

Reference Number: **LS/NM/CHH/137**

Date : **4th December, 2024**

Format A
(Circular No 28/2021 Dated 08/03/2021)

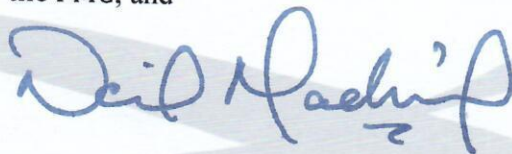
To:

The Maharashtra Real Estate Regulatory Authority (MAHARERA)
6th & 7th Floor, Housefin Bhavan, Plot No. C - 21, E - Block,
Bandra Kurla Complex, Bandra (East), Mumbai 400051.

LEGAL TITLE REPORT

Sub: Title clearance report with respect of land admeasuring 3,935.51 square meters or thereabouts bearing Plot no. 38 in Sector 17 situated at Panvel (West), Taluka Panvel, District Raigad and lying, being and situate at Khanda Colony, Navi Mumbai 410206 (hereinafter referred to as "**the said Land**").

1. On instructions of our clients **CH Hospitality LLP**, a limited liability partnership incorporated under the provisions of the Limited Liability Partnership Act, 2008, holding LLP identification no. AAU-0778 and having its registered office at 198, Ground Floor, Sawla Sadan, Belgrami Road, Kurla (West), Mumbai 400070 (hereinafter referred to as "**the Promoter**"), we have investigated the entitlement of the Promoter to undertake the development of the said Land. In the course of such investigation, we have perused photocopies of the following documents:
 - a. Letter dated 19th January, 2024 issued by City and Industrial Development Corporation of Maharashtra Limited (hereinafter referred to as "**CIDCO**") for Allotment of Residential plus Commercial Plot;
 - b. Agreement to Lease dated 10th May, 2024 registered with the Sub-Registrar of Assurances at Panvel no. 4 under serial no. PVL4-8561-2024;
 - c. Indenture of Mortgage Cum Charge dated 26th November, 2024 registered with the Sub-Registrar of Assurances at Panvel no. 3 under serial no. PVL3-23671-2024;
 - d. Letter of Intent dated 4th June, 2024 bearing no. PMC/TP/New Panvel/17/38/21-24/17013/1541/2024 issued by the Panvel Municipal Corporation (hereinafter referred to as the "**PMC**");
 - e. Letter dated 2nd September, 2024 issued by CIDCO for NOC to avail additional FSI;
 - f. Development Permission titled as "**SANCTION OF BUILDING PERMISSION AND COMMENCEMENT CERTIFICATE**" dated 28th October, 2024 issued by the PMC; and





- g. Search report of the searches taken with the offices of the Sub-Registrar of Assurances at Panvel Taluka for the period from 1995 to 2024 (30 years).
2. We have also issued public notices in 2 (Two) newspapers viz. Free Press Journal (English – Mumbai edition) and Navshakti (Marathi – Mumbai edition) both dated 16th October, 2024, for inviting claims in respect of the said Land.
3. On perusal of the above mentioned documents and all relevant documents relating to the said Land, and subject to what is stated therein and subject to what is set out in the Annexure hereto, we are of the opinion that the entitlement of the Promoter viz. **CH Hospitality LLP** to undertake development of the said Land, subject to the mortgage created in favour of Bajaj Housing Finance Limited vide the aforesaid Indenture of Mortgage Cum Charge dated 26th November, 2024, is clear and without any encumbrances; and further that the Promoter is entitled to undertake development of the said Land by constructing a new multi-storied building on the said Land, subject to what is set out in the report reflecting the flow of entitlement of the Promoter.

Owner: City and Industrial Development Corporation of Maharashtra Limited.

Licensee: CH Hospitality LLP.

4. The report reflecting the flow of the entitlement of the Promoter to undertake development of the said Land is enclosed herewith and marked as **Annexure 'A'**.

