

**TO WHOMSOEVER IT MAY CONCERN**

**REF: All that piece or parcel of land admeasuring about 1237 sq.mts bearing Survey No. 14(Part) CTS No. 16(part) Plot No. NDR 30 between Building No. 6-5 & 3-4, Tilak Nagar, Chembur, Mumbai- 400 089 in the Registration Sub-District of Kurla, Mumbai Suburban District.**

**M/S. HAWARE HOUSING**, a partnership firm duly registered under the Indian Partnership Act, 1932 and having its place of business at 2305, 23<sup>rd</sup> floor, Haware Infotech Park, Sector 30A, Vashi Navi Mumbai – 400 705, hereinafter referred to as "**THE PROMOTER**" approached us for the issuance of the title certificate in respect of the subject project land.

To investigate the title of the project land and to issue the title certificate we caused the searches to be carried out in the office of Sub-Registrar of Bandra & Mumbai (Manual Index) from 2005 to 2020 (16 years) and in the office of Sub-Registrar of Chembur (Manual Index) from 2005 to 2020 (16 years) office of Sub-Registrar of Mulund (Computerized Index) from 2005 to 2020 (16 years). We also perused the documents, deeds and letters produced before us by the Promoter. Going through the Search Report and the documents we have to state as under:

- I. The Bombay Housing and Area Development Board (THE BOARD) is an authority constituted under Section -18 of Maharashtra Housing and Area Development Act, 1976 ("the said Act") for the purpose of carrying out the aims and objects which Maharashtra Housing and Area Development Authority (THE AUTHORITY) is ordained to do under the said Act.
- II. The BOARD carries out its functions under the overall control and subject to the directions given by the AUTHORITY.
- III. The AUTHORITY and the BOARD have been vested with the power of disposing the lands under Section 16 of the said Act;
- IV. One M/s. Bhadrakali Co-op. Housing Society, (then proposed) (hereinafter referred to as "the Society" by an application requested the BOARD to allot a piece and parcel of land for construction of the building for its members;
- V. By a Letter of Allotment dated the 5<sup>th</sup> February, 2002, the BOARD agreed to allot a piece and parcel of land bearing Plot No. NDR-30 containing by admeasurement an area of 1237 sq.mtrs. lying being and situate on CTS 16 (pt) at Tilak Nagar, MHADA Colony,

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Chembur (w), Mumbai-400 089 more particularly set out in the schedule hereunder written (hereinafter referred to as "the Project Land") to the Society on the terms and condition as set out in the Letter of Allotment dated the 5<sup>th</sup> February, 2002;

VI. The Society paid the lease premium in respect of the said plot to the  
BOARD;

VII. By an Indenture of Lease dated the 12<sup>th</sup> December, 2003 the MHADA granted the project land being NDR-30 containing by admeasurement an area of 1237.00 sq.mtrs. lying being and situate on CTS 16 (pt) at Tilak Nagar, MHADA Colony, Chembur (w), Mumbai-400 089 on lease to the Society on the terms and conditions more particularly described in the Schedule hereunder written.

VIII. By Agreement of Development dated the 13<sup>th</sup> February, 2004 the Society granted to M/s. Haware Engineers & Builders Private Limited (HEBPL), the development rights of the project land on the terms and conditions more particularly set out in the said Agreement for Development dated the 13<sup>th</sup> February, 2004. The said Agreement was duly registered with the office of Sub-Registrar of Assurances, Kurla under Sr. No. 1403/2004. The Society also granted the Power

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of Attorney for development of the plot to HEBPL dated the 5<sup>th</sup> September, 2006. The Society applied to the MHADA for grant of NOC for carrying out the construction on the said plot.

