

This ICD is issued subject to compliance of the provision of U.L. (C & R) Act, 1978.
 In replying please quote the
 serial and date of this letter.

400000 C
 Page 1 of 1

Intimation of Disapproval under Section 346
 Municipal Corporation Act, as amended

No. E.B./CE/ 4945 /BRES/AT 31

up to date.	22.2.07
22.2.07	22.2.07
22.2.07	22.2.07

MEMORANDUM

M/s. Leela Enterprises C.A. to owner

Municipal Officer
 Mumbai 400

With reference to your Notice, Serial No. 1630 dated 22.2.07 and delivered on 200 and the plans, Specifications and Documents and for the construction and completion of 200 buildings at Varadus Balevanthi Madhu Marg, Mulund (E) 200. I have to inform you that the building which proposed to be erected or extended, and I therefore hereby, formally disapprove the same under Section 346 of Bombay Municipal Corporation Act as amended upto date, no disapproval by the Council.



A. CONDITIONS TO BE COMPLIED WITH BEFORE STARTING THE WORK BEFORE PLINTH C.C.

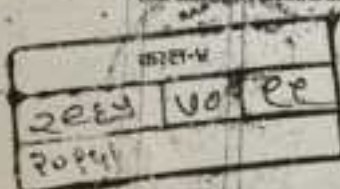
1. That the commencement certificate under Sec. 30(1)(a) of the B.M.C. Act will not be obtained before starting the proposed work.
2. That the compound wall is not constructed on all sides of the plot clear of road widening line with foundation below the bottom of road side drain without obstructing the flow of rain water from the adjoining holding to prove possession of holding before starting the work as per D.C. Regulation No. 38(27).
3. That the low lying plot will not be filled up to reduced level of at least 92 T.H.D. or 6" above adjoining road level whichever is higher with mud, earth, boulders, etc. and will not be leveled, rolled, consolidated and sloped towards road side before starting the work.
4. That the specification for D.P. or development of setback land will not be obtained from Executive Engineer (Road Construction) before starting the construction work and setback land will not be developed accordingly including providing street lights and S.W.D., the completion certificate will not be obtained from Executive Engineer (R.C.) / Executive Engineer (S.W.D.) E.S. before submitting building completion certificate.
5. That the Licensed Structural Engineer will not be appointed; supervision memo as per appendix XI Regulation 5(3)(IX) will not be submitted by him.
6. That the structural design and calculations for the proposed work considering seismic forces as per I.S. Code Nos. 456-2000, 13920 - 1993, 4326 and 1893 - 2002 as per circular U.No. CE/PO/11945/1 dated 2.2.2005 for existing building showing adequacy thereof to take up additional load will not be submitted by him.

(1) That proper gutters and down pipes are not intended to be put to prevent water dropping from the leaves of the roof on the public street.

(2) That the drainage work generally is not intended to be executed in accordance with the S.D.M. requirements.

Subject to your modifying your intention as to observe the before mentioned objections and remedy the same, but not otherwise you will be at liberty to proceed with the said building or work at anytime before the 31st March 2008 day of _____ 2008, but not so as to contravene any of the provisions of the said Act, as amended or any rule, regulations or bye-law made under this Act at the time in force.

Your attention is drawn to the Special Instructions and Note accompanying this Intimation of Disapproval.



Executive Engineer, Building Projects, Zone, BE, Wards.

SPECIAL INSTRUCTIONS

(1) THIS INTIMATION GIVES NO RIGHT TO BUILD UPON GROUND WHICH IS NOT YOUR



Under Section 68 of the Bombay Municipal Corporation Act, as amended, the Municipal Commissioner has empowered the City Engineer to exercise, perform and discharge the powers, duties and functions conferred and imposed upon and vested in the Commissioner by Section 345 of the said Act.

Under Bye-law, No. 2 of the Commissioner has fixed the following levels:-

Every person, who shall erect a new domestic building shall cause the same to be built so that every portion of the plinth shall be:-

(a) Not less than 2 feet (60 cms.) above the centre of the adjoining street at the nearest point at which the drain from such building can be connected with the sewer than existing or thereafter to be laid in such street.

