

Nilesh C. Parmar

B.Com., LL.B.

ADVOCATE HIGH COURT & NOTARY (Govt. Of India)

Office : 201, Navkar Girija Sadan, Near Damodar Medical, Babai Naka, L.T. Road, Borivali (W), Mumbai - 400 092

Email : nileshvakil2001@gmail.com, M - 9870961261

TITLE CERTIFICATE

- i. This Title Certificate is being issued in conjunction with a flat ownership agreement, which is intended to be executed by M/s. ARKADE DEVELOPERS PRIVATE LIMITED, a private limited company incorporated under the provisions of the Companies Act, 1956 and having its registered office at 2nd Floor, Arkade House, near Children's Academy School, A.S. Marg, Ashok Nagar, Kandivali (East), Mumbai 400101 ("the Developers").
- ii. On instructions of the Developers, I have investigated the title of ABHANGA SAMATA CO-OPERATIVE HOUSING SOCIETY LIMITED, a society registered under the Maharashtra Co-operative Societies Act, 1960 under Serial No. BOM/HSG/4980 of 1976 having its registered office at Sunder Nagar, Malad (West), Mumbai 400 064 (hereinafter called "the Society") referred to as a "the Owners" to the property more particularly described in schedule hereunder written.
- iii. (1) Vikram U. Patel, (2) Sharad C. Patel, (3) Ratilal Rambhai Patel, (4) Dhirubhai B. Patel, representing Sonal Rupal Trust, (5) Sudhir C. Patel, (6) Smt. Sujata A. Patel, (7) Sushilaben C. Patel, (8) Smt. Dahiben U. Patel, (9) Shantibhai N. Patel representing Kamlaben Patel Family Trust and (10) Datanand Chhaganbhai Patel carrying on business in Partnership in the Firm and Name and Style of United Investment Corporation, a partnership firm



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(hereinafter referred to as the Original Owners) were absolutely seized and possessed of or otherwise well and sufficiently entitled to all that piece or parcel of freehold land or ground situate lying and being at Sunder Nagar, Village Chinchavli in Malad in Mumbai in the Registration District and Sub- District of Mumbai City and Mumbai Suburban and bearing Plot No. 15 forming part of the sub-division of Sunder Nagar sanctioned by Municipal Corporation of Mumbai under Serial No. CE/15/BS-111/LOP dated 19th August, 1971 admeasuring about 2748.70 square meters equivalent to 3286.22 square yards or thereabouts according to City Survey bearing CTS No. 33/14 (hereinafter called the said plot).

- iv. Under the Agreement for Sale dated 25/08/1973 executed by and between the said Original Owners being the Vendors therein and Modern Construction Co. Limited being the Purchasers therein, the Vendor therein agreed to sale the said plot of land to the Purchaser therein for valuable consideration and upon terms and condition recorded therein.
- v. The said Modern Construction Co. Limited along with the Ashok Construction Co. Pvt. Ltd., and the Advance Builders (India) Pvt. Ltd., constituted a partnership firm under the name and style of Metropolitan Development Corporation.
- vi. The said Modern Construction Co. Limited being a partner of Metropolitan Development Corporation, having brought into the



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said partnership all the benefits of the said Agreement dated 25/08/1973 and Metropolitan Development Corporation having been, pursuant to the aforesaid agreement, put in possession of the said Plot, Metropolitan Development Corporation became entitled to exercise the rights and liberties including the rights of construction of buildings granted to the Modern Construction Co. Limited by the Original Owners under the said Agreement for Sale dated the 25/08/1973.

- vii. The said Metropolitan Development Corporation has constructed on the said Plot four buildings known as L-1 Unit, L-2 Unit, L-3 Unit and L-4 Unit, two buildings consisting of 16 flats each and two buildings consisting of 14 flats each all on stilts having ground and three/four upper storey's in accordance with the building plans approved and sanctioned by the Municipal Corporation of Greater Bombay under Letter No. CE/1425 dated 23/04/1973, having commenced construction in August 1973 and completed in August 1974.
- viii. The said Metropolitan Development Corporation has sold all flats under the diverse Agreement sold to the prospective purchasers on ownership basis under the provisions of Maharashtra Ownership Flat Act.
- ix. The Flat purchasers of the said "ABHANGA SAMATA" formed themselves the Society namely Abhanga Samata Co-operative



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Housing Society Limited under the provisions of the Maharashtra Co-operative Societies Act.

