

Res: Shaligram House,
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Old Station Road,
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To,
Maharashtra Real Estate Regulatory Authority,
State of Maharashtra.

LEGAL TITLE CERTIFICATE

Subject: Title clearance certificate with respect to Land / immovable property bearing Land / immovable property bearing Survey No.110 of Hissa No.4A/1, totally admeasuring totally admeasuring 1370 sq meters together with a Ground + 3 upper storey 2 buildings having 2 Wings viz 'A' and 'B' known as Dev Bhakti standing thereon which is occupied by 32 number of members of Dev Bhakti Co-operative Housing Society, Patlipada, S V Road, Ghodbunder Road, Thane (W), Taluka and District Thane, within the limits of the Municipal Corporation of the City of Thane, Registration District Thane, (hereinafter the said Land and Building are jointly hereinafter referred to as the said plot).

I have investigated the title of said plot on the request of the Developers viz M/s. **Majestic Horizon Bhumi Developers**, having PAN No. ABTFM6784D, a partnership firm constituted and registered under the Indian Partnerships Act, 1932, having its registered office and a principal place of business at Horizon Height, 2nd Floor, Godhbunder Road, Kasarvadvali, Thane (West) through its Partners 1. Mohan Baburao Shinde, 2. Kuwar Dashrath Yadav, 3. Omkar Manohar Satav and 4. Sunil Jagmal Dangi hereinafter collectively referred to as the "**Developers**" and the Owners **Dev Bhakti Co-Operative Housing Society Ltd. Thane**, a co-operative Housing Society constituted and registered under the Maharashtra Co-operative Societies, Act 1960 on 10th October 1994 vide Registered No. TNA/HSG/(TC)/6929/94-95, having its registered office at Patlipada, SV Road, Thane west 400607, having PAN No. AABAD9803A, (Hereinafter referred to as the Owner Society). In all the Owner society is having 32 registered members therein who were/are occupying their respective residential premises on ownership basis (Hereinafter referred to as the Owners).

1. Description of the property.

Land / immovable property bearing Land / immovable property bearing Survey No.110 of Hissa No.4A/1, totally admeasuring totally admeasuring 1370 sq meters together with a Ground + 3 upper storey 2 buildings having 2 Wings viz 'A' and 'B' known as

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Dev Bhakti standing thereon which is occupied by 32 number of members of Dev Bhakti Co-operative Housing Society, Patlipada, S V Road, Ghodbander Road, Thane (W), Taluka and District Thane, within the limits of the Municipal Corporation of the City of Thane, Registration District Thane, (hereinafter the said Land and Building are jointly hereinafter referred to as the said plot)

2. Document of allotment of plot.

Development agreement dated 21st December 2022 duly registered at the Office of Sub-Registrar Thane at Sr. No. TNN-12/16816/2022 dated 22nd December 2022 executed by the owners **Dev Bhakti Co-Operative Housing Society Ltd. Thane** in favor Developers **M/s. Majestic Horizon Bhumi Developers**.

3. Property Card

The Extract of the property card issued by Thane Municipal Corporation which bears the names of the Owners.

4. Search report

Search report for 20 years from the year 2002 till 2022 submitted by Search Clerk (Vishal Vilas Gaikwad) as per his search report dated 24th February 2023.

On perusal of the above mentioned document and all other relevant documents relating to title of said Property I am of the opinion that the title of (following owner) is clear, marketable and without any encumbrances and the Owners are well within their rights to assign the work of redevelopment of the said plot to the Developers and the Developers are entitled to develop the said plot as per the Plans approved and sanctioned by the Planning Authority of the Thane Municipal Corporation.

Owners of the plot:-

Dev Bhakti Co-Operative Housing Society Ltd. Thane, a co-operative Housing Society constituted and registered under the Maharashtra Co-operative Societies, Act 1960 on 10th October 1994 vide Registered No. TNA/HSG/(TC)/6929/94-95, having its registered office at Patlipada, SV Road, Thane west 400607, having PAN No. AABAD9803A, (Hereinafter referred to as the Owner Society). In all the Owner society is having 32 registered members therein who were/are occupying their respective residential premises on ownership basis

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Developers of the said plot:-

M/s. **Majestic Horizon Bhumi Developers**, having PAN No. ABTFM6784D, a partnership firm constituted and registered under the Indian Partnerships Act, 1932, having its registered office and a principal place of business at Horizon Height, 2nd Floor, Godhbunder Road, Kasarvadvali, Thane (West) through its Partners 1. Mohan Baburao Shinde, 2. Kuwar Dashrath Yadav 3. Omkar Manohar Satav and 4. Sunil Jagmal Dangi, hereinafter collectively referred to as the "**Developers**"

(1) Survey No.110 of Hissa No:4A/1, totally admeasuring totally admeasuring 1370 sq meters,

The report reflecting the flow of the title of the (owner/promoter) on the said land is enclosed herewith annexure.

