

TITLE CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

REF: Building nos. 18 known as Tagore Nagar "NALANDA" Co-operative Housing Society and Office Building nos. 7 & 8 lying being and situated on the piece and parcel of land bearing CTS No. 352(pt), Village Hariyalli, Tagore Nagar, Vikhroli, Mumbai- 400083 proposed to be redeveloped into project known as Haware Intelligencia Sigma

M/S. HAWARE PROPERTIES through its sole proprietor **SHRI SURESH KASHINATH HAWARE**, having address at 416, Vardhaman Market, Sector – 17, Vashi Navi Mumbai – 400 705, hereinafter referred to as "**THE PROMOTER**" approached us for the issuance of the title certificate in respect of the above referred property.

To investigate the title of the said property and to issue the title certificate we did the following:

1. We issued Public Notices in the newspapers "FREE PRESS JOURNAL" & "TARUN BHARAT" inviting objections from the general public in respect of the title of the Promoter to the above

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referred property. We issued the Notices in both the newspapers on the 26th January, 2018. However, we have not received any objection.

2. We caused the searches to be carried out by one Mr. Ramesh T. Lohakare, Title Investigator in the Office of Sub-Registrar of Bandra & Mumbai (Manual Index) from 1989 to 2018 (30 years) and in the office of Sub-Registrar of Kurla (Manual Index) from 2002 to 2018 (17 years) and in the office of Sub-Registrar of Kurla (Computerised Index) from 2002 to 2018 (17 years) and in the office of Sub-Registrar of Mulund (Computerized Index) from 2004 to 2018 (15 Years). On obtaining the Property Card the following details are found.
3. We also went through the documents, deeds and letters produced before us by the Promoter.

On going through the Search Report and the Property Card submitted by Mr. Ramesh Lohakare we have to state as under:

A. WHEREAS:

- I. One Nalanda Co-operative Housing Society Limited, a co-operative Housing Society duly registered under the Maharashtra Co-operative

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Societies Act, 1969 under Registration No.MUM/HSG/ CH/1848/1986-87 (Herinafter referred to as "the Society") is seized, possessed off and otherwise well and sufficiently entitled to all that piece and parcel of land admeasuring 753.41 Sq. mtrs. bearing CTS No. 352 pt. and Building No. 18 consisting of ground and three upper floors having 32 tenants/flats therein constructed by MHADA lying being and situate at Tagore Nagar, Vikhroli, Mumbai - 400 083 in the Registration District and Sub-District of Mumbai Suburban.

II. All the occupants of the said building are the members of the Society.

III. By an Indenture of Lease dated the 15th October, 1996 the Maharashtra Housing & Area Development Board (MHADB) on behalf of the Maharashtra Area Development Authority (MHADA) being owner of all that piece and parcel of Plot of land admeasuring about 753.41 Sq. mtrs. bearing CTS No. 352 pt. situate at Tagore Nagar, Vikhroli, Mumbai 400 083 in the Registration District and Sub-District of Mumbai Suburban (hereinafter referred to as "the said Plot") has granted lease of the said Plot in favour of the Society for the period and on the terms and conditions as contained therein. The said Deed of Lease has been duly

registered under Sr. No. P-BADAR-3/1333/96 dtd 16th December, 1997 with the office of the Sub-Registrar, Mumbai;

IV. By a Deed of Sale dated the 15th October, 1996 the MHADB on behalf of MHADA also conveyed the said Building No. 18 consisting of Ground and Three Upper Floors with 32 tenements standing on the said plot of land in favour of the Society for the price and on the terms and conditions as contained therein. The said plot of land together with the said building is more particularly described in the Schedule No.1 hereunder written collectively referred to as "the Said property"). The said Sale Deed has been duly registered under Sr.No. P-BADAR-3/ 1334/96 on the 16th December, 1997 with the office of the Sub-Registrar, Mumbai.

V. The said building no. 18 being in a dilapidated condition the members of the Society were desirous of redeveloping the said property by demolishing the existing building and reconstructing a new building thereon. The Society applied to the Municipal Corporation of Greater Mumbai for approval of plans for demolishing the existing building and constructing a new building on the said plot.

