

249/14

Date:- 08/03/2016

## TO WHOMSOEVER IT MAY CONCERN

### LEGAL OPINION/NON ENCUMBRANCE CERTIFICATE

We have gone through the Xerox copy of Documents produced by the Developer M/s. M. Patankar Build. Cons. Pvt. Ltd. and Search report of Search Clerk Shri. Vishwas J. Daware dated 04/03/2016 carried out by him in the Sub-Registrar office at Bandra, Chembur, Nahur, Mumbai for the last 5 years in respect of the Property of Society known as Mulund Ravi Kailash Co-op. Hsg. Soc. Ltd. land bearing Plot No. 5, admg. 1250 Sq. Mts. area Survey No. 76(pt), C.T.S. No. 714(pt) of Village Mulund, Taluka Kurla, Registration Dist. & Sub-Dist. Mumbai belonging to Mulund Ravi-Kailash C.H.S. Ltd.

**AND WHEREAS** by virtue of Deed of Conveyance dated 25.04.1987 registered in the office of the Sub-Registrar of Assurances at Mumbai, under Sr. No. PBBJ/1442/1987, the Society herein, i.e. Mulund Ravi Kailash C.H.S. Ltd. has become absolute owner and as such seized and possessed and sufficiently entitled all that piece and parcel of land being the Sub-divided Plot No. 5, admg. 1495 Sq. Yards equivalent to 1250 Sq. Mts.



(inclusive of the area of about 427 Sq. Yards equivalent to 357 Sq. Mts. Falling in the 60 wide Navghar Road) or thereabout, bearing Survey No. 76(pt), C.T.S. No. 714(pt) along with building known as "Ravi Apartments" thereon situated at Navghar Road, Mulund (E), Mumbai 400 081, of Village Mulund (E), Taluka Kurla, Dist. Mumbai Suburban Registration District, within the limits of "T" Ward of Municipal Corporation of Greater Mumbai (hereinafter referred to as "the said Property").

**AND WHEREAS** at present, the said property is capable of being re-development by demolishing the existing building and by construction of a new building thereon by utilizing permissible F.S.I. consisting of basic F.S.I. and Transferable Development Rights (T.D.R.) as per the prevailing rules and regulations of Municipal Corporation of Greater Mumbai and any premium F.S.I. such as fungible F.S.I. which may be sanctioned, allotted or provided by state Government in addition to existing FSI allowed for Re-Development.

**AND WHEREAS** the Society being itself unable to redevelop the building and is desirous of re-developing the said property through the reputed Developer therefore the Society is General Body meeting decided to re-develop the said property by appointing fit and proper Developer. And Whereas the Society invited offers from various Builders for re-development of its Property.

**AND WHEREAS** the Developers represented to the Society that they have expertise in developing /



redeveloping the properties as also have sufficient financial means for such development. The Developers by their letter dated 01/08/2009, amended offer letter dated 28/03/2011 and final letter dated 07/07/2011 have submitted to the Society its proposal for re-development of the Property.

**AND WHEREAS** on scrutiny of document submitted by the Society, the Developers have confirmed that the basic F.S.I. and the area under set back is already consumed by Society and its members in the existing building and Re-development is only possible by utilizing Transferable Development Right (T.D.R.) from open market as per prevailing Municipal Corporations Rules & Regulations & any premium F.S.I. such as Fungible F.S.I. which may be sanctioned, allotted or provided by state Government in addition to existing FSI allowed for Re-Development.

**AND WHEREAS** the proposal given by the Developers was found best among various proposal received by the Society, as a result the Society in its Special General Body Meeting held on 07/08/2011 unanimously approved the Developers said proposal for re-development of the said property.

**AND WHEREAS** by an Development Agreement dated 26/12/2012 (Index II dated 28/01/2013) made and entered into between Mulund Ravi Kailash C.H.S. Ltd. having its registered office at Plot No. 5, Navghar Road, Mulund (E), Mumbai, (hereinafter referred to as



## Vyas & Bhalwal

"the Society") represented through its office bearers 1) Shri. E. R. Hariharan, Chairman, 2) Smt. Lalitha Sankaran, Secretary and 3) Shri. N. P. Gothaskar, Treasurer of the One Part AND M/s. Patankar Build Cons. Pvt. Ltd. having its office at 2 & 3, Ground Floor, Nilgiri C.H.S., Lok Everest Compound, Cement Factory Road, Mulund (W), Mumbai 400 080 (hereinafter referred to as "The Developers" of the Other Part) Registered under the Reg. No. KRL-2/1981/2013 dated 27/02/2013 at the Sub-Reg. Kurla-2 gave all the development rights of the said Plot on the terms and conditions contained therein.

We have gone through the document produced by the Developers M/s. Patankar Build Cons. Pvt. Ltd. appears to derive a good, clear and marketable title in respect of Mulund Ravi Kailash C.H.S. Ltd., Plot No. 5, admg. 1250 Sq. Mts. Area Survey No. 76(pt), C.T.S. No. 714(pt) of Village Mulund, Taluka Kurla, Registration Dist & Sub-Dist. Mumbai and are of the opinion that the said Plots of Land appears to be clear and marketable and is free from all encumbrances and whatsoever nature.

Date:- 08/03/2016

Place:- Fort, Mumbai

**For M/s.VYAS & BHALWAL  
ADVOCATES, SOLICITORS & NOTARY**



**Proprietor.**

