

EXCEL LEGAL SERVICES (ELS)
Advocates & Solicitors

TITLE CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

Re: All that piece and parcel of land bearing New C.T.S. No. 240/A/1/C (Old C.T.S. Nos. 240A (part) & 240A/1 to 5) admeasuring 1750 sq.mtrs. of Village & Taluka Borivali, M.S.D., Mumbai carved out and owned by MHADA situate, being and lying at Old M.H.B. Colony, off. L.T.Road, Borivali (West), Mumbai-400 092 (hereinafter referred to as 'the said Property')

We have caused searches to be taken with the Sub-Registrar of Assurances at Mumbai City, Bandra, Goregaon and Borivali in respect of the said Property and we have verified and investigated the title of the Owners viz. **Maharashtra Housing & Area Development Authority** relating thereto and also, the rights of 'Shree Mangalmurti (Borivali) S.R.A. Co-operative Housing Society Ltd.' bearing registration No. MUM/SRA/HSG/(TC)/11286/2007 dated 15th March 2007 formed by the slum/hutment dwellers sitting on the said property, for implementation of the Slum Rehabilitation Scheme and for the purpose of construction of new composite building (consisting of Rehab & Sale Components) thereon, on the basis of the documents/papers etc. furnished to me.

1. On such investigation and subject to the records which have been found to be torn or which are not available at the office of the Sub-Registrar of Assurances, it appears that the title of the Owners viz. **Maharashtra Housing & Area Development Authority** relating to the said Property is clear, marketable and free from all encumbrances. As such, 'Shree Mangalmurti (Borivali) S.R.A. Co-operative Housing

Society Ltd.' is entitled to implement the 'Slum Rehabilitation Scheme' approved by the Slum Rehabilitation Authority, through the appointed Developers viz. **M/s. Varadvinayak Enterprises**, for the construction of new Composite Building (consisting of Rehab & Sale Components) thereon, subject to the compliance of the terms and conditions imposed by the concerned authorities as detailed hereinafter.

2. Maharashtra Housing & Area Development Authority (hereinafter referred to as 'the Authority' and hereinafter referred to as 'MHADA') has been and is the lawful owner of all that piece or parcel of land bearing New C.T.S. No. 240/A/1/C (Old C.T.S. Nos. 240A (part) & 240A/1 to 5) admeasuring 1750 sq.mtrs. of Village & Taluka Borivali, M.S.D., Mumbai carved out and owned by MHADA situate, being and lying at Old M.H.B. Colony, off. L.T.Road, Borivali (West), Mumbai-400 092 (hereinafter referred to as 'the said property');

3. That the slum and/or hutment dwellers sitting on the said property, the then under the banner of '**Shree Mangalmurti Co-operative Housing Society (proposed)**' as the members, decided to avail the benefits of the Slum Upgradation Scheme as per MHADA Norms and also, for implementation of the Slum Rehabilitation Scheme on the said property, in accordance with the provisions of Appendix-IV of Regulation 33(10) of amended Development Control Regulations, 1991 of Greater Mumbai and SRA Norms, submitted the proposal with the Maharashtra Housing & Area Development Board for the said purposes;

4. Therefore the said Developers, by and under a letter bearing no. CO/ALM/MB/Shri Mangalmurti/2795 dated 8th June, 2006 addressed by the Chief Officer of Maharashtra Housing & Area Development Board to the Deputy Collector, Slum Rehabilitation Authority intimated that the proposal for rehabilitation submitted

by 'Shree Mangalmurti Co-operative Housing Society (proposed)', has been scrutinized as per requirements alongwith attached Annexure-II and Site Plan and certified that an area 1750 sq.mtrs the then in C.T.S. Nos. 240-A (pt) and 240-A/1 to 5 of Village Borivali, Taluka Borivali, M.S.D. is censused slum colony on MHADA records and confirmed that 63 structures are protected structures as per Government GR dated 16th May, 1995 and amended D. C. Regulation 33(10), therefore eligible slum dwellers sitting on the said property are entitled for free alternate accommodation under the proposed Slum Rehabilitation Scheme and PAP tenements generated in the scheme should be handed over to land owning Authority i.e. MHADA as set out therein;

