

Diana V. Postvala

Advocate, High Court
B. Com, LL.B

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FORMAT – A

(Circular No.: 28/2021)

To
MahaRERA
Bandra East,
Mumbai.

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to:

A Plot of land with the Building and structure comprised in the Society known as "Ganesh Chhaya Co-operative Housing Society Limited" comprised of two Wings being Wing A having Stilt plus six upper floors (total 12 Units) and Wing B having Ground plus four upper floors (total 23 units), and the messuages, tenements of dwelling residential structure standing thereon situate of Village Vile Parle East, Andheri Taluka, B.S.D., in the Registration District & Sub-district Bombay Suburban at Bandra, being a portion of the land bearing Final Plot No. 174(pt) of T.P. Scheme II, Vile Parle East, C.T.S. No. 1531 and 1531/1 to 16 of Vile Parle Village, N.P.Thakkar Road, Mumbai 400057, admeasuring as per P. R. Card & Conveyance Deed about 1,587.56 Square Meters & as per IOD 1532.08 Square Meters and bounded as follows:

On or towards the East by the properties bearing F.P. Nos.: 175,176 & 177

On or towards the West by portion of Sita Kunj & Ram Baug, bearing CTS No. 1529, 1529/1 to 5 & CTS. No. 1530, 1530/1 to 12.

On or towards the North by N. P. Thakkar Marg.

On or towards the South by a road and beyond that by Maruti Baugh Society & Sachidananda Society.



l] I have investigated the title of the said plot on the request of M/S. KONARK LAND DEVELOPERS and following documents i.e.:-

1) List of documents perused:

SR. No.	Description of Documents
1.	Indenture / Conveyance Deed dated 23 rd March, 1995 between DR. RAMANLAL BAWAJIBHAI PATEL (Vendor) and KIRAN BUILDERS (Second Vendor) and Ganesh Chhaya Co-operative Housing Society Limited (the Purchaser) registered with the SRO Andheri office under Registration Serial No. BDR-1-1210-1995 along with the Special Adhesive stamp of Rs. 34,860/-.
2.	Copy of the Property Card extracts of the above CTS Numbers. (MUTATION ENTRY DATED 09/07/2002 shows the name of Ganesh Chhaya CHSL added)
3.	Property Tax and Assessment Bill of the Municipal Corporation of Greater Mumbai dated 21/10/2021
4.	Property tax Receipts of the Municipal Corporation of Greater Mumbai (bearing No.61769708) dated 21/10/2021 in the name of Ramanlal Bawajibhai Patel.
5.	Layout and Floor Plan of Building.
6.	Occupation Certificate bearing Ref. No. CE/7793/BSII/AK dated 27/11/1989 for development work issued by Assistant Engineer Building Proposal.
7.	Society Registration Certificate of Ganesh Chhaya Co-operative Housing Society Limited bearing regd. No. BOM/W-KE)/HSG/(TC)/3073/1987-88 dated 09/12/1987.
8.	Development Agreement dated 24-12-2021, between Ganesh Chhaya Co-operative Housing Society Limited (Society) and M/S. Konark Land Developers (Developers), lodged for registration with the Sub Registrar of Andheri No. 7 office (lodged for registration), registered with the SRO Andheri 7 office under registration Serial No. (BDR-18)/17635/2021, along with its Registration Receipt bearing No.19131 dated 24-12-2021.
9.	General Power of Attorney dated 31 st December, 2021 executed by Ganesh Chhaya Co-operative Housing Society Limited in favour of M/s. Konark Land Developers registered with the SRO Andheri No. 7 office under Registration Serial No. BDR-18-18084-2021 along with the Registration Receipt No. 19624 dated 31/12/2021 and along with the Stamp duty e-challan bearing GRN No. MH010187357202122E dated 15/12/2021 and bearing GRN No. MH010363597202122E dated 20/12/2021.
10.	Stamp duty e-challan receipt of Rs. 49,37,180/- bearing GRN No. MH010161940202122M dated 15/12/2021 & e-challan receipt of Rs. 50,00,000/- bearing GRN No. MH010161399202122M dated 15/12/2021.
11.	Registration fees e-challan receipt of Rs. 100 bearing GRN No. MH010363597202122E dated 20/12/2021 & e-challan receipt of Rs. 30,000/- bearing GRN No. MH010361879202122E dated 20/12/2021.

2) Search report for 30 years from 1994 till 2023 (33 years).



