

**Kajal Dedhia**  
**Advocate, High Court**

**FORMAT-A**

**(Circular No. 28/2021)**

To,

**Maharashtra Real Estate Regulatory Authority**  
6<sup>th</sup> & 7<sup>th</sup> floor, Housefin Bhavan,  
Plot No. C-2, E-Block,  
Bandra Kurla Complex,  
Bandra (East), Mumbai-400 051

**TITLE CERTIFICATE**

**REF: ALL THAT The Plot of Land being all that piece and parcel of land admeasuring 1921.60 square meters or thereabouts and bearing CTS No. 437, 437/1 of village Malad North Taluka Borivali in the district and registration sub-district of Mumbai suburban along with old one building with Three Wings which were standing thereon and was known as "Sumatinath Nagar" having ground plus and Four upper floors consisting of 60 residential flats the society registered as "Sumatinath Nagar CO-OPERATIVE HOUSING SOCIETY LIMITED" (The Society) situated at S. V. Road, Kandivali West, Mumbai 400 067 ("the said Property").**

*K. Dedhia*



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Mumbai- 400 055,  
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**Advocate, High Court**

I, have investigated the title of the said Property i.e. Sumatinath Nagar Co-operative Housing Society Limited (being the Owner/Society) on the request of **RT Housing Private Limited (being the Promoter of the said property)**, a company incorporated under the provisions of the Companies Act, 2013 having its registered office at G-76, Profit Centre, Mahavir Nagar, Kandivali West, Mumbai 400 067 and **Rite Nutan Homes Private Limited (being the Co-Promoter of the said property)**, a firm registered under the provisions of Partnership Act 1932 having its registered office Address at 102, Rite Perinto, Gumpa Darshan CHSL A & B, Ashra Colony, Borivali East, Mumbai 400 066 (hereinafter referred as "**my Clients**")

**1. Description of the Property:**

CTS No. 437, 437/1 of village Malad North lying land admeasuring 1921.60 square meters and being at Village Malad North Taluka Borivali situated at S. V. Road, Kandivali West, Mumbai 400 067 together with the existing buildings known as "**SUMATINATH NAGAR CO-OPERATIVE HOUSING SOCIETY LIMITED**" ("The said Property").

Old building which was known as "Sumatinath Nagar" (consisting of 3 wings namely A, B and C wing Ground plus Four upper floors and consists of 60 residential members). '**Sumatinath Nagar Co-operative Housing Society Ltd.**' Registered under the Maharashtra Co-operative Societies Act, 1960 and Rules framed thereunder bearing No. BOM/HSG/3187 of 1971 dated 15<sup>th</sup> October 1971.



*[Handwritten signature of Kajal Dedhia]*  
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**2. Document of Title:**

- a. I perused all the documents provided to me, Legal title flow is as under originally By virtue of a Deed of Conveyance, dated 29<sup>th</sup> September 1971 and registered with Sub-Registrar of Assurances at Bombay, under Serial No. 5366 on 29<sup>th</sup> September 1972, between (i)The Cutch Coop Housing Society Ltd, as the vendors therein, duly granted, conveyed and assured the Land along with the premises standing thereon i.e. all that piece and parcel of land admeasuring 1921.60 square meters or thereabouts and bearing CTS No. 437, 437/1 of Village Malad North Taluka Borivali situated at S. V. Road, Kandivali West, Mumbai 400 067 , in the district and registration sub-district of Mumbai suburban (hereinafter referred to as "**Land**") in favour of the Sumatinath Nagar Co-operative Housing Society Limited (Hereinafter referred as **the Society**) situated at S. V. Road, Kandivali (West), Mumbai 400 067, at or for a consideration and on the terms and conditions recorded therein;
  
- b. By and under a Redevelopment Agreement dated 21<sup>st</sup> July, 2022 duly registered vide bearing No. BRL-7-10340 of 2022 on dated 21<sup>st</sup> July, 2022 (hereinafter referred to as "**the said Redevelopment Agreement**") made and executed between the said Sumatinath Nagar Co-operative Housing Society Limited (The Society) of the One Part and Rite Nutan Homes Private Limited as the Developers of the Second Part and the members of the Society of the Third Part, the Society therein granted development rights unto the Developers in respect of the said Property upon terms and conditions mentioned therein;



A handwritten signature in blue ink, appearing to read "Kajal Dedhia".

