

SANDESH D. JADHAV, B.Com; LL.B
(Advocate High Court)

40 / 23, NAVJIVAN NAGAR
TAGORE NAGAR, GROUP NO. 3
VIKHROLI (E), MUMBAI – 400 083
Tel No. 9702539842, 9594791703
Email: advsandesh.jadhav@gmail.com

To,

Maha RERA, Mumbai,

Maharashtra.

FORMAT -A

(Circular No:- 28/2021)

LEGAL TITLE REPORT

Sub: Title Clearance Certificate with respect to the plot bearing Survey No. 113(Part), City Survey No. 356(Part), admeasuring area about 684.22 Sq. Mtrs. situate at **Kannamwar Nagar Ivy Co-operative Housing Society, Village Hariyali, Kannamwar Nagar, Vikhroli – (East), Mumbai – 400083** together along with Building No. 01 (hereinafter referred as “The Said Plot”).

I have investigated the title of the said plot on the request of Developer, **M/S. SAI ADITYARAJ** and also perused the documents related to the said Property provided to me and I hereby provide my opinion as under –

1. MHADA in pursuance of Scheme introduced by Government constructed building No. 01 consisting of 16 residential tenements each having a carpet area of 322.60 Sq. Feet carpet area i.e. 29.97 Sq. Mtrs. Carpet area or thereabouts on the said Plot for housing purpose as provided in the said scheme.
2. All the individual tenants of said 16 tenements formed a co-operative Housing society viz. “**KANNAMWAR NAGAR IVY C H S LTD;**” Consisting of said 16

(Sd/-)

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members under Registration Number No. **BOM/ HSG/7734/1981** dated 20th October, 1981.

3. By the Deed of Sale executed between MHADA and society dated 30th January, 1991 Registered at Bombay, bearing Registration No. **P-877/1991** the Collector of General Stamp Office, Mumbai under 32 (1) of Bombay Stamp Act, 1976 (MAH. XXVII) transferred, conveyed, sold assigned unto the society consisting of Building Structure of Bldg. No. **01**, standing on the above referred Plot situated at **Kannamwar Nagar, Village Hariyali, Vikhroli – (East), Mumbai – 400083**, known as "**KANNAMWAR NAGAR IVY C H S LTD;**" for 16 members for Rs. **1,68,560/- (Rupees One Lakh Sixty Eight Thousand Five Hundred and Sixty only)** exclusive Price and then "**KANNAMWAR NAGAR IVY C H S LTD;**" Became owner of the said Residential Building and the Land was leased as per an Indenture of Lease dated - 30th January, 1991 bearing Registration No. - **P-879/1991**.
4. WHEREAS, "**KANNAMWAR NAGAR IVY C H S LTD;**" Leasehold owner of the said land and owner of the said building consisting of 16 residential tenements having plot area admeasuring about **684.22 Sq. Mtrs.** In the above premise, the society is leasehold owner of the said land. The owner of the said structure consisting of 16 residential flat having plot area as per Demarcation admeasuring **684.22 Sq. Mtrs.** to avail benefits of balance F.S.I. available with MHADA, on society plot and also the society members were desirous of having additions to their existing tenements by using the benefits of MHADA F.S.I. and hence Resolution was passed in Extra Ordinary General Body Meeting held on 30th May, 2021 and decided to do extensions to their existing

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tenement and appointed **M/S. SAI ADITYARAJ** for reconstruction and redevelopment of the said Property through the Developers herein.

5. As the said tenements were in quite dilapidated condition and unfit for human habitation, after following due legal procedure the said society granted unto the **M/S. SAI ADITYARAJ**, having address at **101, Purnima Pride, Building No. 3, Tagore Nagar, Vikhroli - (East), Mumbai – 400083** all the redevelopment and reconstruction rights of the said Property vide Development Agreement (DA) dated **02nd November, 2021** and registered with the concerned sub- register of Assurance at Kurla under Document Registration No. **KRL-1/17030/2021** on the terms and condition as therein contained and Power of Attorney (POA) dated **02nd November, 2021** bearing Document Registration serial No. **KRL-1/17031/2021** and thereby transferred all Development rights, title, interest of the said plot to **M/S. SAI ADITYARAJ**.

Confirm and Verified Documents as under -

- Society Registration Certificate No. **BOM/ HSG/7734/1981** dated **20th October, 1981**.
 - Property Card / Extract of Land Survey No. Survey No. **113(Part)**, City Survey No. **356(Part)** which is showing land property in the name of Maharashtra Housing and Area Development Board.
6. Copy of minutes and resolution passed by "**KANNAMWAR NAGAR IVY C H S LTD**; in favour of **M/S. SAI ADITYARAJ**, for Development of Building No. **01** of **Kannamwar Nagar, Village Hariyali, Vikhroli – (East), Mumbai – 400083**.

