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**Advocate High Court**

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Date: 08/04/2021

**LEGAL TITLE REPORT**

To  
MahaRERA  
Mumbai.

Sub:- Title Clearance Certificate with respect to Non Agricultural Land being Plot No 8, admeasuring about 14995.54 Square Metres , Survey No 51pt, 54pt, 49pt, 119pt ( VS-1 Type Building No 19 to 45) , Sector 9, Vashi, Navi Mumbai, Taluka and District Thane.

I have investigated the Title of the said Plot on the request of the Developers M/s Arihant Aashiyana Private Limited and following documents i.e. :-

1) **DESCRIPTION OF LAND**

All that piece and Parcel of immovable Property Non Agricultural land bearing Plot No 8, admeasuring about 14995.54 Square Metres , Survey No 51pt, 54pt, 49pt, 119pt ( VS-1 Type Building No 19 to 45) , Sector 9, Vashi, Navi Mumbai, Taluka and District Thane.

2) The Documents of the abovementioned Land:

- a) Copy of Declaration registered with the Sub-Registrar of assurances Thane under Sr No P-472 dated 09/07/1985.
- b) Copy of Lease dated 2<sup>nd</sup> August 1985 executed by CIDCO Ltd in favour of Association.

- c) Government Resolution No TBP-4312 / 643 / CR-9 / 1/2014/UD-11 dated 04/02/2015 of Government of Maharashtra, Urban Development Department according sanction for the reconstruction / Redevelopment of dilapidated Buildings previously constructed by CIDCO LTD within the limits of NMMC.
- d) CIDCO letter No CIDCO /EMS /Redevelop /AEO (Vashi) /2017/6418 dated 11/04/2017 granting NOC to association for the redevelopment.
- e) Deed of Declaration dated 14/01/2019 of Association.
- f) Copy of Society Registration Certificate being NBOM / CIDCO / HSG / (TC) /7794 / JTR/ Year 2018-2019.
- g) Supplementary Lease Deed dated 22/08/2019 registered with the sub registrar of assurances Thane 8 Vide Document TNN8-13527-2019 dated 26/09/2019.
- h) Commencement certificate being O No NMMC/ TPO / BP/ Case No 20201CNMMC 17379/ 648/ 2021 dated 24 / 02 / 2021 issued by Municipal Corporation.
- i) Copy of Agreement for Re-Development between Apartment Owners, Association and M/s Arihant Dwellcons Pvt Ltd.
- j) Society letter dated 10/02/2019 of No-objection for the Transfer of the Development rights from M/s Arihant Dwellcons Private Limited in the name of M/S ARIHANT AASHIYANA PVT LTD.

3) Search Report for 30 years from 1992 to 2021.

2/ On perusal of the abovementioned Documents and all other relevant documents relating to title of the said property I am of the opinion that the Title in respect of the said plot i.e Plot No 8, admeasuring about 14995.54 Square Metres , Survey No 51pt, 54pt, 49pt, 119pt ( VS-1 Type Building No 19 to 45) , Sector 9, Vashi, Navi Mumbai, Taluka and District Thane in the name of the said Society i.e "M/s Kailas Shikhar Co-Operative Housing Society Ltd" , is clear and marketable and without any encumbrance and M/S ARIHANT AASHIYANA PVT LTD, through its Director SHRI ASHOK BHANWARLAL CHHAJER have rights and powers to redevelop the said Plot.

Owners of the Land:

M/s Kailas Shikhar Co-Operative Housing Society Ltd and redevelopment rights of M/S ARIHANT AASHIYANA PVT LTD, through its Director SHRI ASHOK BHANWARLAL CHHAJER .

3/ The report reflecting the flow of the Title of the Owner on the said Land is enclosed herewith.

Encl: Annexure.

Date 08/04/2021

Yours Truly



Rajesh H. Patil

Advocate High Court  
**RAJESH H. PATIL**  
Advocates High Court  
D-279, Vashi Plaza, 1st Floor,  
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Mob. No.:8928181421



Date: 08/04/2021

### **FLOW OF THE TITLE OF THE SAID LAND**

- 1) The City and Industrial Development Corporation of Maharashtra Ltd, a Company incorporated under the Companies Act, 1956 having registered office at Nirmal, 2<sup>nd</sup> floor , Nariman Point , Mumbai 400021( herein referred the CIDCO) is the new Town Development Authority declared for the area designated as site for the new town of Navi Mumbai by Government of Maharashtra in exercise of its powers under Sub-section (1) and (3A) of section 113 of the Maharashtra Regional and Town Planning Act, 1966 hereinafter referred to as the "M R T P Act".
- 2) THE STATE GOVERNMENT in pursuance to Section 113-A of the Maharashtra Regional Town Planning Act acquired Lands and vested in 'CIDCO' for development and disposal of lands.
- 3) By virtue of being the Development Authority, the CIDCO has been empowered u/s. 118 of the said act to dispose off any land acquired by it or vested in it accordance with the proposal approved by State Government.
- 4) The CIDCO Ltd was in Possession of plot of Land being Plot No 8, admeasuring about 14995.54 Square Metres , Survey No 51pt, 54pt, 49pt, 119pt , Sector 9, Vashi, Navi Mumbai, Taluka and District Thane. Hereinafter the abovementioned Plot No 8 is referred to as said Plot. 6