(b) Not less than 2 feet (60 cms.) above every portion of the ground within 5 feet (160 cms.) of such building.

(c) Not less than 92 ft. () meters above Town Hall Datum.

(4) Your attention is invited to the provision of Section 152 of the Act whereby the person liable to pay property taxes is required to give notice of erection of a new building or occupation of building which has been vacant, to the Commissioner, within fifteen days of the completion or of the occupation whichever first occurs. Thus compliance with this provision is punishable under Section 471 of the Act irrespective of the fact that the valuation of the premises will be liable to be revised under Section 167 of the Act, from the earliest possible date in the current year in which the completion or occupation is detected by the Assessor and Collector's Department.

(5) Your attention is further drawn to the provision of Section 153-A about the necessity of submitting a valuation certificate with a view to enable the Municipal Commissioner for Greater Mumbai to inspect your premises and to grant a permission before occupation and to levy penalty for non-compliance under Section 471 if necessary.

(6) Proposed date of commencement of work should be communicated as per requirements of Section 347 (1) (a) of the Bombay Municipal Corporation Act.

31 MAY 2001

7. That the sanctioned lines and reservations will not be got demarcated at site through A.E./Surveyor/E.E./TAC/E.E./D.P./D.L.R. before applying for C.C.
8. That the registered undertaking and additional copy of plan shall not be submitted for agreeing to hand over the setback land free of compensation and that the setback handing over certificate will not be obtained from Ward Officer M.C.G.M.
9. That the Indemnity Bond indemnifying the Corporation for damages, fire, accidents, etc. and to the occupiers and an undertaking regarding no nuisance will not be submitted before C.C./starting the work.
10. That the existing structure proposed to be demolished will not be demolished or necessary phase programme with agreement will not be submitted and not approved before C.C.
11. That the requirements of H.O.C. of M.S.E.B will not be obtained and the requisitions, if any, will not be complied with before occupation certificate is C.C.
12. That the safety precaution shall not be taken while demolishing the existing structure.
13. That the indemnity bond indemnifying corporation against any action of any legal dispute between occupant, owners or existing structure shall not be given.
14. That the qualified registered site supervisor through architect/structural engineer will not be appointed before applying for C.C. & his name and licence No. duly revalidated will not be submitted.
15. That the extra water and sewerage charges will not be paid to Asst. Engineer, Water Works, T Ward before C.C.
16. That adequate care in planning, designing and carrying out construction will not be taken in the proposed building to provide for the consequence of settlement of floors and plinth filling etc.
17. That adequate care will not be taken to safeguard the trees existing on the plot while carrying out construction work & remarks from S.O. shall not be submitted.
18. That the notice under Sec.347 (1)(a) of the Mumbai Municipal Corporation Act will not be sent for intimating the date of commencement of the work.
19. That this office will not be intimated in prescribed proforma for checking the open spaces and building dimensions as soon as the work upto plinth is completed.
20. That the clearance certificate from assessment Department regarding upto date payment of Municipal taxes etc. will not be submitted.
21. That the requirement of bye law 40 will not be complied with before starting the drainage work and in case Municipal sewer is not laid, the drainage work will not be carried on as per the requirement of Executive Engineer (Sewerage Project), Planning & completion certificate from him will not be submitted.
22. That the copy of intimation of Disapproval conditions & other layout or sub division conditions imposed by the Corporation in connection with the developmental site shall not be given to the would be purchaser and also displayed at site.
23. That the N.A. permission from the Collector of Bombay shall not be submitted.
24. That a Janata Insurance Policy or policy to cover the compensation claims arising out of Workmen's Compensation Act 1923 will not be taken out before starting the work and will not be renewed during the construction.

Shakti
Executive Engineer Building Propo
(Eastern Suburbs.)

