

TO WHOMSOEVER IT MAY CONCERN

THIS IS TO CERTIFY that I have investigated the title to the land bearing Old Survey No. 150 (Part), New Survey No. 21, Hissa No. 2, Old Survey No. 151 (Part), New Survey No. 22, Hissa No. 2, Old Survey No. 226 (Part), New Survey No. 58, Hissa No. 2, Old Survey No. 227, New Survey No. 59, Hissa No. 2, Old Survey No. 228 (Part), New Survey No. 60, Hissa No. 2, Old Survey No. 229, New Survey No. 61, Hissa No. 2, Old Survey No. 230 (Part), New Survey No. 62, Hissa No. 2, totally admeasuring 100286.25 sq. meters, situate, lying and being at Village Mira Road, Taluka and District Thane, in the Registration District and Sub-District of Thane and now within the limits of the Mira Bhayandar Municipal Corporation (hereinafter referred to as the **"Said Property"** for the sake of brevity and convenience) owned by Maharashtra Housing and Area Development Authority and have to state as hereunder:

1. The Maharashtra Housing and Area Development Authority is seized and possessed or otherwise sufficiently entitled to the land bearing Old Survey No. 150 (Part), New Survey No. 21, Hissa No. 2, Old Survey No. 151 (Part), New Survey No. 22, Hissa No. 2, Old Survey No. 226 (Part), New Survey No. 58, Hissa No. 2, Old Survey No. 227, New Survey No. 59, Hissa No. 2, Old Survey No. 228 (Part), New Survey No. 60, Hissa No. 2, Old Survey No. 229, New Survey No. 61, Hissa No. 2, Old Survey No. 230 (Part), New Survey No. 62, Hissa No. 2, totally admeasuring 100286.25 sq. meters, situate, lying and being at Mira Road, Taluka and District Thane and in the Registration District and Sub-District of Thane.

2. M/s. Ravi Developments had submitted a proposal on 31st August, 2006 to the Vice President and Chief Executive Officer, MHADA for the development of the said property.
3. The Maharashtra Housing and Area Development Authority had decided to implement the housing project through Joint Venture on the said property on Swiss Challenge Method with the approval of the Government in Housing Department.
4. Considering the proposal of the Maharashtra Housing and Area Development Authority, the Government in Housing Department by its Letter No. Allotment/1107/Case No. 186/HSG, dated 17th May, 2007 had accorded its approval to take up a Joint Venture as per the Swiss Challenge Method and also further directed to take up the scheme on Joint Venture on Swiss Challenge Method as a Pilot Project.
5. In view of the approval granted by the Government of Maharashtra, Maharashtra Housing and Area Development Authority, through its Regional Board i.e. Konkan Housing and Area Development Board established under the Section 18 of the said Act invited tenders for competitive bids in the open market on Swiss Challenge Method. In pursuance to the Tenders offers were received on 11th June, 2007 and thereafter, M/s. Ravi Developments matched their offer under the Swiss Challenge Method by their Letter, dated 14th June, 2007 and M/s. Ravi Developments further submitted their revised offer to the authority on 9th October, 2007 after discussion with the Maharashtra Housing and Area Development Authority (for short hereinafter referred to as the "**MHADA**"). Accordingly, as per the Offer, dated 9th October, 2007, the MHADA accepted the offer of M/s. Ravi Developments for implementation of Housing Scheme through Joint Venture Project on the said property vide its Resolution No. 6284, dated 22nd November, 2007,

on the terms and conditions stipulated therein. In pursuance of the Authority's Resolution No. 6284, dated 22nd November, 2007, Board on behalf of the MHADA had issued the Acceptance Letter for making up Housing Scheme in Joint Venture on the said land at Mira Road District, Thane with M/s. Ravi Developments as per the Swiss Challenge Method vide No. CO/KB/152/EE (Ratnagiri) 08, dated 24th January, 2008.

6. On 4th September, 2007, Shree Krishna Pratisthan filed PIL No.72 of 2007 before the High Court of Mumbai challenging the Public Notice, dated 20th May, 2007 issued by the MHADA in respect of the project under reference. Also after giving undertaking accepting the Swiss Challenge Method and participation and having failed in the tender process, M/s. Ostwal Builders Ltd., one of the participant in the Tender Process filed W.P. (L) No. 2714 of 2007 challenging the Public Notice, dated 20th May, 2007 as well as MHADA's Resolution, dated 22nd November, 2007. The High Court of Mumbai by its impugned common Order, dated 27th March, 2008 allowed the Writ Petition

7. Aggrieved by the Order, dated 27th March, 2008, the MHADA filed Special Leave Petition in the Supreme Court of India under No. 11355 – 11356 of 2008. However, M/s. Ravi Developments have also filed two separate Special Leave Petition in the Supreme Court of India under No.SLP (C) No. 11229 of 2008 and SLP (C) No. 13149 of 2008. After hearing all the parties, the Supreme Court of India set aside the Order of Mumbai High Court, dated 27th March, 2008 passed in PIL No. 72 of 2007 and W.P. (L) No. 2714 of 2007 and allowed the Appeal filed by MHADA and M/s. Ravi Developments.

