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Advocates & Solicitors

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Ref No.:

Date:

TITLE CERTIFICATE

We have gone through the title of M/s. BRIZEAL REALTORS & DEVELOPERS LLP (formerly known as BRIZEAL REALTORS & DEVELOPERS PRIVATE LIMITED), registered under the provisions of the Limited Liability Partnership Act, 2008, having its registered office at 173/174, Sejal Encasa, S. V. Road, Kandivali (West), Mumbai 400 067 (hereinafter referred to as the 'said Firm'), in respect of the below mentioned Lands more particularly described in the schedule hereunder written and as regards to its title, we have to state as under:

a. (i) One Raghunath Sadashiv Patil was an Original Owner of an agricultural land bearing Survey No.47, Hissa No.8, admeasuring 4 ¼ Gunthas and as per the Kami Jast Patrak the said Survey No. 47, Hissa No.8, is given the corresponding C.T.S.No.817 of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and having an area admeasuring 413.1 sq. meters (hereinafter referred to as the said **First Land**).

(ii) As recorded in the Mutation Entry No. 342, the said Raghunath Sadashiv Patil died on 23rd November, 1939 and the name of his son namely, Atmaram Raghunath Patil was entered in the Record of Rights of the said First Land.

(iii) As recorded in the Mutation Entry No.1157, the said Atmaram Raghunath Patil on 9th October, 1961 died leaving behind him his wife namely, Annapurnabai Atmaram Patil and two sisters namely, Gulab Raghunath Patil and Kesar Krushnarao Kadwe as his only legal heiresses and accordingly their names were entered in the Record of Rights of the said First Land.

(iv) As recorded in the Mutation Entry No.1159, the said First Land was acquired by the Mumbai Municipality Industrial Estate vide an Award bearing No.85/30 /3/1964 in Case No.LAQ/ 102/53 and accordingly name of Mumbai Municipality Industrial Estate was entered in the Record of Rights of the said First Land.

(v) The Property Card in respect of the said First Land also stands in the name of Mumbai Mahanagar Palika.

b. (i) One Lawrence Francis Mendis was an Original Owner of an agricultural land bearing Survey No.47, Hissa No.9, admeasuring 1 Guntha and as per the Kami Jast Patrak, the said Survey No. 47, Hissa No.8, is given the corresponding C.T.S. No.818 of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and having an area admeasuring 203 sq. meters (hereinafter referred to as the said **Second Land**).

(ii) As recorded in the Mutation Entry No.1364, the said Lawrence Francis Mendis died on 13th November, 1970 leaving behind him his wife namely, Smt. Anubai as his only legal heiress and accordingly, her name was entered in the Record of Rights of the said Second Land.

(iii) As recorded in the Mutation Entry No.1554, the said Smt. Anubai Lawrence Mendis died on 15/08/1987 without any issue and therefore the names of her nearest relatives and legal heirs i.e. Ansel Francis Mendis, Enas Francis Mendis, Anton Francis Mendis and Gabriel Francis Mendis, were entered in the Record of Rights of the said Second Land.

(iv) As mutated in the Mutation Entry No.1586, after the death of Anubai Lawrence Mendis and in view of the Suit No. 32 of 1989 in Testamentary Petition No.254 of 1989 in respect of the Will dated 15th August, 1987, the consent terms came to be filed therein and in accordance with the same an order dated 29th June, 1990 was passed and

in view thereof an order bearing No.637/93 dated 3rd May, 1993 was passed by the Mamlatdar and accordingly the names of Heaven Ansel Mendis, Erick Ansel Mendis and Jordan Ansel Mendis were entered and the names recorded vide Mutation Entry No.1554, were deleted from records of rights of the said Second Land.

(v) As recorded in the Mutation Entry No.1684, the said Jordan Ansel Mendis died on 6th August, 1995 leaving behind him his wife namely, Smt. Velankani Jordan Mendis and minor son Andrew Jordan Mendis through guardian Smt. Velankani Jordan Mendis, as his only legal heiress and heirs and their names were entered in the Record of Rights of the said Second Land.

