



### INTERIM TITLE CERTIFICATE

**Re: All that pieces or parcels of lands or ground bearing survey number 78 (pt) corresponding to CTS. No. 444 admeasuring 5327.40 sq. mtrs. areas or thereabouts, situate lying and being at revenue Village Malwani, Taluka Borivali Mumbai Suburban district is vested in the Government of Maharashtra, within the assessment jurisdiction of P-North Ward of the MCGM.**

We are investigating the title of Messrs H & Y REALITIES PRIVATE LIMITED, a Company duly incorporated and registered under the companies Act, 1956 having its registered office at 11/B, Uma Smruti, 7<sup>th</sup> Kasturba Road, Borivali (East), Mumbai - 400 066 (the "Developers") in respect of immoveable property being all that pieces or parcels of lands or ground bearing survey number 78 (pt) corresponding to CTS. No. 444 admeasuring 5327.40 sq. mtrs. areas or thereabouts, situate lying and being at revenue Village Malwani, Taluka Borivali Mumbai Suburban district is vested in the Government of Maharashtra, within the assessment jurisdiction of P-North Ward of the MCGM, more particularly described in the Second schedule written hereunder and hereinafter called and referred to as the "SAID PROPERTY".

- A. Lands or grounds bearing survey number 78 (pt) corresponding to City survey (the "CTS") number 444 admeasuring 7146.8 sq. mtrs. area or thereabouts fully encroached upon by slum dwellers situate lying and being at revenue Village Malwani, Taluka Borivali Mumbai Suburban district is vested in the Government of Maharashtra (the "Government") as per the records of rights more particularly described in the First Schedule hereunder written and hereinafter called and referred to as the said "Larger Property". Duly declared as "slum" within the meanings of section 4(i) of the Maharashtra Slum Areas (Improvement, Clearance and Re-Development) Act, 1971 (the "Act"), by the competent Authority and the Dy. Collector (ENC) vide Government ordinance bearing number XVIII of 1975 duly published in Government of Maharashtra Gazette dated 11/11/1975.
- B. AND in pursuance of the Government of Maharashtra resolution bearing No. Jhopupra/1096/Pra.Kra.68/Gunicell/ dated 16/05/1996 read with the amended regulation 33(10) of the Development Control Regulations for Greater Mumbai 1981, the said slum in or about the Said Property falls under the preview of protected structures and therefore is eligible for free alternate accommodation.
- C. AND slum dwellers in a part of the said Larger property bearing survey number 78 (pt) corresponding to CTS. No. 444 admeasuring 5327 40 sq. mtrs. areas or thereabouts, situate lying and being at revenue Village Malwani, Taluka Borivali Mumbai Suburban district (more particularly described in the Second Schedule hereunder written hereinafter called and referred to as the said "Property") formed themselves in 2 (two) different Co-operative housing Societies viz. (1) M/s. Takhashila Co-operative Housing Society

(Prop). consisting of 63 (sixty three) Members (the said "Society") which proposal for re-development under the said Act, was made and forwarded to the Slum rehabilitation Authority (the "SRA") by M/s. SAI CONSTRUCTION COMPANY, having its principle place of Business at Patil House, M. G. Road, Charkop Village, Kandivali (West), Mumbai 400 067 (the "SAI") and (2) M/s Jetvan C. H. S. Ltd., (prop).consisting of 39 (thirty nine) members was made and proposed under the said Act, by M/s. Usma Samir Habitate a partnership firm duly constituted and registered under the Partnership Act, 1932 having its principle place of Business at 3, Meher Home C. H. S. Ltd., Near Momin Nagar Jogeshwari (West), Mumbai 400 102 (the "USMA").

- D. AND WHEREAS the Dy. Collector (ENC) in the view that the said USMA (for Jetvan C. H. S. Ltd., (Prop)) did not have sufficient majority to continue re-development in or about the said property issued Annexure - II dated 07/08/2007 bearing number Kr Pathak-3/Karya-7/33(10)/SR.44/06 to the SAI/Society herein wherein out of total surveyed 121 (one hundred twenty one) occupants/slum dwellers/members, 73 (seventy three) slum occupants/slum dwellers/members comprising of 61 (sixty one) residential premises, 11 (eleven) shop/commercial premises and 1 (one) residence - cum - commercial premises were declared as eligible for the benefits of re-development under the slum rehabilitation scheme of the Government of Maharashtra.
- E. AND WHEREAS by an Agreement the said M/s. USMA (Jetvan C. H. S. Ltd., (Prop)) surrendered their rights to herein at valuable consideration and on the terms and conditions more particularly cited therein.
- F. AND WHEREAS the said society by a resolution passed in the General Body meeting held on 4/09/2006 resolved to appoint the said SAI as a "Developer" to re-develop the said property more particularly described in the Second Schedule hereunder written under the slum rehabilitation scheme, and pursuant to the said resolution and subsequent appointment as Developer, the SAI and the said Society executed Agreement for development AND Power of Attorney both dated 12/09/2006 for re-development of the said property more particularly described in the Second Schedule hereunder written.
- G. AND the said SAI herein were accepted by the occupants/slum dwellers/members for the implementation of the Slum Rehabilitation Scheme and the slum dwellers subsequently executed common/Individual consent dated 21/09/2006, to record their inter-se relationship viz-a-viz the implementation of the Said Slum Rehabilitation Scheme.
- H. AND the said SAI agreed to give its irrevocable consent for the re-development of the said property more particularly described in the Second Schedule hereunder written to and in the favour of the Developers by an Agreement for Development dated 19/07/2011, duly executed by and between the said Developers and the Co-developers herein and registered as document BDR16/7070/2011 dated 19/07/2011 at the office of the Joint sup-