2] On 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 **Ganesh Chhaya Co-operative Housing Society Limited** is clear, marketable and without any encumbrances. The right of the M/S. Konark Land Developers to Develop the said Land and sell the free sale units in the open market is established through the Development Agreement as afore stated. Thus, the Developers M/S. Konark Land Developers have the clear right and unencumbered right of Development/development interest in the said Land.

(If any encumbrances please mention in separate sheet) – Not Applicable.

Owners of the land: Ganesh Chhaya Co-operative Housing Society Limited

Developers of the Land: M/S. Konark Land Developers, having their registered office address at: 102 KONARK ROYALE, RAMABAI CHEMBURKAR MARK, OPP. PARLE TILAK SCHOOL, VILE PARLE EAST, MUMBAI-400057.

And site office at Final Plot No. 174(pt) of T.P. Scheme II, Vile Parle East, C.T.S. No. 1531 and 1531/1 to 16 of Vile Parle Village, Taluka Andheri, district Bombay Suburban.

(4) Qualifying comments/remarks if any NONE

Kindly ensure the property tax is paid up to date in respect of both Wings A and B of the Society buildings.

3] The report reflecting the flow of the title of the (owner/promoter/developer/company) on the said land is enclosed herewith as annexure.

Encl: Annexure.

D.V. Postvala

Advocate.

Date: 30/10/2023

(Stamp)



Diana V. Postvala

Advocate, High Court
B. Com, LL.B

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FLOW OF THE TITLE OF THE SAID LAND.

As per Annexure: (Detailed Title Investigation Report)

Sr.No.

- 1) 7/12 extract / P.R. Card as on date of application for registration.
- 2) Mutation Entry – DATED 21/10/2021
- 3) Search report for 30 years from 1994 till 2023 taken from Sub-Registrar' office at Taluka Andheri(Title Investigation report along with Search note attached)
- 4) Any other relevant title.
- 5) Litigations if any: NIL

Date: 30/10/2023

D.V. Postvala

Advocate.
(Stamp)

Enclosed: Detailed Title Report



ANNEXURE

TO,
M/S. Konark Land Developers
102, Konark Royale,
Ramabai Chemburkar Marg,
Opp. Parle Tilak School,
VILLE PARLE EAST,
MUMBAI 400057.

SIRS,

Under your instructions we have taken to search for 30 years (1994 to 2023) and legal Scrutiny of the Title with respect to the following Property:

A Plot of land with the Building and structure comprised in the Society known as "Ganesh Chhaya Co-operative Housing Society Limited" comprised of two Wings being Wing A having Stilt plus six upper floors (total 12 Units) and Wing B having Ground plus four upper floors (total 23 units), and the messuages, tenements of dwelling residential structure standing thereon situate of Village Vile Parle East, Andheri Taluka, B.S.D., in the Registration District & Sub-district Bombay Suburban at Bandra, being a portion of the land bearing Final Plot No. 174(pt) of T.P. Scheme II, Vile Parle East, C.T.S. No. 1531 and 1531/1 to 16 of Vile Parle Village, N. P. Thakkar Road, Mumbai 400057, admeasuring as per P. R. Card & Conveyance Deed about 1,587.56 Square Meters & as per IOD 1532.08 and bounded as follows:

On or towards the East by the properties bearing F.P. Nos.: 175,176 & 177

On or towards the West by portion of Sita Kunj & Ram Baug, bearing CTS No. 1529, 1529/1 to 5 & CTS. No. 1530, 1530/1 to 12.

On or towards the North by N. P. Thakkar Marg.

On or towards the South by a road and beyond that by Maruti Baugh Society & Sachidananda Society.

Documents perused:

SR. No.	Description of Documents
12.	Indenture / Conveyance Deed dated 23 rd March, 1995 between DR. RAMANLAL BAWAJIBHAI PATEL (Vendor) and KIRAN BUILDERS (Second Vendor) and Ganesh Chhaya Co-operative Housing Society Limited (the Purchaser) registered with the SRO Andheri office under Registration Serial No. BDR-1-1210-1995 along with the Special Adhesive stamp of Rs. 34,860/-.
13.	Copy of the Property Card extracts of the above CTS Numbers. (MUTATION ENTRY DATED 09/07/2002 shows the name of Ganesh Chhaya CHSL added)
14.	Property Tax and Assessment Bill of the Municipal Corporation of Greater Mumbai dated 21/10/2021