(vi) In the circumstances herein above, the names of the said Heaven Ansel Mendis, Erick Ansel Mendis, Smt. Velankani Jordan Mendis and minor son Andrew Jordan Mendis through guardian Smt. Velankani Jordan Mendis, stands recorded in the Record of Rights of the said Second Land.

(vii) The names of the said Heaven Ansel Mendis, Erick Ansel Mendis, Smt. Velankani Jordan Mendis and minor son Andrew Jordan Mendis through guardian Smt. Velankani Jordan Mendis are yet not entered in the Property Card of the said Second Land.

c. (i) One Raghunath Sadashiv Patil was an Original Owner of an agricultural land bearing Survey No.34, Hissa No.6, admeasuring 33 Gunthas and as per the Kami Jast Patrak, the said Survey No.34, Hissa No.6, is given corresponding C.T.S. Nos.819/A, 819/B and 819/C of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and in all having an area admeasuring 10252.50 sq. meters (hereinafter referred to as the said **Third Land**) and the said Raghunath Sadashiv Patil was also an Original Owner of an agricultural land bearing Survey No.33, Hissa No.15, admeasuring 3 Gunthas and as per the Kami Jast Patrak the said Survey No.33, Hissa No.15, is given the corresponding

C.T.S. No.855 of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and having an area admeasuring 692.2 sq. meters (hereinafter referred to as the said **Fourth Land**).

(ii) As recorded in the Mutation Entry No.342, the said Raghunath Sadashiv Patil died on 23rd November, 1939 leaving behind him his son namely, Atmaram Raghunath Patil as his only legal heir and name of the said Atmaram Raghunath Patil was entered in the Record of Rights of the said Third Land and the said Fourth Land.

(iii) As recorded in the Mutation Entry No.543, the said Atmaram Raghunath Patil and Gulab Raghunath Patil sold the said Third Land and the said Fourth Land to Mohanlal Ramji Thakkar and Harakhchand Motichand by virtue of sale deed dated 5th January, 1948.

(iv) As recorded in the Mutation Entry No.1179, the said Third Land and the said Fourth Land were acquired by the Mumbai Municipality Industrial Estate vide an Award in case No.LAQ/AWD /STT/6077/80 on 15th January, 1965 and accordingly an order was passed by the Mamlatdar bearing No.LAQ/WS/2517 dated 19th January, 1965 and the name of the Mumbai Municipality Industrial Estate was entered in the Record of Rights of the said Third Land and the said Fourth Land.

(v) The name of the said Mumbai Municipality Industrial Estate is yet not entered in the Property Cards in respect of the said Third Land and the said Fourth Land.

d. (i) One Kastya Chambhar Bhandari was an Original Owner of an agricultural land bearing Survey No.34, Hissa No.10, admeasuring 34 Gunthas and as per the Kami Jast Patrak, the said Survey No.34, Hissa No.10, is given corresponding C.T.S. No.859 of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and having an area admeasuring 3962.9 sq. meters (hereinafter referred to as the said **Fifth Land**).

(ii) As recorded in the Mutation Entry No.292, one Lawrence Francis Mendis purchased the said Fifth Land from Kastya Chambhar Bhandari by virtue of a sale deed dated 30th October, 1936.

(iii) As recorded in the Mutation Entry No.1364, the said Lawrence Francis Mendis died on 13th November, 1970 leaving behind him his wife namely, Smt. Anubai Lawrence Mendis as his only legal heiress and her name was entered in the Record of Rights of the said Fifth Land.

