

FORMAT – A

(Circular No.:- 28/2021)

To,

MahaRERA

Housefine Bhavan, Near RBI,

Plot No C 21, E Block,

Bandra Kurla Complex

Bandra Kurla East, Mumbai 400 051.

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to property as follows:-

All that piece and parcel of lands comprising of Plot No.18 comprising of Building Nos.61 to 81, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) and more particularly described in the **Schedule I** hereunder written (hereinafter referred to as the “**said Plot No 18**”); and Plot No.3 (part) comprising of Building No.s 2, and 4 to 18, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) and more particularly described in the **Schedule II** hereunder written (hereinafter referred to as the “**said Plot No 3**”).

(hereinafter collectively referred as “**the said Property**”)

We have investigated the title of the said Property on the request of Suncity Infrastructure (Mumbai) LLP and following documents i.e. :-

1. **Description of the property.** - All that piece and parcel of lands comprising of Plot No.18 comprising of Building Nos. 61 to 81, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon) Tehsil and District Thane (Navi Mumbai) and more particularly described in the **Schedule I** hereunder written (hereinafter referred to as the “**said Plot No 18**”). and Plot No.3 (part) comprising of Building No.2, 4 to 18, situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon), Tehsil and District Thane (Navi Mumbai) and more particularly described in the **Schedule II** hereunder written (hereinafter referred to as the “**said Plot No 3**”).

2. The documents in respect of aforesaid Property :-

A. Plot No. 18

- Order bearing no. RB/WS/IV/679 dated June 18, 1975 of the Collector, Thane;
- Declaration dated July 16, 1985 executed by CIDCO in favour of the Gulmohar Condominium registered with the office of the Sub-Registrar of Assurances at Serial No.P-525 dated July 17, 1985;
- Indenture of Lease dated July 26, 1985 executed by CIDCO in favour of Bhausahab Dhondiba Lakade and others as lessees being tenants-in-common in shares equal to their respective percentage of undivided interest in the aforesaid Gulmohar Condominium;
- Registration certificate of Utkarsh CHS dated February 16, 1984;
- Registration certificate of Annapurna Co-operative Housing Society Limited dated March 26, 1984;
- Registration certificate of Gulmohar CHS dated August 27, 2018.
- Order dated January 11, 2018 passed by the Joint Co-operative Society (CIDCO) bearing No.JA.KR.S.NI/S.S/CIDCO/2018/2644, vide which Annapurna CHS was merged with Utkarsh CHS under the provisions of the Maharashtra Co-operative Societies Act, 1960;
- Order dated February 12, 2019 bearing No.JA.KR.S.NI/S.S/CIDCO/952/2019 passed by the Joint Co-operative Society (CIDCO)vide which the apartment owners of Building No.62 were inducted as members of the Utkarsh CHS;
- Declaration dated February 10, 2014 issued by Gulmohar Apartment Owners Association;
- NOC from CIDCO dated January 15, 2021 bearing number CIDCO/MTS-I/EO(I)/2021/26 and all previous NOCs issued from time to time in favour of the Gulmohar Association;
- NOC from CIDCO dated January 15, 2021 bearing number CIDCO/MTS-I/EO(I)/2021/25 and all previous NOCs issued from time to time in favour of the Utkarsh CHS;
- Deed of Declaration dated August 18, 2018 by Gulmohar Association registered with the office of the Sub-Registrar of Assurances at Serial No.TNN-11/9009/2018;