registrar of assurances, Borivali No.7 MSD, the said SAI through its partners agreed to sell, assign and Transfer Development rights in the said property to Developers herein.

- 1 AND the slum dwellers in or about the said property formed and registered a co-operative housing society as per the provisions of the Maharashtra Co-op Societies Act, 1960 under the name and style of M/s. Takshashila (Malad) SRA Co-op Housing Society Ltd., vide registration No. MUM/SRA/HSG/(TC)/11885/2010 dated 26/10/2010 of the year 2010 (the said "Society")
2. The Dy. Chief Engineer Slum Rehabilitation Authority (the "SRA") after verifying the Said Slum Rehabilitation Scheme approved the same and issued Letter of Intent (hereinafter the "LOI") bearing No. SRA/ENG/2233/PN/STGL/LOI dated 09/06/2010, and revised LOI bearing No. SRA/ENG/2233/PN/STGL/LOI dated 18/05/2012.
3. The Executive Engineer SRA under sub regulation 2.3 of Appendix-IV in accordance with Clause 33(10) of amended Development Control regulations For Greater Bombay 1991, granted Intimation of Approval bearing No. dated 18/05/2012 SRA/ENG/2599/PN/STGL/AP dated 18/05/2012 (the "IOA"), sanctioned the plans for the construction of the Sale/Rehab Building, (hereinafter the "Said Building") and also issued Commencement Certificate bearing No. SRA/ENG/2599/PN/STGL/AP dated 24/03/2014. We have seen the copy of LOI bearing No. SRA/ENG/2233/PN/STGL/LOI dated 09/06/2010, and revised LOI bearing No. SRA/ENG/2233/PN/STGL/LOI dated 18/05/2012, we have also seen the copy of the CC for composite building bearing No. SRA/ENG/2599/PN/STGL/AP dated 24/03/2014.

In the circumstances and subject to what is stated hereinabove, we are of the opinion that subject to search and public notice, the title of the said Developers to the said property more particularly written in the Second schedule hereunder is clear, marketable and free from all encumbrances beyond reasonable doubts. This interim title certificate is issued at request and is also subject to the final title certificate.

The First Schedule of the property hereinabove referred to

All that pieces or parcels of lands or ground bearing survey number 78 (pt) corresponding to CTS No. 444 admeasuring 7146.8 sq. mts area or thereabouts fully encroached upon by slum dwellers situate lying and being at revenue Village Malwani, Taluka Borivali Mumbai Suburban district is vested in the Government of Maharashtra, within the assessment jurisdiction of P-North Ward of the MCGM and bounded as follows:-

On or towards East	:	By CTS Nos. 440, 441, 442, 420, 443 and 422 (pt)
On or towards West	:	By CTS No. 445.
On or towards North	:	By CTS No. 462, 463, 466 (pt) & 422.

On or towards South : By Malad Marve Road.

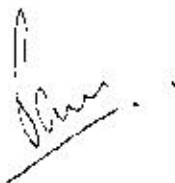
The Second Schedule of the property hereinabove referred to

All that pieces or parcels of lands or ground bearing survey number 78 (pt) corresponding to CTS. No. 444 admeasuring 5327.40 sq. mts. areas or thereabouts, situate lying and being at revenue Village Malwani, Taluka Borivali Mumbai Suburban district is vested in the Government of Maharashtra, within the assessment jurisdiction of P-North Ward of the MCGM and bounded as follows. -

On or towards East	By CTS Nos 440, 441, 442, 420, 443 and 422 (pt)
On or towards West	By CTS No. 445.
On or towards North	By CTS No. 462, 463, 466 (pt) & 422.
On or towards South	By Malad Marve Road

Dated this 11<sup>th</sup> day of August, 2015.

For kamdhenu associates



Prem Pandey - Advocate

Housiey.com