(iv) As recorded in the Mutation Entry No.1415, the Karwar Maratha Sangh by a sale deed dated 15th October, 1974 purchased the said Fifth Land from the said Smt. Anubai Ana W/o Lawrence Mendis, Gabriel Francis Mendis, Ansel Francis Mendis, Anton Francis Mendis, Olga Sabestin Rodrigues, Joana James Gracciow and Smt. Pawline John Patel and the name of the Karwa Maratha Sangh was entered in the Record of Rights of the said Fifth Land.

e. (i) One Kesrinath Purshottam Mhatre was an Original Owner of an agricultural land bearing Survey No.33, Hissa No.12, admeasuring 2 acres and 9 Gunthas and as per the Kami Jast Patrak, the said Survey No.33, Hissa No.12, is given corresponding C.T.S. No.850 of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and having an area admeasuring 9159.4 sq. meters (hereinafter referred to as the said **Sixth Land**).

(ii) As recorded in the Mutation Entry No.728, Kesrinath Purshottam Mhatre died on 3rd April, 1954, leaving behind him his three sons namely, Baburao Kesrinath Mhatre, Anand Kesrinath Mhatre and Shashikant Kesrinath Mhatre as his only legal heirs and accordingly, their names were entered in the Record of Rights of the said Sixth Land.

(iii) As recorded in the Mutation Entry No.896, the said Baburao Kesrinath Mhatre died on 1st November 1957, leaving behind him his

four sons namely, Shashikant Baburao Mhatre, Ravikant Baburao Mhatre, Satishkumar Baburao Mhatre and Rishikesh Baburao Mhatre and his wife Laxmibai Baburao Mhatre as his only legal heirs and heiresses but as the head of the Joint Family the name of Shashikant Baburao Mhatre was entered in the Record of Rights of the said Sixth Land.

(iv) As recorded in the Mutation Entry No. 1050, the said Sixth Land was cultivated by Shri Harishchandra Gopinath Kini and therefore his name was also entered as General Kul/Tenant in Record of Rights of the said Sixth Land.

(v) As recorded in the Mutation Entry No.1654, Anant Kesrinath Mhatre died on 15th April, 1994 and his wife namely, Yashwanti Anant Mhatre had predeceased him on 13th May, 1993 leaving behind them their four married daughters namely, Smt. Rajani Nandkumar Mhatre, Smt. Sarla Arvind Mhatre, Smt.Kanchan Ramesh Pathare and Smt. Sarita Dhanraj Patil, as their legal heiresses and it is further recorded that Bhagwant Kesarinath Mhatre died on 10th March, 1992 leaving behind him his wife namely, Smt. Bhamini Bhagwant Mhatre, two sons namely, Kiran Bhagwant Mhatre and Amar Bhagwant Mhatre, two daughters namely, Smt. Sujata Pravin Sahani and Kum. Manisha Bhagwant Mhatre as his only legal heirs and heiresses. It is also further recorded that the said Baburao Kesarinath Mhatre died on 1st November, 1957 and his wife namely, Smt. Laxmibai Baburao Mahatre died on 05/05/2000 leaving behind them their four sons namely, Sashikant Baburao Mhatre, Ravikant Baburao Mhatre, Satish Baburao Mhatre and Rishikesh Baburao Mhatre and four daughters namely, Smt. Shubra A. Devlekar, Smt. Kamini S.Panara, Smt. Mandakini S. Juker and Smt. Vinodini D. Mhatre as their only legal heirs and heiresses and the names of the respective legal heirs and heiresses of the deceased were entered in the Record of Rights of the said Sixth Land.

(vi) As recorded in the Mutation Entry No. 1848, as per the Award dated 31st March, 1973 in Case No. LAQ/102/612, the said Sixth Land was acquired by the Mumbai Mahanagar Palika Industrial Estate and accordingly the name of the Mumbai Mahanagar Palika Industrial Estate was entered in the Record of Rights of the said Sixth Land.

(vii) As recorded in the Property Card vide an order dated 4th June, 2004 of Collector of Mumbai Sub-Urban and an Order dated 1st July, 2004 of the City Survey officer, the said Sixth Land bearing C.T.S. No.850 was sub-divided into two parts and accordingly two separate Property Cards came to be issued in respect of the said Sixth Land i.e. C.T.S. No.850A having an area admeasuring 1339.0 sq. meters and C.T.S. No.850/B having an area admeasuring 7243.9 sq. meters.

