



Pandya & Poonawala

ADVOCATES & SOLICITOR

Y.B.PANDYA B.Sc., LL.B.

R.VENKATARAGHAVAN B.Com., B.I.

F.POONAWALA TATA B.Com., MSW, LL.B.

HEENA DASHI B.Sc., LL.B.

Ref. No.

20/2016

TO WHOMSOEVER IT MAY CONCERN
TITLE CERTIFICATE

Re: Investigation of title in respect of piece and parcel of land originally admeasuring 799 sq. mtrs. and new admeasuring as per MHADA's Revised Demarcation Plan at or about 1296.97 sq.mtrs. bearing Survey No. 229 and 267 and CTS Nos. 2 (part), 6 (part), 11 and 12 (part) of Nehru Nagar Division, owned by MHADA and leased unto **Nehru Nagar Trimurti Co-operative Housing Society Limited** (hereinafter referred to as **the said Society**) alongwith the building standing thereon known as "Trimurti" and bearing Nehru Nagar Layout's Building No. 130 and duly assessed for payment of Municipal Taxes under Municipal Assessment No. 00320915 in the registration Sub-District of Kurla and District Mumbai Suburban District. (hereinafter referred to as **the said Property**)

1. Under instructions of our clients **M/S. Starsky Dhanlaxmi Developers**, we have investigated the title of **the said Property** and have perused Original/certified copies of documents in relation thereto as under:-

- (i) Plan of land held by Nehrunagar Trimurti Co-operative Housing Society Ltd.
- (ii) Revised Layout plan of land held by Nehrunagar Trimurti Co-operative Housing Society Ltd.
- (iii) Receipt No. 4162300 issued by Brihanmumbai Mahanagarpalika, D. P. Department in respect of various deposits to be payable to B.M.C.;
- (iv) Order dated 26.7.1991 bearing No. BOM (W-L), HSG/831 (OH)/5651/90-91 issued by Joint Registrar, Co-operative Society, MHADA in respect of registration of Nehru Nagar Trimurti Co-operative Housing Society Ltd.;
- (v) Letter dated 26.7.1991 bearing No. BOM (W-L), HSG/832 (OH)/5651/90-91 issued by Joint Registrar, Co-operative Society, MHADA to Baburao Mahadeo Patole in respect of holding First Constituted General Body Meeting of Nehru Nagar Trimurti Co-operative Housing Society Ltd.
- (vi) (a) Resolution dated 16.12.2007 passed by Nehrunagar Trimurti Co-operative Housing Society Ltd. in respect of demolition and reconstruction of society's building;
(a) Resolution dated 17.12.2007 passed by Nehrunagar Trimurti Co-operative Housing Society Ltd. appointing M/s. Dhanlaxmi Developers as Developers and N. M. Mhatre & Associates as Architect for carrying development work of the Society;
- (vii) Letters dated 17.12.2007 and 18.12.2007 addressed by Nehru Nagar Trimurti Co-operative Housing Society Ltd. to M/s. Dhanlaxmi Developers, requesting to send their intent cum

offer letter and appointing them as Developer for redevelopment of the Society's building, respectively;

- (viii) Letter dated 31st December, 2007 addressed by Nehru Nagar Trimurti Co-operative Housing Society Ltd. to Haware Engineers & Builders Pvt. Ltd. cancelling their appointment as Developer for re-development of Society's building;
- (ix) Letter dated 31st December, 2007 addressed by Nehru Nagar Trimurti Co-operative Housing Society Ltd. to Mr. Vikas Gokhale cancelling his appointment as Structural Engineer for re-development of Society's building;
- (x) Letter dated 31st December, 2007 addressed by Nehru Nagar Trimurti Co-operative Housing Society Ltd. to Shri Milind Fulzule, cancelling his appointment as Architect for redevelopment of Society's building;
- (xi) Letter dated 31st December, 2007 addressed by Nehru Nagar Trimurti Co-operative Housing Society Ltd. to The Estate Manager, Zone-V informing about cancellation of appointment of (i) Haware Engineers & Builders Pvt. Ltd. as Developer, (ii) Mr. Vikas Gokhale as Structural Engineer and (iii) Shri Milind Fulzule, as Architect;
- (xii) Certified true copy of Minutes of Meeting of Extra Special General Body Meeting of Nehru Nagar Trimurti Co-operative Housing Society Ltd. held on 16.12.2007 in respect of cancellation of appointment of (i) Haware Engineers & Builders Pvt. Ltd. as Developer, (ii) Mr. Vikas Gokhale as Structural Engineer and (iii) Shri Milind Fulzule, as Architect;
- (xiii) Indenture of Lease dated 4th December, 2008, executed between Maharashtra Housing & Area Development Authority as Authority (Lessor) and Nehru Nagar Trimurti Co-operative Housing Society Ltd. as Society (Lessee), registered with the Joint Sub-Registrar of Assurances-3 under No. BDR-3/9306/2008 demising land bearing Survey No. 229 and 267 and CTS No. 2(pt), 6(pt), 11 and 12 (pt) admeasuring 799 sq.mtrs. unto the said Society for a period of 90 years commencing from 1st April, 1980.
- (xiv) Sale Deed dated 4th December, 2008 executed between Maharashtra Housing & Area Development Authority as Vendor and Nehru Nagar Trimurti Co-operative Housing Society Ltd. as Purchaser, registered with the Joint Sub-Registrar of Assurances-3 under No. BDR-3/9307/2008 on 11th December, 2008 selling Building No. 130 standing on the land bearing Survey No. 229 and 267 and CTS No. 2(pt), 6(pt), 11 and 12 (pt) unto the Purchaser.
- (xv) Notarized true copy of Re-development Agreement (in Marathi) dated 15th February, 2010 executed between Nehru Nagar Trimurti Co-operative Housing Society Ltd. and M/s. Dhanalaxmi Developers, granting re-development rights in respect of land bearing Survey No. 229 and 267 and CTS No. 2(pt), 6(pt), 11 and 12 (pt) admeasuring 724.23 sq.mtrs.;
- (xvi) Notarized Power of Attorney (In Marathi) executed by Nehru Nagar Trimurti Co-operative Housing Society Ltd. in favour of M/s. Dhanalaxmi Developers granting all powers in respect of re-development of land bearing Survey No. 229 and 267 and

