

# BHABAL & THAKUR ASSOCIATES

Date: 02/09/2013



## CERTIFICATE OF TITLE

Ref: - Immovable property admeasuring 1002.53 square meters or thereabouts of the land bearing Survey No.206/8, 207 & 208/3 situate at Village Majiwade, Taluka & District Thane, alongwith the building structure standing thereon bearing building no.21(New) known as "M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LIMITED" at Vartak Nagar, Thane (West).

Developers of the Land: M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT. LTD.

### DISCRIPTION OF THE PROPERTY:-

Immovable property admeasuring 1002.53 square meters or thereabouts of the land bearing Survey No.206/8, 207 & 208/3 situate at Village Majiwade, Taluka & District Thane, alongwith the building structure standing thereon bearing building no.21(New) known as "M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LIMITED" at Vartak Nagar, Thane (West) (hereinafter referred to as the "said lands").

### TRACING OF TITLE AND OBSERVATION ON DOCUMENTS PRODUCED:

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A handwritten signature or set of initials, possibly "B&amp;T", written in black ink.

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- (1) WE HAVE CAREFULLY PERUSED AND EXAMINED ORIGINAL COPIES OF THE FOLLOWING DOCUMENTS FORWARDED BY YOU :-
- a) Copy of Lease Deed dated 22/03/2004 and registered in the office of Sub-Registrar of Assurances at Thane-2 under Serial No.TNN-2/02972/2004 dated 16/04/2004 executed by and between MAHARASHTRA HOUSING BOARD & AREA DEVELOPMENT AUTHORITY (MHADA) as the "LESSOR" of the First Part and M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD as the "LESSEE" of the Other Part.
  - b) Copy of Registration Receipt bearing no.2976 dated 16/04/2004 issued by Sub-Registrar of Assurances at Thane-2
  - c) Copy of Index-II dated 16/04/2004 issued by Sub-Registrar of Assurances at Thane-2 in the name of M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD.
  - d) Copy of Deed of Conveyance dated 23/03/2004 and registered in the office of Sub-Registrar of Assurances at Thane-2 under Serial No.TNN-2/02973/2004 dated 16/04/2004 executed by and between MAHARASHTRA HOUSING BOARD & AREA DEVELOPMENT AUTHORITY (MHADA) as the "VENDOR" of the First Part and M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD as the "PURCHASER" of the Other Part.
  - e) Copy of Registration Receipt bearing no.2977 dated 16/04/2004 issued by Sub-Registrar of Assurances at Thane-2



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- f) Copy of Index-II dated 16/04/2004 issued by Sub-Registrar of Assurances at Thane-2 in the name of M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD.
- g) Copy of Certificate of Incorporation dated 31/03/1981 forming M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD.
- h) Copy of Minutes of Extra Ordinary General Meeting of M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD held on 31/03/2010.
- i) Copy of Letter of Appointment dated 03/04/2010 issued by M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD in favour of M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD.
- j) Copy of Letter of Acceptance dated 05/04/2010 issued by M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD in favour of M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD.
- k) Copy of Development Agreement dated 08/06/2010 and registered in the office of Sub-Registrar of Assurances at Thane-5 under Serial No.TNN-5/6233/2010 dated 11/06/2010 executed by and between M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD of the First Part And M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD of the Other Part.
- l) Copy of Index-II dated 11/06/2010 issued by Sub-Registrar of Assurances at Thane-5 in the name of M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD.



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- m) Copy of Power of Attorney dated 08/06/2010 and registered in the office of Sub-Registrar of Assurances at Thane-5 under Serial No.TNN-5/517/2010 dated 08/06/2010 executed by M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD in favour of MRS. ANITA RAJESH MUTHA, Director of M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD.
- n) Copy of Registration Receipt bearing no.517 dated 08/06/2010 issued by Sub-Registrar of Assurances at Thane-5.
- o) Copy of Offer Letter issued by MHADA bearing no. CO/KB/ARCH/NOC/1602/2010 dated 04/09/2010.
- p) Copy of NOC for Redevelopment issued by MHADA bearing no. CO/KB/ARCH/NOC/1939/2010 dated 21/10/2010.
- q) Copy of Sanction of Revised layout of Vartak Nagar permission issued by Thane Municipal Corporation (T.M.C.) vide its letter bearing no.VP NO.90/150, TMC/TD-DP/TPS/482 Dated 30/10/2009.
- r) Copy of Sanction of Development Permission (IOD) issued by Thane Municipal Corporation (TMC) vide its letter bearing no. VP.NO/S04/0029/10, TMC/TDD/0576/12 dated 02/04/2012.
- s) Copy of Commencement Certificate issued by Thane Municipal Corporation (TMC) vide its letter bearing no. VP.NO/ S04/0029/10, TMC/TDD/0747/13 dated 09/01/2013.
- t) Copy of Commencement Notice issued by Thane Municipal Corporation (TMC) vide its letter bearing no.TMC/5671/SVV dated 16/01/2013.



