

Jagdish G. Aradwad (Reddy)

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(Advocate Code No. 797)
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ADVOCATE, HIGH COURT, MUMBAI

COURT: A.A.W.I., Room No.36, 1st Floor, High Court, Fort, Mumbai - 400 032.



Date: 22.12.2020

To,

M/s. Arihant Construction Co.

203-204, Orbit Plaza,

New Prabhadevi Marg,

Prabhadevi, Mumbai – 25.

TITLE REPORT

Re: All those pieces and parcels of land collectively admeasuring 2232.50 square meters bearing CTS nos. 610, 610/1 to 26 and 666 of Village Mulund (E) situate, lying and being at Kesarbaug, Mulund (E), Mumbai – 400081 ("**said Land**"). The said Land is more particularly described in the **First Schedule** hereunder written

A. For the purpose of this certificate, I have perused the photo copies of the following documents and I have relied upon the contents therein being true and correct :

1. Indenture of conveyance deed dated 07.05.2019 executed between Mrs. Veena Vasant Dhaifule, Mr. Amol Vasant Dhaifule and Mr. Kiran Vasant Dhaifule and M/s. Arihant Construction Company and Shreeji Co-operative Housing Society Limited.
2. Power of Attorney dated 07.05.2019 executed by Mrs. Veena Vasant Dhaifule & others in favour of partners of M/s. Arihant Construction Company.
3. Possession letter dated 07.05.2019.
4. Property Card in the name of M/s. Arihant Construction Company in respect of CTS No. 610, 610/1, 610/2, 610/3, 610/4, 610/5, 610/6, 610/7, 610/8, 610/9, 610/10, 610/11, 610/12, 610/13, 610/14, 610/15, 610/16,



610/17, 610/18, 610/19, 610/20, 610/21, 610/22, 610/23, 610/24, 610/25, 610/26 and 666 lying and being at Kesarbaug, Mulund (E), Mumbai - 400081.

5. Letter of Intent dated 16.01.2020 issued by SRA in favour of M/s. Arihant Construction Company .
6. Intimation of Approval (IOA) dated 24.01.2020 issued by SRA in favour of M/s. Arihant Construction Company along with the plans accompanying thereto.
7. Commencement Certificate dated 11.02.2020 issued by SRA in favour of M/s. Arihant Construction Company and
8. The Search Report dated 20.12.2020 issued by Mr. Chandrakant More, the Title Investigator.

B. OWNERSHIP OF THE SAID LAND

1. Mr. Vasant Ramdas Dhaifule was the owner of the said Land. He died intestate on 12th December, 2009 leaving behind Mrs. Veena Vasant Dhaifule, Mr. Amol Vasant Dhaifule and Mr. Kiran Vasant Dhaifule (hereinafter referred to as the "**Vendors**") as his only surviving legal heirs as per Hindu Succession Act, 1956. Pursuant thereto the names of the Vendors have been brought on record in the relevant property register cards.
2. (i) On a portion of the said Land there exists a building constructed in or around the year 1982 comprising of Ground plus Six floors and the occupants of the said building have formed a society in the name and styled as 'Shreeji Co-operative Housing Society Limited' ("Shreeji Society") which is also registered under the provisions of Maharashtra Co-operative Societies Act, 1960 having Registration No. BOM/HSG/T-9199 dated 21-

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07-1982 having registered office at Shreeji Apartments, Kesar Baug, Mulund (East), Mumbai - 400081 and having 21 residential flats in the said building, which are in the possession of 21 members of the Shreeji Society on the ownership basis. The said building is having built up area of 1052.14 square meters and is assessed for payments of property taxes vide Municipal Assessment No. TX0105750190000.

