

AV/AJI/609

FORMAT - A
(Circular No. 28/2021)

To,
MahaRERA
Housefin Bhavan, Near RBI,
E Block, Bandra Kurla Complex, Bandra East,
Mumbai – 400 051.

LEGAL TITLE REPORT

Sub.: All that piece and parcel of land bearing C.T.S. No. 352 (part) corresponding to City Survey No. 113 (part) admeasuring 528.03 square meters or thereabouts (hereinafter referred to as the "**said Land**") and the building standing on the said Land known as Building No. 9 consisting of Ground plus 3 upper floors having 32 tenements (hereinafter referred to as the said "**Building**") situated at Village Hariyali, Tagore Nagar, Vikhroli (East) in the registration sub -district of Kurla and District of Mumbai City/Suburban. The said Land and the said Building collectively known as the "**said Property**".

1. We have investigated the title of the said Property on the request of **M/s. Suvasya Builders and Developers LLP ("Developers")** and the following documents i.e.:
- Description of the said Property:
All that piece and parcel of land bearing C.T.S. No. 352 (part) corresponding to City Survey No. 113 (part) admeasuring 528.03 square meters or thereabouts (hereinafter referred to as the "**said Land**") and the building standing on the said Land known as Building No. 9 consisting of Ground plus 3 upper floors having 32 tenements (hereinafter referred to as the said "**Building**") situated at Village Hariyali, Tagore Nagar, Vikhroli (East) in the registration sub-district of Kurla and District of Mumbai City/Suburban. The said Land and the said Building collectively known as the "**said Property**".
 - The documents of allotment of the said Property are mentioned in Annexure "**A**".
 - Property Card issued by City Survey Office dated 18th October 2019 in respect of CTS No. 352.
 - Search report for 30 (Thirty) years from 1993 to 2022.



2. On perusal of the above-mentioned documents and all other relevant documents relating to the title of the said Property, we are of the opinion that the Tagore Nagar Neel Kamal Co-operative Housing Society ("**Society**") is the lessee on the said Land and the leasehold rights are valid and subsisting and the title of the said Property is clear, marketable and without any encumbrances.

Owners of the Land:

- i. Maharashtra Housing and Area Development Authority ("**Authority**") is the owner of the said Land and Tagore Nagar Neel Kamal Co-operative Housing Society Limited ("**Society**") registered under the provisions of the Maharashtra Co-operative Housing Societies Act, 1960 and bearing registration No BOM/HSG/7751 dated 30th January 1982 are the Lessee thereon.
 - ii. Qualifying remarks/ comments if any: Subject to detailed Title Report dated 8th March 2022.
3. The report reflecting the flow of title of the said Developers to the said Property is enclosed herewith as an annexure.

Encl: Annexure

Date: 8th March 2022

Yours truly

For Lexicon Law Partners



Partner

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FLOW OF THE TITLE OF THE SAID LAND

1. On perusal of the Lease Deed dated 8th June 2021 (detailed and recited hereinbelow in Para 3), it inter-alia appears that:
 - a) Maharashtra Housing Board ("Board"), as established under the Maharashtra Housing Board Act, 1948 was the owner and seized and possessed off or otherwise well and sufficiently entitled to all that piece and parcel of
 - b) land bearing Survey No. 113 (part) and City Survey No.352 (part) admeasuring 528.03 square meters or thereabouts situate lying and being at Tagore Nagar, Vikhroli (East) in the registration sub-district of Bandra and Bombay Suburban District (hereinafter referred to as the "said Land");
 - c) The Government of India had formulated a Housing scheme for the construction and allotment of tenements on rental basis to industrial workers known as Subsidized Industrial Housing Scheme.
 - d) In pursuance of the aforesaid scheme, the Board constructed a building on the said Land being building bearing No. 9 (hereinafter referred to as the "said Building"). The said Land along with the said Building, shall hereinafter, unless referred to individually, be collectively referred to as the "**said Property**";
 - e) Maharashtra Housing and Area Development Authority (hereinafter referred to as the "**Authority**") was constituted with effect from December 5, 1977 vide Government Notification by the Public Works and Housing Development bearing No. ARD/1077(1)/Desk-44 and the Board, stood dissolved by operation of Section 15 of the Maharashtra Housing Board Act, 1948 (hereinafter referred to as the "**MHAD Act**");
 - f) In terms of Clause 189 (a) and (b) of the MHAD Act, all the property, rights, liabilities and obligations of the Board including those arising under any agreement or contract became the property, rights, liabilities and obligations of the Authority;
 - g) In view thereof, the said Property became the property of the Authority and all the rights liabilities and obligations of the Board as aforesaid in relation to the said Property became the rights liabilities and obligations of the Authority.



