

HJ/AK/SC/DM/547/2021

13th July 2021

To,
MahaRERA
3rd Floor, A-Wing,
Slum Rehabilitation Authority,
Administrative Building, Anant Kanekar Marg,
Bandra (E), Mumbai 400051.

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to plot bearing old Survey No. 92 (corresponding CTS No. 3815 and New Survey No. 13/1) admeasuring approx. 59700 sq. mts., ("**said Plot**") situated at Village Mahajanwadi, Taluka and District Thane within the jurisdiction of Mira Bhayander Municipal Corporation.

We have investigated the title of the said Plot on the request of Man Vastucon LLP, a limited liability partnership registered under the provisions of the Limited Liability Partnership Act, 2008 and having its office at 12th Floor, Krushal Commercial Complex, G M Road, Chembur (West), Mumbai 400 089 ("**Our Clients**") and in the course of such investigation, have perused and relied upon the following documents i.e.

- 1) Description of the property: All that piece and parcel of land bearing old Survey No. 92 (corresponding CTS No. 3815 and New Survey No. 13/1) admeasuring approx. 59700 sq. mts., ("**said Plot**") situated at Village Mahajanwadi, Taluka and District Thane within the jurisdiction of Mira Bhayander Municipal Corporation and bounded as follows:

On or towards the East:- By D. P. Road;

On or towards the West:- By Western Express Highway;



On or towards the North:- By Gulmohar Industry; and

On or towards the South:- By Singapore International School.

- 2) The documents for allotment of plot/grant of development rights in respect of the plot, as referred to in **Annexure A** hereto.
- 3) 7/12 extract issued by the Talathi, District Thane dated 4th June 2021 and which has the following entries:

The name of "The Estate Investment Company Private Limited", has been recorded as the holder thereof. In the other rights column, remark has been made that the public road passing through this property belongs to Gram Panchayat Mira, for which a new 7/12 extracts bearing Survey No. 13/2 has been issued. In addition, the following mutation entries are reflected in the 7/12 extracts for the said Property bearing New S. No. 13/1, Old S. No. 92/part.

Mutation Entry No.	Date	Village	Description
310	20 th January, 1951	Mire	This Mutation Entry refers to the grant of the said Survey No. 92 Property by the Secretary in State for India in Council in favour of Ramchandra Laxmanji. However, the copy provided to us is incomplete.
940	20 th May, 1967	Mire	This Mutation Entry records that as per Section 37(2) of the Maharashtra Land Revenue Code, name of The Estate Investment Company Private Limited, was recorded. An enquiry u/s. 37(2) of Land Revenue Code, was conducted and an Order was passed on 93.12.66 and notice in "C" form was pasted and published to the concerned

			persons. 60 days period to file appeal got over and no appeal was filed; entry of Govt. – Barren was deleted and that of The Estate Investment Company Private Limited to be entered as per Taluka order dated 17 th May 1967 and road passing through S.no.92 is shown as public road and this remark has been recorded in the other rights column of 7/12 extracts.
1279	31 st March, 1983	Mire	This Mutation Entry records that vide Order dated 3 rd March 1983 passed by the Maharashtra Land Revenue Tribunal, Order dated 15 th October, 1982 of the Sub-Divisional Officer Thane was stayed upto 3 rd March 1983. In view of duration of stay order being lapsed, as per order dated 18 th November, 1972 of the Tahsildar Thane, name of Hasanali Hasmaullah Chaudhary as C.A. of Govind Bhika Baabar was recorded in other rights column of S. no.92/pt.
1297	9 th February, 1984	Mire	This Mutation Entry records that the Estate officer & Deputy Collector Mumbai in the Consolidation Final Land acquisition register has recorded that area admeasuring 0.06 of Survey No.92 has been acquired for

			national highway and as per Order dated 9 th February, 1984 of the Tahsildar, Thane and the same was recorded in 7/12 extracts.
1378	28 th October, 1987	Mire	This Mutation Entry records that as per Taluka Hukum and order dated 17 th December, 1981 of the Additional Collector and Competent Authority, Mumbai, on page no.1521 of the Maharashtra Government Gazette published on 31 st December 1981 land has been declared as "Excess Land". In the other rights column entry has been recorded.
1683	3 rd March, 1995	Mire	This Mutation Entry records that as per Taluka order name of Hasanali Hasmullah Chaudry as C.A. of Govind Bhika Babar is recorded in the 7/12 extracts. As per the order dated 2 nd January, 1995 of the Sub-Divisional Officer, Thane name of Hasanali Hasmullah Chaudary as C.A. of Govind Bhika Babar has been deleted in S. no. 92/pt.
9	4 th August, 1997	Mahajanwadi	As per this Mutation Entry, Kul Govind Bhika Babar died on 31 st March 1996. His legal heirs were (1) Gangubai Govind Babar, (2) Eknath Govind Babar, (3)

