

RAMESHKUMAR M. SONI

B.Sc (HONS), LL.B, ADVOCATE HIGH COURT

B/11, Popular Apartments Co-operative Housing Society Limited,
Opp. St Louis Convent High School, Four Bungalows Road,
Andheri (W), Mumbai -400 053.

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FORMAT – A (CIRCULAR NO. 28/2021)

To,
Maharashtra Real Estate Regulatory Authority,
6th and 7th Floor, Housefin Bhavan,
Plot No. C-21, E- Block,
Bandra Kurla Complex,
Bandra (East), Mumbai- 400 051.

TITLE CERTIFICATE

Re: All that piece and parcel of Plot of Land delineated on the plan hereto shown bounded red on the plan hereto annexed situate lying and being Survey 189(part), bearing Plot No. 8, RSC-3, Gorai- III, admeasuring 2866.14 square meters, situated at Village Gorai, Taluka Borivali, in the Registration District and Sub-District of Mumbai City, (herein after referred to as the said property).

I have investigated the title of the said plot of land on request of GORAI SHREE SHIV PARVATI CO-OPERATIVE HOUSING SOCIETY LIMITED - LESSEE to the MHADA- LESSOR under a Registered AGREEMENT OF LEASE FOR HIGHER INCOME GROUP SOCIETY dated 08/08/2006 under BDR-12-05903-2006 and the following documents:

I. Description of the Property:

All that piece and parcel of Plot of Land delineated on the plan hereto shown bounded red on the plan hereto annexed situate lying and being Survey 189(part), bearing Plot No. 8, RSC-3, Gorai- III, admeasuring 2866.14 square meters, situated at Village Gorai, Taluka Borivali, in the Registration District and Sub- District of Mumbai City, (herein after referred to as the said property).

II. Documents of allotment of Plot:

- i) All that piece and parcel of Plot of Land earlier measuring about 3140 Sq. Mtrs belonged to MHADA and their letter No. Dy. C.O. (W) B.B/946 dated 06/01/1997 allotted to Shri. Dharmadas Anshiram Dhotre Babaji, the Chief Promoter of SWAPNIL CO-OPERATIVE HOUSING SOCIETY (a proposed Society of 32 members) the bases of application made in Application No. 30026 Code No. 111-A, Priority No.3, Plot No.8 RSC-3, GORAI with 1.05 FSI available for allotment on **Lease Premium** as per MHADA Policy.
- ii) That under Letter of MHADA bearing No. MB/Dy. C.O.(W)/106-A/5516 dated 16/08/2005, called upon the said proposed Society to comply with other various terms and conditions as mentioned therein.
- iii) That under Letter of MHADA bearing No. MB/Dy. C.O.(W)/113-A-2/3544 dated 25/05/2005 the possession of the said Land was handed over to the proposed Society upon an undertaking given by them on 13/07/2005 to the Executive Engineer Bandra Division of MHADA.
- iv) That, it was on 13/07/2005, the proposed Society received the possession of the said Land from MHADA with Area Certificate of said measuring about 2866. 14 Sq. Mtrs and which continues to be in the exclusive possession of the proposed Society.
- v) That the said proposed Society was registered in the name of GORAI SHREE SHIV PARVATI CO-OPERATIVE HOUSING SOCIETY LIMITED under section 12(1) of the Maharashtra Co-operative Society Act, 1960 bearing registration No. MUM/ MRADB /HIG /TC /12430 /2006-2007 dated 04/04/2006, as issued by the Deputy Registered, Co-operative Society, MHADA, MUMBAI, hereinafter referred as the Society for the sake of brevity.

vi) That an **Agreement for Lease for Higher Income Group Society** was registered with the Office of Sub-Registrar of Borivali on 08/08/2006 under BDR-12-05903 -2006 between the MHADA representatives and the then Office bearers of the Society while referring to the resolutions passed in the Annual General Body Meeting of the Society held on 23/04/2006 and as per resolutions dated 30/04/2006 & 25/06/2006 passed by the Society's Managing Committee. That the period of Lease would be for 90 years commencing from 06/07/2005. The initial terms and conditions as mentioned in the Agreement for Lease would be valid till 05/07/2035 and thereafter it would be renewed on such new terms and conditions as fixed by MHADA for further period of 30 years till 05/07/2065 in respect of Lease Rent. It would be renewed on such new terms and conditions as fixed by MHADA for further period of 30 years till 05/07/2095 in respect of Lease Rent. In the said registered **Agreement For Lease for Higher Income Group Society** the detail of the Schedule of the property has been mentioned as "All that piece or parcel of Land admeasuring about 2866.14 Sq. Mrs bearing Plot No.8, RSC-3, Gorai – III, Survey No. 189 (Part) of Village Gorai, Taluka Borivali, Mumbai – 400 092 in the Registration District and Sub- District of the Mumbai City and Mumbai Suburban

bounded towards in North by Hig Plot No. 7,
towards in South by Hig Plot No. 9,
towards in East by 12 Mtr vide Road RSC -3
towards in West by College Plot.

III **7/12 extract or property card issue by City Survey Office:**

On the basis of the said **Agreement for Lease for Higher Income Group Society** the name of GORAI SHREE SHIV PARVATI CO-OPERATIVE HOUSING SOCIETY LIMITED is recorded in the Property Card of the said property as

LESSEE to MHADA who are the LESSOR for the period as mentioned therein.

IV **Search Report for 30 years:**

I have perused the register of Index II search report for 30 years from 1992 till date and found no any adverse entry in respect of the said property. The register indicates that the said property is in the name of MHADA who are the LESSOR while the name of GORAI SHREE SHIV PARVATI CO-OPERATIVE HOUSING SOCIETY LIMITED as the LESSEE.

On the perusal of the above mentioned documents and all other relevant documents relating to the title of the said property, I am of the opinion that prima facie the title of GORAI SHREE SHIV PARVATI CO-OPERATIVE HOUSING SOCIETY LIMITED on the said land on the basis of the above referred **Agreement for Lease for Higher Income Group Society** as a LESSEE to MHADA for the period as mentioned therein is clear since the **OWNERSHIP OF LAND IS WITH MHADA** i.e All piece and parcel of Land admeasuring about 2866.14 Sq. Mtrs bearing Plot No.8, RSC-3, Gorai – III, Survey No. 189 (Part) of Village Gorai, Taluka Borivali, Mumbai – 400 092.

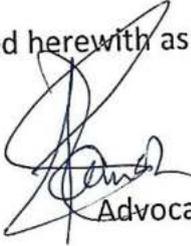
V. **Owner of the said Property are;**

MHADA Authority and the said Gorai Shree Shiv Parvati CHS Ltd., is the Lessee of land bearing Survey No. 189 and CTS No. 12 area admeasuring 2866.14 sq.meter or thereabout of Village Gorai Taluka : Borivali.

The Report reflecting the flow of the title of the (Owner /Promoter /Developer / Company) on the said land is enclosed herewith as annexure.

Encl. : Annexure

Date : 25/4/22.


Advocate

FORMAT-A
(Circular No. 28/2021)

FLOW OF THE TITLE OF THE SAID LAND

1. Property Registry Card with respect to the property herein above is in the name of MHADA – **LESSOR**.
2. 6/12 & 7/12 extract with respect to the property herein above is in the name of MHADA – **LESSOR**.
3. Search Report for 30 years from 1992 till date taken from Sub-Register's Office.
4. Any other relevant title not applicable.
5. Litigation, if any, not applicable

Dated: *gsh* day of April 2022.


Ramesh M. Soni.
Advocate High Court