



TITLE CERTIFICATE

To,

Nexzone Buildcon LLP
702, Marathon Max,
Mulund-Goregaon Link Road ,
Mumbai - 400080.

Re: All that piece and parcel of land bearing CTS Nos. 771, 771/1 to 771/35, 806, 806/1 to 806/11, admeasuring 1557.07 square meters or thereabouts situate, lying and being in the revenue Village of Mulund, Taluka Kurla, within District and Sub-District of Mumbai and Mumbai Suburban at Gaothan Road, Mulund (West), Mumbai 400080 and more particularly described in the First Schedule hereunder ("hereinafter referred to as "**Said Property**").

I have prepared this opinion on Title in respect of the said Property on the basis of (i) Search Report Dated 29th November, 2017 issued by Mr. Bhavesh D. Mhaske for the searches conducted in the relevant offices of Sub-Registrar of Assurances in respect of the said Property for the years from 1968 to 2017 (50years) and (ii) papers/documents and information provided in relation to the said Property by NexzoneBuildcon LLP ("**Nexzone**") to me at the time of diligence and, I have to note as under :

A. Title Flow

1. From the recitals of the Conveyance Deed dated 31st December, 2013 (*referred hereinafter*), it appears that:
 - a. In pursuance of Warrant of Attachment issued under Section 203, 207A (3) of the Mumbai Municipal Corporation Act, 1888 dated 29th July, 1975, the Municipal Commissioner of Greater Mumbai caused to be sold by public auction the said Property.
 - b. One Shri. Ramniklal Zaverbhai Shah purchased the said property through public auction conducted on 30th January, 1978 and paid the payment of auction price on 15th February, 1978 and became the lawful owner of the said Property.
 - c. In the year 2001 towards the said Property, Hon'ble Supreme Court of India in the Petition for Special Leave to Appeal (Civil) No. 6195 of 2001 passed an Order dated 20th April, 2001 to maintain Status Quo to all the



Respondent in the Special Leave Petition and the said Petition is converted to Civil Appeal.

- d. In the year 2007, towards the said Property the Hon'ble Supreme of India in Civil Appeal No.5357 of 2001 dismissed the said Appeal of the Appellant vide Order dated 13th November, 2007.
- e. Shri. Ramniklal Zaverbhai Shah requested to Municipal Corporation of Greater Mumbai vide Letter dated 26th November, 2007 to complete the procedure of sale of the said Property in accordance with Order dated 13th November, 2007 passed by the Hon'ble Supreme Court of India.
- f. The Municipal Corporation of Greater Mumbai have honored the request and issued the Sale Certificate towards the said Property dated 12th March, 2008, (hereinafter for sake of brevity it referred to as "**the said Certificate of Sale**").
- g. Shri. Ramniklal Zaverbhai Shah desired to record and confirm the said Certificate of Sale by registering same as per the provisions of Indian Registration Act and executed by franking the requisite stamp duty and the same was adjudicated under No. ADJ/179/19/K from the Collector of Stamps, Kurla and have accordingly paid the stamp duty Rs.2,710/- and penalty of Rs.5,420/- vide challan No. 5895/5896 dated 31st July, 2009. However, the Shri. Ramniklal Zaverbhai Shah failed to appear before the Sub-Registrar of Assurance at Chembur/Kurla/Mumbai to register the said Certificate of Sale within the prescribed period as per the provision of Indian Registration Act, 1908.
- h. The Original said Certificate of Sale is misplaced and the information regarding the same is recorded with Mulund Police Station under Outward No. 3041/2010 dated 09th July, 2010.
- i. Upon the request of Shri. Ramniklal Zaverbhai Shah on 14th July, 2010, the Collector of Stamps, Kurla, issued the true copy of the said Certificate of Sale on 30th November, 2010.
- j. The Municipal Commissioner for Greater Mumbai is exempted under the provision of Section 38 of Indian Registration Act, XVI, 1908 to appear before the Sub-Registrar to admit the execution of the said Certificate of Sale referred in letter No. Dy/AC/ES/Legal/407/07-08.
- k. The Shri. Ramniklal Zaverbhai Shah registered unilaterally the said Certificate of Sale through Deed of Declaration dated 21st December, 2010 vide registration no. BDR7/09499/2010 on 22nd December, 2010.