Brihanmumbai Mahanagarpalika
No. CE/ 4945 /BPES/AT

31 MAY 2007

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25. That the development charges as per M.R.T.P. (amendment) Act 1992 will not be paid.
26. That the cartage entrance shall not be provided before starting the work.
27. That the adequate & decent temporary sanitary accommodation will not be provided for construction workers on before starting the work.
28. That the documentary evidence regarding ownership, area and boundaries of holding is not produced by way of abstracts from the District Inspector of Land Records; extracts from City Survey Record and conveyance deed etc.
29. That separate P.R. Cards for each sub-divided plots, road etc. will not be submitted.
30. That the debris will not be removed before submitting the building completion certificate and requisite deposit will not be paid before starting the work towards faithful compliance thereof.
31. That the No. Objection Certificate from Hydraulic Engineer for the proposed development will not be obtained and his requirements will not be complied with.
32. That the registered undertaking agreeing to form Co-op. Housing society will not be submitted before starting the work.
33. That the society will not be formed & got registered and true copy of the registration of society will not be submitted.
34. That the proposal will contravene the section 251 (AXA) of the Mumbai Municipal Corporation Act.
35. That the remarks from Asst. Engineer, Water Works regarding location, size capacity of the suction tank, overhead storage tank for proposed and existing work will not be submitted before starting the work and his requirements will not be complied with.
36. That the capacity of overhead tank will not be provided as per 'P' form issued by department of Hydraulic Engineer and structural design to that effect admitted before requesting to grant commencement certificate.
37. That the phase programme for infrastructure development will not be submitted and got approved and will not be developed as per phase programme.
38. That the undertaking for paying additional premium due to increase in land rate as and when demanded shall not be submitted.
39. That the N.O.C from Insecticide Officer shall not be submitted.
40. That the C.C. shall not be asked unless payment of advance for providing treatment at construction site to prevent epidemics like Dengue, Malaria etc. is made to the Insecticide Officer of the concerned ward office and provision shall not be made as and when required by Insecticide Officer for inspection of water tanks by providing safe and stable ladder, etc. and requirements as communicated by the Insecticide Officer shall not be complied with.
41. That the board mentioning the name of Architect/Owner shall not be displayed on site.
42. That the requirements as per circular no. CE/PD/12387 of 17.3.2005 shall not be complied with during the execution of work.
43. That the debris management plan shall not be submitted to S.W.M. Department.
44. That the necessary remarks for training of nalla construction of S.W.D. will not be obtained from Dy. Ch. E. (S.W.D.) City & Central cell, before plinth C.C. and compliance of said remarks will not be insisted before granting full C.C. for the building.

Executive Engineer Building Prog
(Eastern Suburbs)

Brihanmumbai Mahanagar Palika

No. CE/ 4945 /BPES/AT

31 MAY 2007

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B) CONDITIONS TO BE COMPLIED WITH BEFORE FURTHER C.C.

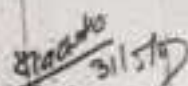
1. That the N.O.C. from Civil Aviation Department will not be obtained for the proposed height of the building.

C) GENERAL CONDITIONS TO BE COMPLIED WITH BEFORE O.C.

