

DIPALI G. MAINKAR


(B.S.L.,LL.B)

ADVOCATE HIGH COURT

5th Floor, Trade Avenue, Suren Rd, Off. Western Express High way, Andheri (E), Mumbai – 400 093
Tel: - 2683 63 57/ Fax: 2683 43 20 /Mob.: 9833433021
Email: deepa.mainkar@gmail.com

TITLE CERTIFICATE

Re: ALL that piece of parcel of the land bearing C.T.S. No. 1 (part) of village sahar, C.T.S. NO. 118 (part) of village Bamanwada and C.T.S. No. 632 (part) of Village Chakala at Andheri (East), Mumbai-400099 admeasuring 4462.7 sq. meters or thereabouts in the Registration Sub-District and District of Mumbai and Mumbai Suburban.


- i. This title certificate is being issued in conjunction with a flat ownership agreement, which is intended to be executed by Om Sai Builders and Developers, a partnership firm registered under the provisions of Indian Partnership Act, 1932, having its registered office at United (14) Co-operative Housing Society, Kol Dongri, Sahar Road, Andheri (East), Mumbai-400069 and Administrative Office at Row House No. 20, Pooja Bhavan Estate, Sant Janabai Marg, Behind Shaman Motors, Vile Parle (East), Mumbai-400057 ("the Developers").
- ii. On instructions of the Developer, I have investigated their title in respect of the property more particularly described in the Schedule hereunder written.
- iii. I have perused the relevant title deed, Development Agreement/s, Power of Attorney/s, Index II, 7/12 extracts, S.R.A. Notifications, Annexure- II, Letter of Intent (LOI), Property cards, mutation entries, and other revenue records of the said property described in the Schedule hereunder written.
- iv. I have also perused the search report dated 10.6.2019 taken out by search clerk Rajesh Bhandari for last 30 years (i.e. 1990 to 2019). 

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- v. The state of Maharashtra is the owner of the plots of land C.T.S. No. 1 (part) of village sahar, C.T.S. NO. 118 (part) of village Bamanwada and C.T.S. No. 632 (part) of Village Chakala at Andheri (East), Mumbai-400099 admeasuring 4462.7 sq. meters or thereabouts which is more particularly described in the Schedule hereunder written. (hereinafter called "the said property")
- vi. The said Property was occupied by various hutment dwellers prior to 01.01.1995. The said Property is a slum, and as such deemed to be a slum and to be developed under the Slum Scheme under Regulation 33 (10) of the D.C. Regulation, 1991 and for that purpose the society formed namely OM SAI BAMANWADA KABIRNAGAR S.R.A. CO-OPERATIVE HOUSING SOCIETY LIMITED, a Society registered under the provisions of the Maharashtra Co-operative Societies Act, 1960 under Registration No. MUM/SRA/HSG/12710/2016 dated 19th August 2016 and having its registered office at C.T.S. No. 1 (part) of village sahar, C.T.S. NO. 118 (part) of village Bamanwada and C.T.S. No. 632 (part) of Village Chakala, Mahatma Kabir Nagar, Sahar Road at Andheri (East), Mumbai-400099 (hereinafter called "the Society")
- vii. The slum dwellers of the said property have formed the said society with an intention to develop the same under Slum Rehabilitation Scheme as per DCR-1991 read with the Regulation No. 33 (10), Appendix-IV and under additional guide lines of S.R.A.
- viii. The Society in its Special General Body Meeting of the Society held on 1st July, 2008, it was resolved that the M/s. Om Sai Builders and Developers i.e the Developers appointed to develop the said Property under SRA Scheme. 

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- ix. By Development Agreement dated 10th July 2008 the said Society granted the development rights in respect of the said Property to the Developers i.e. M/s. Om Sai Builders and Developers as Developer to develop the said property under regulation 33(10) of the D.C. Regulation, 1991 on the terms and conditions mentioned under the said agreement..
- x. The said Society has also granted General Power of Attorney dated 10th July, 2008 for the development of the said Property in favour of Mr. Shashikant Govind Patkar and Mr. Raju Ramu Naik the partners of the Developer.
- xi. By Deed of Partnership Cum Admission of New Partner dated 13th January, 2014 M/s. Rakshi Developers Pvt. Ltd. was joined the firm as referred the new partner.
- xii. The Developer made an application to the Slum Rehabilitation Authority (SRA) for development of the said property as "SLUM" under the Slum Scheme under Regulation 33 (10) of the D.C. Regulation, 1991, the SRA has vide Letter of intent (LOI) bearing No. SRA/ENG/2113/KE/STGL/LOI dated 24th February, 2015 granted sanction on the terms and conditions recorded therein and also further issued revised LOI dated 18th April, 2017.
- xiii. The Developer have got approved the amended plans bearing no. SRA/ENG/3376/KE/STGL/AP dated 10th July, 2017 for Rehab Building NO. 1 and got approved the amended plans bearing no. SRA/ENG/3928/KE/STGL/AP dated 10th July, 2017 for Rehab Building NO. 2 and further got approved the amended plans bearing 

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no. SRA/ENG/3929/KE/STGL/AP dated 10th July, 2017 for School Building.

- xiv. The Developer has obtained IOA dated 5.10.2016 and Commencement Certificate under No. SRA/ENG/3376/KE/STGL/AP dated 17th February, 2018 for Rehab Building NO. 1 and pursuant to the permissions granted by the SRA from time to time the Developers have commenced construction of Rehab Building comprising of Ground + 1st to 11th (Part) upper floors.
- xv. I have perused the LOI, IOA, C.C., Society Registration Certificate, Development Agreement, Power of Attorney and other revenue record and relevant documents place before me in respect to the said property described in the Schedule hereunder written.

In background of the aforesaid in my opinion the title of the Owners to the said property is marketable free from encumbrances and the Developers are entitled to develop the same according to the sanctions and approvals obtained and to be obtained from statutory authorities, Further I am of the opinion that the Developers are entitled to sell flat/premises in the sale building to be constructed on the said property except the Flat allotted to the existing members of the Society in the rehab building to be constructed on the Said Property.

The Schedule Above Referred To:

(Being description of the Said Property)

ALL that piece of parcel of the land bearing C.T.S. No. 1 (part) of village sahar, C.T.S. NO. 118 (part) of village Bamanwada and C.T.S. No. 632 (part) 

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of Village Chakala at Andheri (East), Mumbai-400099 admeasuring 4462.7 sq. meters or thereabouts in the Registration Sub-District and District of Mumbai and Mumbai Suburban.

Dated 21st June, 2019.



Ms. Dipali G. Mainkar

Advocate High Court, Mumbai