(Signature)

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7. In view of the above said records and searches the title of "**KANNAMWAR NAGAR IVY C H S LTD;**" In respect of the above said MHADA allotted Property is clear and marketable and is free from all encumbrance of whatsoever nature.
8. I have pursued the relevant documents that have been provided to me and am of the opinion that the title is clear of "**KANNAMWAR NAGAR IVY C H S LTD;** in respect of the residential plot situated at Bldg. No. **01** bearing Survey No. **113(Part)**, City Survey No. **356(Part)**, admeasuring area about **684.22 Sq. Mtrs.** part/layout allotted by MHADA at **Kannamwar Nagar, Village Hariyali, Vikhroli – (East), Mumbai – 400083** together with the building structure standing thereon comprising the Ground + 3 floors situated at **Kannamwar Nagar, Village Hariyali, Vikhroli – (East), Mumbai – 400083** and whereas Maharashtra Housing and Area Development Authority (MHADA) has Surveyed and demarcated the said Plot.
9. **Description of the Property:** Leasehold Residential Plot situated at Building No. **01**, bearing Survey No. **113(Part)**, City Survey No. **356(Part)**, admeasuring area about **684.22 Sq. Mtrs.** part/layout allotted by MHADA at **Kannamwar Nagar, Village Hariyali, Vikhroli – (East), Mumbai – 400083** together with the building structure standing thereon comprising of Ground + Three upper Floors situated at Bldg. No **01**, **KANNAMWAR NAGAR IVY C H S LTD; Kannamwar Nagar, Village Hariyali, Vikhroli – (East), Mumbai – 400083**, Registration District and Sub – District of Mumbai Suburban, "**The said Property**" for last 30 years and have found that the title of the plot leased by M.H.A.D.A., a statutory corporation constituted under the Maharashtra Housing and Area Development Act, 1976 (Maharashtra XXVIII of 1977), are

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clear and marketable and are free from all encumbrances of whatsoever nature. The schedule plot is bounded as under:-

ON OR TOWARDS THE NORTH : **Building No. 2**

ON OR TOWARDS THE SOUTH : **Plot Belonging to MHADA**

ON OR TOWARDS THE EAST : **40 Feet Wide Road and open space
of the Authority**

ON OR TOWARDS THE WEST : **Vacant Land 40 Feet Wide Road**

10. The documents of Allotment of Plot: Search Report for 30 years dated **07th March, 2022** by Search Clerk Swapnil More.

Development Agreement (DA) dated **02nd November, 2021** Registered at the Sub-Registrar of Assurances, Kurla bearing Document Registration Serial No. **KRL-1/17030/2021** and Registered Power of Attorney (POA) dated **02nd November, 2021** at the Sub-Registrar of Assurances, Kurla bearing Document Registration Serial No. - **KRL-1/17031/2021**.

11. 7/12 extract or Property Registration Card issued by City Survey officer, Vikhroli reflects the name of Maharashtra Griha Nirman Bhavan.

12. Search report for 30 years from 1993 till 2022.

2/- On perusal of the abovementioned documents and all other relevant documents relating to the title of the said property, I am of the opinion that the title of the Developer **M/S. SAI ADITYARAJ**, is clear, marketable and without any encumbrances vide Development Agreement (DA) registered between **[1] KANNAMWAR NAGAR IVY C H S LTD; [2] M/S. SAI ADITYARAJ** and **[3] Members of KANNAMWAR NAGAR IVY C H S LTD;** Registered at Kurla - 1 vide Document Registration Serial No. **KRL-1/17030/2021** dated - **02nd November, 2021** and Registered Power of Attorney (POA) dated **02nd November, 2021** at Kurla – 1 vide Document Registration Serial

(Slotted)

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No. - **KRL-1/17031/2021.**

Owner of the land -

Maharashtra Griha Nirman Bhavan, Mumbai Survey No. **113(Part)**, City
Survey No. **356(Part)**, (As per 7/12 - Property card).


Owner of the Building structure –

KANNAMWAR NAGAR IVY C H S LTD; vide Deed of Sale in the year **1991**
from Maharashtra Housing and Area Development Board, Mumbai (As per
Search Report dated **07th March, 2022** by Search Clerk **Mr. Swapnil More**).

3/- The report reflecting to flow of the title of the Owner and Developer on the
said Plot is enclosed herewith as **Annexure – “A”**.

Encl: Annexure – “A”.

Date: 07/03/2022.


Sandesh D. Jadhav
(Adv. High Court, Bombay)

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ADVOCATE HIGH COURT
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Mumbai - 40.