



Rahul R. Rawal

B.L.S. L.L.B

ADVOCATE HIGH COURT

A-05, Karma Sandesh, Janta Society Road, Ghaatkopar (East) MUMBAI – 400 077
Email: adv.rahuleawal@gmail.com

To,
MahaRERA,
BKC, Housefin Bhavan,
Near RBI E Block,
Bandra East, Mumbai 400051.

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to plot of land bearing Survey no. 67-71 and CTS No. 831(pt) part of Chembur situated at Subhash Nagar, Chembur, Mumbai-400071 Taluka/District Kurla admeasuring about 636.76 sq. mtrs. situated at Subhash Nagar, Chembur (E) Mumbai- 400071. (Hereinafter referred to as “the said plot”).

I have investigated the title of the said plot on the request of SUBHASH NAGAR SURANGI CHS LTD. and following documents i.e.: -

1. Description of the property: -

All that piece and parcel of land bearing Survey No.67-71 admeasuring 636.76 sq. mtrs. or thereabouts corresponding CTS No. 831 of Village Chembur, together with the previously building standing thereon known as “Building No. 37” consisting of ground plus 2 upper floors comprising of 24 Flats/Tenements of Subhash Nagar Surangi Co-operative Housing Society LTD. situate, lying and being at Subhash Nagar, Chembur (East), Mumbai – 400 071.

2. The documents of allotment of plot are as under: -

- a) Indenture of Lease dated 21/10/1992 between MHADA as a Lessor and SUBHASH NAGAR SURANGI CO-OPERATIVE HOUSING SOCIETY LIMITED referred as Lessee, registered under serial No. BDR-848 of 21/10/1992, lease for a period of 99 years with effect from 1/4/1980.



- b) Deed of Sale dated 21/10/1992 entered by and between the Maharashtra Housing and Area Development Authority, (MHADA) being "The Authority" therein and SUBHASH NAGAR SURANGI CO-OPERATIVE HOUSING SOCIETY LIMITED, herein being "The Society" registered under serial No. BDR – 846 of 21/10/1992.
- c) A copy of development agreement entered between M/s. G.A BUILDERS PVT. LTD and SUBHASH NAGAR SURANGI CO-OPERATIVE HOUSING SOCIETY LIMITED on 15/07/2009 which was duly registered with the Sub Registrar of assurance, vide registration no. Sr. No. BDR/3/10377 dated 07/11/2009.
- d) A copy of power of attorney entered between M/s. G.A BUILDERS PVT. LTD and SUBHASH NAGAR SURANGI CO-OPERATIVE HOUSING SOCIETY LIMITED on 07/11/2009 which was duly registered with the Sub Registrar of assurance, vide registration no. Sr. No. BDR/3/10378 dated 07/11/2009.
- e) A copy Society's Resolution dated 20/04/2019, wherein they resolved to terminate the Development Agreement dated 15/07/2009 and Power of Attorney dated 07/11/2009 with the developer M/s. G. A Builders Pvt. Ltd.
- f) A copy of termination notice sent through society's Advocate Vinod Shah dated 27/07/2019.
- g) A copy of Public Notice to that effect which was published in Times of India and Maharashtra Times dated 08/10/2019.
- h) A copy of Public Notice inviting tenders from various developers dated 20/08/2020 in Free Press Journal and Navshakti newspapers.
- i) A copy of society's Resolution dated 8/11/2020 wherein they have resolved to appoint M/s. NIRVAANA LIFESPACE LLP as a developer of the said society.
- j) A copy of Deputy Registrar, co-operative department, MHADA order dated 11/11/2020 passed u/s 79A of MCS Act, 1960 whereby M/s. Nirvaana Lifespace LLP was appointed as a new developer.




k) A copy of Commercial Arbitration Petition No. 445 of 2021 filed u/s. 9 and Commercial Arbitration Application No. 186 of 2021 filed u/s. 11 of the Arbitration and Conciliation Act, 1996.

l) A copy of ad-interim order dated 18/06/2021 passed by Hon'ble Justice G. S. Patel in terms of prayer clauses a. (ii) to a (vi) thereby restraining the said G. A. Builders Private Limited from interfering with the redevelopment work.

m) A copy of order dated 01/02/2021 read with order dated 10/02/2022 whereby the Hon'ble High Court has referred the matter for arbitration and all the arising disputes out of the development agreement will be decided and adjudicated upon by the sole arbitrator namely Adv. Shanay Shah.

n) Copy of Property Card.

3. Search Report carried by Mr. Jitendra Kamble from 1/01/1991 to 1/09/2021 in the office of Assurances Kurla for the period of 30 years.

2/- 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 the title of SUBHASH NAGAR SURANGI CO-OPERATIVE HOUSING SOCIETY LTD is clear, marketable and without any encumbrances.

Owner of the land

(1) Maharashtra housing and area development authority (MHADA) CTS No. 831(pt).

3/- The report reflecting the flow of the title of the SUBHASH NAGAR SURANGI CHS LTD on the said land is enclosed herewith as annexure.

Encl: Annexure

Date: 20/02/2022



Rahul Rakesh Rawal
Advocate.

FLOW OF THE TITLE OF THE SAID LAND

Sr.No.

1. Indenture Lease Deed Dated 21/10/1992 Registered with the Sub-Registrar of Assurances Bandra(E).
2. Sale Deed Dated 21/10/1992 Registered with the Office of Sub-Registrar of Assurances Bandra(E).
3. Society's Resolution dated 20/04/2019 wherein they passed the resolution to terminate M/s. G. A. Builders Pvt. Ltd.
4. Advocate Vinod Shah's termination notice dated 27/07/2019.
5. Society's Resolution dated 8/11/2020 wherein they resolved to appoint M/s. NIRVAANA LIFESPACE LLP as a new developer.
6. Deputy Registrar, Co-operative department, MHADA order dated 11/11/2020 passed u/s 79A of MCS Act, 1960.
7. Property Card.
8. Commercial Arbitration Petition No. 445 of 2021 filed by the said Society against the M/S GA Builders Pvt. Ltd.
9. Search Report carried by Mr. Jitendra Kamble from 1/01/1991 to 1/09/2021 in the office of Assurances Kurla for the period of 30 years.

DATE: 20/2/2022


Advocate.