15.	Property tax Receipts of the Municipal Corporation of Greater Mumbai (bearing No.61769708) dated 21/10/2021 in the name of Ramanlal Bawajibhai Patel.
16.	Layout and Floor Plan of Building.
17.	Occupation Certificate bearing Ref. No. CE/7793/BSII/AK dated 27/11/1989 for development work issued by Assistant Engineer Building Proposal.
18.	Society Registration Certificate of Ganesh Chhaya Co-operative Housing Society Limited bearing regd. No. BOM/W-KE)/HSG/(TC)/3073/1987-88 dated 09/12/1987.
19.	Development Agreement dated 24-12-2021, between Ganesh Chhaya Co-operative Housing Society Limited (Society) and M/S. Konark Land Developers (Developers), lodged for registration with the Sub Registrar of Andheri No. 7 office (lodged for registration document)
20.	General Power of Attorney dated 31 st December, 2021 executed by Ganesh Chhaya Co-operative Housing Society Limited in favour of M/s. Konark Land Developers registered with the SRO Andheri No. 7 office under Registration Serial No. BDR-18-18084-2021 along with the Registration Receipt No. 19624 dated 31/12/2021 and along with the Stamp duty e-challan bearing GRN No. MH010187357202122E dated 15/12/2021 and bearing GRN No. MH010363597202122E dated 20/12/2021.
21.	Stamp duty e-challan receipt of Rs. 49,37,180/- bearing GRN No. MH010161940202122M dated 15/12/2021 & e-challan receipt of Rs. 50,00,000/- bearing GRN No. MH010161399202122M dated 15/12/2021.
22.	Registration fees e-challan receipt of Rs. 100 bearing GRN No. MH010363597202122E dated 20/12/2021 & e-challan receipt of Rs. 30,000/- bearing GRN No. MH010361879202122E dated 20/12/2021.
23.	The Developer has obtained the Intimation of Disapproval from the Municipal Corporation of Greater Mumbai bearing No. P-10381/2022/(174)/K/E Ward/FP/IOD/1/New dated 14-Oct-2022; and Commencement Certificate bearing No. No P-10381/2022/(174)/K/E Ward/FP/CC/1/New dated 13-Oct-2023 (i.e. C.C. up to top of Stilt Level (i.e. height 8.25 Mts. AGL) for Wing 'A' as per approved IOD plans dtd. 14/10/2022);

Brief History on Title:

It is understood from the recitals stated in the Deed of Conveyance that, one Dr. Ramanlal Bawajibhai Patel was absolutely seized and possessed or otherwise well and sufficiently entitled to a piece or parcel of land, bearing Final Plot No. 174(pt) of Town Planning Scheme No: II, Vile Parle and C.T.S. Nos. 1531, 1531/1 to 16 of Vile Parle and bearing Municipal K-Ward Nos: 254, 255, 256 and 257 and Street Nos: 26, 26-A, 26-C and 27 in the District & Registration Sub-District of Bombay City & Suburban admeasuring as per P. R. Card & Conveyance Deed about 1587.56 Square meters & as per IOD 1532.08 Square meters (hereinafter to as the said Property), and that, By an Agreement dated 11th November, 1979 made between the said Dr. Ramanlal Bawajibhai Patel of the one Part and KIRAN BUILDERS of the Other Part, the Dr. Ramanlal Bawajibhai Patel agreed for an absolute Sale of the said property to the Kiran Builders on the terms and conditions therein contained and in



pursuance thereto the Kiran Builders were put in possession of the property and been granted the permission to get the building plans sanctioned to erect a building and to sell the tenements in the extension of the building on 'ownership basis'.

It is further given to be informed that, the Plans of the building on the said plot were duly approved and certificate of commencement of construction in pursuance of such Plans was granted by the B.M.C. and the construction of the building was undertaken by the Kiran Builders on the said plot.

The Kiran Builders constructed a building known as 'Ram Baugh' on the said plot and sold the Flats to different purchasers after providing for flats to the existing tenants in the old building.

It is further given to be informed, by the said several Agreements made between the Kiran Builders and several purchasers of the Flats it was agreed that upon the Purchasers of Flats forming themselves into a Co-operative Society and upon receipt of the consideration on sale of all the Flats from the respective purchasers and upon receipt by the First Vendors from the Second Vendors consideration for the sale of the property the Second Vendors should transfer, convey and assign the said plot with the building constructed thereon in favour of such Society.

The building occupation Certificate has been issued by the B.M.C. to use and occupy the building.

The Various Purchasers of the Flats in the said building have paid to the Kiran Builders, the diverse amount shown against their respective names in the Deed of Conveyance, and each of them are informed to have been put in possession of the respective Flats.