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c. I perused that, the Owners therein also executed and delivered a Power of Attorney dated 21<sup>st</sup> July, 2022 (hereinafter referred to as "**the said Power of Attorney**") duly registered vide bearing No. BRL-7-10341 of 2022 dated 21<sup>st</sup> July, 2022, unto the nominees of Developers, to do various acts, deeds matters and things in respect of the development of the said Property;

d. By and under between the said Sumatinath Nagar Co-operative Housing Society Limited (The Society) of the One Part and Rite Nutan Homes Private Limited as the Developers of the Second Part had jointly executed Supplementary Development Agreement dated 30<sup>th</sup> May, 2024 vide registered bearing No. BRL-7-11811 of 2024 dated 30<sup>th</sup> May, 2024 upon terms and conditions mentioned therein;

e. I perused that by and under 2<sup>nd</sup> Supplemental cum Joint Development Agreement dated 10<sup>th</sup> July, 2025, registered with Sub-Registrar of Assurance at Mumbai, under Serial No. MBI 21/14057/2025 on 10<sup>th</sup> July, 2025 made and entered into between the Developer (Rite Nutan Homes Private Limited) of One Part, The Co-Developer (**RT Housing Private Limited**) of Second Part, the Sumatinath Nagar CHSL of the Third Part, the Developer herein and the Co-Developer herein have with consent and confirmation of the society herein agreed to jointly develop the said Property for the terms and conditions more particularly mentioned therein; As per the agreed terms 2<sup>nd</sup> Supplemental cum Joint Development Agreement the RT Housing Private Limited will be **PROMOTER** and Rite Nutan Homes Private Limited will be **CO-PROMOTER**;



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f. I perused Power of Attorney dated 10<sup>th</sup> July, 2025 Sumatinath Nagar CHSL had executed in favour of Director of Rt Housing Private Limited registered with the Sub Registrar of Assurances at Mumbai dated 10<sup>th</sup> July, 2025 vide Sr. No. MBI-17-10460-2025

**3. Owner of the Land:**

I perused that "**SUMATINATH NAGAR CO-OPERATIVE HOUSING SOCIETY LIMITED**" being society is owner of the said land i.e. The Plot of Land being all that piece and parcel of land admeasuring 1921.60 square meters or thereabouts and bearing CTS No. 437, 437/1., of village Malad North Taluka Borivali in the district and registration sub-district of Mumbai suburban with old structure standing thereon situated at S. V. Road, Kandivali West, Mumbai 400 067

**4. Property Registration Card issued by City Survey Office:**

The Property Card for the property is muted in the name of Sumatinath Nagar Co-operative Housing Society Limited as owner of the said property.

**5. Search Report:**

Mr. Rakesh Pawar has searched for the 40 years and in the entire notes of search there are no entries found affecting the title.



*[Handwritten signature of Kajal Dedhia is visible to the left of the stamp]*  
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**6. SRA Approval:**

I perused that on the plans and proposals being submitted file R-S/PVT/0092/20230324/AP/S By Rite Nutan Homes Private Limited and SRA sanctioned the plans and issued I.O.A on dated 16<sup>th</sup> April, 2024 and Plinth CC dated 27<sup>th</sup> May, 2025, for the purpose of construction of the proposed building.

**7. Litigation:**

I observed that there are no other litigations pending before any court of law in respect of the said property, except the following matters currently pending before the Hon'ble High Court of Bombay: (1) Suit (L) No. 13898 of 2025, along with Interim Application (L) No. 13900 of 2025, filed by Kamal Singh & Ors. against Sumatinath Nagar CHSL & Ors. (2) Commercial Arbitration Application No. CARAPL-22437 of 2025, filed by Rite Nutan Homes Private Limited against Sumatinath Nagar CHSL, along with 17 dissenting members. (3) Writ Petition (S) No. 12560 of 2025, filed by Devyani Mehta & Ors. against the State of Maharashtra & Ors.



A handwritten signature in blue ink that appears to read "Kajal Dedhia".



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The Report reflecting the flow of the title of the said property i.e. Sumatinath (The said property) and **Promoter i.e. RT Homes Private Limited and Co-Promoter i.e. Rite Nutan Homes Private Limited** on the said land is enclosed herewith as annexure.

Encl: Annexure



Date: 7<sup>th</sup> August, 2025

Kajal Dedhia

Place: Mumbai

Advocate, High Court



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**FLOW OF THE TITLE OF THE LAND**

1. I perused all the documents provided to me, Legal title flow is as under originally By virtue of a Deed of Conveyance, dated 29<sup>th</sup> September 1971 and registered with Sub-Registrar of Assurances at Bombay, under Serial No. 5366 on 29<sup>th</sup> September 1972, between (i)The Cutch Coop Housing Society Ltd, as the vendors therein, duly granted, conveyed and assured the Land along with the premises standing thereon i.e. all that piece and parcel of land admeasuring 1921.60 square meters or thereabouts and bearing CTS No. 437, 437/1 of village Malad North Taluka Borivali situated at S. V. Road, Kandivali West, Mumbai 400 067 , in the district and registration sub-district of Mumbai suburban (hereinafter referred to as "**Land**") in favour of the Sumatinath Nagar Co-operative Housing Society Limited (Hereinafter referred as **the Society**) situated at S. V. Road, Kandivali (West), Mumbai 400 067, at or for a consideration and on the terms and conditions recorded therein;
2. I perused occupation certificate bearing number GBR/296/66-67 dated 18<sup>th</sup> February 1971 issued by MCGM for the Old structure standing thereon;
3. The building known as "Sumatinath Nagar" one building with Three Wings namely A, B & C each of consisting of ground plus four upper floors, having 60 (Sixty) residential flats, assessed under Municipal Assessment No. RS200800000000 of R South by MCGM standing thereon;



