

Date: 08/07/2024

To,
MahaRERA
6th & 7th floor, Housefin Bhavan,
Plot no. C-21, E-Block,
Bandra Kurla Complex,
Bandra (E), Mumbai 400051.

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect the all that pieces and parcels of the land bearing Tika No.18, 1) CTS No. 60A admeasuring 1356.99 square meters, 2) CTS No. 64 admeasuring 924.72 square meters, 3) CTS No. 70 admeasuring 50.20 square meters, 4) CTS No. 71B admeasuring 43.60 square meters, & 5) 74A/2 admeasuring 642.61 square meters, admeasuring in aggregate 3018.12 square meters lying being and situated at Village Naupada, Taluka and District Thane (hereinafter referred to as the "Said Land"). Along with old and dilapidated Building Nos. A, B, C, pump room and society office structure on the said Land (hereinafter referred to as the "Said Old Buildings"). The said land along with the said old buildings are collectively referred to as the "**Said Property**".

1/- I have investigated the title of Said Property more particularly described in the Annexure on the request of owner/Promoter **Balsunder Co-operative Housing Society Limited** by perusing the following documents i.e. :

- a. Property Card
- b. Search Report
- c. Resolution
- d. Legal Notice
- e. Owner's Title Deeds

2/- On the perusal of the above mentioned documents and all other relevant documents relating to title of the Said Property I am of the opinion that, the title of Owner/Promoter is clear marketable and without any encumbrances.

Name of the Owner/ : Balsunder Co-operative Housing Society Limited

Promoter of the land:

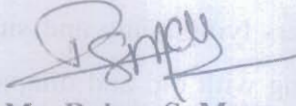
Address : : Tika No.18, CTS No.60A, 64, 70,71B, 74A /2 lying being and situated at Village Naupada, Taluka and District Thane.

Details of Land: all that pieces and parcels of the land bearing Tika No.18. 1) CTS No. 60A admeasuring 1356.99 square meters, 2) CTS No. 64 admeasuring 924.72 square meters, 3) CTS No. 70 admeasuring 50.20 square meters, 4) CTS No. 71B admeasuring 43.60 square meters, & 5) 74A/2 admeasuring 642.61 square meters, admeasuring in aggregate 3018.12 square meters lying being and situated at Village Naupada, Taluka and District Thane. Along with old and dilapidated Building Nos. A, B, C, pump room and society office structure on the said Land.

The Report reflecting the flow of the title of Promoter on the said property enclosed herewith an Annexure

For Prasanna Mate and Associates





Mr. Rohan S. Mane
(Associate Advocate)

Encl: Annexure:- Title flow of the Said Property

ANNEXURE

Name of the Owner : Balsunder Co-operative Housing Society Limited duly registered under the provisions of the Maharashtra Co-operative Societies Act, 1960 having Registration No. T.N.A/HSG/166 of 1965.

Address : Balsunder Co-operative Housing Society Limited, Tika No.18, CTS No.60A, 64, 70,71B, 74A /2 lying being and situated at Village Naupada, Taluka and District Thane.

1. DESCRIPTION OF THE PROPERTY:

The Society is the owner of and otherwise well and sufficiently entitled to land bearing Tika No.18, 1) CTS No. 60A admeasuring 1356.99 square meters, 2) CTS No. 64 admeasuring 924.72 square meters, 3) CTS No. 70 admeasuring 50.20 square meters, 4) CTS No. 71B admeasuring 43.60 square meters, & 5) 74A/2 admeasuring 642.61 square meters, admeasuring in aggregate 3018.12 square meters lying being and situated at Village Naupada, Taluka and District Thane. Along with old and dilapidated Building Nos. A, B, C, pump room and society office structure on the said Land. The said land along with the said old buildings are collectively referred to as the "Said Property".

2. LIST OF DOCUMENTS PERUSED:

2.1 Property Card.

- 2.2 Title Deeds.
- 2.3 Resolution
- 2.4 Legal notice
- 2.5 Search Report.
- 2.6 Public Notice dated 06/09/2023, published in Marathi newspaper namely Thane Vaibhav and in English newspaper namely the Free Press Journal.

3. **Observations in respect of Property Card:**

It appears from the perusal of the Property Card that the Said Plot is presently owned by **Balsunder Co-operative Housing Society Limited** (the Owner herein).