Encl: Annexure

Date:- 09/08/2023



Amit A. Shaligram
Advocate

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ANNEXURE "A"

FLOW OF TITLE OF SAID PLOT

1. Name of the Owner:-

Dev Bhakti Co-Operative Housing Society Ltd. Thane, a co-operative Housing Society constituted and registered under the Maharashtra Co-operative Societies, Act 1960 on 10th October 1994 vide Registered No. TNA/HSG/(TC)/6929/94-95, having its registered office at Patlipada, SV Road, Thane west 400607, having PAN No. AABAD9803A, (Hereinafter referred to as the Owner Society). In all the Owner society is having 32 registered members therein who were/are occupying their respective residential premises on ownership basis.

2. Description of Property:-

Land / immovable property bearing Survey No.110 of Hissa No.4A/1, totally admeasuring totally admeasuring 1370 sq meters together with a Ground + 3 upper storey 2 buildings having 2 Wings viz 'A' and 'B' known as Dev Bhakti standing thereon which is occupied by 32 number of members of Dev Bhakti Co-operative Housing Society, Patlipada, S V Road, Ghodbander Road, Thane (W), Taluka and District Thane, within the limits of the Municipal Corporation of the City of Thane, Registration District Thane, more particularly described in the First Schedule, (hereinafter the said Land and Building are jointly referred to as '**The Said Land**').

3. I have perused the documents and deeds supplied to me by my client (the Owner Society). I have gone through the said documents and deeds and on the basis of the same I, have narrated hereinafter the History of Title as to how my client has derived right, title and interest in the said property as Owner thereof:-

- a) The said Building of the Owner Society was constructed in the year 1988-89 and Occupation Certificate for V.P. No.87292 / TMC / TDD / 785 dated 03/03/1990 was granted by then Municipal Council of The City of Thane. Copy of the said Occupation Certificates is perused by me.
- b) A group of 32 persons, in the capacity of promoters & members of proposed Dev Bhakti Co-op. Housing Society Ltd. formed among themselves in the name & style of Dev Bhakti Co-operative Housing Society Ltd., registered with District Deputy

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Registrar Co-operative Societies, 2, Thane on 10th October 1994 vide Registered No. TNA/HSG/(TC)/6929/94-95 which is hereinafter called as the Owner Society for the sake of brevity. The copy of Registration Certificate of the Owner Society is perused by me.

- c) The Owner Society has represented that presently there are Thirty Two (32) registered members and shareholders of the Society holding their respective 32 premises on ownership basis.
- d) In the year 2018 by Application No. 9 of 2018 the Owner society filed application for deem conveyance against M/s. Devdaya Developers and others in the office of Deputy District Registrar of Societies Thane. Accordingly by Order dated 29th May 2018 the Deputy District Registrar of Societies Thane pleased to allow the said Application of the owner society.
- e) The Society had already by its letter dated 20th June 2018 appointed M/s. Akruti Consultants as its Architects and structural consultants for drawing building plans and specifications, for supervising and for certifying the proposed redevelopment of the Said Land. Copy of the said letter is perused to me.
- f) Accordingly M/s. Devdaya Developers and others through the Deputy District Registrar of Societies Thane executed Deed of Conveyance in favour of the Owner society with respect to the said land. The said Deed of Conveyance is duly registered in the office of the Sub-Registrar of Assurances Thane at Serial No. TNN-1/14325/2018 dated 28th September 2018.
- g) The said Building standing on the said Land has outlived its life and is standing in dilapidated and precarious conditions and is not any safer for cohabitation. Lots of internal cracks and dents have gradually developed in the columns and beams of the said building due to its old age. The existing members are facing severe difficulties of leakage and slab falling during each passing monsoon season. The Owner Society and the members therefore desired to carry out redevelopment of the said old building.
- h) Accordingly a proposal of redevelopment of the Said Land was raised and discussed by and between the Managing Committee of the Owner Society and the members in the

General Body Meeting wherein, a formal consensus for redevelopment of the Said Land was arrived at, by the Owner Society and the members. After due deliberations and meetings the Society approached the Developers viz. **M/s. Majestic Horizon Bhumi Developers**, a partnership firm constituted and registered under the Indian Partnerships Act, 1932, having its registered office and a principal place of business at Horizon Height, 2nd Floor, Godhbunder Road, Kasarvadvali, Thane (West) through its Partners 1. Mohan Baburao Shinde, 2. Sunil Jagmal Dangi, 3. Kuwar Dashrath Yadav, and 4. Omkar Manohar Satav, hereinafter referred to as the "**Developers**" and discussed the scheme of redevelopment of the said land. Several meetings and negotiations were held by and between the parties and the Developers were asked to submit an offer letter to the Society for the said purpose of redevelopment.