It is further given to be informed; all the Purchasers of the Flats have formed themselves into and joined as members of the Co-operative Society which is called Ganesh Chhaya Co-operative Housing Society Ltd., with its Registration No.: BOM/WKE/HSG/TC.3073 of 1987-88 as per the Certificate of Registration.

The Particulars of the several purchasers of Flats and the former tenants are mentioned in the Schedule written in the Deed of Conveyance together with the price paid and also the stamp duty etc.

The Ganesh Chhaya Co-operative Housing Society Ltd., requested the DR. RAMANLAL BAWAJIBHAI PATEL (as the first Vendor) and KIRAN BUILDERS (as the Second Vendor) to transfer convey and assign their respective rights, title and interest to the said plot of land and the building to the name of the Society who consented do so and therefore the parties had entered into Indenture /Deed of Conveyance dated 23rd March, 1995 between DR. RAMANLAL BAWAJIBHAI PATEL (first Vendor) and KIRAN BUILDERS (Second Vendor) and Ganesh Chhaya Co-operative Housing Society Limited (the Purchaser) registered with the SRO Andheri office under Registration Serial No. BDR-1-1210-1995 along with the Special Adhesive stamp of Rs. 34,860/-.



The said Ganesh Chhaya Co-operative Housing Society Limited hence is the owner of the said Land and Buildings of the Society has the valid right title and interest in the property and is well and sufficiently entitled to the same.

The said Ganesh Chhaya Co-operative Housing Society approached the firm of Developers being the M/s. Konark Land Developers for the purpose of the re-development of the Society by demolishing the old buildings and construction of the new buildings thereon, and for providing the alternate accommodation to the Society members, and the free sale component as per the FSI available as per the terms and conditions agreed in the Development Agreement signed by the committee members in favour of the said M /s. Konark Land Developers, and for the further perfecting the Development rights assigned to the said /s. Konark Land Developers and for enabling the said Developer to obtain the necessary sanctions and permissions from the relevant authorities on behalf of the Society and to act in the further interest of the development project, the said Society also registered a General Power of Attorney in favour of the said Developers and said POA has been registered and duly stamped, being General Power of Attorney dated 31st December, 2021 executed by the said Ganesh Chhaya Co-operative Housing Society Limited in favour of M/s. Konark Land Developers registered with the SRO Andheri No. 7 office under Registration Serial No. BDR-18-18084-2021 along with the Registration Receipt No. 19624 dated 31/12/2021 and along with the Stamp duty e-challan bearing GRN No. MH010187357202122E dated 15/12/2021 and bearing GRN No. MH010363597202122E dated 20/12/2021.

The Development Agreement is entered into between the said Ganesh Chhaya Co-operative Housing Society Limited and M/s. Konark Land Developers for the re-development, and the stamp duty in respect thereof has been paid by the Developers and the registration fee in respect thereof, and the said Development Agreement is dated 24-12-2021, was lodged for registration with the Sub-Registrar of Assurances of the Andheri No.7 office. The said Development Agreement has been registered under Registration Serial No.

The Developers M/s. Konark Land Developers have on basis of the above POA assigned to them, applied to the relevant authorities for the Development permissions and approvals of plans and have got the right to apply for the same through the power vested in them by the Society to apply on its behalf.

Thus the said Developers being M/s. Konark Land Developers have vide the above documents, acquired in themselves the right to Develop the land and obtain for themselves certain number of Flats/commercial components/units for the free sale component of the Developers and to sell the same for value and entitled to the consideration of the sale proceeds of the project.

The Developer has obtained the Intimation of Disapproval from the Municipal Corporation of Greater Mumbai bearing No. P-10381/2022/(174)/K/E Ward/FP/IOD/1/New dated 14-Oct-2022; and Commencement Certificate bearing No. No P-10381/2022/ (174)/K/E Ward/FP/CC/1/New



dated 13-Oct-2023 (i.e. C.C. up to top of Stilt Level (i.e. height 8.25 Mts. AGL) for Wing 'A' as per approved IOD plans dtd. 14/10/2022).

Upon search for the 30 years period it is observed that:

- (i) There are no encumbrances of third Parties created over the Property.
- (ii) There is no Notice of pending litigation filed on the land by way of Notices of Lis Pendense.
- (iii) There is no charge or Mortgage created whatsoever over the said land.
- (iv) There are no transactions effected with respect to the said Property.
- (v) Hence the property is free from all encumbrances.