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- u) Copy of Revised Commencement Certificate issued by Thane Municipal Corporation (TMC) vide its letter bearing no. VP.NO/ S04/0029/10, TMC/TDD/0803/13 dated 05/03/2013.
- v) Copy of amended sanction of Development permission/ Commencement Certificate issued by Thane Municipal Corporation (T.M.C.) vide its letter bearing no. VP.NO/ S04/0029/10, TMC/TDD/0917/13 dated 13/08/2013
- w) Copy of 7x12 extract issued by Talathi Saja Majiwade, Taluka & District Thane.

(2) ON RELYING UPON INFORMATION GIVEN ARE AS TRUE, WE OBSERVED THAT :

- a) It is observed from 7x12 extract issued by Talathi Saja Majiwade, Taluka & District Thane that MHADA represented through Housing Board Commissioner is the owner of the said lands.
- b) It appears that building no.21 known as SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD, a co-operative housing society consisting of 40 tenements constructed on the said land and was duly incorporated under the provisions of Maharashtra State Co-operative Societies Act, 1960 vide Reg.No. TNA/HSG/1505/1981 dated 31/03/1981.
- c) It is observed that by a Lease Deed dated 22/03/2004 and registered in the office of Sub-Registrar of Assurances at Thane-2 under Serial No.TNN-2/02972/2004 dated 16/04/2004 executed by and between MAHARASHTRA HOUSING BOARD & AREA DEVELOPMENT AUTHORITY (MHADA) as the "LESSOR" of the First Part and M/s SHRI



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SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD (hereinafter referred to as the "Society") as the "LESSEE" of the Other Part, whereby the MHADA had agreed to lease the said land to the said society for the period of 90 years commencing from 01/04/1980.

- d) It appears that Sub-Registrar of Assurances at Thane-2 was please to issue Registration Receipt bearing no. 2976 dated 16/04/2004.
- e) It appears that Sub-Registrar of Assurances at Thane-2 was please to issue Index-II dated 16/04/2004 in the name of M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD.
- f) It is observed that by a Deed of Conveyance dated 23/03/2004 and registered in the office of Sub-Registrar of Assurances at Thane-2 under Serial No.TNN-2/02973/2004 dated 16/04/2004 executed by and between MAHARASHTRA HOUSING BOARD & AREA DEVELOPMENT AUTHORITY (MHADA) as the "VENDOR" of the First Part and M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD as the "PURCHASER" of the Other Part, whereby the MHADA had agreed to convey and transfer the said land in favour of the said society for the total consideration of Rs.3,20,560/- (Rupees Three Lakhs Twenty Thousand Five Hundred & Sixty Only).
- g) It appears that Sub-Registrar of Assurances at Thane-2 was please to issue Registration Receipt bearing no.2977 dated 16/04/2004.

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- h) It appears that Sub-Registrar of Assurances at Thane-2 was please to issue Index-II dated 16/04/2004 in the name of M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD.
- i) It is observed from the Minutes of the Extra Ordinary General Meeting of the said society that the said society was pleased to hold an Extra Ordinary General Meeting dated 31/03/2010 for the purpose of finalizing the terms of Re-development of the said society with the developers i.e. with M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PRIVATE LIMITED.
- j) It appears that the said society was please to issue Letter of Appointment dated 03/04/2010 in favour of M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD, intimating the appointment as "Developers" for the purpose of Re-development work of the said society as per the terms and conditions duly finalized between the society and the developers.
- k) It appears that the developers was please to issue Letter of Acceptance dated 05/04/2010 in favour of M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD, accepting the appointment made by the said society as "Developers" for the work of Re-development of the said society.
- l) It is observed that by a Development Agreement dated 08/06/2010 and registered in the office of Sub-Registrar of Assurances at Thane-5 under Serial No.TNN-5/6233/2010 dated 11/06/2010 executed by and between M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD of the First Part And M/s

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EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD of the Other Part; the developers have agreed to undertake the Re-development work of the said society upon the terms and conditions mentioned therein.

