



**SOLICIS LEX**

Advocates and Solicitors

January 23, 2018

**Title Certificate**

**Introduction:**

We have verified the title of **THE MITRADWAR CO-OPERATIVE HOUSING SOCIETY LIMITED** having its office at "Ravikiran", Mahatma Phule Road, Opp. C. D. Deshmukh Garden, Mulund (East), Mumbai-400081 (hereinafter referred to as the "**Society**") to all that piece or parcel of land bearing CTS No. 507/4 admeasuring about 774.2 (Seven Hundred and Seventy Four Point Two) sq. mtrs. or thereabouts of Village Mulund (East), Taluka Kurla, District Mumbai Suburban within the limits of Greater Mumbai City and Mumbai Suburban ("**Land**") along with a building standing thereon known as "Ravikiran" consisting of ground + 3 (Three) upper floors comprising of 15 (Fifteen) residential flats and 2 (Two) garages ("**Building**") and situated at Mahatma Phule Road, Opp. C. D. Deshmukh Garden, Mulund (East), Mumbai-400081. The Land and Building may, hereinafter, be collectively referred to as the "**Property**" for the sake of convenience, as more particularly described in the Schedule hereunder written.

**The process followed:**

- (1) We have perused the copies of the title deeds and other papers produced for our perusal. The list of such title deeds and other papers are set out in **Annexure "1"** hereto.
- (2) The Developer has caused a search to be taken in the offices of Sub-Registrar of Assurances at Bandra, Chembur, Nahur & Mumbai vide search receipt No. 11643 of 2017 for a period from 1988 to 2017 (30 years) in respect of the scheduled Property ("**Search**") and produced Search report to us.
- (3) We have published 2 (Two) notices in 2 (Two) newspapers in the locality 1 (One) in English newspaper called Business Standard and the other in Marathi newspaper called Navshakti, both published on August 19, 2017, inviting claims of any party or person to the scheduled property ("**Public Notices**").
- (4) We have obtained declaration dated January 22, 2018 from the Society regarding title of the Property.
- (5) We have also raised requisition on title to the Society, which has been replied by the Society.

**The flow of title:**

On perusal of the title deeds, our observation is as under:

- (1) One Smt. Padmagauri Jagdish Chanchani ("Original Owner") was absolutely seized and possessed or otherwise well and sufficiently entitled to the Land.
- (2) By virtue of an agreement for sale dated July 8, 1971 entered into between the Original Owner, as the owner/original vendor, and Shri. B. R. Bhide, as the purchaser, the Original Owner sold the Land to Shri. B. R. Bhide for a consideration and on the terms and conditions more particularly mentioned therein.
- (3) Thereafter, by virtue of an agreement for sale dated June 15, 1972 entered into between Shri. B. R. Bhide, as the vendor, and M/s. Bhavani Builders ("Bhavani Builders"), as the purchasers, Shri. B. R. Bhide sold the Land to Bhavani Builders for the consideration and on the terms and conditions more particularly mentioned therein.
- (4) Bhavani Builders submitted and got approved from the Municipal Corporation of Greater Mumbai ("MCGM") building plans for construction of the Building on the Land.
- (5) Thereafter, Bhavani Builders developed the Land by constructing the Building. The flats and garages in the Building were sold to various purchasers.
- (6) The construction of the Building on the Land was completed and Building Completion Certificate ("BCC") no. CE/1096/KS11/AT was issued by the Municipal Corporation of Greater Mumbai ("MCGM").
- (7) Thereafter, the various purchasers formed the Society in the year 1976. These purchasers then became members of the Society.
- (8) Since, Bhavani Builders failed to execute the required conveyance for conveying the right, title and interest in the Property in favour of the Society, the Society made an application to the competent authority under 5A of the Maharashtra Ownership Flats Act, 1963 ("MOFA") for issuing a certificate of entitlement to the Society to have deemed conveyance executed in its favour.
- (9) The Competent Authority and Dist. Dy. Registrar, Co-op Eastern Suburbs, Mumbai issued a certificate of entitlement in terms of sub section (4) of

Section (11) of MOFA vide its order bearing no. 1497/ 2013 dated June 26, 2013.