(viii) The name of the said Mumbai Mahanagar Palika has been entered in the Property Card bearing C.T.S. No. 850A as the owner thereof and the name of the said Mumbai Mahanagar Palika is yet to be entered in the Property Card of Land bearing C.T.S. No.850/B.

f. As mentioned in clause (c) (i) above, there are three separate C.T.S. Nos. 819A, 819B and 819C and in all having an area admeasuring 10252.50 sq. meters and therefore three separate property cards were issued in respect thereof and out of the same, C.T.S. Nos.819A and 819B both admeasuring 6396.857 sq. meters forms Part of the Third Land and the same is declared as the slum area and is notified in the Official Government Gazette dated 9th December, 2004 issued by the Government of Maharashtra but as per the demarcation the slum occupied area under the C.T.S. No.819A (part) is having an area admeasuring 6467.50 sq. meters and under C.T.S. No.819B (part) is having area admeasuring 92.75 sq. meters both aggregating to area admeasuring 6560.25 sq. meters and is more particularly described **Firstly in the Schedule hereunder written.** The portion of the said Third Land is fully encroached by the slum dwellers and/or hutment holders and the said slum dwellers and/or the hutment holders thereon.

have themselves formed into a group known as "Shiv Shankar Nagar SRA Co-operative Housing Society Limited" (hereinafter referred to as the **said Society**) with a view to develop the said portion of the said Third Land.

g. By an Agreement for Sale dated 2nd February, 2006 made between M/s. Rajendra Developers Pvt. Ltd., therein called the Vendors of the one part and the said Mr. Anil Vasant Sawant as the partner of one M/s. Shree Sai Leela Builders and Developers (hereinafter referred to as the said **Original Developers**) therein called the Purchasers of the other part, M/s. Rajendra Developers Pvt. Ltd., agreed to sell and/or transfer to the said Original Developers a portion of the said Second Land having an area **admeasuring 97 sq. meters**, subject to the rights of the slum dwellers thereon and for the price and upon the terms and conditions therein mentioned.

h. The Deputy Chief Engineer, SRA issued the L.O.I. dated 1st December, 2009 bearing No.SRA/ ENG/ 874/ RS/ML/LOI for the development of the portion of the said Third Land in accordance with the Slum Rehabilitation Act, 1971 and D.C. Regulation No.33 (10) (hereinafter referred to as the 'said Scheme'), subject to certain terms and conditions therein mentioned.

i. The Executive Engineer (SRA- II) issued the I.O.A. dated 3rd March, 2010 bearing No. SRA/ ENG/2356/RS/ML/AP and sanctioned the Plan for the Composite Building No.2 to be constructed on the portion of the said Third Land subject to certain terms and conditions therein mentioned.

j. The Executive Engineer (SRA) II issued the Commencement Certificate dated 8th June, 2010 bearing No. SRA/ENG/874/RS/ML/AP for construction of the Composite Building No.2 upto plinth level on the portion of the said Third Land.

k. The Deputy Chief Engineer SRA issued the Revised L.O.I dated 14th September, 2012 bearing No. SRA/ENG/874/RS/ML/ PL/LOI thereby amalgamating the portion of the said Second Land bearing C.T.S. No. 818 (part) and having an area admeasuring 97.00 Sq. meters being the non slum area with the Portion of the said Third Land being the slum area in the said Scheme, subject to certain terms and conditions therein mentioned.

l. Thereafter The Executive Engineer (SRA- II) issued the Amended I.O.A. dated 26th September, 2012 bearing No.SRA/ENG/2356/ RS/ML/AP and sanctioned the Plan for the Composite Building No.2 consisting of three wings to be constructed on the portion of the said Third Land subject to certain terms and conditions therein mentioned.