Yours faithfully

For *Law Scribes*

(Neil Mandevia)

Advocate & Solicitor

Encl: Annexure



LAW SCRIBES
Advocates & Solicitors

7th Floor, DLH Plaza, Beeta Society,
V. K. Road, Andheri (W), Mumbai-400 058

**Annexure 'A'****Flow of the entitlement of the Promoter to develop the said Land.**

1. On instructions of our clients viz. the Promoter being **CH Hospitality LLP**, a limited liability partnership incorporated under the provisions of the Limited Liability Partnership Act, 2008, holding LLP identification no. AAU-0778 and having its registered office at 198, Ground Floor, Sawla Sadan, Belgrami Road, Kurla (West), Mumbai 400070, we have investigated the entitlement of the Promoter to develop the said Land as more particularly described in the **Schedule** hereunder written and as requested by the Promoter, we are issuing this report.
2. We have caused necessary searches to be taken with the office of the Sub-Registrar of Assurances at Panvel Taluka for the period from 1995 to 2024 (30 years) and had also issued public notices in 2 (Two) newspapers viz. Free Press Journal (English – Mumbai edition) and Navshakti (Marathi – Mumbai edition) both dated 16th October, 2024 for inviting claims in respect of the said Land.
3. During the course of investigation, the Promoter 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. The City and Industrial Development Corporation of Maharashtra Limited (hereinafter referred to as “**CIDCO**”) is the New Town Development Authority declared for the area designated as a site for the new town of Navi Mumbai by the Government of Maharashtra in exercise of its powers under Sub-Section (1) and (3-A) of Section 113 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as the “**MRTTP Act**”).
 - b. The State Government is, pursuant to Section 113(A) of the MRTTP Act, acquiring lands described therein and vesting such lands in CIDCO for development and disposal.
 - c. Vide Scheme no. MM-SCH-36-2023-2024 CIDCO has launched a scheme for lease of 36 Plots for Residential (R), Bungalow, Residential-Cum-Commercial (R+C), Commercial (C) use Plots at Ghansoli, Vashi, Sanpada, Nerul, Kharghar, New Panvel & Kalamboli Nodes of Navi Mumbai through e-Tender cum e-Auction.
 - d. The Promoter had participated in the said scheme and applied for the said Land.
 - e. The Promoter being the highest bidder among the participants for allotment of the said Land, by and under a Letter dated 19th January, 2024 the said Land was allotted in favour of the Promoter, as per the provisions of Navi Mumbai Disposal of Land (Amendment) Regulation, 2008.
 - f. Further the Promoter has informed us that the area of the said Land, as per the final demarcation of the said Land and the Corrigendum for Increased



Area dated 7th May, 2024 the final area of the said Land is admeasuring 3,935.51 square meters or thereabouts.

- g. By and under an Agreement to Lease dated 10th May, 2024 registered with the Sub-Registrar of Assurances at Panvel no. 4 under serial no. PVL4-8561-2024 (hereinafter referred to as "**the said Agreement to Lease**"), made and executed by the CIDCO in favour of the Promoter, CIDCO has granted a license in favour of the Promoter in respect of the said Land and has thereby further authorized the Promoter to enter upon the said Land for the purposes of erecting building/s for "**Residential + Commercial**" purpose only and CIDCO has also agreed to grant a lease in respect of the said Land in favour of the Promoter or in favour of a co-operative society/company/association to be constituted of the premises holder/purchasers in the building to be constructed by the Promoter on the said Land (hereinafter referred to as "**the Proposed Legal Entity**"), at and of the consideration and on the terms and conditions therein recorded. We have perused a photocopy of the said Agreement to Lease.
 - h. In the circumstances, the Promoter is seized and possessed of the said Land (presently as a licensee of CIDCO as per the said Agreement to Lease), and the said Land is to be leased to the Promoter or the Proposed Legal Entity, after construction of the building for residential plus commercial purpose, as per the said Agreement to Lease.
4. The Promoter has further informed us that, the Promoter has availed of a loan/financial assistance (hereinafter referred to as "**the said Facility**") from one Bajaj Housing Finance Limited (hereinafter referred to as "**the Lender**"); and has for the purpose of securing the repayment of the said Facility, by and under an Indenture of Mortgage Cum Charge dated 26th November, 2024 registered with the Sub-Registrar of Assurances at Panvel no. 3 under serial no. PVL3-23671-2024, made and executed by the Promoter in favour of the Lender (hereinafter referred to as "**the Indenture of Mortgage**"), created a mortgage in favour of the Lender inter alia in respect of the said Land, together with the unsold units in the project/new building to be constructed on the said Land, and together with all the receivables from the project of construction on the said Land.
5. As regards development and construction on the said Land as proposed by the Promoter, from the documents and information furnished to us it appears that:
- a. The Promoter, had made an application to the Panvel Municipal Corporation (hereinafter referred to as the "**PMC**") for sanction of plans for carrying out construction of a new multi-storeyed building on the said Land and based on such application, the PMC has issued Letter of Intent dated 4th June, 2024 bearing no. PMC/TP/New Panvel/17/38/21-24/17013/1541/2024;
 - b. The Promoter, had made an application to CIDCO for availing additional Floor Space Index (hereinafter referred to as "**FSI**"), and CIDCO has vide its