- m) It appears that Sub-Registrar of Assurances at Thane-5 was please to issue Index-II dated 11/06/2010 in the name of M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD.
- n) It is observed that by a Power of Attorney dated 08/06/2010 and registered in the office of Sub-Registrar of Assurances at Thane-5 under Serial No.TNN-5/517/2010 dated 08/06/2010 executed by M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LTD in favour of MRS. ANITA RAJESH MUTHA, Director of M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD; the said society have executed a power of attorney in favour of the developers and authorized the developers to do, act and perform various deeds, matters and things jointly or severally in respect of the Re-development work of the said society as mentioned therein.
- o) It appears that Sub-Registrar of Assurances at Thane-5 was please to issue Registration Receipt dated 08/06/2010.
- p) It appears that MHADA was please to issue Offer Letter vide its letter bearing no.CO/KB/ARCH/NOC/1602/2010 dated 04/09/2010 in respect of Re-development of the said society by using additional FSI of existing building no.21 and whereby MHADA had also directed to pay the sum of Rs.1,43,38,817/- (Rupees One Crore Forty Three





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Lakhs Thirty Eight Thousand Eight Hundred & Seventeen Only).

- q) It appears that MHADA was please to issue NOC vide its letter bearing no.CO/KB/ARCH/NOC/1939/2010 dated 21/10/2010 in respect of Re-development of the said society by using additional FSI of existing building no.21.
- r) It appears that Thane Municipal Corporation (TMC) was please to issue Sanction of Revised layout of Vartak Nagar vide its letter bearing no.VP NO.90/150, TMC/TD-DP/TPS/482 Dated 30/10/2009.
- s) It appears that Thane Municipal Corporation (TMC) was please to issue Sanction of Development Permission (IOD) vide its letter bearing no.VP.NO/S04/0029/10, TMC/TDD/0576/12 dated 02/04/2012.
- t) It appears that Thane Municipal Corporation (TMC) was please to issue Commencement Certificate vide its letter bearing no.VP.NO/S04/0029/10, TMC/TDD/0747/13 dated 09/01/2013.
- u) It appears that Thane Municipal Corporation (TMC) was please to issue Commencement Notice vide its letter bearing no. TMC/5671/SVV dated 16/01/2013.
- v) It appears that Thane Municipal Corporation (TMC) was please to issue Revised Commencement Certificate vide its letter bearing no.VP.NO/S04/0029/10, TMC/TDD/0803/13 dated 05/03/2013.
- w) It appears that Thane Municipal Corporation (TMC) was please to issue amended sanction of Development permission/Commencement Certificate vide its letter bearing no.VP.NO/S04/0029/10, TMC/TDD/0917/13 dated 13/08/2013.



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(3) CONCLUSION :

After careful consideration of the documents and as observations mentioned hereinabove, we are of the opinion that the developers M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD are Re-developing the building no.21(New) known as "M/s SHRI SIDDHI VINAYAK CO-OPERATIVE HOUSING SOCIETY LIMITED" at Vartak Nagar, Thane (West) situated on the said lands as per approved plans and necessary sanctions and as per the terms of Re-development Agreement.

(4) FINAL CERTIFICATE:

Based on the investigation carried on by us and subject to what is stated hereinabove we are of the view of that the developers M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD have rights of development of the said lands.

As per the documents, observations and conclusion stated hereinabove, We hereby certify that the developers M/s EKDANTA CONSTRUCTIONS & DEVELOPERS PVT LTD would derive a valid, clear, marketable, unencumbered title in respect of the subject property (the said land), as stated hereinabove.

The file and papers forwarded by you are returned herewith. Kindly acknowledge the receipt.

Yours faithfully,



**BHAKTI VINOD THAKUR**

**B.Com. LLB**

**Advocate High Court**

**Office:227, Thakur Arcade,**

**3rd Floor, Station Road,**

**Virar (W), Tal: Vasal, Dist. Thane.**