

Bhavesh Rohidas Bhoir
B.COM., G.D.C.&A., L.L.B.
ADVOCATE HIGH COURT

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Office :-
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Date: 15th June, 2020

CERTIFICATE OF TITLE

Under the instructions from my client being "Ramesh Apartment Co-operative Housing Society Limited", a Registered Co-operative Housing Society Limited registered under Maharashtra Co-Operative Societies Act, 1960 bearing registration no. BOM/ (WP)/ HSG/ (TC)/ 4642/ 88-89 dated 21/08/1989, having it's registered office at CTS No. 769 of Village – Malad east, Plot No. 10, Kokani Pada, Kurar, Malad (East), Mumbai – 400 097, wherein I have caused to peruse and consider the documents pertaining to the title of plot i.e. all that piece and parcel of land admeasuring area 511.5 sq.mtrs. corresponding to CTS No. 769 which is forming piece of the larger piece of the land bearing Old Bhat No. 95 an Old Survey No. 171 (Part) and New Survey No. 273, Hissa No. 1 (part), and New CTS No. 760 to 773, 780 to 782 and bearing Chalta No. 100 to 112, 139/A, 140/A, 158 and 159, and the said Plot No. 10, Chalta No. 103 at Village- Kurar at that relevant time and now known as Village – Malad East, Taluka- Borivali situated at CTS no. 769, Plot No. 10, Kokani Pada, Kurar, Malad (East), Mumbai– 400 097, in the Registration District and Sub-District of Mumbai and Mumbai Suburban alongwith an existing society building standing thereon known as "Ramesh Apartment Co-operative Housing Society Limited", comprising of Ground plus three upper floors having one building without lift consisting of 15 residential flats being Members at present which has to be accommodated in the newly redeveloped building and to follow the procedure as per redevelopment guideline for redevelopment of old dilapidated buildings and G.R issued from time to time (Hereinafter referred to as "said Property").



In the course of my investigation I have peruse the following title documents:-

- a) Photocopy of Unilateral Deemed Conveyance order dated 31/7/2015 issued by Mr. N.R.NIKAM Competent Authority in respect of Application No. 163 of 2014 filed by the Society in respect of the aforesaid property against the landowners/ Promoter, etc as per provisions of Maharashtra Ownership Flat (Regulation of the promotion of construction, sale, management and transfer) Act, 1963 to obtain rights, title and interest of the said property.
- b) Photocopy of Unilateral Deemed Conveyance Deed dated 18th March, 2015 and Index II bearing registration No. BRL-6/ 2618/ 2016 dated 18/03/2016 executed and entered into between Mr. N.R.NIKAM Competent Authority, as per the powers conferred upon him u/s 5A of Maharashtra Ownership Flat (Regulation of the promotion of construction, sale, management and transfer) Act, 1963 on or behalf of 1) F.E. Dinshaw Trust, 2) Anoopchand Alias Anupchand Navlaji Company, 3) Zainulabedin Alias Zainuddin Abdul Karim Sheikh (Deceased) through his legal heirs, A) Iqbal Zainuddin Shaikh, B) Hajara Iqbal Shaikh And C) Zakira Iqbal Shaikh, 4) Mohammed Ismail Kazi (Deceased), through his legal heirs, A) Smt. Hawabi Mohammed Kazi, B) Smt. Sherbanu Azim Diwan, C) Shri. Hasan Ali Mohammed Kazi, D) Shri. Ramjan Ali Mohammed Kazi, E) Smt. Yasamin Salauddin Khan, F) Smt. Rafika Salim Shaikh And G) Kumar Zibril Akbar Kazi, 4) M/S. Ramesh Enterprise Through Its Partners, 5) M/S. Apa Infraventure Pvt. Ltd., Through Its Director, Mr. Sanjay Namdev Shirsagar And 6) Urban Land Ceiling Office Of The Additional Collector & Competent Authority (as "the Vendors/Promoter/Assignee/Confirming party") and Ramesh Apartment Co-Operative Housing Society Ltd represented through its Managing Committee (as "the Society") in respect of the said



property wherein society is lawfully entitled for conveyance rights, title and interest of the said property.

