

SHILPA A. JADHAV

ADVOCATE HIGH COURT

Flat no. 4, Omkar Ganesh Society, Phoolpada Road, R. J. Hotel, Virar (East)- 401 305.

FORMAT -A

(Circular No. 28/2021)

To,
MAHA RERA

LEGAL TITLE REPORT

A) Sub.:- Title clearance certificate with respect to area adm. 2911.90 sq. mtrs. (as per TPS II Variation 1 Final) and adm. 2893.47 sq. mtrs (as per physical survey), bearing Final Plot No. 297, TPS- II C.T.S. No. 1215, 1216, 1217, 1218, 1218/1, 1218/2, 1218/3, and 1220 (part), village Vile Parle (East), Taluka Andheri, Gujarati Society Road, Vile Parle (East), Mumbai - 400 057 (hereinafter referred to as the "said plot").

I have investigated the title of the said plot on the request of M/s. Atharv Infra LLP and following documents i.e.:-

- 1) Description of the property:- area adm. 2911.90 sq. mtrs. (as per TPS II Variation 1 Final) and adm. 2893.47 sq. mtrs (as per physical survey), bearing Final Plot No. 297, TPS- II C.T.S. No. 1215, 1216, 1217, 1218, 1218/1, 1218/2, 1218/3, and 1220 (part), village Vile Parle (East), Taluka Andheri, Gujarati Society Road, Vile Parle (East), Mumbai - 400 057.
- 2) The documents of allotment of plot:-
 - Registered Conveyance Deed dated 24.05.1960 between Mr.Harkisandas Indrajit Mehta and Navasamaj Cooperative Housing Society Ltd.
 - Registered Conveyance Deed dated 16.04.1960 between Dr.(Mrs) Sumitralal N. Wagh and Gangaprasad N.Wagh and Navasamaj Cooperative Housing Society Ltd.
 - Registered Conveyance Deed dated 24.05.1960 between Mr.Keshavlal K. Soyata and Navasamaj Cooperative Housing Society Ltd.
 - Registered Conveyance Deed dated 21.04.1960 between Mr.Keshavlal K.Soyata and Navasamaj Cooperative Housing Society Ltd.
 - Registered development agreement dated 18.06.2021 between Navasamaj Cooperative Housing Society Ltd. and M/s. Atharv Infra LLP
 - A Registered Mortgage is executed on 22.06.1961 between Navasamaj Cooperative Housing Society Ltd to Maharashtra Cooperative Housing Finance Society Ltd, and registered.



- A Receipt with respect to Mortgage between Navasamaj Cooperative Housing Society Ltd to Maharashtra Cooperative Housing Finance Society Ltd, was executed on 14.02.1962, and registered bearing registration No R/496/1962.
 - A registered Mortgage is executed on 16.05.1963, between Navasamaj Cooperative Housing Society Ltd to Saraswat Cooperative Bank Ltd.
 - A Mortgage is executed on 30.10.1963 between Navasamaj Cooperative Housing Society Ltd to Maharashtra Cooperative Housing Finance Society Ltd, and registered, bearing registration No R/2980/1963.
 - Letter dated 07.07.2021 issued by Maharashtra State Housing Finance Corporation Ltd Mumbai to Navasamaj Society has received, informing that there is no mortgage against the Society as all the loan has been repaid by the Society.
 - Letter dated 22.06.2021 issued by Saraswat Cooperative Bank Ltd. to Navasamaj Society has received, informing that there is no mortgage against the Society as all the loan has been repaid by the Society.
 - Registered development agreement dated 18/06/2021 executed between Navasamaj Cooperative Housing Society Ltd and M/s. Atharv Infra LLP.
- 3) Property card issued by Mumbai Suburb District dated 17/08/2020 Search report for 30 years from 1960 to 2021.

On perusal of the above mentioned documents and relying upon the letters of Maharashtra State Housing Finance Corporation Ltd Mumbai dated 07.07.2021 and Saraswat Bank dated 22.06.2021, I am of the opinion that the title of M/s. Atharv Infra LLP is clear and marketable.