- Deed of Rectification dated January 29, 2019 registered with the office of the Sub-Registrar of Assurances at Serial No.TNN-6/1127/2019.
- Supplementary Lease Deed dated May 24, 2019 between CIDCO and Gulmohar CHS and Utkarsh CHS registered with the Sub-Registrar of Assurances at Thane bearing No.TNN3-13832-2019;
- Letter dated March 29, 2019 bearing No.JA/K/SN/SS/CIDCO/R/2035/2019 by the Jt. Registrar of Co-operative Societies (CIDCO) in favour of Gulmohar CHS;
- Letter dated March 29, 2019 bearing No.JA/K/SN/SS/CIDCO/R/2035/2019 by the Jt. Registrar of Co-operative Societies (CIDCO) in favour of Utkarsh CHS;
- Development Agreement dated April 3, 2019 executed between Gulmohar CHS and the Suncity Infrastructures (Mumbai) LLP;
- Supplementary Deed dated January 24, 2020 executed between Gulmohar CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub- Registrar of Assurances at Thane and bearing serial No. TNN-11/1106 of 2020;
- Power of Attorney dated January 24, 2020 executed between Gulmohar CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1107/2020;
- Development Agreement dated April 3, 2019 executed between Utkarsh CHS and the Suncity Infrastructures (Mumbai) LLP;
- Supplementary Deed dated January 24, 2020 executed between Utkarsh CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub- Registrar of Assurances at Thane and bearing serial No. TNN-11/1101 of 2020;
- Power of Attorney dated January 24, 2020 executed between Utkarsh CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1102/2020;

B. Plot No.3

- Order bearing no. RB/WS/IV/679/75 dated June 18, 1975 of the Collector, Thane;
- Order bearing no. RB/Desk II/LBP/V/WS/121 dated April 29, 1980 of the Collector, Thane;

- Declaration dated July 16, 1985 which was executed by CIDCO in favour of the Sai Ashirwad Condominium registered with the office of the Sub-Registrar of Assurances at Serial No.P-527 dated July 17, 1985;
- Indenture of Lease dated August 9, 1985, by which CIDCO leased and demised the said Plot No.3 in favour of Arun Sindagaoda Patil and others as lessees being tenants-in-common in shares equal to their respective percentage of undivided interest in the aforesaid Sai Ashirwad Condominium;
- NOC from CIDCO dated 24th May, 2019 bearing number CIDCO/EMS/Redevlp/AEO(Vashi)/2019/275 and all previous NOCs issued from time to time in favour of the Sai Ashirwad CHS;
- Declaration dated December 19, 2018 by Sai Ashirwad Condominium registered with the office of the Sub-Registrar of Assurances at Thane bearing Serial No.TNN-6/13596/2018;
- Registration certificate of Sai Ashirwad CHS;
- Supplementary Lease Deed dated May 24, 2019 between CIDCO and Sai Ashirwad CHS and Naivedya CHS registered with the Sub-Registrar of Assurances at Thane bearing No.TNN3-13842-2019;
- Letter dated March 29, 2019 bearing No. JA/K/SN/SS/CIDCO/NAV/R/2022/2019 by the Jt. Registrar of Co-operative Societies to Sai Ashirwad CHS;
- Development Agreement dated April 3, 2019 executed between Sai Ashirwad CHS and the Suncity Infrastructures (Mumbai) LLP;
- Supplementary Deed dated January 24, 2020 executed between Sai Ashirwad CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub- Registrar of Assurances at Thane and bearing serial No. TNN-11/1110 of 2020;
- Power of Attorney dated January 24, 2020 executed between Sai Ashirwad CHS and the Suncity Infrastructures (Mumbai) LLP registered with the office of the Sub-Registrar of Assurances at Thane under registration No.TNN-11/1111/2020;
- Order dated February 14, 2020 of the NMMC *inter alia*, approving the amalgamation of the Plot No.18 comprising of Buildings No. 61 to 81, Plot No.3 comprising of Buildings No. 2, 4 to 18;

- Search Report dated February 27, 2020 and updated Search Report dated February 11, 2021 of Mr Sameer Sawant, Search Clerk.

3. The search has been carried out in the offices of the Sub-Registrar of assurances at CIDCO, Village Juhu (as per 7/12 extract village Juigaon) and Village Vashi from the year 1985 to 2021 (Last 36 Years) through Mr. Sameer Sawant, Search Clerk, who has issued his Search Report dated February 27, 2020 and updated Search Report dated February 11, 2021. Further search has been carried out from 12 February 2021 to 8 October 2021. The Search Reports are subject to torn / partly torn pages and mutilated index-II records, and the Computer Index-II records are not properly maintained or are unavailable and some of the records are found in loose sheets (untied).

