

Varun N. Mamniya

Advocate & Solicitor

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FORMAT - A
(Circular No.: 28/2021)

To,
Hon'ble MahaRERA
Housefin Bhavan, E - Block
Bandra Kurla Complex
Bandra (E), Mumbai 400051

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to all the piece and parcel of land alongwith messuage, tenement and dwelling houses, standing thereon in the building/structure known as "Ratan Villa" (now demolished), situated on plot of land admeasuring 749.70 sq. mts. bearing CTS Nos. 799, 799/1 to 17, 800 and 800/1 to 6 of Mulund Division, situated, lying and being at junction of Netaji Subhash Road and Sevaram Lalvani Road, Mulund (W) Mumbai 400080 in the sub-district of Mumbai Suburban, within the jurisdiction of the Registrar of Assurances, Kurla, Mumbai.

A. I have investigated the title of M/s. Essence Developers LLP ("Owner/Promoter") and the following documents:

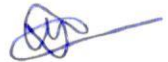
1. Description of the property:

All the piece and parcel of land alongwith messuage, tenement and dwelling houses, standing thereon in the building/structure known as "Ratan Villa" (now demolished), situated on plot of land admeasuring 749.70 sq. mts. bearing CTS Nos. 799, 799/1 to 17, 800 and 800/1 to 6 of Mulund Division, situated, lying and being at junction of Netaji Subhash Road and Sevaram Lalvani Road, Mulund (W) Mumbai 400080 in the sub-district of Mumbai Suburban, within the jurisdiction of the Registrar of Assurances, Kurla, Mumbai ("said Plot").

2. The documents of allotment of plot:

- (i) Conveyance dated 2nd November 1965 executed between Mrs. Gangadulari Ramratan Trivedi and Mrs. Ratanben Manherlal Shah, duly registered with the Sub-Registrar of Assurances at Bombay under serial No. BOM R/3369/ 1965;
- (ii) Probate dated 22nd September 2006 granted by the Hon'ble Bombay High Court in Testamentary Petition No 428/2006;

- (iii) Indenture of Conveyance dated 30th March 2023, duly registered at the Jt. Sub-Registrar of Assurances at Kurla under Sr. No. KRL 1 - 6483 of 2023 executed between Mrs. Kanchan Prashant Shah (referred to as the Vendor therein) and M/s. Essence Developers LLP.
 - (iv) Intimation of Disapproval (IOD) under Section 346 of the Mumbai Municipal Corporation Act bearing No. P-9315/2021/(779 and other)/T Ward/MULUND-W/IOD/1/New dated 9th November 2021 and Commencement Certificate (CC) dated 1st November 2023;
 - (v) Property Cards issued by the City Survey office on 16th February 1988 and 9th February 2024;
 - (vi) Search Report for 30 years from Mr. Sanjay Sinha, Advocate High Court dated 23rd May 2024 from 1992 till 2024.
- B. Mrs. Gangadulari Ramratan Trivedi, widow of Ramratan Trivedi, was the owner of the said Plot and the said Old Building i.e., all the piece and parcel of land alongwith messuage, tenement and dwelling houses, standing thereon in the building/structure known as "Ratan Villa" (now demolished), situated on plot of land admeasuring 749.70 sq. mts. bearing CTS Nos. 799, 799/1 to 17, 800 and 800/1 to 6 of Mulund Division, situated, lying and being at junction of Netaji Subhash Road and Sevaram Lalvani Road, Mulund (W) Mumbai 400080 in the sub-district of Mumbai Suburban, within the jurisdiction of the Registrar of Assurances, Kurla, Mumbai.
- C. By a registered Deed of Conveyance dated 2nd November 1965 executed between Mrs. Gangadulari Ramratan Trivedi therein referred to as the Vendor; (1) Mr Dhunraj Ramratan Raghubar Dayal, (2) Mr. Shivprasand Ramratan Raghubar Dayal, (3) Mr. Ramprasad Ramratan Raghubar Dayal, being as sons of the said Vendor, therein referred to as the First Confirming Parties; (1) Mr. Premji Shivgan Patel, (2) Mr. Harji Shivgan Patel, (3) Mr. Dhanji Shivgan Patel and (4) Mr. Shantilal Shivgan Patel, therein referred to as the Second Confirming Parties; and Mrs. Ratanben Manherlal Shah therein referred to as the Purchaser, Mrs. Ratanben Manherlal Shah became absolutely seized and possessed of and otherwise well and sufficiently entitled to the said Plot together with the said Old Building standing thereon.
- D. On or about February 1988, by Order of the Municipal Corporation of Greater Mumbai ("MCGM"), the area admeasuring 172.9 sq. meters and 7 sq. meters from the plot of land bearing CTS Nos. 799 and 799/3 respectively was surrendered to the MCGM towards land set back area for the purpose of road widening. The same was recorded in the Property card on 16th February 1988.
- E. Thereafter, upon demise of Mrs. Ratanben Manherlal Shah on 6th October 2001, the said Plot along with the said Old Building standing thereon were transferred to her daughter-in-law, Mrs. Kanchan Prashant Shah vide a