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4. I perused the Society Certificate in name of '**Sumatinath Nagar Co-operative Housing Society Ltd.**' under the Maharashtra Co-operative Societies Act, 1960 and Rules framed thereunder bearing No. BOM/HSG/3187 of 1971 dated 15<sup>th</sup> October 1971;
5. I perused the Property Card which is muted in the name of Sumatinath Nagar Co-operative Housing Society Limited (The Society) as owner of the said property;
6. The Society structure was very old and dilapidated In pursuance thereof, in the Special General Body meeting of the Society was held on 28<sup>th</sup> November 2013 it was unanimously by clear majority resolved to accord the approval to the proposed development of the said property by the Developers i.e. Surya Landmark Developers Pvt. Ltd. (hereinafter referred to as the Old Developer) and for demolition of the then existing building/structures standing thereon and the construction of the new building/s thereon by consuming the available FSI and also, to utilize TDR/FSI which may be obtained by the Developers, at their own costs and expenses ;
7. Vide Registered Development Agreement dated 02<sup>nd</sup> December 2017 registered vide registration No. BRL-2-11627-2017 on 02<sup>nd</sup> December 2017 executed then between Sumatinath Nagar Co-Operative Housing Society Ltd. there in referred as the Society and Surya Landmark Developers Pvt. Ltd. therein referred as Developer upon terms and condition mentioned therein;
8. The Society had also issued irrevocable Power of Attorney dated 2<sup>nd</sup> December 2017, in favour of Developer for day-to-day transaction vide registered Power of Attorney bearing No. BRL2-11631-2017 on 02<sup>nd</sup> December 2017;

  
  
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9. Subsequently, Surya Landmark Private Limited, was in process of getting building permissions unfortunately due to several issues and difficulties like new Development Plan faced by then Developers, Surya Landmark Developers Private Limited failed to obtain necessary permissions to carry out redevelopment. In the Circumstances the society issued termination Notice to Surya Landmark Private Limited dated 21<sup>st</sup> June 2021. The Said Surya Landmark Developer had accepted the termination and mutually cancelled the Development Agreement, and Power of Attorney, by execution of the Deed of Cancelation Development Agreement, Rectification Deed and Power of attorney and registered vide bearing No. BRL-7-10322-2022 dated 21<sup>st</sup> July, 2022;
  
10. The Society vide Agreement dated 27<sup>th</sup> December 2005 agreed to sell to Mr. Kiran D. Shah Setback FSI/ TDR benefit and registered the said agreement before Sub Registrar vide Sr. No. BDR5/08911/2005 and Power of Attorney vide Sr. No. BDR5/08912/2005 for 229 sq. mt. out of 1921.10 sq. mt. Now the said Mr. Kiran D. Shah had approached Society and has intimated that he has not utilised / availed benefit of 229 sq. ft. setback area in any manner therefore he is willing to surrender back the rights to the society which were availed under Agreement dated 27<sup>th</sup> December 2005. Vide Agreement of Surrender the said Mr. Kiran D. Shah and the society has mutually cancelled the above Agreement dated 27<sup>th</sup> December 2005 and Power of Attorney dated 27<sup>th</sup> December 2007 and registered vide bearing No. BRL-7-10331-2022 dated 21<sup>st</sup> July, 2022;



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11. The **Rite Nutan Homes Private Limited** (formerly known as Nutan Resi Homes Private Limited) submitted their offer vide letter 14<sup>th</sup> February 2022 to the Society. In its special general body meeting held on 27<sup>th</sup> February 2022 members of the Society attended the said meeting. After detailed discussion the said developer was chosen as the developer for the purpose of carrying out the redevelopment of the Society's Property;
12. Vide General Meeting dated 5<sup>th</sup> June, 2022, wherein Mr. C. D. Shirkhande being Cooperative Officer Grade II Cooperative Department representative of Deputy Registrar of R/South Ward Mumbai in which 48 members had given their consent to appoint Rite Nutan Homes Private Limited as their Developer for redevelopment of their society property, in accordance Vide letter dated 7<sup>th</sup> June, 2022 Deputy Registrar had appointed Developer for the society property;
13. By and under a Redevelopment Agreement dated 21<sup>st</sup> July, 2022 duly registered vide bearing No. BRL-7-10340 of 2022 on dated 21<sup>st</sup> July, 2022 (hereinafter referred to as "**the said Redevelopment Agreement**") made and executed between the said Sumatinath Nagar Co-operative Housing Society Limited (The Society) of the One Part and Rite Nutan Homes Private Limited as the Developers of the Second Part and the members of the Society of the Third Part, the Society therein granted development rights unto the Developers in respect of the said Property upon terms and conditions mentioned therein;
14. I perused that, the Owners therein also executed and delivered a Power of Attorney dated 21<sup>st</sup> July, 2022 (hereinafter referred to as "**the said Power of Attorney**") duly registered vide bearing No. BRL-7-10341 of 2022 dated 21<sup>st</sup> July, 2022, unto the nominees of Developers, to do various acts, deeds matters and things in respect of the development of the said Property;