m. In pursuance of the said General Body Meeting held on 30th October, 2013, the said Society passed the resolution for developing the said portion of the said Third Land **and more particularly described Firstly in the Schedule hereunder written** in favour of the said Firm and further passed the resolution thereby authorizing members of the committee to sign and execute the development agreement, irrevocable power of attorney and other relevant documents in favour of the said Firm for the development of the portion of the said Third Lands and accordingly, the members of the committee signed and executed the development agreement and irrevocable power of attorney both dated 9th November, 2013 to and in favour of the said Firm for development of the portion of the said Third Land **and more particularly described Firstly in the Schedule hereunder written** under the said Scheme upon certain terms and conditions therein mentioned.

n. The Executive Engineer (W.S) SRA issued the Revised L.O.I. on 19th January, 2015 bearing No. SRA/ENG/874/RS/ML/PL/ LOI to the said Firm in respect of the said Scheme on the portion of the said Second

Land and the said Third Land upon certain terms and conditions therein mentioned.

o. The Executive Engineer (W.S) SRA issued an Amended I.O.A. dated 19th January, 2015 bearing No. SRA/ENG/874/RS/ML/AP and sanctioned the Plan for the Rehab Building No.2 on the portion of the said Second Land and the said Third Land.

p. The Executive Engineer -W.S. (SRA) issued an Amended I.O.A. dated 4th December, 2015 bearing No.SRA/ENG/2356/RS/ML/AP and sanctioned the Plan with plinth C.C. to extended portion of Rehab Building No.2 on the portion of the said Second Land and the said Third Land for the said Scheme, subject to certain terms and conditions therein mentioned.

q. One M/s. Soni and Associates have filed a Writ Petition bearing No.1752 of 2015 before the Hon'ble High Court at Bombay inter alia challenging an order dated 4th February, 2015 passed by the CEO (SRA) and sought reliefs as mentioned in the said Writ Petition against the said Firm for alleged violations under the MRTP Act and sought injunction in respect of further construction on the Portion of the said Second Land and the said Third Land, however no interim reliefs has been granted to the said M/s. Soni and Associates and the said Writ Petition is pending before the Hon'ble High Court at Bombay for admission.

r. On 23rd December, 2015 the Executive Engineer (SRA) extended the Commencement Certificate bearing No. SRA/ENG/2356/ RS/ML/AP for the Composite Building No.2 to be constructed on the portion of the said Third Land as per the amended plan issued under No.SRA/ENG/2356/RS/ ML/ AP dated 4th December, 2015.

s. One M/s. Sanjog Developers have filed a Commercial Suit No.60 of 2015 against the M/s. Soni and Associates, the old developers i.e. one M/s. Shree Sai Leela Builders and Developers, the said Society.

CEO SRA and the said Firm, for the reliefs claimed therein, however no interim reliefs have been sought in the aforesaid Suit and neither has the same been granted to the said M/s. Sanjog Developers and the said Suit is pending before the Hon'ble High Court at Bombay.

t. The Chief Executive Office (SRA) vide his notification dated 12th July, 2016 declared that the said Fourth Land admeasuring 692.2 sq. meters and the said Fifth Land admeasuring 200 sq. meters as the slum areas and the same is published under the Official Government Gazette dated 13th July, 2016 issued by the Government of Maharashtra.

u. In view of a survey carried out by the City Survey officer, the area under the slum Scheme was demarcated as i.e. (1) on the portion of the First Land being an adjoining land bearing C.T.S. No. 817 (part), admeasuring 17.50 sq. meters or thereabouts and now having an area admeasuring 22.03 sq. meters in view of what is stated herein below and more particularly described **Secondly** in the Schedule hereunder written (2) on the portion of the bearing C.T.S. No. 818(part), admeasuring 146.70 sq. meters or thereabouts and more particularly described **Thirdly** in the Schedule hereunder written (3) on the portion of the land bearing C.T.S. No. 850B(part) admeasuring 55 sq. meters or thereabouts and more particularly described **Fourthly** in the Schedule hereunder written (4) on the portion of the land bearing C.T.S. No. 855 (part) admeasuring 190.30 sq. meters or thereabouts and more particularly described **Fifthly** in the Schedule hereunder written and (5) on the portion of the land bearing C.T.S. No. 859(part) admeasuring 187.20 sq. meters or thereabouts and more particularly described **Sixthly** in the Schedule hereunder written.