Probate granted on 22nd September 2006 by the Hon'ble Bombay High Court in Testamentary Petition No 428/2006 on the basis of the last will and testament of late Mrs. Ratanben Manherlal Shah, thereby bequeathing the said Plot together with the said Old Building standing thereon.

- F. By virtue of Indenture of Conveyance dated 30th March 2023, duly registered at the Jt. Sub-Registrar of Assurances at Kurla under Sr. No. KRL 1 - 6483 of 2023 executed between Mrs. Kanchan Prashant Shah (referred to as the Vendor therein) and M/s. Essence Developers LLP i.e., the Promoter herein, the said Mrs. Kanchan Prashant Shah granted, sold, conveyed and assured the said Plot together with the said Old Building standing thereon, on "as is where is" in favour of the Promoter.
- G. Thereafter, name of M/s. Essence Developers LLP was entered into the Property Register Cards bearing CTS Nos. 799, 799/1 to 17, 800 and 800/1 to 6 of Mulund Division in respect of the said Plot on 9th February 2024 as the owner thereof. Further, upon an application made to the MCGM, the developer and all re-development permissions were changed to the name of M/s. Essence Developers LLP by communication dated 28th March 2024.
- H. On perusal of the abovementioned documents and all other relevant documents relating to title of the said Plot, I am of the opinion that by virtue of the Indenture of Conveyance dated 30th March 2023 read with the aforesaid developmental permissions (IOD & CC), the Owner/ Promoter is the absolute owner of the said Plot and as such is entitled to develop the said Plot as per the provisions of DCPR to its full plot potential without any restrictions.
- I. I have also perused the Search report for 30 years i.e. from 1994 to 2024 issued by Mr. Sanjay Sinha, advocate High Court, dated 23rd May 2024 and found no encumbrances on the said Plot.

Owner of the land:

- (1) M/s. Essence Developers LLP - C.T.S. Nos. 799, 799/1 to 17, 800 and 800/1 to 6 of Mulund Division.
- (2) Qualifying comments/ remarks if any - None.

The report reflecting the flow of the title of M/s. Essence Developers as the owner of the said Plot is enclosed herewith as annexure.

Date: 30th May 2024

Encl: Annexure




Varun Mamniya
Advocate & Solicitor
(Stamp)

Varun N. Mamniya

Advocate & Solicitor

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(Circular No.: 28/2021)

FLOW OF THE TITLE OF THE SAID PLOT

Sr. No.

- 1) Conveyance dated 2nd November 1965 executed between Mrs. Gangadulari Ramratan Trivedi and Mrs. Ratanben Manherlal Shah, duly registered with the Sub-Registrar of Assurances at Bombay under serial No. BOM R/3369/ 1965;
- 2) Probate dated 22nd September 2006 granted by the Hon'ble Bombay High Court in Testamentary Petition No 428/2006;
- 3) Indenture of Conveyance dated 30th March 2023, duly registered at the Jt. Sub-Registrar of Assurances at Kurla under Sr. No. KRL 1 - 6483 of 2023 executed between Mrs. Kanchan Prashant Shah (referred to as the Vendor therein) and M/s. Essence Developers LLP.
- 4) Intimation of Disapproval (IOD) under Section 346 of the Mumbai Municipal Corporation Act bearing No. P-9315/2021/(779 and other)/T Ward/MULUND-W/IOD/1/New dated 9th November 2021 and Commencement Certificate (CC) dated 1st November 2023;
- 5) Property Cards issued by the City Survey office on 9th February 2024;
Date of Application: 9th February 2024
Date of issue: 12th February 2024
Mutation Entry No. 2279 of 2024
- 6) Search report for 30 years i.e. from 1994 to 2024 issued by Mr. Sanjay Sinha, advocate High Court, dated 23rd May 2024.
- 7) Any other relevant title - NIL.
- 8) Litigations if any - NIL.

Date: 30th May 2024




Varun Mamniya
Advocate & Solicitor
(Stamp)