2. By a Conveyance Deed dated 31st December, 2013 made between Shri. Ramniklal Zaverbhai Shah therein referred to as Vendor of the FirstPart and Nexzone Buildcon LLP therein referred to as Purchaser of the Other Part, and registered with the office of Sub-Registrar of Assurances Kurla 2, under Serial No. KRL2-1269-2014 on 07th February, 2014, the Vendortherein had conveyed all his right, title and interest with respect to the said Property admeasuring 1557.07 square meters in favour of Nexzone Buildcon LLP at or for consideration and in the manner contained therein.
3. By a Power of Attorney dated 07th February, 2014 and registered with the office of Sub-Registrar of Assurances Kurla 2, under Serial No. KRL2-1268-2014 on 07th February, 2014, the said Shri. Ramniklal Zaverbhai Shah appointed Chetan Ramniklal Shah and Mayur Ramniklal Shah as their constituted attorney to do all acts, deeds, matter and things more particularly described therein in respect of the said Property.

B. DECLARATION OF THE SAID PROPERTY AS A SLUM AND SUBSEQUENT DEVELOPMENT

It appears that the land inter-alia the said Property was encroached upon by various slum dwellers.

4. By a Gazette Notification dated 31st May 1978 bearing reference no.SLM/IMP/CA/I.14 wherein the Deputy Collector (ENC) and the Competent Authority of Kurla-I Sub-Division declared CTS No. 771 admeasuring 1,196.7 square meters as slum area under Section 4(1) of the Maharashtra Slum Areas (Improvement, clearance and Redevelopment) Act , 1971.
5. Subsequently a meeting was held by the Slum dwellers on 04thMarch, 2012 where it was inter alia resolved to form co-operative housing society which was to be known as Ekveera (SRA) Gruh Nirman Sanstha (hereinafter referred to as "**Proposed Society**") and appoint Nexzone Buildcon LLP and its Partners Shri. Mayur Ramniklal Shah and Shri. Kaivalya Chetan Shah as a developer to carry out the development on the said property under the provisions of Regulation 33 (10) of the Development Control Regulations, 1991 ("**D.C.Regulation**")
6. By a Gazette Notification dated 21st August 2012 bearing reference no. SRA/ CTS/ Off-1/ Desk- S1/ 3C/ Ekveera / 2012/2070 wherein the Chief Executive Officer , Slum Rehabilitation Authority had declared CTS No. 806 admeasuring 244.1 square meters and CTS No. 806/1 to 11 admeasuring 117.2 square meters as slum declaration area under Section 3C (1) of the Maharashtra Slum Areas (Improvement, clearance and Redevelopment) Act , 1971.



7. By a Notarized Development Agreement dated 25th June, 2012 made between the Proposed Society therein referred to as Party of First Part, the M/s. Nexzone Buildcon LLP therein referred to as Party of Second Part and all the residential and commercial unit holders as stated in Annexure I therein referred to as Confirming Party of Third Part, the Proposed Society granted rights to develop the said Property in favour of the Nexzone Buildcon LLP therein at or for consideration and on the terms and conditions contained therein. The Society has subsequently executed a Power of Attorney dated 25th June, 2012 in favour of the Nexzone Buildcon LLP to do all acts, deeds, matter, things more particularly described therein.
8. The Competent Authority nominated by the State Government of Maharashtra issued Annexure II from time to time being a certified list of total slum tenements standing on the said Property and certification of the Slum tenements/ slum dwellers eligible for rehabilitation as per the provisions of the Slum Act read with applicable D.C.Regulations. By a Notice issued by Deputy Collector and Competent Authority dated 28th March, 2016 notifies that a slum scheme is being promoted by M/s. Nexzone Buildcon LLP together with the Proposed Society on land bearing CTS Nos. 771, 771/1 to 771/35, 806, 806/1 to 806/11, being the said Property. The notice further records that as per the final Annexure II finalized by the Deputy Collector and Competent Authority there are 75 hutments on the said Property out of which 45 hutments are eligible as per the D.C. Regulation 33(10) and 30 hutments were found to be non-eligible tenements.
9. Further, we have been provided with a copy of Supplementary Annexure-II dated 11th January, 2017 finalized by Deputy Collector and Competent Authority certifying eligibility of the some more hutments.