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- VI. The MCGM granted the I.O.D. bearing No. CE/1191/BPES/AS dated the 21st June, 2008. Under the provisions of Development Control Rules and the rules and regulations framed under the Maharashtra Housing and Area Development Act, 1976 as amended upto date it is possible to construct additional building/flats on the said plot by availing additional FSI from MHADA (hereinafter referred to as "additional FSI").
- VII. Pursuant to the offer of the Board contained in the Offer Letter dated the 16th December, 2014 bearing Ref. No.CO/MB/REE/NOC/F-371/1391/2014 the Society with the help and support of the Promoter acquired the office building nos. 7 & 8 lying being and situate on piece and parcel of land bearing CTS No. 352 (pt), Tagore Nagar, Vikhroli, Mumbai under revised DCR 33 (5).
- VIII. The Society thereafter by its letter dated the 5th August, 2015 requested MHADB for the permission to amalgamate the plot of existing building No.18 known as "Tagore Nagar Nalanda Co-operative Housing Society and Office building No.7 & 8 on the plot bearing CTS No. 352 (pt) admeasuring 451.86 sq.mts, Tagore Nagar,

Vikhroli, Mumbai more particularly described in the Schedule-II hereunder written.

- IX. The MHADB by its letter dated the 11th August, 2015 accepted the request of the Society for the amalgamation and issued the plan showing the joint plot demarcation of the said three plots admeasuring total plot area as 1241.53 sq.mts.

B. AND WHEREAS:

- I. The Society meanwhile invited offers from the reputed Builders and Developers. In pursuance thereof the Promoter submitted his offer for the redevelopment of the property of the Society.
- II. The Society/members represented to the Promoter that the carpet area of the each of the flat in the said building as per Lease Deed was 217.75 sq.ft. However the Society/members were desirous of getting the flats of 323 Sq. ft. of carpet area in the reconstructed building.
- III. The Society in its Special General Body Meeting held on the 2nd July 2016 vide Resolution No.3 unanimously (with the consent of all its 32

members) accepted the offer of the Promoter to redevelop the said property through him by utilizing available F.S.I. (including additional FSI) granted by MHADA from time to time as per their policy declarations without any upper limit on FSI for building Nos. 18 and Office Buildings 7 & 8.

IV. By an Agreement of Redevelopment dated the 9th August, 2016 the Society granted to the Promoter, the rights of the redevelopment of the said property by demolishing the existing building nos. 18 and building nos. 7 & 8 (office buildings) lying being and situate on the piece and parcel of land bearing CTS No. 352(pt), Tagore Nagar, Vikhroli, Mumbai- 400 083 more particularly described in the schedule no. I & II hereunder written (hereinafter referred to as "the Project Land) on the terms and conditions more specifically set out in the said Agreement of Redevelopment dated the 9th August, 2016. The Agreement of Redevelopment was duly registered with the Sub-Registrar of Assurances, Kurla-4 under Sr. No. 7698/2016. The Society also executed a Power of Attorney for Redevelopment in favour of Shri Suresh Haware, the sole proprietor of M/s. Haware Properties, the Promoter herein. The said Power of Attorney was also

duly registered with the Sub-Registrar of Assurances, Kurla-4, under Sr. No. 7611/2016.

- V. The Society thereafter submitted the proposal for utilization of the additional BUA under revised DCR 33(5) of 1260 sq.mts.
- VI. MHADB by its Offer Letter dated the 26th August, 2016 informed the Society that its proposal for the additional BUA from balance built up area of the layout was scrutinized and approved on the terms and conditions more specifically set out in the Offer Letter dated the 26th August, 2016.
- VII. The Promoter made the payment of the premium and other charges to the MHADB as per its offer letter dated 26th August, 2016 on behalf of the Society.
- VIII. The MHADB thereafter by its letter dated the 10th March, 2017 bearing Ref. No. CO/MB/REE/NOC/ F-317/312/2017 addressed to the Executive Engineer (B.P)/E.S), Municipal Corporation of Greater Mumbai granted the NOC for IOD in respect of proposed redevelopment of Building No. 18 of the Society alongwith the office

building no. 7 & 8 on the Project Land under DCR 33(5) on the terms and conditions set out in the said letter dated the 10th March, 2017.

