeasuring 18.272.710 Sq. Mtrs. Or thereabouts being Plot No. 03 & 18 at Sector-9, Vashi, Navi Mumbai bounded as follows:

On or towards the East by	: Open Space & Plot No. 17;
On or towards the West by	: 8 meter road & 15 meter road;
On or towards the North by	: Open Space;
On or towards the South by	: 8 meter road & 18 meter road.

Hence, this Report.