8. The MHADA had entered into a Joint Venture Agreement, dated 13th August, 2009 with M/s. Ravi Developments to develop piece or parcel of land admeasuring 46712 sq. meters i.e. equivalent to 4.67 Hectare bearing Survey No. 150 (Part), 151 (Part) and 226 to 230, situate, lying and being at Village Penkarpada, Mira Road, Taluka and District Thane, in the Registration District and Sub-District Thane and now within the limits of the Mira Bhayandar Municipal Corporation on the terms and conditions stipulated therein.

9. Smt. Sneha Shreenath Navalkar, Saihas Saiprasad Pradhan and M/s. Ever Smile Properties Pvt. Ltd., had filed Special Leave Petition (Civil) before the Hon'ble Supreme Court of India bearing No. 23670 of 2008 challenging the rights over the land admeasuring 53574.25 sq. meters and in the Special Leave Petition, the Hon'ble Supreme Court of India had granted status quo in respect of portion of the said area admeasuring 53574.25 sq. meters out of the total area admeasuring 100286.25 sq. meters. The Hon'ble Supreme Court of India was pleased to vacate the said order of status quo vide an Order, dated 12th January, 2010 passed in Civil Appeal No. 281 of 2010 and observed therein that any construction made on the said land will be subject to final decision of the Writ Petition No. 929 of 2008.

10. In view of an Order, dated 12th January, 2010 passed by the Hon'ble Supreme Court of India in Civil Appeal No. 281 of 2010 a Supplementary Agreement of Joint Venture, dated 22nd April, 2010, registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-10/05482/2010, dated 11th May, 2010 came to be executed by and between MHADA and M/s. Ravi Developments in respect of the said area admeasuring 53574.25 sq. meters forming the portion of the said land.

11. M/s. Ravi Developments have proposed to construct building known as "POONAM ESTATE CLUSTER NO. II" in the layout of the said property.

12. The Mira Bhayandar Municipal Corporation had sanctioned the plan of the buildings to be constructed in the layout of the said property vide V.P.No. MB/MNP/NR/2517/2005-2006, dated 21st January, 2006.

13. The Mira Bhayandar Municipal Corporation had also issued Commencement Certificate No. MB/MNP/NR/2372/2009-2010, dated 23rd September, 2009 to proceed with the work of construction of the buildings in the layout of the said property as per the plan sanctioned by it and the same has been revised vide Order No. MB/MNP/NR/1867/2010-11, dated 11th August, 2010 and the same has been revised by the Mira Bhayandar Municipal Corporation vide Order No. MB/MNP/NR/2657/2013-14, dated 18th October, 2013.

14. I have also taken the searches in the office of Sub-Registry of Thane from the year 1980 to till date and during the course of my searches, I have come across a Supplementary Agreement of Joint Venture, dated 22nd April, 2010, registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-10/05482/2010, dated 11th May, 2010, executed by the Maharashtra Housing and Area Development Authority in favour of M/s. Ravi Developments in respect of an area admeasuring 53574.25 sq. meters forming the portion of the said property and save and except the said document I have not come across any registered instruments pertaining to the said property.

15. On the whole from the searches taken by me in the office of Sub-Registry of Thane from the year 1980 to till date and also on the basis of documents furnished to me as well as on the basis of information provided to me, I hereby state and certify that title to the land bearing Old Survey No. 150 (Part), Survey No. 151(Part), Hissa No. 2 and Survey No. 226 to 230, admeasuring 100286.25 sq. meters, situate, lying and being at Village Mira Road, Taluka and District Thane, in the Registration District and Sub-District of Thane and now within the limits of the Mira Bhayandar Municipal Corporation owned by Maharashtra Housing and Area Development Authority is clear, marketable and free from all encumbrances. I further state and certify that M/s. Ravi Developments is entitled to develop the said property by constructing the building known as "POONAM ESTATE CLUSTER NO. II" in the layout of the said property as per the permissions and sanctions granted by the authorities concerned.

Date : 4th October, 2016.



Advocate