			Ramesh Govind Babar and (4) Manisha Raju Kataria. No other heirs except these.
1798	21 st June, 2005	Mire	This Mutation Entry records that as per Order/letter dated 17 th June, 2005 of the Range Officer, Yeor, as the lands have stood vested in Govt of Maharashtra, in 7/12 extracts effect has been given. In holder's column of 7/12 extracts, holders name and in other rights column, name of the Government of Maharashtra, Forest Department has been entered.
56	12 th January, 2006		This Mutation Entry records that, as per order dated 12 th June, 2006 of the Tahsildar Officer, Thane, names of (1) Gangubai Govind Babar, (2) Eknath Govind Babar, (3) Ramesh Govind Babar and (4) Manisha Raju Kataria in the other rights column have been deleted.
57	22 nd May, 2006	Mahajanwadi	This Mutation Entry records that, as per letter of the Range officer, Yeor, as per provisions of Maharashtra Pvt. Forest Acquisition Act, 1975, in the 7/12 extracts in the holder's column name of the holder and in other rights Column name of "Maharashtra Govt. Forest Dept." was recorded.

273	28 th November, 2011	Mahajanwadi	This Mutation Entry records that as per order dated 29 th January, 2009 of the Additional Collector & Competent Authority (ULC) u/s. 6(1) of the ULC Act, an area was delineated as surplus land against which order in appeal was filed. The Appellant officer vide its order dated 23 rd September 1993 cancelled the order passed u/s. 8(4) and order dated 29 th July 1981. Section 10(1) notification was cancelled and entry in the other rights column was deleted.
365	31 st October, 2014	Mahajanwadi	This Mutation Entry records that as per Order dated 13 th October 2014, passed in RTS Appeal No. 64/14, by the Sub-Divisional Officer, Thane, the Appeal was admitted and the Mutation Entry No. 57 whereby the remarks "Forest" were recorded in the Other Rights Column of property bearing Od Survey No. 92, New Survey No. 13/1, stood deleted and accordingly, Mutation Entry No. 57 stands cancelled and accordingly, the remark "Forest" stands deleted from the Other Rights Column
387	9 th December 2015	Mahajanwadi	This Mutation Entry records that in terms of the Order passed under provisions of

			<p>Maharashtra Land Revenue Code, 1966, it was ordered that in view of the unauthorised excavation/filler done by the Defaulter, on the property bearing Old Survey No. 92, New Survey 13/1 and in view of the Defaulter having failed to pay the penalty of Rs. 27,85,150/-, a charge has been created on the property bearing Old Survey No. 92, New Survey No. 13/1 to the extent of the penalty amount. Entry effected on the basis of letter dated 14th August, 2013 of the Tahsildar, Thane.</p>
404	20 th October 2016	Mahajanwadi	<p>This Mutation Entry records that by and under an Articles of Agreement dated 9th June, 2016 registered under Serial No. TNN-7/7662/2016, entered into between the Estate Investment Company Private Limited and Conwood Constructions & Developers Private Limited, and the officer in charge of Mira Bhayander Municipal Corporation, an area admeasuring about 5255 sq. mtrs., (reserved as Amenity Open Space) out of the property bearing Old Survey No. 92 and New Survey No. 13/1, has been handed over to the Mira Bhayander Municipal Corporation without payment of any</p>

			compensation and accordingly, the name of Mira Bhayander Municipal Corporation has been recorded in the 7/12 extracts.
407	15 th December 2016	Mahajanwadi	This Mutation Entry records that by and under an Articles of Agreement dated 9 th June, 2016 registered under Serial No. TNN-7/7663/2016, entered into between the Estate Investment Company Private Limited and Conwood Constructions & Developers Private Limited, and the officer in charge of Mira Bhayander Municipal Corporation, an area admeasuring about 8717 sq. mtrs., (reserved as 30 mtrs., wide DP Road) out of the property bearing Old Survey No. 92 and New Survey No. 13/1, has been handed over to the Mira Bhayander Municipal Corporation without payment of any compensation and accordingly, the name of Mira Bhayander Municipal Corporation has been recorded in the 7/12 extracts.
454	5 th July 2017	Mahajanwadi	This Mutation Entry records that by and under a Conveyance dated 29 th March 2017 registered on 5 th July, 2017 under Sr. No. TNN-7/9355/2017, entered into between The Estate Investment Company

			Private Limited and Goan Hotels & Realty Private Limited and Horizontal Realty & Aviation Private Limited, and Eversmile Construction Company Private Limited and Conwood DB JV, the Estate Investment Company Private Limited, sold, transferred, conveyed and assigned its right title and interest in an area admeasuring about 4 Hectare 5728 Ares in the property bearing Old Survey No. 92, New Survey No. 13/1, in favour of the Purchasers therein.
422	19 th July, 2017	Mahajanwadi	This Mutation Entry records that in terms of the Order passed on 22 nd August 2016 in Appeal filed before the Sub-Divisional Officer, Thane, was partly allowed and accordingly, a sum of Rs. 1,32,800/- was paid by the Appellant (as stated in the Order) and thus, the entry for charge of Rs. 27,85,150/- recorded in the Other Rights Column of the property bearing Old Survey No. 92, New Survey No. 13/1 was deleted.
448	16 th February, 2018	Mahajanwadi	This Mutation Entry records that pursuant to the amendments made to Section 42 of the Maharashtra Land Revenue