  
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15. I perused that vide file No. R-S/PVT/0092/ 20230324/LOI The Developer had obtained approval for clubbing the project with Mitratwa SRA CHS Ltd. situated at CTS No.219 (part) of village Magathane, Devipada, Gulmohar Road, Borivali East, Mumbai - 400066 under SRA Scheme regulation 33(10) of DCPR 2034 for the PTC tenements to be provided the Developer had acquired revised LOI for this scheme under regulation 33(11) of DCPR 2034 dated 07<sup>th</sup> March 2024;

16. I perused further on 16th April 2024, under SRA Scheme regulation 33(11) of DCPR 2034, the Slum Rehabilitation Authority ("SRA") issued an IOA under File No. R-S/PVT/0092/ 20230324/AP/S. The Developer obtained IOA of full potential 100% FSI (i.e. Basic FSI + PTC FSI (Exchange FSI) + Sale FSI against PTC + Fungible FSI for the said project.

17. I perused that Developer had obtain Plinth level Commencement Certificate dated 27<sup>th</sup> May, 2025.

18. By and under between the said Sumatinath Nagar Co-operative Housing Society Limited (The Society) of the One Part and Rite Nutan Homes Private Limited as the Developers of the Second Part had jointly executed Supplementary Development Agreement dated 30<sup>th</sup> May, 2024 vide registered bearing No. BRL-7-11811 of 2024 dated 30<sup>th</sup> May, 2024 upon terms and conditions mentioned therein;

19. I perused that by and under 2<sup>nd</sup> Supplemental cum Joint Development Agreement dated 10<sup>th</sup> July, 2025, registered with Sub-Registrar of Assurance at Mumbai, under Serial No. MBI 21/14057/2025 on 10<sup>th</sup> July, 2025 made and entered into between the Developer (Rite Nutan Homes Private Limited) of One

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**Advocate, High Court**

Part, The Co-Developer (**RT Housing Private Limited**) of Second Part, the Sumatinath Nagar CHSL of the Third Part, the Developer herein and the Co-Developer herein have with consent and confirmation of the society herein agreed to jointly develop the said Property for the terms and conditions more particularly mentioned therein, As per the agreed terms 2<sup>nd</sup> Supplemental cum Joint Development Agreement the RT Housing Private Limited will be **PROMOTER** and Rite Nutan Homes Private Limited will be **CO-PROMOTER**

20. I perused Power of Attorney dated 10<sup>th</sup> July, 2025 Sumatinath Nagar CHSL had executed in favour of Director of Rt Housing Private Limited registered with the Sub Registrar of Assurances at Mumbai dated 10<sup>th</sup> July, 2025 vide Sr. No. MBI-17-10460-2025;
21. I observed that there are no other litigations pending before any court of law in respect of the said property, except the following matters currently pending before the Hon'ble High Court of Bombay: (1) Suit (L) No. 13898 of 2025, along with Interim Application (L) No. 13900 of 2025, filed by Kamal Singh & Ors. against Sumatinath Nagar CHSL & Ors. (2) Commercial Arbitration Application No. CARAPL-22437 of 2025, filed by Rite Nutan Homes Private Limited against Sumatinath Nagar CHSL, along with 17 dissenting members. (3) Writ Petition (S) No. 12560 of 2025, filed by Devyani Mehta & Ors. against the State of Maharashtra & Ors.
22. The said property is free, clear, marketable and free from any encumbrances.



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In the aforesaid premises my client is the Promoter RT Housing Private Limited and Co-Promoter Rite Nutan Homes Private Limite of the said property and well sufficiently entitled for the redevelopment of the said property.

On the perusal of the above-mentioned document and all other relevant documents relating to Title of the said property i.e. Sumatinath Nagar Co-operative Housing Society Limited (Owner of the Property) I am of the opinion that my client **RT Housing Private Limited (being the Promoter of the said property)** and **Rite Nutan Homes Private Limite (being the Co- Promoter of the said property)** has clear, marketable and without any encumbrances.

Date: 7<sup>th</sup> August, 2025

Place: Mumbai



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