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1. That some of the drains will not be laid internally with 1.5 m. deep.
2. That the dust bin will not be provided as per C.E.'s circular No. CE/296/11 of 26.6.1978.
3. That the surface drainage arrangement will not be made in consultation with Executive Engineer (S.W.D.) or as per his remarks and a completion certificate will not be obtained and submitted before applying for occupation certificate.
4. That 10 ft. wide paved pathway upto staircase will not be provided.
5. That the surrounding open spaces, parking spaces and terrace will not be kept open and unutilized upon and will not be levelled and developed before requesting to grant permission to occupy the building or submitting the B.C.C. whichever is earlier.
6. That the name plate/board showing plot No. name of the building etc. will not be displayed at a prominent place before O.C.C./B.C.C.
7. That the parking spaces shall not be provided as per D.C.R. clause No. 36.
8. That B.C.C. will not be obtained and L.O. shall not be issued till the work will not be claimed for refund within a period of 6 years from the date of completion.
9. That the provision will not be made for making available water for drinking and other non-potable purposes through a system of bore wells or pumping the water through a separate overhead tank which will be connected to the drainage system and will not have any chances of mixing with the normal water supply of the Corporation.
10. That the certificate to the effect that the licensed surveyor has effectively supervised the work and has carried out tests for checking leakages through sanitary blocks, termite, fixtures, joints in drainage pipes etc. and that the workmanship is found very satisfactory shall not be submitted.
11. That three sets of plans mounted on canvas will not be submitted.
12. That the certificate from Lift Inspector regarding satisfactory installation and operation of lift will not be submitted.
13. That the federation of flat owners of the sub-division layout for construction and maintenance of the infrastructure will not be formed.
14. That the adequate provision for post-mail boxes shall not be made at suitable location on ground floor /stilt.
15. That the every part of the building construction and more particularly, overhead tank will not be provided with a proper access for the staff of insecticide Officer with a provision of temporary but safe and stable ladder etc.
16. That the final NOC from S.G. shall not be submitted.
17. That the requisitions of clause No. 45 & 46 of D.C.R. 91 shall not be complied with.
18. That the infrastructural works such as; construction of handholes/manholes, ducts for underground cables, concealed wiring inside the flats/rooms, rooms/space for telecom installations etc. required for providing telecom services shall not be provided.




 Executive Engineer Building

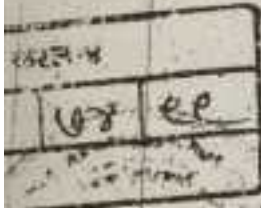
Brihanmumbai Mahanagar Palika

No. CE/ 4945 /BPES/AT 31 MAY 2007

19. That the provision for rain water harvesting as per design prepared by approved consultant in the field shall not be made to the satisfaction of Municipal Commissioner.
20. That the Vermiculture bins for disposal of wet waste as per the design and specification of Organisations / individuals specialized in this field, as per the list furnished by Solid Waste Management Department of MCGM, shall not be provided to the satisfaction of Municipal Commissioner.

D) CONDITIONS TO BE COMPLIED WITH BEFORE B.C.C.

1. That certificate under Section 270-A of the Bombay Municipal Corporation Act will not be obtained from H.E.'s department regarding adequacy of water supply



Encl 31/5
Executive Engineer
(Building Proposals)(Eastern Suburbs)



Form-224 - STD (3)

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VALID UPTO
54 MAR 2009

MUNICIPAL CORPORATION OF GREATER MUMBAI
FORM 'A'
MAHARASHTRA REGIONAL AND TOWN PLANNING ACT 1966
No. CE 4345 (B) SAT

5 MAR 2008

COMMENCEMENT CERTIFICATE

To
Mr. Lachhmi Kulkarni
C.A. 20, 100001

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Sir,

With reference to your application No. 7046 dt. 8/3/2007 for Development Permission and grant of Commencement Certificate under Section 41 and 69 of the Maharashtra Regional and Town Planning Act 1966, to carry out development and building permission under Section 34B of the Mumbai Municipal Corporation Act 1888 to erect a building in Building No. on plot No.

C.T.S. No. 79/A + 79/B Div. Village / Town Planning Scheme No. Mulund situated at Road / Street Vardha Baburam Ashutosh Marwarli

the Commencement Certificate / Building permit is granted on the following conditions -
The land vacated on consequence of the endorsement of the set back line and building line shall form part of the public street.