			Code, 1966, after Section 42A, Section 42B and 42C have been incorporated. In terms of this amendment, a sum of Rs. 45,42,588/- became due and payable towards the conversion and non-agricultural tax and in view of The Estate Investment Company having deposited the aforesaid amount in the Government Treasury, in the Other Rights Column, of the property bearing Old Survey No. 92 and New Survey No. 13/1, was categorised for the purpose of “Non-agricultural use”
480	3 rd December 2019	Mahajanwadi	This Mutation Entry records that the Other Rights Column of property bearing Old Survey No. 92, New Survey No. 13/1, refers to an entry stating, “public road belonging to Mira Bhayander Municipal Corporation”, vide an Order dated 21 st September, 2019 of the Tahsildar Thane, the aforesaid entry has been ordered to be deleted.
462	19 th October, 2018	Mahajanwadi	This Mutation Entry records that vide Mutation Entry No. 454, the names of Conwood DB JV, Eversmile Construction Company Private Limited, Horizontal

			<p>Realty & Aviation Private Limited,</p> <p>Goan Hotels & Realty Private Limited and Conwood DB JV, have been updated in the 7/12 extracts. Vide Deed of Rectification dated 13th August 2018 registered under Serial No. 11520/2018, the names of (1) Conwood DB JV through partner DB Realty, (2) Conwood DB JV through partner Conwood Construction and Developers Private Limited, have been deleted.</p>
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In addition to the aforesaid mutation entries, 7/12 extracts of the said Property, refer to Mutation Entry Nos. 251 and 255. On perusal of the copies of these mutation entries provided to us by the Clients, we observe that the same are not in respect of the said Property and the same could have been referred to in the 7/12 extracts by oversight. We have been informed that no application for deletion of these mutation entries has been filed and we recommend that the same be filed.

With respect to Mutation Entry Nos. 400, 420 and 433 referred to in the 7/12 extracts, the Clients have provided us copy of an undated Certificate issued by the Talathi, Saza Mire, Taluka/District Thane, which records that Mutation Entry No. 433 has been issued with respect to the Order dated 8th December, 2015 passed by the Hon'ble High Court at Bombay in Petition No. 10204/2015 and instructions given by the Settlement Commissioner on 3rd December, 2015, so that the error in the original handwritten record of the 7/12 extracts can be rectified and computerized 7/12 extracts can be issued.

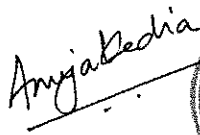
4) **Search Report:**


As per the instructions of our Clients, we have conducted an online search on the website of the Department of Registration and Stamp, with respect to the plot from the year 2017 till the date hereof. In addition to the online search conducted by us, we have relied upon the Search Report dated 26th December 2017, issued by Mr.

PARINAM LAW ASSOCIATES

Office of Sub-registrar at Thane. for the years 1988 to 2006, 2008, 2010, 2011, 2013 are NIL. (c) Index-II in the Office of Sub-registrar at Thane, reflects documents mentioned at (1) paragraph no. 3K, (2) paragraph no. 6 (i) of the our Title Report of even date enclosed herewith{ save and except Deed of Re-conveyance dated 31st March, 2010, which is unregistered} to (iv) {save and except the Deed of Re-conveyance dated 12th January, 2018}. (v) and (vi), (3) paragraph nos. 3(O), 3(Q), 3(R) and 3(S) respectively of the our Title Report of even date enclosed herewith and (4) many manual and computer Index Book Record are in Torn condition and are not prepared properly in the Sub-Registrar's Office at Mumbai and Thane and that he has taken search as per available record. The details of records available on the website of the Department of Registration and Stamp are annexed herewith and marked as "Annexure B".

- 5) On a perusal of the above mentioned documents and all other relevant documents relating to title of the said Plot and also subject to our assumptions, recommendations and suggestions as contained in our Title Report of even date (enclosed herewith), we are of the opinion that Man Vastucon LLP. are entitled to develop the said Plot. in terms of the registered Deed of Assignment of Development Rights dated 19th August, 2015 read with Deed of Modification of Deed of Assignment of Development Rights dated 19th August, 2015; dated 18th August 2017 and also subject to compliance of obligations undertaken by it under diverse documents and also subject to the terms and conditions of the permissions/sanctions as may be granted by concerned authorities and also subject to the mortgage created in favour of ICICI Bank Limited (having a first mortgage/charge) on the receivables of Phase 1 of the project known as "Aaradhya HighPark Project".
- 6) The report reflecting the flow of the title of the said Plot is enclosed herewith.


Partner
Parinam Law Associates



Encl.: As above.