- IX. The MHADA, by its letter dated 5<sup>th</sup> November, 2004 granted the NOC on the terms and conditions more specifically set out in the said letter dated the 5<sup>th</sup> November, 2004.
- X. The Municipal Corporation of Greater Mumbai (MCGM) issued the I.O.D. dated 4<sup>th</sup> January, 2005 for the construction of residential building on the said plot on the terms and conditions more specifically set out in the I.O.D. dated 4<sup>th</sup> January, 2005.
- XI. The MCGM issued the Commencement Certificate dated 14<sup>th</sup> March, 2005 bearing Ref. No. CE/5796/BPES/AC.
- XII. The Executive Engineer, Bldg. Prop (E/S) approved the plans by his letter dated the 14<sup>th</sup> December, 2007 bearing Ref. No./CE/5746/BPES/AM for the construction of building of basement and stilt plus four floors subject to the terms and conditions set out in the said letter.

XIII. HEBPL though commenced the construction of the building but could not carry it further towards the completion due to local disturbances.

XIV. Meanwhile the Commencement Certificate dated the 14<sup>th</sup> March, 2005 was revalidated from time to time till 13<sup>th</sup> March, 2011 by the Building Permission Cell, Greater Mumbai/MHADA.

XV. The Building Permission Cell, Greater Mumbai/ MHADA has again by its letter dated the 6<sup>th</sup> November, 2019 bearing Ref. No. EE/(B.P)/GM/MHADA/DE (East)/ 2112/2019 revalidated the C.C. from 13<sup>th</sup> March, 2011 to 12<sup>th</sup> March, 2020 subject to the terms and conditions mentioned in the earlier approval accorded vide. CE/5796/BPES/AM dated 14.12. 2007. Hereto annexed and marked *Annexure "B"* is the copy of the letter dated the 6<sup>th</sup> November, 2019 for revalidation of C.C.

XVI. Exercising the power vested into them by Cl. 22 of the Development Agreement, HEBPL by a Deed of Assignment of Development Rights dated the 27<sup>th</sup> November, 2019 assigned the development rights of the said plot in favour of the Promoter on as-is-where-is basis and specifically on the terms and conditions more specifically

set out in the Deed of Assignment of Development Rights dated the 27<sup>th</sup> November, 2019. The Deed of Assignment of Development rights was duly registered with the Sub-Registrar of Assurances, Kurla-5 under Sr. No. 15724/2019. The Deed of Assignment of Development Rights was confirmed by the Society.

XVII. In the wake of execution of the Deed of Assignment of Development Rights dated the 27<sup>th</sup> November, 2019 the Society also executed Power of Attorney dated the 27<sup>th</sup> November, 2019 empowering and authorizing Shri. Suresh Kashinath Haware & Shri Amit Haware, partners of the Promoter to do all acts, deeds and things including the sale of the premises in the name of the Society as set out therein. The said Power of Attorney was also duly registered with the Sub-Registrar of Assurances, Kurla-5 under Sr.No.15726/17.

XVIII. We are therefore of the opinion that the title of **M/S. HAWARE HOUSING**, the Promoter herein in respect of the development of the project land is clear and marketable, subject to it complying with all the terms and conditions of the Indenture of Lease dated the 12<sup>th</sup> December, 2003 and the Deed of Assignment of Development Rights

dated the 27<sup>th</sup> November, 2019 and the terms and conditions of the commencement certificate.

**THE SCHEDULE ABOVE REFERRED TO**

All that piece and parcel of land bearing Survey No.14 (pt) C.T.S. 16 Part, Plot No. NDR 30 containing by admeasurement an area of 1237 sq.mts. between Building No. 3-4 & 5-6, lying being and situate at Tilak Nagar, Chembur, Mumbai- 400 089 in the Registration Sub-Dist. Bandra, Mumbai Suburban District or thereabout and bounded as under:

On or towards the North : Bldg. No.5 & 6;  
On or towards the South : Bldg. No.3 & 4;  
On or towards the East : Road;  
On or towards the West : Road.

**Dated this 19<sup>th</sup> day of February, 2020.**

**for M. Tripathi & Co.,**

  
**(Proprietor)**