(ii) On the balance portion of the said Land there exist the following tenanted structures, namely: (1) Vasant Niwas, comprising of ground and an upper floor occupied by 16 (sixteen) monthly tenants, (2) Malti Bhuvan, comprising of ground and an upper floor occupied by 12 (twelve) monthly tenants and (3) Gokul Sadan, comprising of ground floor structure only occupied by 9 (nine) monthly tenants. The said tenanted structures were constructed with approval of then Mulund Municipality in the year 1954-56. The said structures have been now declared as dilapidated by the Competent Authority. The said structures are having aggregate built up area of 1075.05 square meters and are assessed for payment of property taxes vide Municipal Assessment Nos. TX0105730080000, TX0105740040000 & TX0105750010000 respectively.

3. By and under an Indenture of Conveyance dated 7th May, 2019 executed by and between (1) Mrs. Veena Vasant Dhaifule, (2) Mr. Amol Vasant Dhaifule and (3) Mr. Kiran Vasant Dhaifule, the only heirs of Mr. Vasant Ramdas Dhaifule (therein referred to as "the Vendors") and M/s. Arihant Construction Company, a partnership firm registered under the Indian Partnership Act, 1932 and having its registered office at 203-204, Orbit Plaza, New Prabhadevi Road, Prabhadevi, Mumbai - 400025 (therein referred to as "the Purchasers") and Shreeji Co-operative Housing Society Limited' (therein referred to as "the Confirming Party") registered with the



office of the Sub-Registrar of Assurances, the Vendors therein sold, assigned, conveyed and transferred the said Land bearing CTS No. 610, 610/1 to 26 and 666 of Village Mulund (E) admeasuring 2232.50 square meters to M/s. Arihant Construction Company. The Confirming Party has confirmed the grant, sale, transfer, conveyance, assignment and assurance of the said Land, in favour of the Purchaser. This Indenture inter alia reflects as follows:

- (i) The Vendors therein are the owners of the said Land.
- (ii) The Vendors have handed over quiet and peaceful possession of the said Land to the Purchaser
- (iii) The Confirming Party has placed in the hands of the Purchaser the certified copies of the unanimous resolution dated 13th April, 2019 accepting the Purchaser's redevelopment proposal dated 10th April, 2019, the copies of the Agreements for sale whereunder the existing premises have been purchased by 21 members and individual sworn consents of the 21 members of Confirming Party to join the redevelopment of the said Land.
- (iv) The Vendors have executed a Power of Attorney in favour of the Purchaser enabling the Purchaser granting various powers and authorities in relation to the said Land and / or the development / re-development thereof.

C. TENANTS / OCCUPANTS / MEMBERS ON THE SAID LAND

1. The details of tenants / occupants / members occupying the structures on the said Land are:

- (i) There are three existing tenanted structures / chawls, namely : (1) Vasant Niwas, comprising of ground and an upper floor occupied by

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16 (sixteen) monthly tenants, (2) Malti Bhuvan, comprising of ground and an upper floor occupied by 12 (twelve) monthly tenants and (3) Gokul Sadan, comprising of ground floor structure only occupied by 9 (nine) monthly tenants constructed on part of the said Land occupying built-up area of 1075.05 square meters. The said three tenanted structures / chawls have been declared as dilapidated by the Municipal Corporation of Greater Mumbai.

(ii) There exists a building comprising of Ground plus Six floors and comprising of 21 residential flats occupied by the 21 members of the Shreeji Society occupying built-up area of 1052.14 square meters.

2. The tenants / occupants have granted their consent in favour of M/s. Arihant for allowing redevelopment of the said Land. Also, the members of the Shreeji Society have handed over the individual sworn consents to join the redevelopment of the said Land.

D. APPROVALS FOR THE SAID LAND:-

1. M/s. Arihant Construction Company is implementing a redevelopment project under Regulation 33(10) read with Regulation 30(A) of Development Control & Promotion Regulations - 2034 on their adjoining land bearing CTS No. 669, 669/1 to 35, 670, 673 and 673/1 to 7 of Village Mulund (E) ("Adjoining Land"). Arihant had obtained Letter of Intent for the above redevelopment from Slum Rehabilitation Authority.
2. Arihant has amalgamated the said Land with the said Adjoining Land and has obtained Revised Letter of Intent from SRA dated 16th January, 2020 bearing Reference No. SRA/ENG/959/T/PL/LOI for joint development of slum and non-slum plot in respect of slum rehabilitation scheme on the



said Amalgamated Land with 5.57 FSI on land being redeveloped under Regulation 33(10) and 2.40 FSI in respect of remaining land, on the terms and conditions as more particularly mentioned therein.