CTS No. 2(pt), 6(pt), 11 and 12 (pt) admeasuring 724.23 sq.mtrs.;

- (xvii) Letter dated 21.6.2010 from Nehru Nagar Trimurti Co-operative Housing Society Ltd. addressed to Senior Architect and Planner, Mumbai Board, MHADA, informing that the Society has appointed M/s. Dhanalaxmi Developers as Developers and Mr. N. M. Mhatre as Architects and that the Society is not interested in joining with any other society or any concerned party for combined project;
- (xviii) Letter dated 18th October, 2011 bearing No. EG/HGD/MB/3560/2011 issued by Executive Engineer, Hsg. Ghatkoper Division in favour of Nehru Nagar Trimurti Co-operative Housing Society Ltd. granting unto **the said Society** additional vacant land admeasuring 497.97 sq.mtrs. from adjoining land belonging to MHADA;
- (xix) Letter dated 21.11.2011 bearing No. 3911/2011 addressed by Executive Engineer, MHADA to Nehru Nagar Trimurti Co-operative Housing Society Ltd. informing that the after actual survey of the said land boundaries are fixed;
- (xx) Letter dated 10.12.2012 addressed by Dhanalaxmi Developers/Star Sky Developers to **the said Society** giving their proposal for re-development of **Building No. 130**;
- (xxi) Development Agreement dated 16th April, 2013 executed between Nehru Nagar Trimurti Co-operative Housing Society Ltd. as Society and M/s. Starsky Dhanalaxmi Developers as Developer, registered with the Sub-Registrar of Assurances Kuria-1, under No. KRL-1/3399/2013 whereunder Society granted entire development rights in respect of **the said property** unto Developer therein;
- (xxii) Power of Attorney dated 16th April, 2013 executed between Nehru Nagar Trimurti Co-operative Housing Society Ltd. as Society and M/s. Starsky Dhanalaxmi Developers as Developer, registered with the Sub-Registrar of Assurances Kuria-1, under No. KRL-1/3400/2013, granting powers unto Developer in respect of **the said property** including demolition of existing **Building No. 130** and construction on new building thereon;
- (xxiii) Letter dated 3rd August, 2013 bearing No. CO/MB/RDC/NOC/F-1277/II/1484/2013 addressed by MHADA to Nehru Nagar Trimurti Co-operative Housing Society Ltd. considering request of Society for (i) allotment of additional buildable area of 653.60 sq.mtrs. for Residential use beyond existing BUA as per 2.5 FSI on demarcated plot and (ii) Allotment of tit-bit plot and land under U/G Tank/Pump House admeasuring 497.97 sq.mtrs.
- (xxiv) Commencement Certificate (CC) bearing No. EB/CE/4434/BPES/AL dated 1st August, 2014 issued by The Executive Engineer, (Building Proposal), Eastern Suburbs - I. to Shri Amir Husain Payak granting commencement of construction of **Building No. 130** (B Wing) upto plinth level as per approved plans dt. 9.4.2014 and re-validated from time to time upto 21.11.2015 for full C.C. as per approved plans dated 7.11.2015;
- (xxv) Search Report dated 21st July, 2014 issued by Search Clerk Mr. Rajesh Bhandari in respect of searches taken at various

Government Offices and Registries in respect of the subject property;

(xxiii) Intimation of Disapproval (IOD) bearing No. EB/CE/4434/BPES/AL dated 8th April, 2015 issued by The Executive Engineer, (Building Proposal), E.S. - I to Shri Amir Hussain Payak for demolition of **Building No. 130** and construction on new building thereon;

(xxvi) Certified copy of 7/12 Extract in respect of land bearing S. No. 267 (pt) at village Kurla, Taluka Kurla issued by Talathi Kurla;

(xxvii) Certified copy of Property Card in respect of land bearing C.T.S. No. 2 at Village Kurla Part -3, Mumbai Suburban District issued by City Survey Officer, Kurla;

2. In view of perusal of the subject documents and investigation of title of the subject property and development rights in respect thereof, we consider that the title of :-

(a) Nehru Nagar Trimurti Co-operative Housing Society Ltd. is good, clear and marketable title in respect of:-

(i) the leasehold interest for **the residuary period of 90 years commencing from 1st April, 1980** in respect of the said property.

(ii) ownership rights to the **Building No. 130 (Trimurti)** consisting of ground plus four upper floors; (now demolished) and rights to the new building being constructed thereon by **M/s. Starsky Dhanalakshmi Developers** as more particularly stated thereon;

(b) **M/s. Starsky Dhanalakshmi Developers** hold valid development rights for the construction of new building consisting of **ground plus 16 storeys admeasuring 2646.96 sq.mtrs. (approximately) (the said building)** on the said property and the rights to exploit the balance sale component of **the said building** after handing over area **admeasuring 650 sq.mtrs.** unto the existing members of the said Society;

Dated at Mumbai, this 20th day of January, 2016.

For PANDYA & POONAWALA

PARTNER

YBP:HS;

आयकर विभाग
INCOME TAX DEPARTMENT



भारत सरकार
GOVT. OF INDIA

STAR SKY DHANLAXMI DEVELOPERS



01/01/2013

Permanent Account Number

ACGFS5584B

17012013