- i) The Developers accordingly submitted their offer/proposal by their letters dated 7th October 2021 and 16th August 2022 to the Owner Society for the redevelopment of the Said Lands. The copies of the said letters are perused by me. The offer was thoroughly scrutinized and discussed in the various meetings of the Managing committee and General Body of the Owner Society and the members.
- j) The Managing Committee of the Owner Society and the members eventually accepted the said Proposal of the Developers and have unanimously passed a resolution in the Special General Meetings of the Society held on 29th July 2018 and 6th December 2020 and 12th November 2022. Accordingly the Society issued acceptance letters dated 8th December 2020 and 30th September 2022 respectively. The copies said resolutions and letters are perused by me. The Society thereby appointed the Developer to do the work of re-development of the Society building.
- k) The Owner Society and members have vide their resolution dated 29th July 2018 passed in Special General Body Meeting authorized 1) Mr. Rukmini Keshav Sathye (Chairman), (2) Mr. Shamuwel Ramjan Bhore, (Secretary), members of Managing Committee to do all such acts, deeds, matters and things as may be required including execution and registration of Development Agreement and Power of Attorney and/or other incidental documents. Copy of the said Resolution is perused to me.
- l) The Deputy District Registrar of Societies Thane by its order dated 14th November 2022 confirmed the resolution dated 12th November 2022 issued by the Owner Society

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for redevelopment of the said land since 24 of the 29 members had consented to the proposed redevelopment.

- m) Accordingly by a Development Agreement dated 21st December 2022 the Owner Society agreed to assign to the Developers the rights of development with respect to the said Land. The said Development Agreement is duly registered at the office of the Sub-Registrar of Assurances Thane bearing Serial No. TNN-12/16816/2022 dated 22nd December 2022. The Owner Society also executed a Power of Attorney of even date in favour of the Developers in lieu of the said Development Agreement. The said Power of Attorney is duly registered at the office of the Sub-Registrar of Assurances Thane bearing Serial No. TNN-12/16828/2022 dated 22nd December 2022. The copies of certified copies of the said Development Agreement and Power of Attorney both dated 21st December 2022.
- n) Thereafter in last week of February 2023 the Developers and the Owner Society realized that a minor typographical error has crept in the said Development Agreement dated 21st December 2022 and Power of Attorney dated 21st December 2022 with respect to the Hissa number.
- o) Accordingly the Owner Society and the Developers executed Rectification / Correction Deed dated 3rd March 2023 with respect to Development Agreement dated 21st December 2022 wherein the said error was rectified. The said Rectification / Correction Deed dated 3rd March 2023 with respect to Development Agreement dated 21st December 2022 is duly registered at the office of the Sub-Registrar of Assurances Thane bearing Serial No. TNN-2/5502/2023 dated 3rd March 2023. Similarly the Owner Society and the Developers executed Rectification / Correction Deed dated 3rd March 2023 with respect to Power of Attorney dated 21st December 2022 wherein the said error was rectified. The said Rectification / Correction Deed dated 3rd March 2023 with respect to Power of Attorney dated 21st December 2022 is duly registered at the office of the Sub-Registrar of Assurances Thane bearing Serial No. TNN-2/5499/2023 dated 3rd March 2023. The copies of certified copies of both Rectification / Correction Deed dated 3rd March 2023 dated 21st December 2022.

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- p) The Thane Municipal Corporation has also approved the building plans with respect to the development of the said plot by issuing Commencement certificate vide V.P No. S05/0215/22 dated 23rd June 2023.

5. **Property Card**

I have perused the printout of the computer generated 7/12 extract of the said land downloaded from the website of the Government of Maharashtra. The name of the Owner Society is recorded in the 7/12 extract as the Lawful Owners thereof.

6. **Search Report**

My client also instructed Search Clerk (Vishal Vilas Gaikwad) to take search of last 20 years with respect to the said land. Under the said instructions the said Search Clerk (Vishal Vilas Gaikwad) took detailed search of past 20 years and submitted his search report dated 24th February 2023. The said search report along with receipt thereof is perused to me. As per the said search report dated 24th February 2023 no encumbrances are found to be created over the said land during the period of 20 years of search taken.

7. **Any other relevant title**

NIL

8. **Pending Litigations**

NIL

Thane dated 09/08/2023



Amit A. Shaligram
Advocate