2. The allottees of the said Building formed themselves into a Co-operative Housing Society viz. Tagore Nagar Neel Kamal Co-operative Housing Society Limited (hereinafter referred to as the "said Society") and registered the same under the provisions of the Maharashtra Co-operative Housing Societies Act, 1960 and bearing registration No BOM/HSG/7751 dated 30th January 1982.
3. A Special General Body Meeting of the Society was held on 22nd September 2018, wherein it was unanimously resolved that M/s. Suvasya Builders and Developers LLP would be appointed as the developer to redevelop the said Property.
4. A Special General Body Meeting of the Society was held on 5th January 2020, wherein it was resolved that the Society should proceed with the redevelopment of the said Property.
5. The Lease of the said Land and the conveyance of the said Building was pending before MHADA.
6. By and under an Indenture of Lease dated 8th June, 2021 and executed by and between Maharashtra Housing and Area Development Authority, therein referred to as the Authority of the One Part and Tagore Nagar Neel Kamal Co-operative Housing Society Limited, therein referred to as the Society of the Other Part and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL-3/9389/2021, the Authority demised by way of lease unto the Society, the said Land, for a period of Thirty (30) years commencing from 1st April, 2010, at or for the yearly rent and subject to the terms and conditions contained therein.
7. By and under a Sale Deed dated 8th June 2021 and executed by and between Maharashtra Housing and Area Development Authority, therein referred to as the Authority of the One Part and Tagore Nagar Neel Kamal Co-operative Housing Society Limited, therein referred to as the Society of the Other Part, and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL-3/9391/2021 the Authority conveyed, granted and assured unto the Society, by way of sale, the said Building, at for the consideration and in the manner contained therein.



8. By and under a Development Agreement dated 10th August 2021 ("**Development Agreement**") executed by and between (a) Tagore Nagar Neel Kamal Co-operative Housing Society Limited of the First Part, (b) (i) Shri Tatoba Ganpat (ii) Smt. Madhuri Manmohan Upadhyay (iii) Shri Bhikshuk Rajendra Chothani (iv) Shri Hargovind Babubhai Patel (v) Shri Pramod Narayan Chudji & Shri Prasad Narayan Chudji (vi) Shri Sudarshan Domonkumar Kundu (vii) Smt. Hemlata Avinash Mhatre (viii) Shri Krimpankkunalile Cheruni Nambiar (ix) Shri Prasad Shahsikant Sathe, Shri Kiran Shahsikant Sathe, Shri Swapnil Shahshikant Sathe, Smt. Jyoti Narayan Korgaonkar & Smt. Aarti Sandeep Joshi (x) Shri Ramdas Kondinbhou Waman & Shri Rahul Ramdas Waman (xi) Shri Sanjay Manohar Awate (xii) Smt. Jitanadevi Suryamani Singh (xiii) Shri Shrikant Vishwanath Bhave & Smt. Jayashree Prabhakar Pendse (xiv) Shri Kekin Dinesh Gogri (xv) Shri Kantiprasad P. Tiberwala (xvi) Shri Vishwanath G. Iyer (xvii) Shri Umesh Suresh Vyavhare & Smt. Yogeshwari Umesh Vyavhare (xviii) Smt. Rupa Damodar Parodkar (xix) Shri Rajesh Chandrashekhar Tiwari & Shri Shailesh Chandrashekhar Tiwari (xx) Shri Pralesh Bhaskar Vengurlekar (xxi) Smt. Aruna Annu Kudav (xxii) Smt. Jisha Blessen Mathew (xxiii) Shri Sachin Ravindra Parkar (xxiv) Shri Santosh Babaji Kadam (xxv) Smt. Ruta Mohan Kelkar (xxvi) Smt. Dipti Pratap Dhamdhere (xxvii) Shri Pratap Devram Dhamdhere (xxviii) Shri Pratap Devram Dhamdhere & Smt. Bharti Pravin Dhamdhere (xxix) Smt. Sujata Dattaram Kale (xxx) Smt. Geetanjali Ramakant Sail (xxxi) Shri Ankush Pandurang Dongre (xxxii) Shri Ulhas Vasudeo Soman, Shri Avinash Vasudeo & Mrs. Mugdha Sunil Chitale referred to as Existing Members of the Second Part (hereinafter referred to as the "**Existing Members**"), and M/s Suvasya Builders and Developers LLP referred to as Developers of the Third Part (hereinafter referred to as the "**Developers**") and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL-3/12827/2021 the Society granted to the Developer, sole and exclusive development/re-development rights to carry out and complete the development/redevelopment in respect of said Property together with the adjoining tit bit land areas, in pursuance to the Development Agreement, at or for the consideration and subject to the terms and conditions therein contained.
9. By and under a power of attorney dated 12th August 2021 and registered with the office of the Sub-Registrar of Assurances under Serial No KRL-3/12829/2021 ("**Power of Attorney**") executed by Tagore Nagar Neel Kamal Co-operative Housing