5. Pursuant to the resolutions passed from time to time by the general body and working committee of the said Society, by and under the Development Agreement dated 8th September, 2005 executed and entered into between the said Society i.e. 'Shree Mangalmurti Co-operative Housing Society (proposed)' through its office bearers and authorized members of the working committee, on the one hand and the Developers viz. M/s. Varadvinayak Enterprises on the other hand whereby the said Society appointed M/s. Varadvinayak Enterprises as the sole and exclusive Developers, for the implementation of the Slum Rehabilitation Scheme on the said property as per MHADA and SRA norms, in order to accommodate the members of the said Society in Rehab Component and to sell the constructed area in Sale Component in the open market by the Developers at their own discretion and on the terms and conditions as recorded therein;

6. In pursuance thereof, the said Society through its office bearers and members of the working committee have also, executed Irrevocable Power of Attorney dated 2nd October, 2005 in favour of Shri. Vinay J. Chogle being the partner of the said Developers' firm i.e. M/s. Varadvinayak Enterprises, for the fulfillment of the purposes of the aforesaid Development Agreement dated 8th September, 2005 and also, for

obtaining various permissions and sanctions from the SRA and other concerned Authorities for implementation of the said Slum Rehabilitation Scheme on the said property;

7. The said Developers have already submitted the proposal for obtaining various permissions and sanctions, for the implementation of the said Slum Rehabilitation Scheme to Slum Rehabilitation Authority (SRA) through their Architects viz. Kalgutkar & Associates in accordance with the provisions of Appendix-IV of Regulation 33(10) of amended Development Control Regulations, 1991 of Greater Mumbai, for providing permanent alternative accommodation to the eligible slum/hutment dwellers sitting on the said property being the members of the said Society;

8. On the basis of the aforesaid approved Annexure - II and Site Plan furnished by MHADA and considering the proposal of the said Society, SRA has granted Letter of Intent (LOI) bearing Ref. No. SRA/Eng/1322/RC/MHL/LOI dated 22nd February, 2007 and also, issued Intimation of Approval (IOA) under file No.SRA/ENG/1863/RC/MHL/AP dated 22nd May, 2007 for construction of the composite building (consisting of Rehab & Sale components) on the said property. Therefore, the said proposed Society was duly registered in the name and style of 'Shree Mangalmurti (Borivali) S.R.A. Co-operative Housing Society Ltd.' under the provisions of the Maharashtra Co-operative Societies Act, 1960 and Rules framed thereunder with the concerned Registrar, under Registration No. MUM/SRA/HSG/(TC)/11286/2007, dated 15th March, 2007;

9. Thereafter, by and under the Deed of Declaration dated 25th June, 2007, executed and entered into between Shree Mangalmurti (Borivali) S.R.A. Co-operative Housing Society Ltd. (therein referred to as 'the Society') of the One Part and M/s. Varadvinayak Enterprises through its partner Shri. Vinay J. Chogle (therein referred to

as 'the Developers') of the Other Part, whereby the said Society admitted and confirmed having executed the aforesaid the Development Agreement dated 8th September, 2005 and other writings and papers annexed thereto, in favour of M/s. Varadvinayak Enterprises as the appointed Developers, for the implementation of the said Slum Rehabilitation Scheme on the said property and to avail the benefits for the members of the said Society, as per MHADA and SRA norms, on terms and conditions as recorded herein, which is duly registered under serial No.BDR-6/5175/2007 on 25th June 2007 with the Joint Sub-Registrar, Borivali No.3 M.S.D.;

10. Subsequently, in pursuance of amalgamation and sub-division order bearing no. K/Desk-7A/Sub-Div/SR/4238/08 dated 1st September, 2008 issued by Collector, M.S.D., the actual survey and measurements were carried out at site under v.urg./Amgl/Sub-Div. M.R.No. 300 dated 15th September, 2008 by City Survey Officer, Borivali and in the result, the larger land bearing C.T.S. No. 240A/1A now, stands sub-divided and in effect, the portion of the said land i.e. the said property bearing New C.T.S. No. 240/A/1/C admeasuring 1750 sq.mtrs. or thereabout together with free access, from 12mtr. wide layout road, which was carved out and earmarked, for implementation of the said SRA Project, as reflected in the separate P.R. Card issued by City Survey Officer, Borivali;