C. Permission and Approvals

10. I have been furnished with Letter of Intent dated 12th September, 2016 bearing reference no. SRA/ENG/2804/T/PL/ LOI issued by Slum Rehabilitation Authority to Nexzone Buildcon LLP for the proposed slum rehabilitation scheme on the said Property and under the provision of Regulation 33(10) D.C. Regulations FSI of 3.85 (FSI sanctioned for the Project) while the permissible FSI of 3.00 has been approved for the Slum Plot in respect of the development of the said Property subject to the terms and conditions contained therein. I bring to your attention that I have not seen the interim documents at each stage leading up to the issuance of the LOI and I presume that LOI has been duly issued.
11. I have been furnished with the Intimation of Approval bearing reference no. SRA/ENG/3789/T/PL/APdated 05th October, 2016 addressed by Slum



Rehabilitation Authority to Nexzone Buildcon LLP in respect for the proposed slum rehabilitation scheme on the said Property. I bring to your attention that I have not seen the interim documents at each stage leading up to the issuance of the IOA and we presume that IOA has been duly issued.

12. I have been furnished with the Approved SRA Plan (Proforma "B") SALE / REHAB bearing reference SRA/ENG/3789/T/PL/AP dated 05th October, 2016 sanctioned by Executive Engineer SRA in respect of the development of said property issued to Matrix Architect.
13. I have been furnished with Internal Remarks dated 07th November, 2016 bearing reference no. Dy.CHE/5789/SWD/ES issued by Municipal Corporation of Greater Mumbai to Architect, M/s. Matrix regarding S.W. Drains / Nallahs in respect of the proposed development of the said Property .
14. I have been furnished with NOC dated 10th January, 2017 bearing reference no. FB/HR/R VI/219 issued by Chief Fire Officer, Mumbai Fire Brigade, MCGM to M/s. Matrix, Architect stipulating fire protection and fire fighting requirements, for the proposed slum rehabilitation scheme on the said Property
15. I have been furnished with Slum Demarcation Plan dated 27th February, 2017 in respect of the Survey for Boundary Fixation bearing reference no. A.Ta./ H. Ka (SRA)/ Mo. Ra. No. 1103/2016 dated 28.11.2016 issued by City Survey Officer, Mulund (W) to M/s. Matrix Architect in respect of the said Property.
16. I have been furnished with Commencement Certificate("CC") dated 31st March, 2017 bearing reference no.SRA/ENG/3789/T/PL/AP issued by Slum Rehabilitation Authority to Nexzone Buildcon LLP in respect of the development of the said Property and the same is granted up to Plinth Level.
17. I have been furnished with Permission dated 30th June, 2017 bearing reference no. DYSG/TA/MC/236/ES for cutting/transplantation of existing trees coming in construction of building under SRA Scheme on the said Property.
18. I have been furnished with further Permission dated 28th July, 2017 bearing reference no. DYSG/TA/MC/236/ES for cutting/transplantation of existing trees coming in construction of building under SRA Scheme on the said Property.
19. I have been furnished with Permission dated 21st August, 2017 bearing reference no. A.C.T./12466/A.E.(M.)T for De-watering in respect proposed development of the said Property.



20. We have been furnished with Carriage Entrance Permission dated 15th September, 2017 bearing reference no. A. C. T./ 12343/ A.E.(M.)T for De-watering in respect proposed development of the said Property.
21. I have been furnished with the Amended Intimation of Approval bearing reference no. SRA/ENG/3789/T/PL/AP dated 04th January, 2018 addressed by Slum Rehabilitation Authority to Nexzone Buildcon LLP in respect for the proposed Composite Building under slum rehabilitation scheme on the said Property. I bring to your attention that I have not seen the interim documents at each stage leading up to the issuance of the IOA and we presume that IOA has been duly issued.
22. I have been furnished with Commencement Certificate ("CC") dated 3rd February, 2018 bearing reference no.SRA/ENG/3789/T/PL/AP issued by Slum Rehabilitation Authority to Nexzone Buildcon LLP in respect of the development of the said Property as per the approved amended Plan dated 4th January, 2018 for work up-to Plinth level only. I bring to your attention that I have not seen the interim documents at each stage leading up to the issuance of the CC and we presume that CC has been duly issued upto Plinth Level.