Society Limited nominated, constituted and appointed (i) M/s Suvasya Builders and Developers LLP, (ii) Mr. Jatin Daisaria and (iii) Mr. Hiren Shah being nominees of the Developer, jointly and severally as their Constituted Attorneys to do the acts, deeds, matters and things as described therein in respect of the said Property.

10. We have caused public notice to be published on 1st February 2022 in Free Press Journal (English Language) and Navshakti Times (Marathi Language) inviting claims and objections from public as to the title of the said Society to the said Property We have not received any objection challenging the title or right of the said Society to the said Property, till date.
11. In view of the foregoing, the Developer came to be entitled to develop the said Property in terms of the Development Agreement and the Power of Attorney.
12. Further we have been informed by the Developer that there are no litigation/s initiated and/or pending and/or threatened in any Court of Law, authority, Tribunal, etc. and/or any Lis-Pendens filed by or against the Developer and/or the Society and/or in respect of the said Property.
13. Further, we have been informed by the Developer that there is no charge, lien, mortgage, adverse right or other prejudicial circumstances affecting the said Property.

Date: 8th March 2022

Yours Truly

For Lexicon Law Partners


Partner

ANNEXURE "A"

LIST OF DOCUMENTS

1. Original Registration Certificate bearing No BOM/HSG/7751 dated 30th January 1982 issued under the provisions of the Maharashtra Co-operative Housing Societies Act, 1960;
2. Original Lease dated 8th June 2021 and executed by and between Maharashtra Housing and Area Development Authority and Tagore Nagar Neel Kamal Co-operative Housing Society Limited and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL -3/9389/2021;
3. Original Sale Deed dated 8th June 2021 and executed by and between Maharashtra Housing and Area Development Authority and Tagore Nagar Neel Kamal Co-operative Housing Society Limited and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL-3/9391/2021;
4. Original Development Agreement dated 10th August 2021 executed by and between (a) Tagore Nagar Neel Kamal Co-operative Housing Society Limited, (b) (i) Shri Tatoba Ganpat Hatle and 45 others and (c) Suvasya Builders and Developers LLP and registered with the office of the Sub-Registrar of Assurances under Serial No. KRL-3/12827/2021;
5. Original the Power of Attorney dated 12th August 2021 and registered with the office of the Sub-Registrar of Assurances under Serial No KRL-3/12829/2021 executed by Tagore Nagar Neel Kamal Co-operative Housing Society Limited in favour of (i) M/s Suvasya Builders and Developers LLP, (ii) Mr. Jatin Daisaria and (iii) Mr. Hiren Shah;
6. Original Property Register Card dated 18th October 2019 in respect of CTS No. 352;
7. Original NOC issued by the office of Dy. Chief Fire Officer dated 2nd November 2021 bearing serial no. PB/HR/R VI/97;



8. Original No Objection Certificate (NOC) dated 9th November 2021 regarding redevelopment of building no. 9 known as Tagore Nagar Neel Kamal Co-operative Housing Society bearing reference no. CO/MB/REE/NOC/F-1277/2721/2021 issued by Maharashtra Housing and Area Development Authority;
9. Original Intimation of Approval (IOA) dated 12th January 2022 for proposed redevelopment of building no. 9 known as Tagore Nagar Neel Kamal Co-operative Housing Society bearing reference no. EE/BP Cell/GM/MHADA-8/1021/2022 issued by Maharashtra Housing and Area Development Authority;
10. Original Offer Letter dated 17th August 2021 bearing reference no. CO/MB/REE/F-1277/1927/2021 issued by Maharashtra Housing and Area Development Authority;

Date: 8th March 2022

Yours Truly

For Lexicon Law Partners


Partner