

NITIN NIKAM & ASSOCIATES

ADVOCATES HIGH COURT

Bldg. No 20, A-Wing, Room No. 005, Ground Floor, Tilak Nagar, Chembur, Mumbai - 400 089.
Mob.: (0) 98197 94684 / (M) 98690 17994 • Email : nitinnikam5@yahoo.co.in

Ref.: _____

Date : _____

TITLE CERTIFICATE

Re.: ALL THAT piece or parcel of land admeasuring 1187.61 Sq.mtrs. as per Lease Deed and Sale Deed executed by MHADA with the Society together with the building standing thereon being No. 16 situate at Survey No.67 to 71, City Survey No.826 and 1274.61 Sq. mtrs., as per MHADA demarcation including tit bit area and 1276.38 Sq. mtrs., as per Layout of Subhash Nagar and Development Plan remark at Subhash Nagar, Chembur, Mumbai - 400 071, in the Registration District of Mumbai City and Mumbai Suburban.

.....

This to certify that we have perused documents/papers produced before us by M/s. P. M. Developers and have investigated title in respect of the above property. We have also inspected the revenue records pertaining thereto and have caused necessary searches taken in the respective records of the Sub-Registrar for last 30 years for the said purpose.

On going through the document/papers pertaining to the above property produced before us and searches caused in the respective records, it is observed that Maharashtra Housing Board, a Board constituted under the Maharashtra Housing Board Act, 1948 (BOM.LXIX of 1948) was originally seized, possessed and otherwise well and sufficiently entitled to all that piece and parcel of land being Survey No. 67 to 71 and City Survey No. 826 containing by admeasurement 1274.61 Sq. mtrs., as per MHADA demarcation including tit bit area and 1276.38 Sq. mtrs., as per Layout of Subhash Nagar and Development Plan remark at Subhash Nagar, Chembur, Mumbai - 400 071, in the Registration District of Mumbai City and Mumbai Suburban

In order to provide Housing accommodations to the certain class of people, 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. In



...2

- 2 -

pursuance of the said scheme, the said Board constructed buildings in its colonies including building No.16 consists of Ground and Two upper floors in all containing 36 tenements, each containing by admeasurement 16.72 Sq.mtr. i.e. 180 Sq.ft. Carpet area at Subhash Nagar, Chembur, Mumbai on the said property in order to provide residential accommodation to the Industrial Workers and Low Income Group People. Thereafter, the said Board allotted tenements therein to the Low Income Group People on rental basis.

In or around 1976, the Maharashtra Housing and Area Development Authority a Statutory Corporation came to be constituted under the Maharashtra Housing and Area Development Act, 1976 (MAH. XXVIII of 1977) (hereinafter referred to as 'the said Authority'). The said Authority being duly constituted with effect from 5th December, 1977 under the Government Notification in the Public Works and Housing Development No. ARD-1077 (1) Desk-44, dated 5th December, 1977, the aforesaid Board established under the Bombay Housing Board Act, 1948 (Bombay LXLX of 1948) stood dissolved by operation of Section 15 of the said Act.

By virtue of the said Act came into operation in the State of Maharashtra all the properties, rights, liabilities and obligations of the said dissolved Board including those arising under any Agreement or contract became the property rights, liabilities and obligations of the authority. By virtue thereof the property under reference vested in the authority.

Somewhere, in the year 1981 the respective allottees of the tenements in the said building then formed a Co-op. Hsg. Society by name "Chembur Deep Jyoti" Co-op. Hsg. Society Ltd. which has been duly registered under the Maharashtra Co-op. Hsg. Societies Act, 1960 and Rules made thereunder vide Registration No. BOM/HSG/7608 of 1981 dated 20/05/1981 (hereinafter referred to as 'the said Society').

In pursuance of the guidelines laid down by the Government of India for the purpose of sale and transfer of the tenements constructed under the various schemes on ownership basis. The Government of Maharashtra was accordingly directed on the terms and conditions as stipulated under the said guidelines to the Authority.

