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Date:

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Date: 01.06.2019

## TO WHOMSOEVER IT MAY CONCERN TITLE CLEARANCE CERTIFICATE

Sub: GES Plot No.18, Sector No.35F, Kharghar, Taluka Panvel District Raigad.

This is to certify that I have investigated the Title of M/S. OM SAI CONSTRUCTION a partnership firm through its partners (1) Mr Madhu B. Bathija (2) Shri Manish M. Bathija and (3) Mr Amit Madhu Bathija in respect of GES Plot No.18, Sector No.35F, Kharghar, Taluka Panvel District Raigad, admeasuring 5052.29 sq. mtrs. under GES 12.5% Scheme.

- 1. The City and Industrial Development Corporation of Maharashtra Ltd. (hereinafter called "the Corporation") is the new town Development Authority declared for the area designed as a site for the new town of Navi Mumbai by the Government of Maharashtra in exercise of its power vested under sub-Section 1 and 3(A) of Section 113 of the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) hereinafter referred to as the said Act.
- 2. The State Government in pursuant to Section 113(A) of the said Act acquired the land described therein and vesting such lands in the said Corporation for development & disposal.
- 3. By an Agreement to Lease dated 25.04.2007 executed by the City and Industrial Development Corporation of Maharashtra Ltd. therein and hereinafter

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referred to as "the Corporation" of the One Part in favour of (1) Shri Abdul Rashi Mohamad Abdulla (2) Smt Mumtaz Abdul Hamid Patel (3) Mrs Nazma B Abdulla Rashi and (4) Smt Rajya B Abdul Rashid therein referred to as the Licensee of Other Part, the Corporation has agreed to lease to the said Licensee, of under Gaothan Expansion Scheme of 12.5% Scheme, the said above Plot (hereinafter for the sake of brevity referred to as "the said Property") more particularly described in the schedule written thereunder for residential cum commercial use on 60 years lease and on the terms and conditions and at or for a lease premium as contained therein and the same was duly registered vide Document Serial No.PVL3-04504-2007 dated 25.04.2007.

- 4. And in pursuance the said Agreement to Lease, the said Corporation handed over possession of the said Plot to the Licensees therein, enabling them to construct a building or buildings for residential cum commercial use.
- 5. The said Smt Mumtaz Abdul Hamid Patel died on 02.01.2012 and the Hon'ble Civil Judge JD Panvel, in Misc Application No.767/2011 granted heirship Certificate in the name of (1) Mr Nisar Abdul Hamid Patel (2) Smt Mohseena Husenmiya Patel (3) Smt Anesa Hajimiya Patel (4) Smt Naseema Irfan Khamkar (5) Smt Saieeda Murturza Patel and (6) Smt Samina Abdul Hamid Namre as the legal heirs of late Smt Mumtaz Abdul Hamid Patel.
- 6. The Corporation, at the request of the said (1) Shri Abdul Rashi Mohamad Abdulla (2) Mr Nisar Abdul Hamid Patel (3) Smt Mohseena Husenmiya Patel (4) Smt Anesa Hajimiya Patel (5) Smt Naseema Irfan Khamkar (6) Smt Saieeda Murturza Patel (7) Smt Samina Abdul Hamid Namre (8) Mrs Nazma B Abdulla Rashi and (9) Smt Rajya B Abdul Rashid transferred and assigned the Lease hold rights, title and interest in the said Plot and benefits under the said Lease Agreement, from the name of the said Original Licensees to the name of M/s.

Ashirwad Builders & Developers through its Proprietor Shri Deepak C. Menghani the New Licensee, vide Tripartite Agreement dated 11.04.2016 and the same was duly registered vide Registration Receipt bearing Document Serial No.PVL-2-4260-2016 dated 12.04.2016 and subject to pending litigations bearing Regular Civil Suit No.124 of 2010, SCS No.55 of 2012, SCS No.619 of 2011, SCS No.503 of 2012 and WP No.10625 of 2014 and subject to the order that may be passed in such pending litigations.

- 7. The Corporation, at the request of the said M/s. Ashirwad Builders & Developers through its Proprietor Shri Deepak C. Menghani further transferred and assigned the Lease hold rights, title and interest in the said Plot and benefits under the said Lease Agreement, from the name of the said Licensee to the name of M/S. OM SAI CONSTRUCTION a partnership firm through its partners (1) Mr Madhu B. Bathija (2) Shri Manish M. Bathija and (3) Mr Amit Madhu Bathija the subsequent New Licensee, vide Tripartite Agreement dated 28.04.2017 and the same was duly registered vide Registration Receipt No.6120 bearing Document Serial No.PVL-4-4457-2017 dated 02.05.2017 and subject to pending litigations bearing Regular Civil Suit No.124 of 2010, SCS No.55 of 2012, SCS No.619 of 2011, SCS No.503 of 2012 and WP No.10625 of 2014 and subject to the order that may be passed in such pending litigations and issued the Final Order No. CIDCO/EMS/Scheme/Kharghar/305/2017/21368 dated 19.07.2017.
- 8. The CIDCO Ltd. by its letter under Reference No.CIDCO/BP-16619/TPO (NM&K)/2019/4695 dated 23.05.2019, granted permission to the Promoters to develop the said Plot and to construct building thereon comprising of 72 Flats and 14 commercial units, subject to the terms and conditions as contained therein and subject to the pending cases bearing Regular Civil Suit No.124 of 2010, SCS No.619 of 2011, SCS No.503 of 2012 and WP No.10625 of 2014 as mentioned therein.
- The said Plot is mortgaged to Indiabulls Housing Finance Limited, vide Deed of Mortgage dated 22.05.2018 document serial No.PVL4-6583-2018.
- 10. In pursuance of the Agreement to lease, Tripartite Agreements, Commencement Certificate, the said M/S. OM SAI CONSTRUCTION are fully entitled to develop the said Plot and to construct building thereon in accordance with commencement certificate and thereby authorized to sell/dispose off/deal with the units thereon to the prospective Purchasers.

I have gone through the Documents of title to the said Plot and subject to what is stated hereinabove, it is hereby certify that the title of M/S. OM SAI CONSTRUCTION in respect of the said Plot is clear, marketable and free from all encumberances.

Dated 1<sup>st</sup> day of June, 2019

IN WOWE

C. FERNANDES, ADVOCATE.