

executed between M/s. Damodar Suruchi Developers and Samarth Co-operative Housing Society.

18. MCGM issued Sewerage remarks bearing No. CHE/SD/3989/P&D dated 11th March, 2013 with respect to the said property being declared as slum/ as mentioned hereinabove.

19. MCGM issued letter dated 10th September, 2013 bearing No. DY/CHE/SWD/2142 Nalla remark with respect to the said property.

25. Scrutiny fees paid by the M/s. Damodar Suruchi Developer to SRA with respect to the said property.

<u>Serial no.</u>	<u>Receipt no.</u>	<u>Date</u>	<u>Subject matter</u>	<u>Amount</u>
1	14581	20/06/2012	Premium	
2	14582	06/06/2012	Additional LOI Fees	
3	15293	10/09/2014	Scrutiny fees for IOA	13,000/-
4	15294	10/09/2014	Scrutiny fees for IOA	33,000/-
5	15295	10/09/2014	Scrutiny fees for IOA	32,500/-
6	15433	25/09/2012	IOA DEPOSITS	28,000/-
7	15434	25/09/2012	IOA DEPOSITS	69,700/-
8	15435	25/09/2012	IOA DEPOSITS	69,500/-
9	16199	30/11/2012	REWALLIDATION FEES	9,500/-
10	16279	04/12/12	Scrutiny fees for IOA	6000/-

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11	16280	04/12/12	IOA DEPOSITS	12,000/-
12	16375	07/12/12	Land rate premium	

20. Sanctioned Development Plan remark dated 29th April, 2014 issued by Assistant Engineer, Development Plan (R/South Ward) wherein the said property is shown as partly in residential zone and industrial zone (I-2) and further is affected by playground and cemetery.

21. Draft Development Plan (2034) remark dated 14th September, 2016 issued by Urban Planner (D.P.) W.S. P & R (Wards) shows Residential Zone and further the reservations of Garden Park (11 Nos.), Playground (7 Nos.), Primary and Secondary School (4 Nos.), Municipal School (4 Nos.), Municipal Market with Vending Zone, Rehabilitation and Resettlement, Disaster Management Facility + RMS 1.2, Municipal Chowky and RT 1.6 – Parking lot.

22. As per annexure II submitted to the SRA, the total structures are 598 and out of which 316 Nos. of structures are protected as per Government G.R. and, 254 number of tenements have submitted their consent in favour of M/s. Damodar Suruchi Developers for redevelopment under the SRA scheme.

23. Search report dated 14th January, 2015 taken out by search clerk Mr. Devendra Chitnis at Sub-Registrar of Assurance at Mumbai Bnadra, S.R.O from the year 1985 to 2014 (30 years) and computer record from the year 2002 to 2014 (13 years) no adverse entries are found with respect to the said property: -



Sr. No.	Name of parties and Schedule of Property	Document No.	Date
1.	The Times Of India & Benet Kolman Company Ltd through Power M S Shirsagar To B M C Schedule: Property situated at Village: Aakurti - CTS No 163/B	BDR-5-139	07.01.2005
2.	Vijaya Developers through Partner Anuja A Sawant To Romel Reai Estate Pvt Ltd through Domnic Romel Schedule: Property situated at Village: Aakurli - Land With Structure , CTS No , 163/PT .5 No 13/pt .Area 2780.50 sq me.	BDR-10-5154	15.07.2006
3.	Nischit Associates through proprietor Damodar Kulabkar To The Chief Executive Officer, N1HADA Schedule: Property situated at Village: Aakurli - CTS No 163/PT, S. No 13/pt . Area 139.63 sq. mts.	BDR-12-286 2007	11/05/2007
4.	Nischit Associates through proprietor Damodar Kulabkar To The Chief Executive Officer, N1HADA Schedule: Property situated at Village: Aakurli - CTS No , 163/PT .5 No 13/pt .	BDR-6-4305 2007	23.05.2007
5.	Radha Enterprises Through Proprietor G S Goswami & Others To The Chief Executive Officer, SRA Schedule: Property situated at Village: Aakurli - CTS No 166, 163/PT	BDR-6-8060	16.09.2008
6.	Radha Enterprises Through Proprietor G S Goswami & Others To The Chief Executive Officer, SRA Schedule: Property situated at Viliage: Aakurli - CTS No 166, 163/PT.	BDR-6-8061	16.09.2008
7.	Radha Enterprises Through Proprietor G S Goswami & Others. To The Chief Executive Officer, SRA Schedule: Property situated at	BDR-6-8062	16.09.2008