D. Revenue Records**PROPERTY REGISTER CARDS**

23. I have been provided with Property Register Cards ("PRC") dated 10th March 2016, on perusal of the same we note the following :

CTS No.	Area (in square meters)	Owner	Tenure
771	780.8	NexzoneBuildcon LLP	C
771/1	9.0	NexzoneBuildcon LLP	C
771/2	9.0	NexzoneBuildcon LLP	C
771/3	9.8	NexzoneBuildcon LLP	C
771/4	9.6	NexzoneBuildcon LLP	C
771/5	9.3	NexzoneBuildcon LLP	C
771/6	9.3	NexzoneBuildcon LLP	C
771/7	9.3	NexzoneBuildcon LLP	C
771/8	8.5	NexzoneBuildcon LLP	C
771/9	12.9	NexzoneBuildcon LLP	C
771/10	11.7	NexzoneBuildcon LLP	C
771/11	8.9	NexzoneBuildcon LLP	C
771/12	9.3	NexzoneBuildcon LLP	C
771/13	9.3	NexzoneBuildcon LLP	C
771/14	9.3	NexzoneBuildcon LLP	C
771/15	9.6	NexzoneBuildcon LLP	C



771/16	9.8	NexzoneBuildcon LLP	C
771/17	9.0	NexzoneBuildcon LLP	C
771/18	9.0	NexzoneBuildcon LLP	C
771/19	14.4	NexzoneBuildcon LLP	C
771/20	13.7	NexzoneBuildcon LLP	C
771/21	13.5	NexzoneBuildcon LLP	C
771/22	13.5	NexzoneBuildcon LLP	C
771/23	18.0	NexzoneBuildcon LLP	C
771/24	18.0	NexzoneBuildcon LLP	C
771/25	18.3	NexzoneBuildcon LLP	C
771/26	19.2	NexzoneBuildcon LLP	C
771/27	11.2	NexzoneBuildcon LLP	C
771/28	14.8	NexzoneBuildcon LLP	C
771/29	15.3	NexzoneBuildcon LLP	C
771/30	15.3	NexzoneBuildcon LLP	C
771/31	4.2	NexzoneBuildcon LLP	C
771/32	12.6	NexzoneBuildcon LLP	C
771/33	14.2	NexzoneBuildcon LLP	C
771/34	13.8	NexzoneBuildcon LLP	C
771/35	13.3	NexzoneBuildcon LLP	C
806	244.1	NexzoneBuildcon LLP	A
806/1	4.2	NexzoneBuildcon LLP	A
806/2	15.3	NexzoneBuildcon LLP	A
806/3	15.3	NexzoneBuildcon LLP	A
806/4	7.8	NexzoneBuildcon LLP	A
806/5	4.5	NexzoneBuildcon LLP	A
806/6	12.3	NexzoneBuildcon LLP	A
806/7	23.7	NexzoneBuildcon LLP	A
806/8	14.2	NexzoneBuildcon LLP	A
806/9	14.2	NexzoneBuildcon LLP	A
806/10	1.6	NexzoneBuildcon LLP	A
806/11	4.1	NexzoneBuildcon LLP	A

24. I note that save and except land bearing CTS Nos. 806 and 806/1 to 806/11, all the land parcels have "C" (authorized NA use) as its tenure. I further note that the property card bearing 806, 806/1 to 806/11 have "A" (Gaothan use) as its tenure. We have been informed by the M/s. Nexzone Buildcon LLP that they had vide their application dated 22.08.2017 applied to Tahsildar, Kurla (Mulund) to permit them to pay N.A assessment and Conversion tax in accordance with the ordinance dated 05.01.2017.
25. On perusal of Property Card in respect of C.T.S. Nos. 771, 771/1 to 771/35 and 806 and 806/1 to 806/11, I observe as follows :