- 2) That no new building or part thereof shall be occupied or allowed to be occupied by any person until occupation permission has been granted.
- 3) The commencement certificate/ development permission shall remain in force for one year commencing from the date of its issue.
- 4) This permission does not entitle you to develop land which does not vest in you.
- 5) This commencement Certificate is renewable every year but such extended period shall be no more than three years provided further that such lapse shall not be any bar for application for fresh permission under section 44 of the Maharashtra Regional & Town Planning Act 1966.
- 6) This certificate is liable to be revoked by the Municipal Commissioner for Greater Mumbai if:
 - a) The Development work in respect of which permission is granted under this certificate is not carried out or the use thereof is not in accordance with the sanctioned plans.
 - b) Any of the conditions subject to which the same is granted or any of the restrictions imposed by the Municipal Commissioner for Greater Mumbai is contravened or not complied with.
 - c) The Municipal Commissioner for Greater Mumbai is satisfied that the same is obtained by the applicant through fraud or misrepresentation and the applicant and every person deriving title through or under him in such an event shall be deemed to have carried out the development work in contravention of Section 43 or 45 of the Maharashtra Regional and Town Planning Act 1966.

Geo - 229

7) The conditions of this certificate shall be binding not only on the applicant but on his heirs, executors, assignees, administrators and successors and every person deriving title through or under him.

The Municipal Commissioner has appointed Shri V. D. Ingawale
Executive Engineer to exercise his powers and functions of the planning Authority under section 45 of the said Act.

The C.C. is valid upto 4 MAR 2009

C.C. upto plinth level as per amended plan approved

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For and on behalf of Local Authority
The Municipal Corporation of Greater Mumbai

[Signature]
13/2008
Executive Engineer (Building Proposal)
Eastern Suburbs
M.C.



CE/4945/BPES/AT 30 JUL 2009

C.C. upto basement top slab level as per approved
plans dt. 8/9/2007

CE/4945/BPES/AT 18 AUG 2009

[Signature]
30.7.2009
Executive Engineer Building Proposal
(Eastern Suburbs.)

Full C.C. as per amended plan's dt. 8/9/2009

CE/4945/BPES/AT 12 AUG 2010

[Signature]
18.8.2010
Executive Engineer Building Proposal
(Eastern Suburbs.)

Full C.C. as per approved amended plan's dated 03/8/10

[Signature]

Ram B. Alpathy
Advocate High Court

TO WHOM SO EVER IT MAY CONCERN

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ALL THAT PIECE OR PARCELS OF
FREEHOLD VACANT LAND SITUATED AT
NAVCHARPADA, MULLUND (EAST),
MUMBAI - 400 081, IN THE REGISTRATION
SUB DISTRICT BANDRA OF BOMBAY
SUBURBAN DISTRICT, TALUKA KURLA,
ADMEASURING 1203 SQ. YDS. OR
THEREABOUT, BEARING SURVEY NO. 126,
HISSA NO. 6 PART OF NO. 7918

At the instance of Shri Virguler Kar, Partner
of the Registered Partnership firm i.e. M/s. Virguler & Co. (Pvt.) Ltd.,
owners of the land namely Mrs. Leela Chikhandi, Mrs. A. V. Chikhandi,
Triloknath Mani, Mr. Ashokkumar Triloknath Mani, Mrs. Raj P. Mani,
Mrs. Prasibha V. Kar, I have taken up the search of the above named property.

For the said purpose, I have caused the searches to be made through the search
clerk through Advocate M. Prabhakaran in the office of Sub-Registrar of Kurla
for the years from 1956 to 2009, On the basis of the search report the following
facts have been ascertained:

1. By and under Conveyance dated 29.07.1974, registered with
the Bombay Sub Registrar, one Khengar Hiji sold and



208, B. Market Shopping Centre, Station Road, Opp. Hotel Prashant, Goregaon (W), Mumbai - 400 082.
Telephone : 2874 7508 / 2872 9953. • E-mail : apatel@slpkm.net.in

conveyed a piece or parcel of freehold vacant land
admeasuring 22 1/4 Gunthas or thereabouts to Marya Pandu
Valty. The Vendors as heirs of the said Marya Pandu Valty
were absolutely seized and possessed or sufficiently entitled
to the said land.

