

NILESH JOSHI

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Advocate, High Court

JOSHI & CO.

ADVOCATES & TAX CONSULTANTS

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Ref. No. : _____

Date : _____

FORMAT - A (Circular No. 28/2021)

To,
Maha RERA
3rd Floor, A-Wing,
Slum Rehabilitation Authority
Administrative Building,
Anant Kaneka Marg,
Bandra East, Mumbai - 400 051

LEGAL TITLE REPORT

Sub: Title Report with respect to CTS No. 1720 of Village
Chembur, at Shree Gaondevi Compound, R. C. Marg,
Chembur, Mumbai - 400 071 in ward "M West for Shree
Ganesh Gaondevi CHSL. (Hereinafter referred as the
said Plot")

1. I have investigated the title of the said plot on the request of Promoters / Developer M/s. Mangalnath Developers. (Promoter/Developers) and following documents i.e.:-

A. Description of the property:

All Piece and parcel of land building premises situated lying and being at Chembur Village, Mumbai Greater Mumbai within the Registration District and Suburban District of



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Mumbai containing by measurement 3717.90 sq. mtrs. or CTS No. 1720 of village Chembur, Mumbai suburban District and in the Book of Assessor and Collector of Mumbai Rates & Taxes under "M" West Near Basant Park, R. C. Marg, Chembur, Mumbai - 400 071 and more particularly described in the Schedule hereunder written (hereinafter referred to as the "said property").

B. The documents of allotment of plot:

1. The said property described in the Schedule hereunder written are occupied by 213 slum dwellers and out of that, 167 slum dwellers were already eligible under the Slum Rehabilitation Scheme and accordingly Annexure II has been issued by the Slum Rehabilitation Authority and the said slum dwellers have formed a Co-operative Society under the provisions of Maharashtra Co-operative Societies Act, 1960 under Registration No. MUM/ SRA/ HSG/ TC/ 15126/ 2010 having its registered office at No. 1720, Marwari Chawl, Gaondevi Compound, RC Marg, Chembur, Mumbai - 400 071. For brevity sake, the said society is hereinafter referred to as "the said society".



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2. After due process of law, the Slum Rehabilitation Authority has appointed by letter under reference No. SRA/ ENG/ 1576/ MW/ STGL/ LOI and SRA/ ENG/ 2474/ MW/ STGL/AP dated 8.4.2021, appointed the Promoters herein as the Developers for the Slum Rehabilitation Scheme under the Regulation 33(10) of the DCPR, 2034 in respect of the above referred property described in the Schedule hereunder written and
3. The said society, SHRI GANESH GAONDEVI CO-OPERATIVE HOUSING SOCIETY LIMITED, have accepted and appointed the Promoters herein as the Developers in respect of redevelopment of the property described in the Schedule hereunder written,
4. By virtue of Development Agreement dated 18.3.2021, the society has accepted orders passed by SRA under Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance & Re-development) Act, 1971 and pursuant to the said orders, the society has executed Development agreement in favour of the allotter/ Developer in respect of the property described in the Schedule hereunder written.



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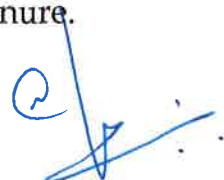
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5. Property card issued by City Survey Officer dated 12th November, 2018; mutation entry No. 1578 dated 15th December, 2015 duly reflected as Maharashtra sarkar (Maharashtra Government) and having "G" Tenure.
6. The Search Report for 30 years from 1992 till 2021 conducted by the Search Clerk Mr. Pradip Fatkare
 - (i) at Mumbai SRO Registrar Office from 1992 to 2021,
 - (ii) at Bandra SRO Registrar Office from 1992 to 2021,
 - (iii) at Kurla SRO Registrar Office from 1995 to 2021,
 - (iv) . At Chembur & Nahur SRO Registrar Office from 2002 to 2021 in respect of the said property.
7. I have also caused to in the Public notice in two (2) local news papers dated 30th April, 2021 namely Nav Shakti and ^(in Marathi) The Free Press Journal Mumbai edition (English) for investigation title in respect of the said property and till today I have not received any objection or claim from anyone. 
8. Qualifying Comments:
 - a) Maharashtra Government is owner of the land and having "G" Tenure. 

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- b) The Erstwhile Builders, M/s. EMPRESS & ADISHAKTI JV could not complete and comply and implement the LOI issued by the Slum Rehabilitation Authorities and slum dwellers have formed a society under the name and style of SHRI GANESH GAONDEVI CO-OPERATIVE HOUSING SOCIETY LIMITED, a society duly registered under the provisions of the Maharashtra Co-operative Societies Act, 1960, have filed a petition before Chief Executive officer, Slum Rehabilitation Authority, Bandra (East), Mumbai, for termination of appointment as the Developers, M/s. Empress & Adishakti JV in respect of the property described in the Schedule hereunder written.
- c) During the course of proceedings, erstwhile Developers, Empress & Adishakti JV have accepted and they are unable to continue to develop the property described in the Schedule hereunder written and as per the order passed by the Chief Executive Officer, Slum Rehabilitation Authority under Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance & Re-development) Act, 1971 dated 9.2.2021, and terminated the erstwhile developers.
- d) Cancellation of erstwhile Joint Venture Agreement is yet to be registered.