- That the name of Shri. Sovar Gopal Vaity was recorded as Original Owner in the year 1964.
- By virtue of the Mutation dated 26.02.2001 the said Shri. Sovar Gopal Vaity being deceased and upon the application and affidavit of his Legal Heirs the City Survey Officer, Mulund by his order dated 26.02.2001 have deleted his name and recorded the names of Smt. Jankibai Sovar Vaity & 20Ors. were recorded as his legal heirs.
- By virtue of the Mutation dated 30.09.2011 by application made by Shri. Dwarkanath Rao on behalf of Shri. Ramnikbhai Z. Shah and Sale certificate issued under Section 203 and 207 (A) dated 12.03.2008 and by virtue of Long Cause Suit No. 404/78 before City Civil Court, Suit No. 352 /1983 before High Court , Petition No. 5357/2010 before the Supreme Court and Declaration dated 31.12.2010 registered with Sub-registrar for assurance Kurla 2 Mumbai bearing No. BDR7/10236 and Order of City Survey Officer, the name of Shri. Madhav D. Vaity and 20 ors. was deleted and name of Shri. Ramniklal Zaverbhai Shah was recorded as the owner.
- By virtue of the Mutation dated 11.11.2014 vide conveyance dated 31.12.2013 registered with the sub registrar of assurance bearing No. KRL-2/ 1269/2014 the name of the Vendor therein Shri. Ramniklal Zaverbhai Shah was deleted and the name of M/s. Nexzone Buildcon LLP the purchaser therein is recorded.

26. In addition to the aforesaid Order, there is the order which is passed by the Office of Settlement Commissioner and Director Land Records(Mah. State) Pune, and are reflected on the PRC of the said Property. However, the same do not pertain to the title of the said property and have not dealt with in the opinion on title.

E. Development Plan and Remark

27. I have been furnished with revised Development Plan remarks dated 16th April, 2016 bearing reference no. CHE/1376105921/DPES/T addressed by Municipal Corporation of Greater Mumbai to M/s. NexzoneBuildcon LLP for CTS No.771 and 806 of Mulund(W) Village and on perusal of the same we note that the said property falls under Residential Zone (R).

28. I have been furnished with Remarks under Draft Development Plan 2034 dated 3rd August, 2016 bearing reference no. Ch.E/769/D.P. Rev. addressed by Municipal Corporation of Greater Mumbai to M/s. Nexzone Buildcon LLP and on perusal thereof we note that said Property falls under "R-Residential Zone".



F. Searches in the office of the Sub-Registrar of Assurances

29. I have been provided with a Search Report dated 24th November, 2017 with respect to searches conducted by Mr. Bhavesh D. Mhaskein the relevant offices of the Sub-Registrar of Assurances in respect of the said Property, for the period extending from the year 1968 to 2017 (50 years). On perusal of the said Search Report, we note that save and except the registered documents hereinabove, the following documents were reflected on the Search Report.
- An Affidavit dated 20th December, 2016 executed by Nexzone Buildcon LLP through Authorised Partner Shri. Kaivalya Chetan Shah in favour of Slum Rehabilitation Authority and registered with the office of Sub-Registrar of Assurances under Serial No.Kurla-4/ 11501 of 2016.
 - An Affidavit dated 30th March, 2017 executed by Nexzone Buildcon LLP through Authorised Partner Shri. Kaivalya Chetan Shah in favour of Slum Rehabilitation Authority and registered with the office of Sub-Registrar of Assurances under Serial No.Kurla-4/ 3076 of 2017.

The representatives of Nexzone Buildcon LLP have however confirmed that documents recorded from 27(a) to 27(b) are not related to title and do not affect the said Property or any part thereof.