Accordingly, at the request of the Society and as per the aforesaid guidelines an Authority by an Indenture of Lease dated 4th March, 1992 being owner of the said property granted Lease of the said Plot of land underneath and appurtenant to the building No.16 in favour of the Society for the period of 99 years with effect from 1st April, 1980



...3

and on the other terms and conditions as contained therein. The said Lease Deed has been duly registered under Sr. No. P3037/1992 with the office of the Sub-Registrar, Bandra. The Authority by the Sale Deed of even date i.e. 4th March, 1992 has also conveyed the said building No.16 consists of ground and two upper floors with 36 tenements standing on the said plot of land in favour of the Society for the price and on the terms as contained therein. The said Sale Deed has also been duly registered under Sr. No. P3039/1992 with the office of the Sub-Registrar, Bandra.

By virtue of the said Conveyance as aforesaid, the Society became owner of the said building No. 16 and lessee of the Plot of Land appurtenant thereto by virtue of the said Lease Deed. Necessary changes have been effected in the revenue records and the name of the Society has been duly entered in the property register.

It appears that by passage of time the said building No.16 was in a dilapidated condition, the Society desired to redevelop the said property by re-constructing new building thereon with the permission of the authority as also from the Mumbai Municipal Corporation by availing the benefit of available FSI to the said property and pro-rata FSI as well.

Therefore, in the General Body Meeting held on 4th July, 2010 the Society unanimously resolved to redevelop the said property through the reputed Builders/Developers by demolishing existing building and constructing new building thereon by utilizing available FSI and pro-rata FSI. The Society thereupon after following due procedure for an appointment of Developers for the purpose of redevelopment i.e. obtaining feasibility report, inviting offers, its scrutiny in the Special General Body Meeting of the Society held on 19th September, 2019, the Society in the presence of representative of the Dy. District Registrar unanimously resolved to appoint M/s. P. M. Developers a partnership firm (hereinafter referred to as 'the said Developers') as its Developers for the said purpose.

By Redevelopment Agreement dated 6th May, 2022 the said Society has granted development rights in respect of the said property to M/s. P. M. Developers, on the terms and conditions as contained therein. The said Redevelopment Agreement has been duly registered with the office of the Sub-Registrar, Kurla - 5 under Sr. No. KRL-5/9399/2022 on 6th May, 2022. The Society has also executed Power of Attorney on 6th May, 2022 in favor of the partners of the Developers to carry out development work as provided in the Development Agreement. The



- 4 -

said Power of Attorney has been duly registered with the office of the Sub-Registrar, Kurla - 5 under Sr. No. KRL-5/9401/2022 on 6th May, 2022.

We have caused necessary searches taken in the records of the Sub-Registrar Office for last 30 years in respect of the said property. However, we have not come across any registered encumbrances and/or litigation over the said property.

In the circumstances, we may state here that the property under reference is not affected by any of the provisions of N.A., Urban Land (Ceiling & Regulation) Act, 1976 and /or by any other law in force.

In the premises, and subject to what is stated above we are of the opinion that title of the "Chembur Deep Jyoti" Co-op. Hsg. Society Ltd. to the property under reference is clear, marketable and free from registered encumbrances. We hereby further certify that by virtue of the Redevelopment Agreement dated 6th May, 2022 and Power of Attorney of even date executed by the Society in favor of the Partners of M/s. P. M. Developers, M/s. P. M. Developers are well and sufficiently entitled to develop the said property on the terms mentioned in the Development Agreement and in accordance with the plans and specifications sanctioned by MHADA and other concerned competent authorities and deal with the same.

Dated this 24th day of June, 2022.

Yours faithfully,



(NITIN B. NIKAM)

Prop. M/s. Nitin Nikam & Associates.



Encl : Search Report.