11. In view of above, SRA has also, granted Revised Letter of Intent (LOI) bearing Ref.No. SRA/ENG/1322/RC/MHL/LOI dated 13th January, 2010 for construction of the composite building (consisting of Rehab & Sale component) on the said property, on the terms and conditions as laid down therein. The said Revised LOI supersedes earlier LOI issued under Ref. No. SRA/Eng/1322/RC/MHL/LOI dated 22nd February, 2007 and the same to be treated as cancelled;

12. The Architects of the said Project viz. Kalgutkar & Associates, have prepared the statement of the total scheme and report relating to the construction of the new

composite building, in accordance with the approvals and sanction granted by the SRA for composite building and as per the said statement, the permissible FSI to the extent of 3.00, as per LOI details is available for its utilization on the said property and as per the approved plan the total B.U.A. permissible is to the extent of 5250.00 sq.mtrs. and out of which, Rehab Component is 2510.18 sq. mtrs. by way of 'A' & 'B' Wings (for accommodating eligible slum dwellers/members of the said Society, PAP tenements and Balwadi, Welfare Center & Society office on the ground floor) and the Sale Component is 2739.82 sq.mtrs. by way of 'C' Wing meant for benefits of the Developers in the said composite building being constructed on the said property, in accordance with the approvals and sanction granted by the SRA;

13. The said Developers have also inserted Public Notices dated 23rd February 2007 in two newspapers viz . Free Press Journal (English) and Nav Shakti (Marathi) as per the terms of the initial LOI No.SRA/Eng/1322/RC/MHL/LOI dated 22nd February 2007, giving wide publicity to the aforesaid approvals and in effect, inviting claims and objections to the aforesaid SRA project. I have been given to understand that no claims have been received pursuant to the aforesaid public notices till date.

14. The said Developers have got approval of the Plans, the specifications, elevations, sections and details of the said Composite Building from the SRA under D.C. Regulations No. 33(10) of amended Development Control Regulations of Greater Mumbai, and also, sanctioned plans of the said Composite Building consisting of 'A' & 'B' Wings {Rehab Component consisting of ground plus 7(seven) upper floors}, and 'C' Wing {Sale Component consisting of stilt plus podium plus 19(nineteen) upper floors} and also, got Intimation of Approval under file No. SRA/ENG/1863/RC/MHL/AP dated 22nd May,2007 and the Commencement Certificate under File No.SRA/ENG/1863/RC/MHL/AP dated 21st February, 2008 for carrying out construction of the said Composite Building, which has been endorsed from time to

time till 21st November, 2015 till its completion as per approved/amended plan dated 26th May, 2015 by SRA;

15. The Developers have already carried out the construction of 'A' & 'B' Wings (Rehab Component) of the said Composite Building and got Part Occupation Certificate for Rehab Wing 'A' (consisting of 39 residential tenements, meant for the members of the said Society and 9 PAP tenements) under File No. SRA/ENG/1863/RC/MHL/AP dated 2nd June, 2012 as well as Part Occupation Certificate for Rehab Wing 'B' (consisting of 26 residential tenements, meant for the members of the said Society, 8 PAP tenements and 1 unit for Balwadi) under File No. SRA/ENG/1863/RC/MHL/AP dated 27th January, 2014, respectively granted by SRA;

16. Subject to what is stated above, the Developers are entitled to carry out and complete the construction of 'C' Wing (Sale Component) of the said Composite Building (consisting of partly stilt/ground plus 19 upper floors, with provision for car parking spaces in two basements, and one podium), on the said property, as per the amended plans and the approvals/sanctions granted by SRA and also, to sell the constructed area being the free Sale Component in 'C' Wing of the said Composite Building by way of Flats/Units etc. in the open market to the prospective buyers and appropriate the sale proceeds thereof;

Mumbai dated this 4th day of May, 2017.

For Excel Legal Services (ELS)