G. Other Observations

30. I have issued public Notice dated 14th November 2017 in newspapers The Free Press Journal and Navshakti published on 18th November 2017 calling for claims. if any, to the ownership/development of the said Property. However till date I have not received any objection in that regard.
31. I have inspected certain original documents of title in relation to the property which have been listed in the Second Schedule to this opinion on title.
32. By and under the Self Declaration dated 20th March, 2018 given by M/s. Nexzone Buildcon LLP, I have been informed that there are no any litigations affecting the said Property or any portion thereof.

H. Conclusion

In the circumstances set out hereinabove and subject to the aforesaid, I conclude that M/s Nexzone Buildcon LLP is the holder of land bearing C.T.S. Nos. 771, 771/1 to 771/35 and 806 and 806/1 to 806/11. I note that Letter of Intent, Intimation of Approval and Commencement Certificate has been issued by the Slum Rehabilitation Authority and M/s Nexzone Buildcon LLP is entitled to redevelop the said Property under D.C Regulation 33(10) of M.C.G.M.



THE FIRST SCHEDULE REFERRED TO HEREINABOVE TO

(Description of the said Property)

ALL THOSE Pieces and Parcels of land and ground admeasuring 1557.07 Sq.mts or thereabouts together with the messages , Tenements, chawls, dwelling houses and structures standing thereon situated, lying and being at Village- Mulund, Taluka- Kurla, in the Registration Sub-District and District of Mumbai Suburban, appearing in the revenue record as "Ramniklal Zaverbhai Shah" and in the books of assessor and collector and of Municipal Rates & Taxes under "T" ward and bearing CTS No. 771; 771/14 to 771/35 , 806, 806/1 to 806/11 of Village- Mulund, Taluka- Kurla, Mumbai Suburban District and bounded as follows:

On or towards the North : C.T.S No. 768(P) and 770 (P)
On or towards the South : Jetha Shankar Road
On or towards the West : C.T.S No. 773
On or towards the East : C.T.S No. 776 and Partly by Jetha Shankar Road

THE SECOND SCHEDULE REFERRED TO HEREINABOVE TO

(List of Original Documents inspected)

1. The Shri. Ramniklal Zaverbhai Shah registered unilaterally the said Certificate of Sale through Deed of Declaration dated 21st December, 2010 vide registration no. BDR/09499/2010 on 21st December, 2010.
2. By a Power of Attorney dated 07th February, 2014 and registered with the office of Sub-Registrar of Assurances Kurla 2, under Serial No. KRL2-1268-2014 on 07th February, 2014, the said Shri. Ramniklal Zaverbhai Shah appointed Chetan Ramniklal Shah and Mayur Ramniklal Shah as their constituted attorney to do all acts, deeds, matter and things more particularly described therein in respect of the said Property.
3. By a Conveyance Deed dated 31st December, 2013 made between Shri. Ramniklal Zaverbhai Shah therein referred to as Vendor of the First Part and Nexzone Buildcon LLP therein referred to as Purchaser of the Other Part, and registered with the office of Sub-Registrar of Assurances Kurla 2, under Serial No. KRL2-1269-2014 on 07th February, 2014, the Vendor therein had conveyed all his right, title and interest with respect to the said Property admeasuring 1557.07 square meters in favour of Nexzone Buildcon LLP at or for consideration and in the manner contained therein.
4. Letter of Intent dated 12th September, 2016 bearing reference no. SRA/ENG/2804/T/PL/ LOI issued by Slum Rehabilitation Authority to Nexzone Buildcon LLP for the proposed slum rehabilitation scheme on the said Property.



PRASANNA S. TARE

B. Com, L.L.B

Continuation Sheet No.

5. Intimation of Approval bearing reference no. SRA/ENG/3789/T/PL/AP dated 05th October, 2016 addressed by Slum Rehabilitation Authority to Nexzone Buildcon LLP in respect for the proposed slum rehabilitation scheme on the said Property.
6. Commencement Certificate("CC") dated 31st March, 2017 bearing reference no.SRA/ENG/3789/T/PL/AP issued by Slum Rehabilitation Authority to Nexzone Buildcon LLP in respect of the development of the said Property

Dated this 20th day of March, 2018

Yours Faithfully

Prasanna Tare
Advocate