



Sharma & Associates

Advocates & Solicitors

Satish Sharma Suman Sharma Manan Sharma Chinmay Sharma

FORMAT – A

(Circular No.: -28/2021)

To
Maharashtra Real Estate Regulatory Authority,
6th & 7th Floor, Housefin Bhavan, Plot No. C - 21,
E - Block, Bandra Kurla Complex,
Bandra (East), Mumbai 400 051

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to All that piece and parcel of land admeasuring 949 sq.mtrs. or thereabouts bearing Plot No.115, RSC 11, Sector No.1, Survey No.149 and C.T.S No.1C-2/93 alongwith structure standing therein known as “CHARKOP BHARAT BHUSHAN” situated at Charkop, Kandivali (West), Mumbai 400 067.

AND

All that piece and parcel of land admeasuring 949 sq.mtrs. or thereabouts bearing Plot No.113, RSC 11, Sector No.I, Survey No.149 and C.T.S No.1C-2/78 alongwith structure standing therein known as “CHARKOP SONAL” situate at Charkop, Kandivali (West), Mumbai 400 067 Mumbai Suburban District.

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I have investigated the title of the aforesaid Property on the request of **RAJ REALTORS** and following documents i.e.:-

1) Description of the properties:

All that piece and parcel of land admeasuring 949 sq.mtrs. or thereabouts bearing Plot No.115, RSC 11 Sector No.1, Survey No.149 and C.T.S No.1C-2/93 alongwith structure standing therein known as “CHARKOP BHARAT BHUSHAN” situated at Charkop, Kandivali (West), Mumbai 400 067 Mumbai Suburban District, hereinafter referred to as the “**said Bharat Bhushan Plot**”.

AND

All that piece and parcel of land admeasuring 949 sq.mtrs. or thereabouts bearing Plot No.113, RSC 11 Sector No.1, Survey No.149 and C.T.S No.1C-2/78 alongwith structure standing therein known as “CHARKOP SONAL” situated at Charkop, Kandivali (West), Mumbai 400 067 Mumbai Suburban District, hereinafter referred to as the “**said Sonal Plot**”.

The said Bharat Bhushan Plot and the said Sonal Plot shall hereinafter collectively be referred to as the “**said Properties**”.

2) The documents of allotment of plot:

- i) Development Agreement dated 26th day of May, 2023 registered before the Sub-Registrar of Assurances vide Sr.No.BRL2-9402-2023



Search report from years 1984 till 2023 in respect of the said Sonal Plot.

- 5) On perusal of the abovementioned documents and all other relevant documents relating to title of the said Properties and subject to what is stated herein, I am of the opinion that the title of the said Properties is clear, marketable and without any encumbrances.

Owners of the Land

- a) That by an Indenture of Lease dated 13th day of October 1993 made and entered into between the said Maharashtra Housing And Area Development Authority, ("MHADA") a statutory corporation constituted under the Maharashtra Housing and Area Development Act, 1976 (Mah. XXVIII of 1977) having its then office at Griha Nirman Bhavan, Kala Nagar, Bandra (East), Mumbai 400 051, therein called as "the Authority" of the One Part and The Charkop Bharat Bhushan Co-operative Housing Society Limited., therein called as "the Society" of the Other Part, the said MHADA being the Authority therein demised the said Bharat Bhushan Plot unto and in favour of the The Charkop Bharat Bhushan Co-operative Housing Society Limited., as the Lessee thereof for a period of 90 years commencing on 13th day of October, 1993 with renewal after every 30 years.



in respect of Properties viz. Charkop Bharat Bhushan Co-operative Housing Society Ltd and Charkop Sonal Co-operative Housing Society Ltd. have granted development rights in favour of RAJ REALTORS in respect of the said Properties.

- ii) Power of attorney dated 20th day of June, 2023 registered before the Sub-Registrar of Assurances vide Sr.No BRL2-9403-2023 wherein the said Charkop Bharat Bhushan Co-operative Housing Society Ltd and the said Charkop Sonal Co-operative Housing Society Ltd. nominated, constituted and appointed 1) Mr Rajeshkumar Phoolraj Singh & 2) Mr. Mukesh Juharmal Parmar Partners of RAJ REALTORS, as the true and lawful constituted attorney for the development of the said Properties.


