

TO WHOMSOEVER IT MAY CONCERN

REF: All that piece or parcel of land admeasuring 810.48 sq.mtrs bearing Survey No. 236-A, City Survey No. 185 (pt) at Panth Nagar, Ghatkopar (East) Mumbai – 400 075, together with the building standing thereon being Building no. 75 bearing Municipal Assessment No. N-1091(2) 75, within the registration district and sub-district of Mumbai Suburbs and within the limits of Municipal Corporation of Greater Mumbai.

M/S. HAWARE BUILDERS, through its Sole Proprietor SHRI. SANJAY KASHINATH HAWARE, having his office at 501, Vashi Infotech Park, Sector – 30A, Vashi Navi Mumbai – 400 705 (hereinafter referred to as "THE PROMOTER") has approached us and plaed in our hands instrument, documents, letters, orders etc. with instructions to examine them to ascertain the clarity and marketability of his title to the land and for the issuance of the title certificate in respect of the above referred property.

On going through the documents, deeds and letters produced before us by the Promoter, we have to state as under:

A. WHEREAS:

- I. The Maharashtra Housing and Area Development Authority (MHADA) is an Authority duly constituted under Section – 3 of the

Maharashtra Housing and Area Development Act, 1976 having its office at Gruh Nirman Bhavan, Kala Nagar, Bandra (E), Mumbai.

II. The MHADA has constructed building No. 75 comprising of 30 residential tenements upon a piece of land admeasuring 810.48 Sq.mtrs. bearing Survey 236-A, C.T.S. No. 185 (pt) lying, being and situate at Pant Nagar, Ghatkopar (E) Mumbai- 400 075 (more particularly described in the schedule hereunder written). For the sake of convenience above referred plot of land is hereinafter referred as **“Project Land”** and above referred building No. 75 is hereinafter referred to as **“Said Building”** and Project Land and said building jointly hereinafter referred to as **“said Property”**. The said building was constructed by MHADA for housing of persons belonging to Lower Income Group (LIG) as provided in its Scheme and allotted 30 residential tenements to the individual allottees. Thereafter, since the year 1990 the said allottees have been in un-interrupted and absolute possession of the said property.

III. The said allottees have formed a Co-operative Housing Society under name and style as **M/S. PANTNAGAR VRINDAVAN CO-OP. HOUSING SOCIETY LTD** a Society duly registered under the

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Maharashtra Co-Operative Society Act 1960 (Reg. No. BOM/HSG/7752 dated 30/01/1982) ("the Society").

- IV. By an Indenture of Lease dated the 26th June, 1990 the Mumbai Housing & Area Development Board (the Board) on behalf of the MHADA granted lease of the Project Land in favour of the Society for the tenure and on the terms and conditions as contained therein. The said Deed of Lease has been duly registered with the office of the Sub-Registrar, Mumbai under Sr. No. 1393/26.06.90.
- V. By a Deed of Sale dated the 26th June, 1990, the Board on behalf of the MHADA also conveyed the said Building in favour of the Society for the price and on the terms and conditions as contained therein. The said Sale Deed has been duly registered under with the office of the Sub-Registrar, Mumbai -2 under Sr. No. 1394/26.06.90.

B. WHEREAS:

- I. Regulation 33(5) of the Development Control Regulations for Greater Mumbai (DCR) and the Rules and Regulations framed under the Maharashtra Housing and Area Development Act, 1976 (as amended upto date) provides for the redevelopment of existing housing Scheme of MHADA.

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- II. The said building being in a dilapidated condition and the Society (along with its members) were desirous of redeveloping the said property by demolishing the existing building and reconstructing a new building thereon.
- III. On application of the Society, MHADA issued an offer letter dated the 17th March, 2010 bearing Ref.No.CO/MB/Arch/NOC/F-215/1649/2010 to the Society and requested the Society to make the payment towards the use of balance area on the Project Land and also for complying with the other terms and conditions of the said letter.
- IV. That the Society vide its letter dated the 1st April, 2010 appointed M/s. Shri Milind Fulzele of M/s Space Design as its Architect.
- V. On the payment of the premium as per the offer letter dated the 12th April, 2010, bearing Ref. No. CO/MB/Arch/NOC/F-215/2397/2010 the MHADA issued a letter dated the 12th April, 2010, stating therein that since the Society had complied with all the requisites of NOC, the MHADA had no objection to the Society undertaking construction on the Project Land.

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- VI. That the Municipal Corporation of Greater Mumbai (MCGM) issued IOD dated the 10th June, 2010 in favour of the Society under Section 346 of the Mumbai Municipal Corporation Act.
- VII. That the MCGM approved the plans and granted the Commencement Certificate dated the 4th February, 2011.
- VIII. Thereafter the MCGM approved the amended plans and granted the Amended Commencement Certificate dated the 9th November, 2011.
- IX. The Society however could not carry out the work of construction due to paucity of funds and lack of building construction expertise.
- X. The Promoter approached the Society and offered to re-develop the building of the Society by his offer letter dated the 7th August, 2016.
- XI. The Society in its Special General Body Meeting on 7th August, 2016 agreed to accept the proposal of the Promoter and grant the rights of the redevelopment of the said property to the Promoter.
- XII. Each of the members of the Society executed Agreement cum Consent dated 16th December, 2016 in favour of the Promoter for the grant of redevelopment rights of the Project Land in his favour.



XIII. On application of the Society, MHADA issued an offer letter dated the 6th July, 2017 bearing Ref.No.CO/MB/REF/NOC/ F.215/973/2017 to the Society inter alia stating therein that its proposal for redevelopment and utilization of additional BUA of 1260 sq. mtrs under Revised DCR 33(5) was approved subject to its complying with the terms and conditions of the said letter.

XIV. The Promoter paid the premium, scrutiny fees and other charges as per the offer letter dated the 6th July, 2017.

XV. By an Agreement for Redevelopment dated the 24th July, 2017, the Society granted the redevelopment rights of the said property to the Promoter on the terms and conditions more specifically set out in the said Agreement of Redevelopment dated the 24th July, 2017. The said Agreement for Redevelopment was duly registered with the Sub-Registrar of Assurances, Kurla under Sr.No. 7328/17.

XVI. In the wake of execution of the Agreement for Redevelopment the Society also executed Power of Attorney dated the 24th July, 2017 empowering and authorizing Shri. Sanjay Haware 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 under Sr.No.7329/17.

- XVII. The Architect Mr. Milind Fulzele of M/s. Space Design submitted the list of the indicative concessions for the redevelopment along with plans for building consisting of Wing A and Wing B having ground (pt) shops plus stilt (pt) plus 15 upper floors. The same was approved by the Municipal Commissioner on 8th December, 2017.
- XVIII. The Architect thereafter submitted the amended plans in respect of the said project to the Executive Engineer (B.P), SPA, MHADA (Mumbai Board).
- XIX. The MHADA by its letter dated the 9th October, 2018 bearing Ref. No. CO/MB/REE/NOC/F-215/1658 /2018 granted the NOC for the allotment of additional buildable area and pro rata-BUA of layout of the new building on the terms and conditions set out in the said letter dated the 9th October, 2018.
- XX. The Building Permission Cell, Greater Mumbai, MHADA issued a letter dated the 10th December, 2018 to the Promoter stating therein

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