v. The Lands described in Clauses (f) and (u) are collectively referred to as the **said Lands** and are more particularly described in the Firstly, Secondly, Thirdly, Fourthly, Fifthly and Sixthly in the Schedule hereunder written. 

w. On 29th August, 2016, a survey was conducted by the City Survey Officer, Borivali of the said Lands and the City Survey Officer accordingly demarcated the slum area under the said Scheme. The Slum dwellers on the said Lands have joined the hands with the said Society for joint development and accordingly such slum dwellers became the members of the said Society for the purposes of development of the said Lands in the said Scheme, in accordance with the Slum Rehabilitation Act, 1971 and D.C. Regulation No.33 (10).

x. The requisite number of occupants/ slum dwellers of the said Lands have given their respective consents in favour of the said Firm for the implementation of the said Scheme on the said Lands and have also entered into agreements for allotment of permanent alternate accommodation in the Rehab buildings to be constructed on the said Lands.

y. By an order dated 27th January, 2017, an Additional Tahsildar (N.A.) Borivali (II) levied the penalty for the use of agricultural Lands in the said Scheme for non agricultural purposes i.e. for residential and commercial purposes and the said Firm have paid the said penalty for the same on 2nd February, 2017.

z. Pursuant to some disputes and differences that arose between Mr. Sanjay Jain and others on the one hand and the other partners of the said Firm on the other hand, such disputes were referred to the sole arbitrator Mr. Prathmaesh Kamat, Advocate, appointed with consent of all the parties and thereafter a settlement was arrived between the parties and they filed the consent terms before the said Arbitrator and in pursuance of the said consent terms dated 18th November, 2016, the Arbitrator passed an Award dated 18th November, 2016, wherein the said Firm have agreed and undertaken to comply with various obligations therein mentioned and have also agreed to pay certain consideration and sell and/or provide certain constructed premises out of the saleable

component to be constructed in the free sale building on the said Lands to various parties as therein mentioned.

aa. The Chief Executive Office SRA issued the Revised LOI on 9th March, 2017 bearing No. SRA/ENG/874/RS/ML/PL/LOI to the said Firm inter alia in respect of the amalgamated lands i.e. the said Lands more particularly described **Firstly to Sixthly** in the Schedule hereunder written and presently the said Lands all form the part of the said Scheme of the said society, subject to the terms and conditions therein mentioned including the conditions as herein mentioned i.e. to say

i. that CTS Nos. 818(pt), 859(PT) and 850B(pt) belongs to private ownership and CTS Nos. 817(pt), 819(pt), 819B(pt), and 855 (pt) belongs to MCGM.

ii. plot under reference falls under the commercial Zone (C-1) as per Para No.5 of the Revised LOI.

iii. that the Ownership documents in regards to the CTS No.850B having an area of 55 sq. meters shall be submitted and till then, the said Firm shall not claim the benefits of the FSI of the aforesaid Plot.

iv. that the said Firm shall restrict the C.C. of Sale BUA of 561.60 sq. meters of land potential of 187.20 sq. meters as certified by the CTSO (Borivali) till the completion of 14(1) proceedings of Slum Act in respect of the CTS No. 859(pt.) in the SR Scheme under reference.

bb. The Executive Engineer, SRA on 10th March, 2017 issued an I.O.A. bearing No. SRA/ENG/3878/RS/ML & PL/AP and sanctioned the plan for Rehab Building No.1 to be constructed on the said Lands in favour of the said Firm, subject to certain terms and conditions therein mentioned.

cc. The Executive Engineer, SRA on 10th March, 2017 issued the I.O.A. bearing No. SRA/ENG/3879/ RS/PIL & PL/AP and sanctioned the plan for Sale Building No.3 to be constructed on the said Lands in

favour of the said Firm, subject to certain terms and conditions therein mentioned.