letter dated 2nd September, 2024 granted its NOC to avail additional FSI as per the said Agreement to Lease; and

- c. Pursuant thereto, PMC has issued a Development Permission titled as "SANCTION OF BUILDING PERMISSION AND COMMENCEMENT CERTIFICATE" dated 28th October, 2024 and has thereby permitted the Promoter to commence construction on the said Land to the extent set out therein.
6. In the course of searches taken by us with the Sub-Registrar of Assurances at Panvel Taluka for the period from 1995 to 2024 (30 years), we have not come across any entries pertaining to any registered documents contradicting the aforesaid position.
7. In pursuance of the public notices issued by us, we have not received any claims/objections.
8. The Promoter has informed us that save and except the mortgage created vide the Indenture of Mortgage, on other mortgages are created and subsisting with regard to the said Land and/or the construction to be brought up thereon.
9. The Promoter has informed us, that the Promoter 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").
10. In the circumstances aforesaid, subject to what is stated herein above and subject to compliance of the terms and conditions as laid down by the CIDCO and PMC in the above referred approvals granted by CIDCO and PMC respectively and subject to the contents of the documents referred to hereinabove (including inter alia the Indenture of Mortgage), and subject to the obligation of the Promoter under the said Agreement to Lease, we are of the considered view and opinion that the Promoter (viz. CH Hospitality LLP) is entitled to the said Land as a licensee of CIDCO; and the said Land is to be subsequently leased to the Promoter or the Proposed Legal Entity after construction of the building for residential plus commercial purpose, as per the said Agreement to Lease and that the Promoter's entitlement to develop the said Land (subject to mortgage as aforesaid created in favour of Lender) is clear and marketable and is entitled to undertake development of the said Land by constructing a new multi-storied building on the said Land in accordance with the approvals already granted and as may hereafter be granted by CIDCO and PMC and other concerned authorities for carrying out construction on the said Land; and subject to the Promoter obtaining registration of the project of construction on the said Land under the provisions of RERA, the Promoter will be entitled to create third party rights in respect of the units/premises comprised in the new building to be constructed on the said Land.



11. Litigations if any: NIL: As per the litigation search report dated 25th November, 2024 issued by Cubicree Technology Solution Private Limited, there is no litigation or pending legal proceedings pertaining to the said Land and/or the new building being constructed on the said Land wherein CH Hospitality LLP is a party.

SCHEDULE

(Description of the said Land)

All that piece and parcel of land admeasuring 3,935.51 square meters or thereabouts bearing Plot no. 38 in Sector 17 situated at Panvel (West), Taluka Panvel, District Raigad and lying, being and situate at Khanda Colony, Navi Mumbai 410206; and bounded as follows:

On or towards the North by: Plot no. 30;

On or towards the South by: 20 meters wide road;

On or towards the West by: 20 meters wide road; and

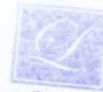
On or towards the East by: Plot no. 37.

Dated this 4th day of December, 2024

For Law Scribes:

(Neil Mandevia)

Advocate & Solicitor



LAW SCRIBES
Advocates & Solicitors

7th Floor, DLH Plaza, Becta Society,
V. Road, Andheri (W), Mumbai-400 058.