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9. 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 as per the Slum Rehabilitation Authority has appointed by letter under reference No SRA/ ENG/ 1576/ MW/ STGL/ LOI and SRA/ ENG/ 2474/ MW/ STGL/ AP dated 8.4.2021, appointed the Promoters herein as the Developers for the Slum Rehabilitation Scheme under the Regulation 33(10) of the DCPR, 2034 (As per Annexure - A) and Developer is entitled to Develop the said Property as per Terms & Conditions of IOA and Subject to allotment to slum Dwellers & settlement with erstwhile Developer. Promoters herein entitled to sale the free sale area to the prospective / intending purchaser.
10. The report reflecting the flow of the title of the Developer M/s. Mangalnath Developers on the said land is enclosed herewith as annexure.



Nilesh Joshi

(Advocate)

Encl: Annexure A, Annexure 1

Date: 30.06.2021

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Format A

(Circular No.:-28/2021)

FLOW OF THE TITLE OF THE SAID LAND

Sr. No.

- 1) Property Card as on 15th December, 2015 as on date of application for registration which is duly verified online and stand in the name of Govt of Maharashtra & bearing "G" Tenure
(<https://mahabhunakasha.mahabhumi.gov.in/27/index.jsp> dated 15th November 2018)
- 2) Mutation Entry No. 1587 dated 15th December 2015 as per latest property card available online on 12/11/2018.
- 3) The Search Report for 30 years from 1992 till 2021 conducted by the Search Clerk Mr. Pradip Fatkare
 - i. at Mumbai SRO Registrar Office from 1992 to 2021,
 - ii. at Bandra SRO Registrar Office from 1992 to 2021,
 - iii. at Kurla SRO Registrar Office from 1995 to 2021,
 - iv. At Chembur & Nahur SRO Registrar Office from 2002 to 2021 in respect of the said property.
- 4) Letter of Intent, issued by the Slum Rehabilitation Authority, dated 01.10.2009 under reference No SRA/ENG/ 1576/ M/ W/ STGL/ LOI dated 01.10.2009



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- 5) Occupied by 213 slum dwellers and out of that, 167 slum dwellers were already eligible under the Slum Rehabilitation Scheme and accordingly Annexure II has been issued by the Slum Rehabilitation Authority and the said slum dwellers have formed a Co-operative Society under the provisions of Maharashtra Co-operative Societies Act, 1960
- 6) The declaration signed and executed by Mr. DEPAK SADASHIV NIKALJE, sole proprietor of ADISHAKTI DEVELOPERS and M/s. IMPRESS HAMMER REALTY, Impress Hammer Realty has paid the consideration of Rs. 2,00,00,000/- (Rupees two crores only) as per the Joint Venture dated 22.2.2008, executed between the parties hereto, read with Deed of Confirmation dated 23.1.2009, duly registered with the office of Sub-registrar of Assurances at Kurla -1, under serial No. BDR/ 3/ 00890 of 2009 dated 30.1.2009, the original developers, Adishakti Developers has entered into Joint Venture agreement with Impress Hammer Realty
- 7) Revised Letter of Intent, issued by the Slum Rehabilitation Authority, dated 31.12.2019, under reference No. SRA/ ENG/ 1576/ M/ W/ STGL/ LOI dated 31.12.2019.



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- 8) As per the order passed by the Chief Executive Officer, Slum Rehabilitation Authority under Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance & Re-development) Act, 1971 dated 9.2.2021, and terminated the erstwhile developers. Issued amended IOA of composite building along with Commencement Certificate bearing No. SRA/ ENG/ 2474/ MW/ STGL/ AP dated 27.4.2021.
- 9) The Slum Rehabilitation Authority has appointed by letter under reference No. SRA/ ENG/ 1576/ MW/ STGL/ LOI and SRA/ ENG/ 2474/ MW/ STGL/ AP dated 8.4.2021, appointed the Promoters herein as the Developers for the Slum Rehabilitation Scheme under the Regulation 33(10) of the DCPR, 2034 in respect of the property
- 10) As per development agreement dated 18.3.2021, the society has accepted orders passed by SRA under Section 13(2) of the Maharashtra Slum Areas (Improvement, Clearance & Re-development) Act, 1971 and pursuant to the said orders, the society has executed Development agreement.
- 11) The Slum Rehabilitation Authority has also issued amended IOA of composite building along with Commencement Certificate bearing No. SRA/ ENG/ 2474/ MW/ STGL/ AP dated 27.4.2021 in respect of the composite building in respect of the property.



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12) Public Notice issued dated 04.05.2021 published in Nav
Shakti (Marathi) and The Free Press Journal Mumbai
edition (English)

13) Litigations if any: NIL


Nilesh Joshi
Advocate.

Date: 30.06.2021