- 1) Owner of land Navasamaj Cooperative Housing Society Ltd. Final Plot No. 297, TPS- II C.T.S. No. 1215, 1216, 1217, 1218, 1218/1, 1218/2, 1218/3, and 1220 [part]
- 2) qualifying comments/ remarks if any NIL

The report reflecting the flow of the title of the M/s. Atharv Infra LLP on the said land is enclosed herewith as annexure.

Encl.: Annexure


(Adv. Shilpa Jadhav)

Advocate

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FLOW OF THE TITLE OF THE SAID LAND

- A Conveyance Deed is executed on 24.05.1960 between Mr.Harkisandas Inderjit Mehta to Navasamaj Cooperative Housing Society Ltd and registered ,bearing Serial No Bom/2157/1960.
- A Conveyance Deed is executed on 16.04.1960 between Dr.(Mrs) Sumitrabhai N. Wagh and Gangaprasad N.Wagh with Navasamaj Cooperative Housing Society Ltd and registered ,bearing Serial No Bom/3159/1960.
- A Conveyance Deed is executed on 24.05.1960 between Mr.Keshavlal K.Soyata to Navasamaj Cooperative Housing Society Ltd and registered ,bearing Serial No Bom/4248/1960.
- A Conveyance Deed is executed on 21.04.1960 between Mr.Keshavlal K.Soyata to Navasamaj Cooperative Housing Society Ltd and registered,bearing Serial No Bom/4249/1960.
- A Mortgage is executed on 22.06.1961 between Navasamaj Cooperative Housing Society Ltd to Maharashtra Cooperative Housing Finance Society Ltd and registered , bearing registration No R/4046/1961
- A Mortgage is executed on 22.06.1961 between Navasamaj Cooperative Housing Society Ltd to Maharashtra Cooperative Housing Finance Society Ltd, and registered , bearing registration No R/4055/1961
- A Receipt with respect to Mortgage between Navasamaj Cooperative Housing Society Ltd to Maharashtra Cooperative Housing Finance Society Ltd, was executed on 14.02.1962.and registered bearing registration No R/496/1962
- A Mortgage is executed on 16.05.1963 , between Navasamaj Cooperative Housing Society Ltd to Saraswat Cooperative Bank Ltd and registered ,bearing registration No R/1435/1963
- A Mortgage is executed on 30.10.1963 between Navasamaj Cooperative Housing Society Ltd to Maharashtra Cooperative Housing Finance Society Ltd, and registered ,bearing registration No R/2980/1963

The search has been taken from 1960 to 2021.

For some years the Sub Registrar's record are either partly or completely torn or not available for taking search.

Also some manual records are found in Torn conditions and some are missing at Bandra SRO office ,as well as since 1985 to 2021 records are based on online data and hence the report given by the Title Investigator/Search Clerk is based on available Index II records.



There was no re conveyance deed executed and registered between the Society and Maharashtra Cooperative Housing Finance Society Ltd for the mortgages registered as mentioned hereinabove.

The Navasamaj Society has received a letter from the Maharashtra State Housing Finance Corporation Ltd Mumbai dated 07.07.2021 addressed to the Society informing that there is no mortgage against the Navasamaj Society as all the loan has been repaid by the Society.

There was no re conveyance deed executed and registered between the Society and Saraswat Bank for the mortgages registered as mentioned hereinabove.

The Society has received a letter from Saraswat Bank dated 22.06.2021 ,addressed to the Society, certifying that Saraswat Bank had granted advance against the security of the Navasamaj property which they certify that it has been fully paid by the Society and there are no dues pending from them as on this date and consequently there is no mortgage against the Navasamaj Society property.

There is no reconveyance deed executed and registered between the Navasamaj Society and Saraswat Bank and Navasamaj Society and Maharashtra State Housing Finance Corporation Ltd Mumbai for closure of mortgage with respect to the mortgaged portion of the said Navasamaj property.

Subject to the aforesaid and subject to the adverse documents registered during this period when the records are torn and not maintained by the Sub Registrar of Assurances.

Relying upon the letter the Maharashtra State Housing Finance Corporation Ltd Mumbai dated 07.07.2021 and Saraswat Bank dated 22.06.2021 ,I am of the opinion that the title of Navasamaj Society is clear and marketable . This Certificate has been issued on the basis of the copy of documents placed before me at that particular point of time and without any liability on the part of the undersigned.

Date: 03/11/2021



[Adv. Shilpa Jadhav]
Advocate