Title Certification:

Pursuant to the above observations, I certify that the Title of the said GANESH CHHAYA Co-operative Housing Society Limited in respect of the abovesaid Property is valid, clear and marketable and free from all encumbrances. The Developer M/S. Konark Land Developers, acting through its Partners Mr. Jitendra M. Parmar and Mr. Ketan K. Gala, have acquired a valid right and interest for the Development of the said land and to freely sell the units constructed thereon after providing the permanent alternate accommodation to the Society members as agreed under the Development contracts.

Date: 30/10/2023

Place: Mumbai

Enclosed:

- a) Search Receipt of the 30 years Search for Rs.750/-
- b) Search Report of Shri S.C. More, Search Clerk.

D.V. Postvala

(D.V. Postvala)

Advocate



S. C. MORE
Search Clerk,
Mumbai

Email ID suryakantmore89@gmail.com
Mobile No. 9664552314/9867766696

To,
Diana Postwala
Advocate
High Court Mumbai,

Dear Madam,

Ref.: Investigation of title of the property situated at Village Vile Parle, Taluka Andheri & District Mumbai Suburban, Final Plot No. 174(pt), T P Scheme-II, CTS No. 1531, 1531/1 to 16, admeasuring as per P. R. Card & Conveyance Deed about 1587.56 sq. mtr. & as per IOD 1532.08 sq. mtr.,

Owned By: GANESH CHHAYA CO-OP HSG. SOC. LTD.

Dear Sir,

As per your instruction, I have taken search of the above mentioned property in the offices of the Sub-Registrar at Bandra, Andheri, Khar Road from the year 1994 to 2023 (33 Years) Computer Records from the year 2002 to 2023 (21 Years) during the course of search, I have found following Documents:-

As per property registered extract provided by party the names of

Bandra, Andheri, Khar Road S.R.O. from the year 1994 to 2023 (33 years).

1994- INDEX BOOK SOME PAGE TORN

1995: Entry : INDEX BOOK SOME PAGE TORN

Conveyance Deed 30.03.1995 BDR-1-1210/1995



17.01.1995

Dr. Ramanlal Bawjajibhai Patel & KIRAN BUILDERS

To

GANESH CHHAYA CO-OPERATIVE HOUSING SOCIETY LIMITED

Schedule: Village Vile Parle, Taluka Andheri & District Mumbai Suburban, Final Plot No. 174(pt), T P Scheme-II, CTS No. 1531, 1531/1 to 16, admg. As per P. R. Card & Conveyance Deed about 1587.56 sq. mtr. & as per IOD 1532.08 sq. mtr.,

1996- INDEX BOOK SOME PAGE TORN

1997- TORN

1998- TORN

1999- TORN

2000- INDEX BOOK SOME PAGE TORN

2001- INDEX BOOK SOME PAGE TORN

2002- NIL

2003- NIL

2004- NIL

2005- NIL

2006- NIL

2007- NIL

2008- NIL

2009- NIL



2010- NIL
2011- NIL
2012- NIL
2013- NIL
2014- NIL
2015- NIL
2016- NIL
2017- NIL
2018- NIL
2019- NIL
2020- INDEX BOOK NOT PREPARED

2021- Entry:

Development Agreement 24.12.2021 Andheri 7 (BDR-18)/17635/2021

AVR- RS. 159067000/-

MVR- RS. 194577000/-

GANESH CHHAYA CO-OP HSG. SOC. LTD

To

Konark Land Developers

Schedule: पालिकेचे नाव: Mumbai Ma.na.pa. इतर वर्णन, इतर माहिती: जमीन व बांधकाम सी टी एस नं 1531,1531/1 ते 16 फायनल प्लॉट नं 174 मौजे विलेपार्ले पूर्व



गणेश छाया को ऑप हौ सो लि एन पी ठक्कर रोड विलेपार्ले पु मुंबई 400057 एकुण
क्षेत्रफळ 1587.56 चौ मीटर, एडीजे नं./1100900/1257/2021 भरलेल
मु.शु.9937180/- ईतर वर्णन दस्तात नमूद केल्या प्रमाणे ((C.T.S. Number: 1531,
1531/1 to16:)) 1587.56 चौ.मीटरई

2022- INDEX BOOK NOT PREPARED

2023- INDEX BOOK NOT PREPARED

Kindly note that, this Search is mainly based on the ONLINE record, and I am not responsible for unready and unavailable record. I have taken search for available records at the time of search only of record found and I am not responsible and/or liable for missing records. The majority Sub-Registration offices have not allowed manual search due to the COVID-19.

S. C. More

SURYAKANT MORE

TITLE INVESTIGATOR

