

ADV. PINKY SWAMI

Plot 72, Sector 7, Charkop, Kandivali West, Mumbai-400067

E-mail: swamipinky09@gmail.com | Contact: +91-7045171355

Title Clearance Certificate

Description of the land

Building known as Ekta SRA Co-operative Housing Society (Prop), constructed on Plot bearing CTS no. 1(pt), admeasuring 4450.23 sq. meters, of village Deonar Ghatkopar – Mankhurd Link Road Deonar Mumbai - 400043.

Boundaries:-

1. East- 1A part remaining
2. West- 1A part remaining
3. North- 1A part remaining
4. South- 1A part remaining

Devolution of Title / Title Flow/Opinion/Observation:

- a) Government of Maharashtra is the owner of Plot bearing CTS no. 1(pt), admeasuring 4450.23 sq. meters, of village Deonar Ghatkopar – Mankhurd Link Road Deonar Mumbai – 400043.
- b) And, the land bearing Plot bearing CTS no. 1(pt), admeasuring 4450.23 sq. meters, of village Deonar Ghatkopar – Mankhurd Link Road Deonar Mumbai – 400043 was occupied by Slum Dwellers.
- c) Thereafter, the slum dwellers residing on land CTS no. 1part admeasuring 4527.15 sq. meters of village Deonar Ghatkopar – Mankhurd Link Road Deonar Mumbai – 400043 & proposed to form Ekta SRA Co-operative Housing Society (Prop) & resolved to re-develop the said land in their occupation by implementing the Slum Rehabilitation Scheme.

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- d) Later, members of the proposed Ekta SRA Co-operative Housing Society (Prop) held General Body meeting on dated 15/05/2008 & in that meeting a resolution was passed & M/s Fatcat Infrastructure Pvt. Ltd were appointed as Developers & M/S Shantanoo Rane & Associates as Architect for redevelopment the said land.
- e) Thereafter, the said M/s Fatcat Infrastructure Pvt. Ltd. has submitted the proposal to Slum Rehabilitation Authority through M/S Shantanoo Rane & Associates and the same was accepted on 30/09/2008.
- f) The Committee members of Ekta SRA Co-operative Housing Society (Prop) executed Development Agreement and Declaration, and POA all dated 15/08/2008 in favor of M/S Fatcat Infrastructure Pvt. Ltd.
- g) Later on, due to non-performance and failure on the part of M/s Fatcat Infrastructure Pvt. Ltd., ultimately the members/ Ekta SRA Co-operative Housing Society (Prop) in the General Body Meeting dated 18/09/2016 passed a General Body Resolution terminating the developer and for appointment of new Developer & new Architect.
- h) Thereafter, the members of Ekta SRA Co-operative Housing Society (Prop) had applied before the Dy. Collector(es), Slum Rehabilitation Authority, Bandra (East), Mumbai for termination of the existing developer and Architect and Appointing new one.
- i) Thereafter, going through the facts and hearing both parties, the Authority has terminated the appointment of M/s Fatcat Infrastructure Pvt. Ltd. as Developer under the Proceedings u/s 13(2) of Maharashtra Slum Areas (I.C. & R.) Act 1971, passed on 16/06/2017.
- j) Later on, as per the Application (Ld) No. 3 of 2017 before the Apex Grievance Redressal Committee by M/S Fatcat Infrastructure Pvt. Ltd alongwith Application (Ld) No. 4 of 2017 by Ekta Bhimwadi Rahiwashi Singh the following details have been observed-