dd. The Executive Engineer, SRA on 16th March, 2017 issued the Commencement Certificate bearing No. SRA/ENG/3878/RS/ML& PL/AP in favour of the said Firm for Rehab Building No.01 upto plinth level to be constructed on the said Lands, subject to certain terms and conditions therein mentioned.

ee. The Executive Engineer, SRA on 16th March, 2017 issued the Commencement Certificate bearing No. SRA/ENG/3879/RS/ML & PL/AP & PL/AP in favour of the said Firm for Sale Building No.03 upto podium level to be constructed on the said Lands, subject to certain terms and conditions therein mentioned.

ff. As mentioned in the clause e (i) and (vii) above, the said Sixth Land belongs to the said Mumbai Mahanagar Palika Industrial Estate and it is sub-divided into two parts being C.T.S. No.850A and 850B, however the Revised LOI on 9th March, 2017 wrongly refers that the said C.T.S. No.850B is of private ownership. As such, the said firm by their letter dated 20th June, 2016 sought correction to the said Revised LOI on 9th March, 2017 in connection with the aforesaid.

gg. The Chief Executive Office (SRA) vide his notification dated 5th June, , 2017 declared that the Portion of the said First Land and having an area admeasuring 22.03 sq. meters and more particularly described **Secondly** in the Schedule hereunder written and the Portion of the said Second Land and an area admeasuring 146.70 sq. meters and more particularly described **Thirdly** in the Schedule hereunder written are the slum areas and the same are also notified under the Official Government Gazette dated 7th June, 2017 issued by the Government of Maharashtra.

hh. We have caused public notices to be issued in the Navashakti Daily dated 6th April, 2017, Mumbai Samachar Daily and Times of India both dated 7th April, 2017 inter alia inviting claims in respect of the title of the said Firm to the development of the said Lands and in pursuance thereof, we have received a claim from one Mr. Anil Kumar Sablawat, Advocate on behalf of his clients Mr. Rajendrakumar H. Chittora & Lalita R. Chitora, Apuram Dewasi and Samudevi Dewasi and Dalechand D. Patel and Bhagyawati Patel in respect of some Flats i.e. Flat No. 1103, 1403 and 1703 in Wing "B" all admeasuring 503 sq. feet carpet area in the Free Sale building to be constructed on the said Third Land and which flats were allegedly agreed to be purchased by them from M/s. Soni & Associates. We on behalf of and under instructions from our clients i.e. the said Firm, have replied by our letter dated 15th May, 2017 to the letter received from the aforesaid Advocate inter alia placing on record that the said Firm has no privity of whatsoever with the aforesaid M/s. Soni & Associates and/or with the persons through whom the said M/s. Soni & Associates claim and neither does the said Firm have any privity with the clients of the aforesaid Advocate and have accordingly denied the aforesaid claim in toto. We have also received another claim vide an undated letter from one Mr. Nilesh N. Raghani, inter alia calling upon us to give a personal meeting and without forwarding any documents pertaining to his alleged claim. We on behalf of and under instructions from our clients have replied by our letter dated 24th May, 2017 inter alia stating that no documents whatsoever have been forwarded by him in connection with his alleged claim in response to the aforesaid public notice and pertaining to the said Lands mentioned in our public notice and the cover containing the said letter dated 24th May, 2017 is returned as unclaimed and therefore we are not in a position to take note of his alleged objection in connection with the said public notice. Save and except the aforesaid, we have not received any other claim against the said Lands or any constructed premises thereon out of the saleable component.

ii. We have also taken the search through the search clerk Nilesh Vagal in the office of Sub-Registrar, Mumbai and Bandra from 1978 till 2017, in office of Sub-Registrar, Goregaon, Kandivali and Borivali from 2002 to 2017. On perusal of his search report dated 15th February, 2017 we have noticed that the search report is subject to torn pages and that the offices of the Sub-Registrar have not maintained the records of the Index Register and further, after going through the revenue records of the said Lands, we have not come across any encumbrances on the said Lands, subject however to the reference made in the aforesaid search record that some records are not available in view of the same being in torn state and also in view of the office of the Sub-Registrar not maintaining the Index Register.

