

ABHINAY SINGH

Advocate

ADDRESS: 704, AIR INDIA EMPLOYEE
MAHARAJA CHS LTD., SECTOR-09, VASHI,
NAVI MUMBAI
MOB.: 9920822121.



FORMAT-A

(Circular 28/2021 dated 08/03/2021)

Date: 16th November 2024

To

MahaRERA

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to Plot No. 3 admeasuring 10266.00 sq.mts in Sector-07 situated at Sanpada, Navi Mumbai/District – Thane -400705 (hereinafter referred as the said plot" ").

I have investigated the title of the said plot on the request of M/s Paradise CHS Ltd and following documents i.e. :-

1) DESCRIPTION OF THE PROPERTY.

All that piece and parcel of plot of land bearing Plot No. 3 admeasuring 10266.00 sq.mts consist of H-1 to H-7 buildings, situated laying and being in Setor-07, Sanpada, Navi Mumbai, Tal & Dist.-Thane – 400705.

2) THE DOCUMENTS OF ALLOTMENT OF PLOT & OTHER RELEVANT DOCUMENTS.

a) Copy of Society's Registration Certificate.

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- b) Copy Deed of Lease dt. 17.02.1997, made between the City And industrial Development Corporation of Maharashtra Ltd.(the Lessor) and M/s. Paradise CHS Ltd.
- c) Copy Plot Demarcation attached to Deed of Lease dt. 17.02.1997.
- d) Copy Revalidation of Deed of Lease of Land dt. 11.10.2023 as registered under Sr. No. TNN-11/16669/2023 before Joint Sub-Registrar, Thane – 11, dt. 12.10.2023
- e) Copy of NMMC Letter dt. 08.06.2018.
- f) Copy of Resolutions passed in the Society's Special General Body Meetings dt. 22.07.2018 and dt. 15.08.2018.
- g) Copy extract of Structural Audit Report dt. 25.02.2019 prepared by IIT Bombay for Society's buildings.
- h) Copy of NO Objection Certificate dt. 23.05.2023 issued by Joint Registrar Co-operative Societies (CIDCO), towards compliance of Government Directives dt. 04.07.2019 under the provisions of Section 79A of the MCS Act, 1960.
- i) Copy of work contract signed by the Society with M/s Neelkanth Deep Railcon LLP., through Deepak Patel registered under Sr. No. TNN-11/20401/2023, dt. 14.12.2023.
- j) Copy of CIDCO NOC dt. 28.03.2024 towards demolition and redevelopment of Society's H-1 to H-7 buildings.
- k) Copy of Commencement Certificate dt. 14.11.2024 issued by the Navi Mumbai Municipal Corporation towards redevelopment of Society's H-1 to H-7 buildings.

3) SEARCH REPORT

Search Report dt. 13.11.2024 prepared by Mr. Yogesh C. Jagtap(Property Search Clerk) for period of 30 years from the year 1994 to 2024 based on his search of the available Index-II online downloaded record of the Offices of Sub-Registrar of Thane No. 3, 6, 8, 9 & 11 on payment SEARCH FEES of Rs. 300/- against Receipt bearing Ref. No. 1113736724 DT. 13.11.2024, issued by Department of Registration and Stamps, title of Paradise CHS Ltd., in respect of subject Plot of Land.

On perusal of the above mentioned documents and representations made by the Society relating to title of the said Plot, I am of the opinion that the title of the Paradise CHS Ltd., as the Lessee is clear, marketable and without any encumbrances.

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OWNERS/LESSEE OF THE LAND

1) PROPERTY RECORD:

CIDCO Ltd., being the Owner of the subject Plot of Land had leased out subject Plot to M/s Paradise Co-operative Housing Society Ltd. Accordingly, subject Plot No. 03 is recorded in the name of Paradise CHS Ltd., in the records of concerned and competent authorities such as Navi Mumbai Municipal Corporation, CIDCO Ltd., and Jt. Registrar of Co-operative Societies(CIDCO).

