

A. S. DURVE

ADVOCATE HIGH COURT BOMBAY

Add. :Daivat CHS, Shivaji Nagar, Room No.2, Rabodi, Thane (W) – 400602.

Mob. 8779093522

Date: 16/10/2020

TITLE CERTIFICATE

In respect of ALL THAT piece or parcel of land or ground with the Building no. 37 of the Nehru Nagar Priyadarshan Co-Operative Housing Society Ltd., standing thereon, situate lying, and being at Nehru Nagar, Kurla (E), Mumbai- 400 024 in the Registration District and Sub-District of Mumbai Suburban District, Taluka- Kurla and bearing Survey No. 229 & 267 and C.T.S. No. 11(pt.) & 12 (Pt.) of Village – Kurla and within the limits of the Mumbai Municipal Corporation and assessed by the 'L' ward of Mumbai Municipal Corporation .

TO ALL TO WHOMSOEVER IT MAY CONCERN

THIS IS TO CERTIFY THAT I have perused various documents such as copy of:

1. Indenture of Lease dated 07/10/2010,
2. Deed of Sale dated 07/10/2010,
3. Development Agreement dated 11/11/2010, and Irrevocable Power of Attorney dated 11/11/2010,
4. Property card in respect of the abovesaid Property,
5. Letter dated 22/11/2010 issued by Executive Engineer, Ghatkopar Division, MHADA and
6. Search & Title report dated 02/11/2017 of 30 years (from 1988-2017) provided by Advocate Darshana M. Dravid and online Search report dated 15/10/2020 of 4 years (from 2017-2020) provided by Meghana Desai Advocate, vide receipt no. 1111862095.

MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY (MHADA) was seized and possessed and well sufficiently entitled to a piece and parcel of land admeasuring 800.05 sq. mtrs. situate lying, and being at Nehru Nagar, Kurla (East), Mumbai -400024 in the Registration District and Sub-District of Mumbai Suburban District, Taluka – Kurla and bearing Survey No. 229 & 267 and C.T.S. No. 11(Pt) & 12(Pt) of Village – Kurla and within the limits of the Mumbai Municipal Corporation and bounded as follows:

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On or towards the North by : 90ft wide Road
On or towards the South by : 40ft wide Road
On or towards the East by : Proposed SRA Project
On or towards the South by : Building no. 35.
(hereinafter referred to as 'the said Land').

MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY (MHADA) had built a building bearing no. 37 on piece and parcel of land bearing Survey No. 229 & 267 and C.T.S. No. 11(Pt) & 12(Pt) of Village – Kurla and situated at Nehru Nagar, Kurla (E), Mumbai- 400 024 (hereinafter referred to as "the said Building") to provide housing facility to the persons belonging to the Low Income Group under the scheme.

The Allottees of the various tenements in the said building have formed themselves into a Co-operative Housing Society under the provisions of the Maharashtra Co-operative Societies Act, 1960 under the name "THE NEHRU NAGAR PRIYADARSHAN CO.OP.HSG.SOC.LTD", having registration no. MUM/MHADB/HSG/TC/11367/ 2001-02 dated 11/10/2001 (hereinafter referred to as "the said Society").

By virtue of Indenture of Lease dated. 07/10/2010, registered in the Office of the Jt. Sub-Registrar Kurla-3 registered on dated 15/10/2010 under Sr. No. BDR-13/9044/2000 and executed between MHADA and the Society, the said MHADA has granted lease hold rights of the said land in favour of the said Society for a period of 60 years on the terms and conditions more particularly recorded therein.

By virtue of a Deed of Sale dated 07/10/2010 registered in the Office of the Jt. Sub-Registrar Kurla- 3 registered on dated 15/10/2010 under Sr. No. PBDR-13/9045/2010 executed between MHADA and the Society, MHADA transferred and conveyed unto the said Society the original Building, for the consideration and upon the terms and conditions mentioned in the said Deed;

The said Land and building thereon shall be referred to as "the Said Property".

The Society is absolutely seized & possessed and/or otherwise well & sufficiently entitled to the Project Land & the original Building as aforesaid.

By virtue of Development Agreement dated 11/11/2010, registered at the office of the Sub-Registrar Kurla-3 under SR. No. BDR-13/10082/2010, the Society has granted the

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development rights in respect of the Project Land to M/s. Puneet Builders, a partnership Firm, having it's office at 41, Shreerang Shopping Center, Shreerang Co.Op.Hsg.Soc., Thane (W), Pin- 400601, upon the terms and conditions recorded in the said Development Agreement. The Society also executed Irrevocable Power of Attorney in favour of Puneet Builders on dated 11/11/2010, which is registered in the Office of the Sub-Registrar, Kurla-3 under Sr. No. BDR-13-10083-2010.

It is seen in the letter dated 22/11/2010 of Demarcation of the plot issued by Executive Engineer, MHADA, housing Ghatkopar Division, the said plot is admeasuring about 1118.42 sq. mtrs. which is inclusive of Tit- bit area admeasuring 63.37 sq.mtrs. area and Recreation Ground area admeasuring 255sq.mtrs., situated at Survey no. 229 & 267 and C.T.S. No. 11(Pt) & 12(Pt) of Village – Kurla and situated at Nehru Nagar, Kurla (E), Mumbai- 400 024.

MHADA provided it's No Objection Certificate dated 07/08/2018 permitting the utilization of FSI and allowing the construction of the built-up area as indicated therein, in the Real Estate Project as per MHADA policy.

By virtue of mortgage deed executed on 18/09/2019 registered with Sub-registrar at Kurla 3 under sr.no. KRL3-12196-2019 on dated 19/09/2019 the Real Estate Project, including the Apartment, has been financed by Bajaj Housing Finance Limited. In light thereof, the Apartments to be sold to the Allottees are currently mortgaged with Bajaj Housing Finance Limited by virtue of mortgage deed executed on 18/09/2019. As per the said mortgage deed, the amounts receivable towards the Sale Consideration shall be hypothecated in favor of the Lender Bajaj Housing Finance Limited.

After perusing the above said documents, I am of the opinion that the title of "The Nehru Nagar Priyadarshan Co. Op. Hsg. Soc. Ltd." to the abovesaid property is clear, marketable and by virtue of registered Development Agreement and Power of Attorney M/s. Puneet Builders, have the rights of Re-development of the said property and to sell the residential flats after allotment of flats to the existing members of the society. Except Bajaj Housing Finance Limited no other encumbrance on the said property.

Advocate High Court Bombay

Advocate A. S. DURVE
(MAH/3545/2010)
Daivat CHS. R.N. 2, 2nd Rabodi, Thane