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	Village:Aakurli - CTS No 166,163/PT .		
8.	Radha Enterprises Through Proprietor G S Goswami & Others To The Chief Executive Officer, SRA Schedule:Property situated at Village:Aakurli - CTS No 166,163/PT .	BDR-6-8063	16.09.2008
9.	Shivling Kripa Sejar Samiti Sahakari Sanstha Ltd through Umashankar Yadav & Others . To The Chief Executive Officer Schedule:Property situated at Village:Aakurli - CTS No 166,163/PT.	BDR-6-8246	22.09.2008
10.	Sambhaji Nagar Sahakari Gruha Sanstha through Chairmen Ramchandra Jadhav . To Nischit Associates through proprietor Damodar G Kulabkar Schedule:Property situated at Village:Aakurli - Land With Structure ,CTS No 163A/PT S No 13 , Area 6360.89 sq mt	BDR-2-1811	24.02.2010
11.	Nischit Associates through proprietor Damodar G Kulabkar & Others . To Samarth Erectors Developers Pvt Ltd through Ajaypal Rajpal Nanda & Others Schedule:Property situated at Village:Aakurli - CTS No 163A/PT S No 13 , Area 6360.89 sq mt .	BDR-2-1812 2010 24.02.2010	22.02.2010 24.02.2010
12.	Shivam Developers through partner Sameer Jani To Chief Executive Officer Of SRA Schedule: Property situated at Village:Aakurli CTS No 163A/PT	BDR-5-7822	03.09.2010
13.	Shivam Developers through partner Girish Chheda To Chief Executive Officer Of SRA	BDR-5-4603	16.05.2011

	Schedule: Property situated at Village:Aakurli - CTS No 163A/PT		
14.	Shivam Developers through partner Girish Chheda To Chief Executive Officer Of SRA Schedule:Property situated at Village:Aakurli - CTS No 163A/PT Bldg No A-5	BDR-5-4887 2011	06.06.2011
15.	Vijay Jagsi Chheda ,Jagsi Jetha Chheda To Schedule:Property situated at Villiage:Aakurli - CTS No 163A/PT Suit No 2398/2012, Dt.23/08/2012.	BDR-12- 9465	26.12.2012
16.	Damodar Suruchi Developers through Partner Deepak Kumar R Dugar To Chief Executive Officer Of SRA Schedule:Property situated at Village:Aakurli - CTS No 163/A/PT	BDR-16-325 2013	10.01.2013
17.	Pathan Chat SRA chs Ltd Chairmen Ramnath Shankar Joshi & Others To Eros Elivators & Esciltaors Pvt Ltd through Sachin Pednekar Schedule:Property situated at Village:Aakurli - CTS No 163/A/PT SRA Bldg No A-05	BDR-6-3579	14.06.2013
18.	Ruchi Priya Developers Pvt Ltd through Priyanka Hemani To IDBI Trustyship Services Pvt Ltd through Deputy Manager Priti Nayak & Others Schedule:Property situated at Village:Aakurli - CTS No 163A/PT & 166	BRL-1-700 2014	22.01.2014
19.	Shivam Developers through partner Jhaverchand Shah . To Schedule:Property situated at Village:Aakurli - CTS No 163A/PT	BRL-8-5890 2014	21.08.2014
20.	Ruchi Priya Developers Pvt Ltd	BRL-7-8602	20.10.2014