3) Property Registration Card:

As per Property Registered Card the name of both the Society are not yet mutated on the property card.

- 4) Search report from years 1984 till 2023 in respect of the said Bharat Bhushan Plot.

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- b) That by an Indenture of Lease dated 5th day of September 1988 made and entered into between the said Maharashtra Housing And Area Development Authority, (“MHADA”) a statutory corporation constituted under the Maharashtra Housing and Area Development Act, 1976 (Mah. XXVIII of 1977) having its then office at Griha Nirman Bhavan, Kala Nagar, Bandra (East), Mumbai 400 051, therein called as “the Authority” of the One Part and The Charkop Sonal Co-operative Housing Society Limited., therein called as “the Society” of the Other Part, the said MHADA being the Authority therein demised the said Sonal Plot unto and in favour of the The Charkop Sonal Co-operative Housing Society Limited., as the Lessee thereof for a period of 90 years commencing on 5th September, 1988 with renewal after every 30 years. The lease for Charkop Sonal Plot is due for renewal on 5th September, 2018.
- 6) The report reflecting the flow of the title of the said Properties is enclosed herewith as annexure.


Adv. Satish Sharma
Bombay High Court

Date: 17/10/2023

Place: Mumbai

Encl.: Annexure



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FLOW OF THE TITLE OF THE SAID LAND

The brief facts relating thereto are as under:

- 1) The Maharashtra Housing and Area Development Authority, ("MHADA") a statutory corporation constituted under the Maharashtra Housing and Area Development Act, 1976 (Mah. XXVIII of 1977) and having its office at Griha Nirman Bhavan, Kala Nagar, Bandra (East), Mumbai 400 051, prepared a layout of the Larger Plot of Lands and subdivided the Larger Plot of Lands into several plots and constructed several Buildings thereon (hereinafter for brevity's sake referred to as the "**said Layout Plots**").
- 2) Out of the various Layout Plots, MHADA allotted all those sub-divided Layout Plot situate lying and being at bearing Plot No.115, RSC 11 Sector No.1, Survey No.149 and C.T.S No.1C-2/93 Village Kandivali, Taluka Borivali, Bombay Suburban District situate at Charkop, Kandivali (West), Mumbai 400 067 Mumbai Suburban District "**said Bharat Bhushan Plot**" to a Society named Charkop Bharat Bhushan Co-operative Housing Society Ltd. ("**said Charkop Bharat Bhushan Society**") which is registered under the provisions of the Maharashtra Co-operative Societies Act, 1960 bearing Society Registration No.BOM/(MHADA)/HSG/(TC)/7497/93-94.



- 3) That by an Indenture of Lease dated 13th day of October 1993 made and entered into between the said Maharashtra Housing And Area Development Authority, ("MHADA") a statutory corporation constituted under the Maharashtra Housing and Area Development Act, 1976 (Mah. XXVIII of 1977) having its then office at Griha Nirman Bhavan, Kala Nagar, Bandra (East), Mumbai 400 051, therein called as "the Authority" of the One Part and The Charkop Bharat Bhushan Co-operative Housing Society Limited., therein called as "the Society" of the Other Part, the said MHADA being the Authority therein demised the said Bharat Bhushan Plot unto and in favour of the said Charkop Bharat Bhushan Society, as the Lessee thereof for a period of 90 years commencing on 13th day of October, 1993 viz. All that piece and parcel of land admeasuring 949 sq.mtrs. or thereabouts bearing Plot No.115, RSC 11, Sector No.1, Survey No.149 and C.T.S No.1C-2/93 situate at Charkop, Kandivali (West), Mumbai 400 067 Mumbai Suburban District. The said lease was to be renewed after every 30 years.
- 4) Subsequently, the said Charkop Bharat Bhushan Co-operative Housing Society Limited constructed a Building known as "Bharat Bhushan" on the said Bharat Bhushan Plot comprising of 24 Flats/Shops and allotted the said Premises to its members.