3. Arihant has obtained Intimation of Approval (i.e. Building plan sanction) bearing No. SRA/ENG/T/PVT/0040/20040928/AP/C-4 dated 24th January, 2020 from Slum Rehabilitation Authority in respect of Composite Building No. 4 on the said Land, comprising of Wing A comprising of 02 Basements + Ground floor + 23 upper floors, Wing B comprising of 02 Basements + Ground floor + 23 upper floors and Wing C comprising of 02 Basements + Ground floor + 23 upper floors.
4. Arihant has also obtained Commencement Certificate dated 11th February, 2020 and bearing Reference No. T/PVT/0040/20040928/AP/C-4 from SRA for work up to stilt of Composite Building No. 4.

E. SEARCHES :-

I have caused searches in the concerned offices of Sub-Register of Assurances through Mr. Chandrakant More, who has furnished to me Search Report dated 20.12.2020 in respect of the said property.

F. LITIGATION

1. We have been informed by M/s. Arihant that there are no pending litigations in relation to the said Land.

G. CONCLUSION

Subject to all that is stated above, and relying upon the efficacy of the documents, permissions and sanctions referred to hereinabove, and subject to the terms and conditions of LOI, IOA, Commencement Certificate and the provisions of Maharashtra Slum Areas (IC&R) Act, 1971, provisions

[Handwritten signature]

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of MRTP Act, 1966, Development Control Regulations 33 (10) and DCPR-2034 that are required to be performed by M/s. Arihant Construction Company from time to time, in my opinion M/s. Arihant Construction Company has a free and marketable title for sale of Free Sale Areas permitted to be constructed as above over the land bearing CTS No. 610, 610/1, 610/2, 610/3, 610/4, 610/5, 610/6, 610/7, 610/8, 610/9, 610/10, 610/11, 610/12, 610/13, 610/14, 610/15, 610/16, 610/17, 610/18, 610/19, 610/20, 610/21, 610/22, 610/23, 610/24, 610/25, 610/26 and 666 lying and being at Kesarbaug, Mulund (E), Mumbai - 400081.

H. GENERAL :

This title certificate is issued solely on the basis of the documents provided by M/s. Arihant Construction Company as mentioned above.

For the purpose of this report, I have assumed:-

(i) The legal capacity of all the natural persons, genuineness of all signatures, and authenticity of all the documents submitted to me as certified or photo copies.

(ii) That there have been no amendment/s or changes to the documents examined by me.

(iii) The accuracy and completeness of all the factual representations made in the documents.

- I.** Unless specifically stated otherwise, I have not carried out any searches in any courts and save as stated above, I have presumed that there is no pending litigation, proceedings, inquiry etc. before any court of law, Tribunal etc. in respect of the said property as informed by M/s. Arihant Construction Company,

[Handwritten signature]



FIRST SCHEDULE

(Description of the said Land)

All those pieces and parcels of land collectively admeasuring 2232.50 square meters bearing CTS nos. 610, 610/1 to 26 and 666 of Village Mulund (E) situate, lying and being at Kesarbaug, Mulund (E), Mumbai - 400081, in the Registration Sub-District of Kurla, District Mumbai Suburban and bounded as follows:


On East by : By land bearing CTS No. 528, 609, 669 of Village Mulund (E)

On West by : By land bearing CTS No. 611, 612 of Village Mulund (E)

On North by : By land bearing CTS No. 523, 525, 526 of Village Mulund (E)

On South by : By land bearing CTS No. 612, 665 of Village Mulund (E)

Dated this 22nd of December, 2020.


Jagdish G. Aradwad (Reddy),
Advocate Bombay High Court