2. By and under Agreement dated 17.01.1963 the vendors i.e.
Marya Pandu Valty had agreed to sell to the purchasers i.e.
Shri Trilokinath Gopinath Mam, the said vacant land and the
purchasers i.e. Shri Trilokinath Gopinath Mam, had paid the
earnest money for the same. By and under Indenture dated
13.01.1964, the Purchasers, had paid the full consideration
and the vendors had conveyed, sold, transferred the said land
in favour of the purchasers.

रतः
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3. A1 first piece or parcel of freehold vacant land situated at
Navgarpeda, Mulund (East), Mumbai - 400 081 in the
Registration Sub-District Bandra of Bombay Suburban
District Taluka Kurla, admeasuring 1208 Sq. Yards or
thereabout, bearing Survey No. 126 Hissa No. 6 (Part) has
been purchased by Shri Trilokinath Gopinath Mam, by and
under Indenture dated 13.01.1964 from Jagannath Marya
Valty, Akhar Marya Valty, Smt. Nagubai widow of Mahadev
Marya Valty, for herself & her minor sons Balkrishna
Mahadev Valty & Bahu Mahadev Valty as their mother and
natural guardian, Gopinil Mahadev Valty & Sowar Mahadev
Valty, who were therein called "the Vendors" and, Shri



[Signature]

Triloknath Gopinath Mann, was therein called "the Purchaser". The said Indenture has been adequately stamped as required under the Bombay Stamp Act, as the same prescribed then. It has also been registered at Serial No. 51 of 1984 at the Office of Sub-Registrar Bandra, as required under the provisions of the Transfer of Property Act and Registration Act.

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4. The said Shri Triloknath Gopinath Mann died at Bombay on 19.02.2002 leaving his Last Will and Testament dated 27.08.1998 bequeathing all properties and interest in the properties to Mrs. Leela Triloknath Mann, Mr. Ajitkumar Triloknath Mann, Mr. Ashok Kumar Triloknath Mann, Mrs. Raj A. Miskoon and Mrs. Pratibha V. Kar. Accordingly Mrs. Leela Triloknath Mann, Mr. Ajitkumar Triloknath Mann, Mr. Ashok Kumar Triloknath Mann, Mrs. Raj A. Miskoon and Mrs. Pratibha V. Kar became the owners of the said vacant land.
5. The aforesaid legal heirs have entered in to a family arrangement by executing a deed of family arrangement dated 11.12.2006. As per the said Deed of family arrangement all the legal heirs have agreed to develop the property "Monsion" and Mr. Virender Kar H/O Mrs. Pratibha V. Kar was given Power of Attorney for obtaining probate of the Will of late Mr. Triloknath Gopinath Mann and for redevelopment of the said property.



[Handwritten signature]

6. On 14.12.2006, Partnership has been constituted, among legal heirs of late Shri Triloknath Gopinath Mann, in the name and style as "M/s. Leela Enterprises". The partners of the said firm are desirous of carrying on business of construction of building at the said vacant land.

7. Thus, M/s. Leela Enterprises became fully entitled to develop the said vacant land. The building plans have been sanctioned by Municipal Corporation of Greater Mumbai they issued J. O. D. bearing No. 18B/CE/4945/BPES/AT dated 31.03.2007 and Commencement Certificate bearing No. CE/4945/BPES/AT dated 05.05.2008 in that regard. Amended plans also have been vide its letter No. CE/4945/BPES/AT dated 18.01.2008. Accordingly, M/s. Leela Enterprises had started construction of the building on the said vacant land.

Considering all the above facts stated herewith and considering the report made by the search clerk, I am of the opinion that title of the said M/s. Leela Enterprises a Partnership Firm through its Partners consisting of owners i.e. M/s. Leela Triloknath Mann, Mr. Ajitkumar Triloknath Mann, Mr. Ashokkumar Triloknath Mann, Mrs. Raj A. Musken and Mrs. Prathiba V. Kar, in respect of the above described property is marketable and free from all the encumbrances and reasonable doubts.

Ram B. Upadhyay

Advocate High Court