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	through Yogesh M Varam To The Chief Executive Officer SRA Schedule:Property situated at Village:Aakurli - CTS No 163A/PT		
21.	Damodar Suruchi Developers through partner Kirnya Builders Pvt Ltd through Dinesh Kumar Barisal through power Palani Arumugam To Schedule:Property situated at Village:Aakurli CTS No 163A/PT	BRL-1-10706 2014	27.11.2014

24. Letter of Intent dated 16th June, 2016 issued by SRA with respect to the sanctioning of the redevelopment of the said property under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 which is valid for a period of 3 months from the date of issuance however if Intimation of Approval or Commencement Certificate is obtained from the statutory authority like Municipal Corporation of Greater Mumbai for any of the rehabilitation building that the letter of intent remains valid till the validity of such Intimation of Approval or Commencement Certificate as per clause 3 of the Letter of Intent dated 16th June, 2016 and further same is time bounded as per clause 18 of the Letter of Intent dated 16th June, 2016.

25. Photocopy of Intimation of disapproval dated 30th September, 2016 bearing No. SRA/ENG/3374/RS/MHL/AP issued by SRA.

IV. Observation:-

In my opinion, in the aforesaid circumstances and also in view of all the documents referred to above, we are of the prima facie opinion that the right, title, interest of the said property described in the Schedule herein above is free from any encumbrance and marketable. We have pursued the Search Report dated 14th January, 2015 and Public Notice

dated 8th August, 2012, however no latest public notice has been published in newspapers in current date of this title certificate. The Title certificate is given by us on the basis of documents, placed before me in respect to the said property as mentioned herein above.

In view of the aforesaid circumstances in our opinion the title of the said property is marketable free from encumbrances and M/s. Damodar Suruchi Developers are entitled to develop the said property subject to the sanctions and approvals to be obtained from statutory authorities. Further we are of the opinion that the M/s. Damodar Suruchi Developers are entitled to sell flat/premises to third parties except the premises allotted to the slum dwellers under the Development Agreement dated 25th November, 2005 executed between M/s. Damodar Suruchi Developers and Samarth Krupa Co-operative Housing Society for redevelopment under the Maharashtra Slum Areas (Improvement, Clearance and Re-development) Act, 1971 and further to give proper and valid subsisting effect Power of attorney dated 25th November, 2005 executed between M/s. Damodar Suruchi Developers and Samarth Krupa Co-operative Housing Society and further Development Agreement dated 25th November, 2005, executed between M/s. Damodar Suruchi Developers and Samarth Co-operative Housing Ltd under Maharashtra Slum Areas (Improvement, Clearance and Re-development) Act, 1971 and further to give proper and valid subsisting effect the Power of attorney dated 25th November, 2005 executed between M/s. Damodar Suruchi Developers and Samarth Co-operative Housing Ltd and further Development Agreement dated 3rd October, 2016 executed between M/s. Damodar Suruchi Developers and Samarth Co-operative Housing Society under Maharashtra Slum Areas (Improvement, Clearance and Re-development) Act, 1971 and further to give proper and valid subsisting effect the Power of attorney dated 3rd October, 2016 executed between M/s. Damodar Suruchi Developers and Kandivali Hanuman Nagar Shree Samarth Co-



operative Housing Society Ltd in the building to be re-constructed on the said Property.

This opinion is addressed to M/s. Damodar Suruchi Developers. This opinion may not be furnished, quoted or relied on by any person or entity other than M/s. Damodar Suruchi Developers for any purpose without our prior written consent.

Clarification

Please note that we have provided title certificate on the same subject matter on 5th October, 2016 and 20th October, 2016 however due to genuine bonafide mistake and inadvertence on behalf of our client, we could not procure the information from the client at single instance, therefore the present title certificate shall be treated as valid, subsisting and binding and the earlier title certificate dated 5th October, 2016 and 20th October, 2016 shall be treated as null and void.

Dated this 16th Day of November, 2016.



M/s. SRM Law Associates
Partner