

UNISAN & Co. ADVOCATES

FORT : 216, COMMERCE HOUSE, NAGINDAS MASTER RD., NEAR RHYTHM HOUSE, MUMBAI-23.
ANDHERI : 406, 4TH FLOOR, MORYA ESTATE, NEW LINK ROAD, OPP. INFINITI MALL, ANDHERI (W), MUMBAI-53
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REF. NO.: US-1527/14

To,

M/S. M. V. LABH ASSOCIATE
Mumbai.

November 5, 2014

Sir,

CERTIFICATE OF TITLE

In Re.: Land bearing Plot No. 29 adm. 838.45 Sq.mtrs.
bearing Nos. 825 (part), Survey No. 111-D of
Village Ambivali, Taluka Andheri in the
Registration District and Sub-District of Mumbai
City and Mumbai Suburban District.

AND
Re.: Development Agreement dtd. 9th April, 2005 made
between

M/S. M. V. LABH ASSOCIATESDevelopers.
AND

SHREE BHAIKAVNATH CO-OP. HSG. SOC.
..... Society.

In the above matter, we have perused copies of the following documents and also caused the search through search clerk Mr. Chandrakant Shinde at the offices of Sub-Registrar of Assurances at Andheri-I, 2, 3, 4, 5 and 6.

1. From such searches, it is found that, as per the Property Card, the land bearing Plot No. 29 adm. 838.45 Sq.mtrs. bearing Nos. 825 (part), Survey No. 111-D of Village Ambivali, Taluka Andheri in the Registration District and Sub-District of Mumbai City and Mumbai Suburban District (hereinafter referred to as "the said Property") is owned by Government of Maharashtra.
2. The said property is encroached by slum dwellers.
3. There were several slums in the Bombay City and Bombay Suburban District wherein there were no basic amenities provided to the slum dwellers and the slum dwellers were required to stay in the slums for years together.
4. The Government of Maharashtra therefore decided to redevelop the slums and in the year 1991 framed Development Control Regulation 33(10) for Greater Bombay.
5. Under the said Development Control Regulation No. 33(10), more than 70% slum dwellers can come together and can redevelop the slum.
6. The Slum Dwellers on the said property have formed Co-op. Hsg. Soc. (proposed) known as Shree Bhairavnath Co.op. Housing Society (Proposed) and approached the Deputy Collector (Enc) & Competent Authority for issuance of Annexure II Certificate.



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7. The Deputy Collector (Enc) & Competent Authority after visiting the site and after considering the wishes of slum dwellers, issued Annexure II Certificate on 26/6/2001, inter alia certifying that there are 37 slum dwellers, out of which 23 are eligible.
8. The said SHREE BHAIKAVNATH CO.OP. SOCIETY (PROPOSED) submitted their proposal for registration of their Society as Co-operative Housing Society under the provisions of M.C.S. Act, 1960,
9. The Asst. Register, Co-operative Societies, Slum Rehabilitation Authority after considering the said proposal, registered the said Society as Co-operative Housing Society u/s 9 of the M.C.S. Act, 1960 and issued Registration Certificate, bearing No. MUM (S.R.A.)/HSG/(TC)/10620 dated 23/8/2001.
10. There were several Orders passed by the Hon'ble Court in Writ Petition No. 100 of 2001 and Contempt Petition No. 18 of 2003, wherein the Hon'ble High Court directed and/or ordered Slum Rehabilitation Authority to hear the parties and to pass the Speaking Order in accordance with law.
11. In view of the Orders passed by the Hon'ble court in Writ Petition No. 100 of 2001 and Contempt Petition No. 18 of 2003, the Secretary, Slum Rehabilitation Authority heard all the parties.
12. The Secretary, Slum Rehabilitation Authority after hearing both the parties and after considering the submission and after going through the record & proceedings, passed "Speaking Order" on 16/7/2003, inter alia holding that the aforesaid SHREE BHAIKAVNATH CO.OP. HOUSING SOCIETY LTD., being the Slum Dwellers Society is only entitled to implement S.R. Scheme.
13. The said SHREE BHAIKAVNATH CO.OP. HOUSING SOCIETY LTD., appointed M/S. M.V. LABH ASSOCIATES as the Developers for implementation of S.R. Scheme.
14. Certain slum dwellers made an application to Slum Rehabilitation Authority for deciding them "eligible" and Slum Rehabilitation Authority after going through their applications, on 13/2/2004 issued Revised Annexure II Certificate and held certain slum dwellers as eligible.
15. The Developer M/S. M.V. LABH ASSOCIATES and SHREE BHAIKAVNATH CO.OP. HOUSING SOCIETY LTD., submitted their Proposal to Slum Rehabilitation Authority for sanctioning the S.R. Scheme under D.C.R. No. 33(10).
16. Slum Rehabilitation Authority after going through the said Proposal, sanctioned the S.R. Scheme and issued Letter of Intent on 24/5/2004 in favour of the Party of the First Part, being Developer and Party of the Second Part being Slum dwellers Society on certain terms & conditions.
17. Slum Rehabilitation Authority on 22/12/2004 issued Intimation of Approval for construction of Composite Sale Building, consisting of Ground + 7 upper floors and approved the Building Plan on certain terms & conditions.
18. On the basis of Permissions/Sanctions granted by Slum Rehabilitation Authority, the said Developer is ready and willing to construct Composite Building and also ready & willing to allot rehab tenement to all eligible slum dwellers in accordance with D.C.R No. 33(10);