CIDCO Ltd (Owner/Lessor): All that piece or parcel of land bearing Plot No. 3, area admeasuring about 10266 Sq. Mtrs. lying, being and situated at Sector 7, Sanpada Taluka and District Thane

PARADISE CHS LTD (Lessee/Leasehold right holder): All that piece or parcel of land bearing Plot No. 3, area admeasuring about 10266 Sq. Mtrs. lying, being and situated at Sector 7, Sanpada Taluka and District Thane

The Report reflecting the flow of title of Paradise CHS Ltd as the Lessee/Leasehold right holder on the said Plot is enclosed as annexure

Encl: Annex

Date:

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FLOW OF THE TITLE OF THE SAID PLOT

The CIDCO Ltd., being the land owner, leased out Plot No. 3 admeasuring 10266.00 sq.mts in Sector-07, Sanpada, Navi Mumbai-400705, in the favour of Paradise CHS Ltd., vide necessary Deed of Lease dt. 17.02.1997. the said Deed of Lease dt. 17.02.1997 was registered vide a Revalidation of Deed of Lease of Land dt. 11.10.2023 as registered under Sr. No. TNN-11/16669/2023 before Joint Sub-Registrar, Thane – 11, dt. 12.10.2023.

Navi Mumbai Municipal Corporation vide its Notice dt. 08.06.2018 declared all H-1 to H-7 Society buildings on said Plot No. 03, as dangerous under C-1 category(category of dangerous structures which needs immediate demolition), followed by structural audit carried out by the IIT Bombay of all H-1 to H-7 Society buildings whereafter IIT Bombay concluded vide its structural audit report dt. 25.02.2019 that "it will be prudent to demolish the buildings of the Society and go for reconstruction."

Vide Resolutions passed in Special General Body Meetings dt. 22.07.2018 & dt 15.08.2018, the Society resolved to carry out self-redevelopment of H-1 to H-7 buildings on the subject Plot and appointed M/s Sopan Prabhu, Architects & Designers, to prepare Feasibility Report and to undertake other responsibilities in this regard as per the terms and conditions of Agreement signed between the Society and the PMC.

After analyzing the various aspects of redevelopment considered in the Project Feasibility Report and Tender Document prepared by the Project management Consultant, the Society complied with the Government directives dt. 04.07.2019 for redevelopment under Section 79A of the Maharashtra Co-operative Societies Act, 1960 and procured No Objection Certificate dt. 23.05.2023 from the Joint Registrar Co-operative Societies(CIDCO) towards redevelopment H-1 to H-7 buildings of the Society.

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Paradise CHS Ltd., executed a work contract with M/s Neelkanth Deep Railcon LLP., through Deepak Patel registered under Sr. No. TNN-11/20401/2023, dt. 14.12.2023, to carry out development of subject plot under self-redevelopment scheme on the terms and conditions more specifically mentioned therein.

CIDCO (the Lessor of the land) vide its letter dt. 28.03.2024, has issued its No Objection Certificate towards demolition and redevelopment of H-1 to H-7 buildings of the Society on the subject plot.

Navi Mumbai Municipal Corporation vide its letter dt. 14.11.2024, issued Commencement Certificate to Paradise Co-operative Housing Society Ltd., towards redevelopment of H-1 to H-7 buildings on plot No. 03, Sector-07, Sanpada, Navi Mumbai – 400705.

LITIGATION IF ANY ----- NIL

Legal Opinion:

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 PARADISE CHS LTD., IN RESPECT OF PLOT NO. 03, SECTOR-07, SANPADA, NAVI MUMBAI - 400705, IS CLEAR, MARKETABLE AND WITHOUT ANY ENCUMBRANCES. THUS, SAID PLOT NO. 03 IS STANDS IN THE NAME OF PARADISE CHS LTD., MAY UNDERTAKE DEVELOPMENT / REDEVELOPMENT / RECONSTRUCTION ACTIVITIES ON THE SAID PLOT NO. 03, SECTOR-07, SANPADA, NAVI MUMBAI – 400705, SUBJECT TO COMPLIANCE OF PREVAILING LAWS.

Date: 16/11/2024

Advocate