- 5) Out of the various Layout Plots the MHADA allotted All those sub-divided Layout Plot situate lying and being at bearing Plot No.113, RSC 11, Sector No.I, Survey No.149 and C.T.S No.1C-2/78 of Village Kandivali, Taluka Borivali, Bombay Suburban District situate at Charkop, Kandivali (West), Mumbai 400 067 Mumbai Suburban District “**said Sonal Plot**” to a Society named Charkop Sonal Co-operative Housing Society Ltd. (“**said Charkop Sonal Society**”) which is registered under the provisions of the Maharashtra Co-operative Societies Act, 1960 bearing Society Registration No.BOM/(WR)/HSG(TC)/2966/87-88 dt.2-12-1987.
- 6) That by an Indenture of Lease dated 5th day of September 1988 made and entered into between the said Maharashtra Housing And Area Development Authority, (“MHADA”) a statutory corporation constituted under the Maharashtra Housing and Area Development Act, 1976 (Mah. XXVIII of 1977) having its then office at Griha Nirman Bhavan, Kala Nagar, Bandra (East), Mumbai 400 051, therein called as “the Authority” of the One Part and The Charkop Sonal Co-operative Housing Society Limited., therein called as “the Society” of the Other Part, the said MHADA being the Authority therein demised the said Sonal Plot unto and in favour of the said Charkop Sonal Society as the Lessee thereof for a period of 90 years commencing on 5th September, 1988 viz. All that piece and parcel of land admeasuring 949 sq.mtrs. or thereabouts bearing Plot No.113, RSC 11

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Sector No.I, Survey No.149 and C.T.S No.1C-2/78 situate at Charkop, Kandivali (West), Mumbai 400 067 Mumbai Suburban District. The said lease is to be renewed after every 30 years and the same is due for renewal from 5th September, 2018.

- 7) Subsequently, the said Charkop Sonal Society constructed a Building known as "Sonal" on the said Sonal Plot comprising of 16 Flats/Shops and allotted the said premises to its members.
- 8) For the sake of brevity, the said Bharat Bhushan Plot and the said Sonal Plot are jointly referred to as the "**said Properties**".
- 9) That the name of both the said Societies i.e. Charkop Bharat Bhushan Society and Charkop Sonal Society are not yet mutated in the Property Registered Card.
- 10) By a Development Agreement dated 26th day of May, 2023 registered before the Sub-Registrar of Assurances vide Sr.No.BRL2-9402-2023 made and entered into between the said Charkop Bharat Bhushan Co-operative Housing Society Ltd., therein called as the "First Society" of the First Part and the said Charkop Sonal Co-operative Housing Society Ltd. therein called as the "Second Society" of

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the Second Part and RAJ REALTORS, therein called as the “Developers” of the Third Part and Members of Charkop Bharat Bhushan Society of the Fourth Part and Members of Charkop Sonal Society of the Fifty Part, RAJ REALTORS have acquired the development rights of the said Bharat Bhushan Plot and said Sonal Plot from the Charkop Bharat Bhushan Society and Charkop Sonal Society respectively, on the terms and conditions mentioned in the said Development Agreement.

- 11) By a Power of Attorney dated 20th day of June, 2023 registered before the Sub-Registrar of Assurances vide Sr.No BRL2-9403-2023 wherein the said Charkop Bharat Bhushan Society and the said Charkop Sonal Society nominated, constituted and appointed 1) Mr Rajeshkumar Phoolraj Singh & 2) Mr. Mukesh Juharmal Parmar Partners of RAJ REALTORS, as the true and lawful constituted attorney for the development of the said Properties.
- 12) Public notices in respect of the said Charkop Bharat Bhushan Society, were issued and published in two News Papers namely The Free Press Journal (English) and Aapla Mahanagar (Marathi) on 01/09/2023 and also Public notices in respect of the said Charkop Sonal Society., were issued and published in two News Papers namely The Free Press Journal (English) and Aapla Mahanagar (Marathi) on 01/09/2023 by me, inviting the objections, if any, from the public



at large, however, I have not received objection in response to the aforesaid public notices till date.

13) Search is also taken in respect of the said Properties and I have not found any adverse remark in respect of the said Properties.

14) I have been informed that there are no litigation pending in respect of the said Property.

On the basis and subject to whatever stated hereinabove, I am of the opinion that the title of the said Property is clear and marketable.



Adv. Satish Sharma

Bombay High Court

SATISH SHARMA
B.Com. L.L.B.
ADVOCATE HIGH COURT
101, Shree Vallabh Residency, Daulat Nagar,
Road No. 3, Borivali (East), Mumbai - 400 066