4. On perusal of the above mentioned documents and all other relevant documents relating to title of the said property I am of the opinion that -

Pursuant to and in accordance with what is stated in the detailed Title Report dated 08/10/2021, City and Industrial Development Corporation of Maharashtra ("CIDCO") is the owner of the said Property, and the Gulmohar Co-operative Housing Society Limited and Utkarsh Co-operative Housing Society Limited are the Lessees of Plot No.18 comprising of Building Nos. 64 to 81 and 61-63 thereon, respectively, and Sai Ashirwad Co-operative Housing Society Limited is the lessee of Plot No.3 (part) comprising of Building Nos.2 and 4 to 18 thereon. *Vide* three separate Development Agreements, all dated April 3, 2019, Gulmohar Co-operative Housing Society Limited and Utkarsh Co-operative Housing Society Limited have assigned the development rights in respect of Plot No.18 and Building Nos. 64 to 81 and 61-63 respectively, and Sai Ashirwad Co-operative Housing Society Limited have assigned the development rights in respect of Plot No.3 (part) and the Building Nos. 2 and 4 to 18 thereon in favour of Suncity Infrastructures (Mumbai) LLP, on the terms and conditions mentioned therein. And the Power of Attorneys in this respect are executed and duly registered. As the Plot No. 3 is undivided between Naivedya CHS and Sai Ashirwad CHS, Naivedya CHS shall have undivided right in Plot No. 3. Subject to what is stated in our detailed Title Report dated 08/10/2021, Suncity Infrastructures (Mumbai) LLP are entitled to redevelop the said Property and the buildings standing thereon subject to and in accordance with the applicable laws, the permissions, NOCs and LOI obtained / to be obtained in relation thereto issued by CIDCO / Navi Mumbai Municipal Corporation and/or concerned authorities, from time to time, as the case may be.

THE SCHEDULE I ABOVE REFERREED TO

All that piece and parcel of land bearing **Plot No.18**, Old Survey Nos. 138(part), 111(part), 126(part), 137(part), 89(part), 50(part), 135(part) and new Survey Nos. 138, 111/2, 126/7, 137(part), 80/11, 50/4, 135 and 125/17 admeasuring 9240.13 sq. metres, together with Building bearing Nos.64-81 (Gulmohar CHS Ltd) and Building bearing Nos.61-63 (Utkarsh CHS Ltd), situated in Sector 9, Village Juhu, (as per 7/12 extract village Juigaon), Tehsil and District Thane (Navi Mumbai) and bounded as follows:

- On or towards the north : by Open Space;
- On or towards the south : by 8 mtr road;
- On or towards the east : by Plot No.17 Open Space;
- On or towards the west : by Plot No.1 Open Space.

THE SCHEDULE II ABOVE REFERREED TO

All that piece and parcel of land bearing **Plot No.3**, Old Survey Nos. 114(part), 113(part), 115(part), 42(part), 111(part), 131(part), 137(part), 110(part) and New Survey Nos. 113/1, 42/1, 111/1, 131 and 137(part) and admeasuring 6917.39 sq. metres, together with Building bearing Nos.2, 4-18 (Sai Ashirwad CHS Ltd), out of a larger portion of land admeasuring 7782.02 sq. metres, and situated in Sector 9, Village Juhu,(as per 7/12 extract village Juigaon) , Tehsil and District Thane (Navi Mumbai) and bounded as follows:

- On or towards the north : by Open Space;
- On or towards the south : by Pathway and Open Space;
- On or towards the east : by Open Space;
- On or towards the west : by 8 mtr road..

The report reflecting the flow of the title of the said property, is enclosed herewith as annexure.

Encl : Annexure.


Advocate

Date: 11 October 2021