jj. In the circumstances herein above and in view of the permissions etc., accorded by the SRA, the said Firm is entitled to develop the said Lands by constructing thereon the rehab and sale buildings in accordance with and subject to the permissions granted by the SRA and other concerned authorities to the said Firm and further subject to such other and further permissions that may have to be obtained by the said Firm from the SRA and other concerned authorities as and when required.

kk. The possession of the said Lands are with the said Firm and the designated partners of the said Firm have given us the declaration dated 10th July, 2017 inter alia stating that they have obtained all the required permissions etc., as herein above mentioned after following the due process of law and upon perusal of the notarized copies of such permissions and upon perusal of the statements and representations in the aforesaid declaration dated 10th July, 2017 given by the designated partners of the said Firm and believing same to be true, we the undersigned issue this certificate of title as herein mentioned.

ll. In view of what is stated hereinabove and subject to compliance of the terms and conditions under the Award dated 18th November, 2016 and further subject to the outcome of the pending litigations as herein

above mentioned, we are of an opinion that as on date the said Firm is fully entitled to develop the said Lands under the said Scheme and are further entitled to deal with and dispose of the remaining constructed premises in the free sale building and save and except to the extent hereinabove mentioned, the title of the said Firm to develop the said Lands is free from all other encumbrances, litigations, mortgages and has marketable title.

THE SCHEDULE ABOVE REFERRED TO:

Firstly: All that piece and parcel of land situated lying and being at Shankarpada, Dahanukarwadi, Linking Road, Kandivali (West), Mumbai, bearing Survey No. 34, Hissa No.6 corresponding to C.T.S. Nos. 819/A and 819/B of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and both having an area admeasuring 6396.857 sq. meters forms Part of the said Third Land and the same is declared as the slum area and is notified as such in the Official Government Gazette dated 9th December, 2004 issued by the Government of Maharashtra but as per the demarcation the slum occupied area under the C.T.S. No.819A (part) is having an area admeasuring 6467.50 sq. meters and under the C.T.S. No.819B (part) is having an area admeasuring 92.75 sq. meters both aggregates to an area 6560.25 sq. meters or thereabouts.

Secondly: All that piece and parcel of land situated lying and being at Shankarpada, Dahnukarwadi, Linking Road, Kandivali (West), Mumbai, bearing Survey No.47, Hissa No.8 corresponding to C.T.S. No.817 (part) of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and having an area admeasuring 22.03 sq. meters or thereabout.

Thirdly: All that piece and parcel of land situated lying and being at Shankarpada, Dahanukarwadi, Linking Road, Kandivali (West), Mumbai, bearing Survey Nos. 47, Hissa No.9 corresponding to C.T.S. /

No.818(part) of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and having an area admeasuring 146.70 sq. meters or thereabout.

Fourthly: All that piece and parcel of land situated lying and being at Shankarpada, Dahanukarwadi, Linking Road, Kandivali (West), Mumbai, bearing Survey No.33, Hissa No.12 corresponding to C.T.S. No. 850(B) of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and having an area admeasuring 55 sq. meters or thereabouts.

Fifthly: All that piece and parcel of land situated lying and being at Shankarpada, Dahanukarwadi, Linking Road, Kandivali (West), Mumbai, bearing Survey No.33, Hissa No.15 corresponding to C.T.S. No. 855 of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and having an area admeasuring 190.30 sq. meters or thereabouts.

Sixthly: All that piece and parcel of land situated lying and being at Shankarpada, Dahanukarwadi, Linking Road, Kandivali (West), Mumbai bearing Survey No.34, Hissa No.10 corresponding to C.T.S. No. 859 (part) of Village Kandivali, Taluka Borivali Mumbai Suburban District Mumbai and having an area admeasuring 187.20 sq. meters or thereabout.

Dated this 19th day of July, 2017

Vinay & Co.

Proprietor

Advocates & Solicitors