- c) Photocopy of the Extract Property Card dated 31/05/2014 & CTS Plan pertaining to the plot of land bearing CTS No. 769, admeasuring about 511.50 Sq. Mtrs., at Village - Malad (East), Taluka - Borivali of Mumbai Suburban District.
- d) Photocopy of the Extract of the 7/12 pertaining to the plot of land bearing Survey No. 273 and Hissa No. 1(p) of Village - Malad (East), Taluka - Borivali of Mumbai Suburban District-
- e) Photocopy of MCGM Tax Bill bearing Property No. PN0604870370000 dated 19/05/2018 issued by the MCGM which is standing in the name of the society.
- f) Photocopy of IOD bearing File No. CE/14/BP(WS)/AP dated 20/10/1982 and Commencement Certificate dated 27/6/1987 issued by the MCGM for existing building.
- g) Photocopy of registration Certificate bearing registration No. BOM/ (WP)/ HSG/ (TC)/ 4642/ 88-89 dated 21/08/1989 duly registered under the Maharashtra Co-Operative Societies Act, 1960.
- h) That I have perused the search investigation report dated 15/5/2014 for the search taken at the Office of the Sub- Registrar of Assurances for a period of thirty years i.e. from 1985 to 2014 through Search Clerk Mr. Vishal Gupta of Leela Investigator. Subsequently as per online search details submitted to me and which was investigated from website of Department of Registration and Stamps (IGR) in respect of computerized search records for Seven years from 2014 to 2020 by Search Clerk Mr. Sampat Baikar from online records available at sub registrar office of borivali no



1 to 9 wherein it is seen that at present there is no encumbrances in respect of the said property and only entry is found between period 2014- 2020 i.e. in respect of the Unilateral Deemed Conveyance Deed dated 18th March, 2015 and Index II bearing registration No. BRL-6/ 2618/ 2016 dated 18/03/2016.

After perusal of the above mentioned documents it may be evidently averred that the rights, title and interest of the said land alongwith building now rests with **“RAMESH APARTMENT CO-OPERATIVE HOUSING SOCIETY LIMITED”** and necessary mutation entry shall be carried out at the revenue records to make land freehold, since society who is the present owner of the said property as per available documents. The majority consent by all the members has been given in AGM/ SGM for redevelopment of the said property and which is resolved in the minutes accordingly. The society has utmost right to re-develop the said property by constructing a new building thereon as per present DCPR 2034 vide plans and permission granted by concern planning authorities by demolishing the existing building thereon. That the existing 15 (Fifteen) members are entitled for permanent alternate accommodation and remaining new flats/ shops/ commercial premises if any can be sold in the open market to the prospective purchasers as per prevailing norms of development control and Promotion regulations 2034 for Mumbai which is amended from time to time/ MAHA RERA Guidelines made alongwith Redevelopment Guidelines issued from time to time thereunder.

FINAL CERTIFICATE
THE SCHDEULE OF THE PROPERTY:-

In the above said circumstances and relying upon the documents and best information made available to me, I hereby certify that title of the said society with respect to the said property and the existing building known as "RAMESH APARTMENT CO-OPERATIVE HOUSING SOCIETY LIMITED" having its registered office at Plot No.10, Kokani Pada, Kurar, Malad (East), Mumbai – 400 097, is clear and marketable in respect of land admeasuring area 511.5 sq.mtrs. corresponding to CTS No. 769 which is forming piece of the larger piece of the land bearing Old Bhat No. 95 an Old Survey No. 171 (Part) and New Survey No. 273, Hissa No. 1 (part), and New CTS No. 760 to 773, 780 to 782 and bearing Chalta No. 100 to 112, 139/A, 140/A, 158 and 159, and the said Plot No. 10, Chalta No. 103 at Village-Kurar at that relevant time and now known as Village – Malad East, Taluka- Borivali in the Registration District and Sub-District of Mumbai and Mumbai Suburban and surrounded by:-

On or towards the East : CTS Nos.770, Chalta No. 104

On or towards the West : CTS Nos.768, Chalta No. 102.

On or towards the North : CTS Nos.781, Chalta No. 140/A

On or towards the South : By the 44 ft wide road

B. Bhoir

Bhavesh R. Bhoir

(Advocate-High Court)

Reg No. MAH/5028/2009



BHAVESH ROHIDAS BHOIR
B.Com., G.D.C. & A., LL.B.
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Dahisar (W), Mumbai - 400 068.