- IX. The Promoter submitted the plans for the redevelopment of the existing Building No. 18 alongwith the existing office building nos. 7& 8 on the Project Land in two Phases through his Architect, Shri Milind Fulzele, M/s. Space Design to the Municipal Corporation of Greater Mumbai (MCGM).
- X. The MCGM by its Letter bearing No. CE/1191/BPES/AS approved the amended plans subject to compliance of the terms and conditions mentioned in the I.O.D dated the 21st June, 2008 and the amended approval letter dated the 26th December, 2008 and 16th May, 2016.

C. AND WHEREAS:

- I. There is a transformer of M/s. Reliance Energy adjoining the Office buildings nos. 7 & 8 situated on on the land bearing CTS No.352(Pt).
- II. That inspite the MHADB time and again calling for the documents of lease if any in respect of the said Transformer, Reliance Energy has failed to submit any document in that regard to MHADB. The

MHADB therefore has directed Reliance Energy to remove the Transformer.

D. AND WHEREAS:

- I. As per Clause 1 & 2 of the said Agreement of Redevelopment dated the 9th August, 2016, the Society has, in lieu of the Promoter providing to each member of the Society, a self contained flat admeasuring about 375Sq.ft. (carpet) in a new building to be constructed on the Project Land, sold, transferred and assigned to the Promoter, the balance maximum available FSI/area without any upper limit on FSI on the Project Land with irrevocable right to sell flats and appropriate to himself, the proceeds thereof.

E. AND WHEREAS:

- I. On going through the papers and the Search Report we find that initially by a Development Agreement dated the 27th March, 2006 the Society had granted the development rights of the said plot bearing CTS No.352 (p) in favour of one M/s. Om Construction which Agreement was duly registered with the Sub-Registrar of Assurances,

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Kurla-2 under Sr. No. KRL/2/1713/2006. The said Agreement was cancelled by a Deed of Cancellation dated the 5th January, 2008 between the parties. The said Deed of Cancellation was duly executed and registered with the Office of Sub-Registrar of Assurances, Kurla-2 under Sr. No. KRL/2/85/2008 on the 5th January, 2008.

II. The Society meanwhile executed a Development Agreement dated the 1st January, 2008 in favour of M/s. Haware Engineers & Builders Private Limited in respect of the said plot which was duly registered with the Sub-Registrar of Assurances, Kurla-4 under Sr. No. KRL/4/76/2008 on the 4th January, 2008. The said Agreement also came to be cancelled by and between the parties by the Deed of Cancellation dated the 9th August, 2016. The said Deed of Cancellation was duly registered with the Office of Sub-Registrar of Assurances, Kurla-1 under Sr. No. KRL/1/9229/2016 on the 31st August, 2016.

In view of whatever has been stated supra, the title of the Society and through it that of the Promoter in respect of the Project Land is prima - facie clear and marketable subject to his complying with terms and conditions of

Agreement of Redevelopment dated the 9th August, 2016 and the terms and conditions of the Lease Deed & Sale Deed both dated the 15th October, 1996 executed by MHADB in favour of the Society and the terms and conditions laid down by the Municipal Corporation of Greater Mumbai while approving the plans of the building to be constructed on the said plot.

THE SCHEDULE NO-I ABOVE REFERRED TO:

All that the Building no. 18, having a multistoried structure situated on the land bearing CTS No. 352 (Pt.) admeasuring 753.41 sq. mtrs at Hariali Village, Tagore Nagar, Vikhroli (East), Mumbai – 320 083, in the registration Sub-District of 32, Mumbai Suburban District and bounded as follows:

On or towards the North :	Office Building No. 7.
On or towards the South :	Building No. 16.
On or towards the East :	Building No. 19.
On or towards the West :	12.2m Wide Road

THE SCHEDULE NO-II ABOVE REFERRED TO:

All that the Office Building No. 7 & 8, having structure situated on the land bearing CTS No.352(pt) admeasuring 451.86 sq.mtrs at Hariali Village,

Tagore Nagar, Vikhroli (East), Mumbai – 320 083, in the Registration Sub-District of 32, Mumbai Suburban District and bounded as follows:

On or towards the North : 18.3m Wide Road
On or towards the South : Building No. 18 & 19
On or towards the East : 12.2m Wide Road.
On or towards the West : 12.2m Wide Road

Dated this 28th day of February, 2018

for M. Tripathi & Co.,

Tripathi V.V.
(Advocates)