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- k) That the Developer i.e. M/S Fatcat Infrastructure Pvt. Ltd has caused in-ordinate delay of 8 years in implementation of the S.R. Scheme and the scheme was submitted by the said Developer merely to block the same so that no new proposal by other Developer can be accepted by SRA in respect of Subject S.R. Scheme.
- l) Therefore, the authorities have dismissed the Application (Ld) No. 3 of 2017 filed by M/S Fatcat Infrastructure Pvt. Ltd and Application (Ld) No. 4 of 2017 filed by EKTA Bhimwadi RahiwasiSangh.
- m) Further by an Notarized Agreement dated 10/08/2018 made between Shri. Ravindra Balvant Sheshvare, Shri. Baban Yashwant Sakat, Smt. Geeta Ramkrushna Aachlkar, Smt. Afroz Siraz Khan, Shri. Gulamali Murtuja Shaikh, Shri. Chandar Bira Kolekar, Shri. Sonba Bhagu Karande, Shri. Prakash Gulab Karpe, Smt. Vimal Shivaji Javir & Shri. Jagannath Dhanu Narote, are the members of Ekta SRA Co-operative Housing Society (Prop) had transfer development rights to M/s Build Square through partner Mohammad Ziyauddin Siddiqui.
- n) Shri. Ravindra Balvant Sheshvare, Shri. Baban Yashwant Sakat, Smt. Geeta Ramkrushna Aachlkar, Smt. Afroz Siraz Khan, Shri. Gulamali Murtuja Shaikh, Shri. Chandar Bira Kolekar, Shri. Sonba Bhagu Karande, Shri. Prakash Gulab Karpe, Smt. Vimal Shivaji Javir & Shri. Jagannath Dhanu Narote all are member of Ekta SRA Co-operative Housing Society (Prop) had made Notarized Power of Attorney dated 10/08/2018 in favor of Mo. Ziyauddin Siddiqui & all partners.
- o) Later, M/s Build Square had obtained Letter of Intent (LOI) dated 06/07/2019 issued by SRA and Intimation of Approval dated 11/09/2019 issued by SRA in favor of M/s Build Square
- p) And M/s Build Square had also obtained Commencement Certificate dated 10/10/2019 from SRA.

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Documents examined:-

- a) Copy of Letter of Intent (LOI) dated 06/07/2019 issued by SRA in favor of Architect Ketan Musale of M/S DOT Architect, Developers M/s Build Square & Society Ekta SRA Co-operative Housing Society (Prop).
- b) Copy of Intimation of Approval dated 11/09/2019 issued by SRA in favor of M/s Build Square.
- c) Copy of Commencement Certificate dated 10/10/2019 issued by SRA in favor of M/s Build Square.
- d) Copy of Property Card no. 1A.
- e) Copy of Letter dated 24/06/2019 issued by Officer of Deputy Collector (Encroachment) Chembur -2 in favor of Chief Executive Officer of SRA in respect of Slum Resettlement Plan.
- f) Copy of List of Member of Tenant issued by Officer of Deputy Collector (Encroachment) Chembur -2 dated 24/06/2019.
- g) Copy of Slum plan issued by Officer of Deputy Collector (Encroachment) Chembur -2.
- h) Copy of Order dated 16/06/2017 issued by SRA in favor of Ekta SRA Co-operative Housing Society (P).
- i) Copy of AGRC order passed on dated 15/02/2018.
- j) Copy of Notarized Power of Attorney dated 10/08/2018 made by Shri. Ravindra Balvant Sheshvare, Shri. Baban Yashwant Sakat, Smt. Geeta Ramkrushna Aachlkar, Smt. Afroz Siraz Khan, Shri. Gulamali Murtuja Shaikh, Shri. Chandar Bira Kolekar, Shri. Sonba Bhagu Karande, Shri. Prakash Gulab Karpe, Smt. Vimal Shivaji Javir & Shri. Jagannath Dhanu Narote all are member of Ekta SRA Co-operative Housing Society Limited (Prop) in favor of Mohammad Ziyauddin Siddiqui & all partners. **(In respect of admeasuring area 4450.23 sq. meters).**

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- k) Copy of Notarized Agreement dated 10/08/2018 made between Shri. Ravindra Balvant Sheshvare, Shri. Baban Yashwant Sakat, Smt. Geeta Ramkrushna Aachlkar, Smt. Afroz Siraz Khan, Shri. Gulamali Murtuja Shaikh, Shri. Chandar Bira Kolekar, Shri. Sonba Bhagu Karande, Shri. Prakash Gulab Karpe, Smt. Vimal Shivaji Javir & Shri. Jagannath Dhanu Narote all are member of Ekta SRA Co-operative Housing Society Limited (Prop) AND M/s Build Square through partner Mohammad Ziyauddin Siddiqui.
- l) Copy of Letter dated 27/10/2017 issued by SRA in respect of Change of developer in favor of Ekta SRA Co-operative Housing Society (Prop).
- m) Letter from society dated 12/07/2017 issued by SRA in favor of Main Originator & Other Originator.
- n) Copy of Meeting Minute Book of Ekta SRA Co-operative Housing Society (Prop) Held on dated 24/07/2016.
- o) Copy of letter dated 16/07/2019 issued by SRA in favor of The Collector & Assistant Municipal Commissioner in respect of Grant of NOC for slum rehabilitation Scheme.

Regards:-

Advocate Pinky Swami



Note: The accuracy of this report necessarily depends on the disclosed documents being True, complete, accurate and not misleading, which we have assumed to be the case.