4. **IN RESPECT OF TITLE DEEDS:**

4.1 **Agreement for Redevelopment:** The Society has executed and registered the Agreement for Redevelopment dated July 27, 2018 in favour of the **M/S. S. B. M. Developers Pvt. Ltd.,** (Erstwhile Developer) and the said Agreement for Redevelopment is duly registered with the Sub-Registrar of Assurances, Thane at Serial No. TNN-12/8474/2018 (hereinafter referred to as the "Said Development Agreement").

4.2 **Power of Attorney:** The Society has also executed and registered the Power of Attorney dated July 27, 2018 in favour of the Erstwhile Developer and the said Power of Attorney is also duly registered with the Sub-Registrar of Assurances, Thane at Serial No. TNN-12/8475/2018.

4.3 **Appointment of Development Manager:**

The Promoter has appointed M/S. Cosmos Greenview LLP as Development Manager for proposed redevelopment project by Appointment Letter dated 18/12/2023.

5. **Search Report in respect of the Said Property:**

Search Report dated 26/09/2023 issued by Searcher Vishal Gaikwad in respect of Said Plot in the office of Sub-Registrar of Assurances at Thane for the period of year 1993 to 2023 was placed before me.

- i. Record for the year 1992 to 2017, 2019-2023 is nil as there is no any transaction respect of Said Property as per abovementioned report.
- ii. Relevant transactions were recorded for the year 2018
- iii. Apart from the aforesaid, no transaction is recorded.

6. **Legal Notice:**

The Erstwhile Developer (M/S. S. B. M. Developers Pvt. Ltd.) couldn't commence the construction and development activities on the Said Property as per the terms and conditions of the Redevelopment Agreement and also failed to pay other dues in pursuance of said Agreement for Redevelopment and therefore the Society issued legal notice dated 12.01.2022 through Advocate Prasanna Mate and Associates for cancellation and termination of the Agreement for Redevelopment and Power of Attorney executed in favour of the Erstwhile Developer (M/S. S. B. M. Developers Pvt. Ltd.).

7. **Litigation:**

The Society has filed an application against Erstwhile Developer (M/S. S. B. M. Developers Pvt. Ltd.) u/s. 9 of Arbitration and Conciliation Act, 1996 for grant of interim relief bearing Civil M.A. no. 461/2022 before Hon'ble District Court, Thane. The Hon'ble Court has passed ad-interim relief in favour of the Society.

8. **Paper Notice:**

As a part of due diligence, we had published Public Notice dated 06/09/2023, published in Marathi newspaper namely Thane Vaibhav and in English newspaper

namely the Free Press Journal. Till date, we have not received any objection in respect of the Said Property.

9. **Self-Redevelopment:** The Society and its members passed a resolution dated 09/04/2022 in the special general body meeting and thereby decided to carryout self-redevelopment of Said Property by appointing the Development Manager.

10. **Commencement Certificate (C.C):**

The Thane Municipal Corporation has granted commencement certificate dated 27/06/2024 bearing permission under Proposal Code- TMCB-23-86809 bearing permit no. TMCB/B/2024/APL/ 010094 in respect of Said Property.

11. **Conclusion:**

- 11.1 We have investigated the title of the said property on request of owner to ascertain the status of the said property.
- 11.2 The information given in this report arises from the examination of the searches and inquiries to the extent of documents provided for perusal which are attached herewith.
- 11.3 We have perused the certified copies and plain copies/photocopies of document of title relating to the said property which are known to us to be relevant for the purpose of this certificate. The Original copies of the documents were not available for verification.
- 11.4 We have not verified the title deeds (Agreements) of individual member in respect of their individual premises in the building standing on the Said Plot.
- 11.5 We have been provided Search Report of Mr. Vishal Gaikwad, who has carried out search only with respect to the Said Plot for the period of year 1993 To 2023. Therefore opinions and observations shall be qualified and restricted to Said Plot to the extent of availability of record only.
- 11.6 The Society shall be required to defend their rights in the aforesaid litigation.

11.7 In our opinion the owner has clear and marketable title to the Said property subject to the outcome of the litigation as mentioned in the clause no. 7 hereinabove.

Date: 08/07/2024

Place: Thane

For Prasanna Mate and Associates




Mr. Rohan S. Mane
(Associate Advocate)