- x. Under the Indenture dated 30/12/1978, executed by and between (1) Vikram U. Patel, (2) Sharad C. Patel, (3) Ratilal Rambhai Patel, (4) Dhirubhai B. Patel, representing Sonal Rupal Trust, (5) Sudhir C. Patel, (6) Smt. Sujata A. Patel, (7) Sushilaben C. Patel, (8) Smt. Dahiben U. Patel, (9) Shantibhai N. Patel representing Kamlaben Patel Family Trust and (10) Datanand Chhaganbhai Patel carrying on business in Partnership in the Firm and Name and Style of United Investment Corporation, a partnership firm (i.e. the Original Owners) being the Vendors, and Modern Construction Co. Limited being the First Confirming Party, (1) Ashok Construction Co. Pvt. Ltd., (2) Modern Construction Co. Limited and (3) The Advance Builders (India) Pvt. Ltd., partner of partnership firm under the name and style of Metropolitan Development Corporation being Second Confirming Party and Abhanga Samata Co-operative Housing Society Limited being the Purchasers, the Vendors therein with Confirmation of the First and Second Confirming Party therein sold, conveyed and transferred the said Plot of land i.e. All that piece or parcel of freehold land or ground situate lying and being at Sunder Nagar, Village Chinchavli in Malad in Mumbai in the Registration District and Sub- District of Mumbai City and Mumbai Suburban and bearing Plot No. 15 forming part of the sub-division of Sunder Nagar sanctioned by Municipal



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Corporation of Mumbai under Serial No. CE/15/BS-111/LOP dated 19th August, 1971 admeasuring about 2748.70 square meters equivalent to 3286.22 square yards or thereabouts according to City Survey bearing CTS No. 33/14 along with building standing thereon known as "ABHANGA SAMATA" to the Purchasers therein. The said Indenture dated 30/12/1978 was duly registered with the office of the Sub-registrar of Assurances at Bombay under Sr. No. S/436/1979 of Book No. 1 on 31st October, 1979.

- xi. By virtue of aforesaid fact recited hereinabove the Society is the owner of the said plot of land and building namely "ABHANGA SAMATA" standing thereon hereinafter collectively referred as "the said property" and more particularly described in the schedule hereunder written.
- xii. Since the building is in dilapidated condition and it requires heavy repair otherwise it will not last long and the only viable solution is to demolish existing building and reconstruct new building. Since members of the Society have neither requisite fund nor expertise, the Society members have decided to entrust the work of re-development to some reputed reliable builder.
- xiii. Under Development Agreement dated 22/12/2020, the said Society Abhanga Samata Co-operative Housing Society Limited with confirmation of their members appointed M/s. ARKADE



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DEVELOPERS PRIVATE LIMITED, as the Developer and granted the development rights in respect of the said Property interalia demolishing the existing building and constructing new building on the said plot of land at or for the valuable consideration and upon the terms and conditions mentioned therein. The said Development Agreement date 22/12/2020 was duly registered with the Sub-Registrar of Assurances at Borivali, Mumbai Suburban District, under Serial No. BRL-1/10625/2020 on 29/12/2020.

xiv. The said Society Abhangra Samata Co-operative Housing Society Limited has also granted Power of Attorney dated 20/12/2020 for the development of the said Property in favour of the nominees/directors of the Developers. The said Power of Attorney dated 22/12/2020 was duly registered with the Sub-Registrar of Assurances at Borivali, Mumbai Suburban District, under Serial No. BRL-1/10639/2020 on 22/12/2020.

xv. I have issued public notice dated 02/10/2020 which was published in Newspapers namely "Free Press Journal" (English) and "Navshakti" (Marathi) on 02/10/2020 and invited claims and/or objections from the persons having and/or claiming any share, right, title and interest in the said property. I however did not receive any objection and/or claim in response to my said public notices.



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- xvi. I have also perused the Search Report dated 23/12/2020 taken out by Search Clerk Ganesh Gawde for last 62 years (i.e. from 1959 to 2020).
- xvii. I have perused the relevant property cards, mutation entries and other revenue record and relevant title documents place before me showing the title of the Society to the said property described in the Schedule hereunder written.

In background of the aforesaid the title of the said Abhanga Samata Co-operative Housing Society Limited to the said property is marketable and free from all encumbrances and the Developers i.e. M/s. ARKADE DEVELOPERS PRIVATE LIMITED are entitled to develop the said property according to the sanctions and approvals to be obtained from statutory authorities. Further I am of the opinion that the Developers are entitled to sell flats/units/premises in the building/s to be re-constructed on the said plot of land.

The Schedule Above Referred To:
(Being description of the said Property)

All that piece or parcel of freehold land or ground situate lying and being at Sunder Nagar, Village Chinchavli in Malad in Mumbai in the Registration District and Sub- District of Mumbai City and Mumbai Suburban and bearing Plot No. 15 forming part of the sub-division of Sunder Nagar sanctioned by Municipal Corporation of Mumbai under



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Serial No. CE/15/BS-111/LOP dated 19th August, 1971 admeasuring about 2748.70 square meters equal to 3286.22 square yards or thereabouts according to City Survey bearing CTS No. 33/14 and bounded as follows:

On or towards East	:	By 30 ft. wide internal colony road
On or towards West	:	By Sunder Nagar Udyan, Chinchavli,
On or towards North	:	By boundary of Plot No. 16 and
On or towards South	:	By 30 ft. wide internal road.

Dated this 11th January, 2021



Mr. Nilesh C. Parmar

Advocate & Notary