

SANDESH H. POTE

ADVOCATE HIGH COURT

OFFICE:- L-161, DREAMS MALL, L.B.S MARG,
BHANDUP (W). MUMBAI 400078.

COURT:- A.A.W.I, ROOM NO-18, GROUND
FLOOR, HIGH COURT, FORT MUMBAI - 32

(O.S REGD NO- 10223)

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BY REGISTERED A.D/HAND DELIVERY/SPEEDPOST/ COURRIER

WITHOUT PREJUDICE

(DATE:- 01/04/2016)

TITLE CERTIFICATE

Ref: Property situated at Village Goregaon- within the Registration Sub District of Mumbai City and Mumbai Suburban District being Plot bearing Survey No-7 corresponding CTS no-26 (part) admeasuring about 954.06 square meters (i.e 831.17 sq.meters Lease deed building no.5 (i.e Siddharth Nagar Samadhan Co.operative Housing Society Limited)+ 122.89 sq.meters additional land of Tit-Bit) lying at New Siddharth Nagar, Goregaon(West), Mumbai - 400 062 (said Property)

Dear Sir,

At the request, I have investigated the title of the said above referred said property through the details availed with me and the documents produced before me for my perusal and scrutiny and further my opinion upon the same.

LIST OF DOCUMENTS SUBMITTED BEFORE ME FOR MY SCRUNITY AND LEGAL OPINION

1. Photocopy of the Indenture (Sale Deed) executed on 4th day of August, 2007 by and between MHADA on the one hand and Siddharth Nagar Samadhan Co-operative Housing Society Limited (the Society duly registered on 01/02/1982 under the provision of Maharashtra Co-operative Societies Act 1960 bearing registration



CONTINUATIONSHEET (2)

- no. BOM/HSR/7798/1982) on the other hand. The said Indenture (Sale Deed) was registered, with Sub registrar Mumbai Suburban District, under the serial no.BDR/12/06142/2007 on 14th August, 2007.
2. Photocopy of the Indenture (Lease Deed) executed on 4th August, 2007 for the period of 99 years commencing from 01/04/1980 between MHADA on the one hand and Siddharth Nagar Samadhan Co-operative Housing Society Limited on the other hand. The said Indenture (Lease Deed) was registered under the serial no-BDR/12/06141- 2007 on 14th August, 2007.
3. Development Agreement dated 19/11/2007 executed by and between Siddharth Nagar Samadhan Co-operative Housing Society Limited a society duly registered under the Maharashtra Cooperative Societies act 1960 having their office at building no.5, Siddharth Nagar-3, S.V.Road, Goregaon (West), Mumbai 400 104 referred to as Society and M/s Shivam Parivar Devleopers Pvt. Ltd. a company incorporated under the Companies Act, 1956, of Mumbai, having its corporate office at 1, Washington Plaza, Behind Ratna Hotel, off. S.V. Road, Goregaon (West), Mumbai – 400.062, referred to as Developer. The said Development Agreement was executed on 19th November 2007 and further the said Development Agreement was registered on 19/11/2007 under the Serial No. – BDR-12-08472-2007 at the office of Sub registrar at Borivali no.6
4. By an Agreement (For Development) dated 6th May, 2014 executed between M/s. Shivam Parivar Developers Pvt. Ltd. of the One Part and M/s. Aashna Developers through its proprietor Shri Amith C. Punjabi having its office at 72, Mehta Industrial Estate, Liberty Garden, Malad (West), Mumbai 400064 of the Other Part, M/s. Shivam Parivar Developers Pvt. Ltd. appointed M/s. Aashna Developers to redevelop the said property for and on behalf of M/s. Shivam



CONTINUATIONSHEET (3)

Parivar Developers Pvt. Ltd. for the consideration and on the terms and conditions contained therein and pursuant thereto M/s. Shivam Parivar Developers Pvt. Ltd. also executed an Irrevocable Power of Attorney dated 9th April, 2015 authenticated before the Sub-Registrar of Assurances under Serial No.BDR-7/3367/2015 on 9th April, 2015 in favour of Mr. Amith C. Punjabi, proprietor of M/s. Asshna Developers *inter alia* grating powers to enable M/s. Asshna Developers to carry out the construction work on the said property for and on behalf of M/s. Shivam Parivar Developers Pvt. Ltd.