- (10) Accordingly, by a deed of conveyance dated January 22, 2015 registered with the Sub-Registrar of Assurances at Kurla -1 under serial no. 3349 of 2015, the Property was granted, sold, conveyed and assured unto the Society by the competent authority and Dy. Registrar Co-op. Mumbai City -2.
- (11) Pursuant to the above, the Society became seized and possessed of or otherwise well sufficiently entitled to as the owner of the Property. The name of the Society has been updated in the property card.
- (12) The Search report dated September 16, 2017 did not reveal any adverse entry/transfer in respect of the scheduled Property.
- (13) We did not receive any adverse claim in response to the Public Notices.
- (14) The Society has given us a declaration dated January 22, 2018 regarding title of the Society in respect of the scheduled Property declaring, *inter alia*, that there are no encroachments, encumbrances and no FSI norms violation in respect of the Buildings and title of the Society to the scheduled Property is clear and marketable and free from all encumbrances.
- (15) The Society has also responded to the requisitions raised by us, which did not reveal any adverse remark pertaining to the title of the scheduled Property.
- (16) The development plan remark dated September 8, 2017 issued by the Municipal Corporation of Greater Mumbai, under the Development Control Regulations for Greater Mumbai 1991, indicates that the CTS no. 507/4 falls within the Residential zone and there are no reservations on the said land. However, there is one existing road affecting the land.
- (17) The development plan remark dated September 7, 2017 issued by the Municipal Corporation of Greater Mumbai, under the Draft Development Plan 2034, also indicates that the CTS no. 507/4 falls within the Residential zone and there are no reservations on the said land. However, there is one existing road affecting the land.

**Certificate:**

Subject to the aforesaid and assumption, qualification and limitation set out herein, we do hereby certify that the title of the Society to the Property is clear and marketable.

**SCHEDULE ABOVE REFERRED TO**

**ALL THAT** piece or parcel of land bearing CTS No. 507/4 admeasuring about 774.2 square meters (Seven Hundred and Seventy Four Point Two square meters) or thereabouts of Village Mulund (East), Taluka Kurla, District Mumbai Suburban within the limits of Greater Mumbai City and Mumbai Suburban along with a building standing thereon known as "Ravikiran" consisting of ground + 3 (Three) upper floors comprising of 15 (Fifteen) residential flats and 2 (Two) garages and situated at Mahatma Phule Road, Opp. C.D.Deshmukh Garden, Mulund(East), Mumbai-400081 and bounded by:

On or towards the North by: Veena Apartments CHS Ltd.

On or towards South by: Satnam Apartments CHS Ltd.

On or towards West by: Chandravijay CHS Ltd.

On or towards East by: Private road leading to Mahatma Phule Road Mulund (E)

**For Solicis Lex & Associates**

  
**Mr. Devang Mehta**  
**Advocate & Solicitor**

**Annexure "1"**

Sr. No.	Particulars
1.	A copy of the deed of conveyance dated January 22, 2015 registered with the Sub-Registrar of Assurances at Kurla -1 under serial no. 3349 of 2015
2.	A copy of the Building Completion Certificate ("BCC") no. CE/1096/KS11/AT
3.	Search Report for the scheduled Property dated September 16, 2017
4.	A copy of the development plan remark dated September 8, 2017 issued by the Municipal Corporation of Greater Mumbai under the Development Control Regulations for Greater Mumbai 1991.
5.	A copy of the development plan remark dated September 7, 2017 issued by the Municipal Corporation of Greater Mumbai under the Draft Development Plan 2034.
6.	A copy of the Property Register Card in respect of CTS no. 507/4
7.	Declaration dated January 22, 2018 issued by the Society
8.	Response to the requisitions sent by the Society on January 22, 2018