...3/-

19. The said Society in Special General Body Meeting gave powers to the Committee Members to enter into Development Agreement and execute Power of Attorney in favour of the said Developer M/S. M.V. LABH ASSOCIATES for implementation of S.R. Scheme.
20. By Development Agreement dtd. 9th April, 2005 made between M/S. M.V. LABH ASSOCIATES as the Developers of the One Part AND SHREE BHAIKAVNATH CO.OP. HOUSING SOCIETY LTD. as the Society of the Other Part, the Society has granted development work to the Developers on the terms and conditions as stated therein.
21. Executive Engineer, SRA passed an order bearing No. SRA/ENG/1279/KW/STGL/AP dtd. 28.04.2005. Chief Executive Officer (SRA) has issued 09/76 dtd. 7.8.2009 for sub-division of larger property bearing CTS No. 825/1 and Sub-divided the said CTS No. 825/1 into 825/1 to 18. The said project is constructed on the land adm. 838.45 Sq.mtrs. and therefore the said Authority has allotted new CTS number i.e. 825/1/19.
23. Deputy Chief Engineer, SRA has issued Revised Letter of Intent bearing No. SRA/ENG/572/KW/STGL/LOI dtd. 2.9.2009.
24. We have perused certified copy of property card dtd. 30.03.2012 issued by City Survey Officer, Andheri and it is observed in column transaction dtd. 3.5.2010 in pursuance to the order dtd. 7.8.2009 issued by Chief Executive Officer, SRA and the order City Survey Officer dtd. 3.5.2010 a separate property card in respect of CTS No. 825/1/21 for the area 838.5 Sq.mtrs. is issued.
25. M/S. M.V. LABH ASSOCIATES constructed Rehab Wing "A" on the said property and Executive Engineer -WS, SRA has issued Full Occupation Certificate bearing Nos. SRA/ENG/1279/KW/STGL/AP dtd. 11.02.2014.
26. That on 13.02.2014 Executive Engineer, SRA has further extended C. C. for entire work of Sale Wing B as per approved amended plan dtd. 16.11.2009.
27. By virtue of the aforesaid documents and subject to the terms and the said Development Agreement and in accordance with the D.C. Regulation the Builder/Promoter M/S. M. V. LABH AND ASSOCIATES are entitled to develop the said land by constructing the buildings and entitled to deal with the premises in the Sale Wing "B" in SHREE BHAIKAVNATH CO.OP. HOUSING SOCIETY LTD.

THE SCHEDULE ABOVE REFERRED TO :

Land bearing Plot No. 29 adm. 838.45 Sq.mtrs. bearing Nos. 825 (part), Survey No. 111-D of Village Ambivali, Taluka Andheri in the Registration District and Sub-District of Mumbai City and Mumbai Suburban District.

Dated this 5th November, 2014.

Yours faithfully,

UNISAN & CO.