- 5) The Said CIDCO Ltd had constructed 27 Buildings known as VS-1 Type being Building No 19 to 45 on the said Plot consisting of ground plus two upper Floors and consisting of total 648 Apartments. Hereinafter the abovementioned Building No 19 to 45 are referred to as said Buildings.
- 6) The said CIDCO Ltd had executed diverse Agreement For Sale / Deed of Apartments with the Apartment Owners and have leased the Apartments of the said Buildings on the said Plot to each of the Apartment Owners on ownership basis on such terms and conditions mentioned therein.
- 7) The VS-1 Type Apartment Owners Association consisting of the Apartment Owners of the said Buildings was formed and the Apartment Owners became the members of the Association. Hereinafter the VS-1 Type Association of the Apartment Owners is referred to as said Association.
- 8) The said CIDCO Ltd had subjected the said Plot along with the said Buildings including the common areas to the VS-1 Type Apartment Owners Association by filing Declaration under the Provisions of Apartment Ownership Act 1970. This Declaration is registered with the Sub-Registrar of assurances Thane under Sr No P-472 dated 09/07/1985.
- 9) By an Lease dated 2<sup>nd</sup> August 1985, executed by the said CIDCO in favour of the said Association, the said CIDCO had granted the said plot of Land on Lease to the said Association.
- 10) The said Buildings and Flats constructed on said Plot became dilapidated and dangerous for inhabitation and they were declared as dangerous for human inhabitation by the Local Planning authority i.e Navi Mumbai Municipal Corporation (NMMC) and were placed under C-1 category. Q



- 11) The Apartment Owners did not have resources for the redevelopment of the said Building on said Plot and hence the Apartment Owners and the said Association had agreed for giving the said Plot for redevelopment to the Developers i.e Arihant Dwellcons Pvt Ltd.
- 12) The Government of Maharashtra, Urban Development Department vide Govt Resolution No TBP-4312 / 643 / CR-9 / 1/2014/UD-11 dated 04/02/2015 has accorded sanction for the reconstruction / Redevelopment of dilapidated Buildings previously constructed by said CIDCO within the limits of NMMC.
- 13) The said CIDCO has granted NOC to the said association for the redevelopment of the said Buildings vide letter No CIDCO / EMS / Redevelp /AEO (Vashi) /2017/6418 dated 11/04/2017. This NOC was renewed vide letter No CIDCO /EMS / Redevelp /AEO (Vashi) /2018/1080 dated 09/07/2018 and vide letter No CIDCO/ EMS/ Redevelp/ AEO(Vashi)/2019/281 dated 24/05/2019.
- 14) The said Association vide the Document "Deed of Declaration" dated 14/01/2019 has declared that the said association is dissolved and the declaration is binding on all the apartment Owners.
- 15) A Co-Operative Housing Society i.e "M/s Kailas Shikhar Co-Operative Housing Society Ltd" bearing registration NBOM / CIDCO / HSG / (TC) /7794 / JTR/ Year 2018-2019 dated 29/01/2019 was formed for the said Buildings and Apartments of the said Plot and the Apartment Owners became the member of the Society. Hereinafter the Society "M/s Kailas Shikhar Co-Operative Housing Society Ltd" is referred to as said Society.

- 16) By a Supplementary Lease Deed dated 22/08/2019, the said CIDCO has demised the said plot in favour of the said Society. This Supplementary Deed was registered with the sub registrar of assurances Thane 8 Vide Document TNN8-13527-2019 dated 26/09/2019.
- 17) By Virtue of the abovementioned supplementary Lease Deed, the said Society became the Lessees of the said Plot. The said Society had given a letter dated 10/02/2019 wherein they had given their No-objection for the Transfer of the Development rights from M/s Arihant Dwellcons Private Limited in the name of M/S ARIHANT AASHIYANA PVT LTD.
- 18) The said Society "M/s Kailas Shikhar Co-Operative Housing Society Ltd" had given application to Navi Mumbai Municipal Corporation (NMMC), the Planning authority for the Development permission on the said Plot and NMMC had issued commencement certificate being O No NMMC/ TPO / BP/ Case No 20201CNMMC 17379/ 648/ 2021 dated 24/02/2021 to said Society granting them permission to develop the said plot in accordance with the approved plans and conditions.
- 19) Search Report Search report for 30 yrs from 1992 to 2021 taken from Sub registrar offices at Navi Mumbai.

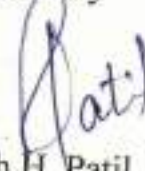
The description of the said Plot is more particularly described herein below.

**SCHEDULE**

All that piece and parcel of Plot of land comprised and known as Plot No 8, admeasuring about 14995.54 Square Metres , Survey No 51pt, 54pt, 49pt, 119pt ( VS-1 Type Building No 19 to 45) , Sector 9, Vashi, Navi Mumbai, Taluka and District Thane.

Date: 08/04/2021.

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