TO WHOMSOEVER IT MAY CONCERN

The Maharashtra Housing Area Development Authority had a scheme for construction and allotment and sale of tenements known as "Low Income Group" and for this purpose a layout of larger property at New Siddharth Nagar Goregaon, Mumbai- 400 104, was thereby duly prepared and sanctioned by the concerned authorities.

Under the said Scheme MHADA constructed a building no.5 upon the said plot consisting of 32 allotted tenements.

By an Indenture of Sale Deed executed on 4th day of August, 2007 by and between MHADA on the one hand and Siddharth Nagar Samadhan Co.operative Housing Society Limited, duly registered on 01/02/1982 under the provisions of Maharashtra Co.operative Societies Act 1960 bearing registration no-BOM/HSG/7798/1982 on the other hand. The said Indenture (Sale Deed) was registered under the serial no-BDR12/6142/2007 on 14th August, 2007. Thus through this Indenture (Sale Deed) the Society derived the title over the said plot free from any encumbrances.



CONTINUATIONSHEET (4)

By and Indenture of Lease Deed executed on 4th August 2007 for the period of 99 years commencing from 01/04/1980 between MHADA on the one hand as Lesser and the said Society on the other name under the capacity of Lessee. The said Indenture was registered on 14th August, 2007 at Joint Sub Registrar Assurance Borivali under the serial no- BDR12/6141/2007, the Society has achieved leasehold right over the land underneath and appurtenant to the building to the Society constructed on the said land. The said indenture was registered at Joint Sub Registrar Assurance Borivali under the serial no-BDR12/6141/2007.

Thus through Development Agreement executed on 19th day of November, 2007 by and between Siddharth Nagar Samadhan Co.operative Housing Society Limited, a Society duly registered under Maharashtra Co.operative Societies Act 1960 having their office at Building no.5, Siddharth Nagar-3, S.V. Road, Goregaon(West), Mumbai 400 104 referred to as "Society" on the one hand and M/s Shivam Parivar Deveopers Pvt. Ltd. a company incorporated under the Companies Act, 1956, of Mumbai, having its registered office at 1, Washington Plaza, Behind Ratna Hotel, off. S.V.Road, Goregaon (West), Mumbai - 400 062, referred to as "Developer" and further the said Development Agreement was registered under the Serial Number BDR12/8472/2007. at the assurance of Sub registrar office at Borivali No.6, Shivam Parivar Deveopers Pvt. Ltd. has acquired development rights over the said property.

Simultaneously with Development Agreement, the Society has executed Power of Attorney dated 19/11/2007 in favour of developer to carry out the redevelopment of the said property as per the terms and conditions of the Development Agreement. Further to build and relocate all the tenements in the said new building and sell the remaining flats to the prospective purchaser in the open market. The said Power of attorney was registered on 19/11/2007 under Serial no. BDR12/08473/2007.



CONTINUATIONSHEET (5)

I have investigated through the available documents produced before me for my scrutiny and from the same it is conclusive that M/s Shivam Parivar Developers Pvt. Ltd. a company incorporated under the Companies Act, 1956, of Mumbai, having its corporate office at 1, Washington Plaza, Behind Ratna Hotel, off. S.V.Road, Goregaon (West), Mumbai – 400 062 referred to as Developer has got the clear marketable title free from any encumbrances related to the development of the said property mentioned in reference of the above referred property Goregaon (W) Mumbai 400 062 referred as Developers. Society has granted development rights to Developer and simultaneously granted to the Developer the license to enter upon the said property with the authority to develop the same subject to what is stated hereinabove.

THE SCHEDULE OF THE PREMISES ABOVE REFERRED TO:

Property situated at Village Goregaon- within the Registration Sub District of Mumbai City and Mumbai Suburban District being Plot bearing Survey No-7 corresponding CTS no-26 (part) admeasuring about 954.06 square meters (i.e 831.17 sq.meters Lease deed building no.5 (i.e Siddharth Nagar Samadhan Co-operative Housing Society Limited) + 122.89 sq.meters additional land of Tit-Bit) lying at New Siddharth Nagar, Goregaon(West), Mumbai – 400 062

Prepared by

Sandesh H. Pote
Advocate High Court

