

**Adv. K.P. Mahajan**  
(B.A., L.L.B.)

ADVOCATE HIGH COURT

Office : Flat No. 202, 2nd Floor, Ishan Building, M. Phule Road, Vishnunagar, Dombivli (West)- 421 202.  
Landline : 0251-2497195 / Mob.: 9869997652, 9833428675 ☎ E-mail Id : kpmahajan.adv@gmail.com

Ref.:

Date :

**Title Certificate**

Shri. Bhaskar Kamat & Shri. Kedar Bapat, the Partners of M/s. Samay Homes, a Partnership Firm, registered under the Indian Partnership Act 1932 having its office at 101, Aspi Mansion, Near Saraswat Bank, Ramwadi, Naupada, Thane 400602, requested me to investigate title and issue Title Certificate in respect of CTS No. 423 admeasuring 719 sq. meters, CTS No. 424 admeasuring 13.9 sq. meters, CTS No. 425 admeasuring 23.2 sq. meters, CTS No. 426 admeasuring 10.1 sq. meters, CTS No. 427 admeasuring 10.8 sq. meters, totally admeasuring 777 sq. meters lying and situate at village Naupada, Taluka and District Thane, within the local limits of Thane Municipal Corporation (hereinafter referred to as "the said Property").

Shri. Bhaskar Kamat & Shri. Kedar Bapat, the partners of M/s. Samay Homes have provided following documents for investigation of Title.

1. Original Property Card issued by TILR Thane.
2. Copy of CTS Plan used by City Survey Office, Thane
3. Copy of registered Conveyance Deed dated 06/10/1975
4. Copy registered Release Deed dated 28/11/1997 & NOC issued by the Maharashtra State Co-operative Housing Finance Corporation Ltd., Mumbai dated 29/04/2014
5. Copy of Index II of Sale Deed dated 06/10/1975 & Copy of Index II of Release Deed dated 28/11/1997
6. Copy of NOC issued by Deputy Registrar of Co-Operative Housing Society, Thane City dated 15/11/2016.
7. Copies of the Public Notices published at Daily Newspaper "Thane Vaibhav" dated 24/11/2016 & the "Thane Vaibhav" dated 24/11/2016.

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I have perused the above mentioned documents and Search Report taken by Mr. Sachin V. Patil with the Office of the Sub-Registrar of Assurances, Thane, (Office No. 1, 2,5&9) and revenue department and on the basis of documents provided to me, I have observed as under:-

1. The said property was transferred in the name of Laxmibai Hiraji Nakhawa the w/o- Hiraji Narayan Nakhava by the Register Will on dated 08/05/1959. The name of Laxmibai Hiraji Nakhwa appeared on Property Card on 01/03/1975.
2. The said property was purchased by 1) Mr. Chandrakant Anantrao Bhojane, 2) Yashwant Krishnaji Mauskar & 3) Vidya Gajanan Deshpande from Laxmibai Hiraji Nakhawa by Sale deed on dated 04/12/1974 and their names appeared on Property Card on 01/03/1975.
3. Group of people interested in the purchase of the said property formed the Society in the name "Prabhat Apartment Co-operative Housing Society Ltd." (hereinafter referred to as "**the Society**"). The said Society was registered under no. TNA/HSG/647 dated 22/08/1975.
4. The Society purchased by the said property, through its Chairman Mr. U. A. Bhojane & Secretary Mr. V. P. Mehendale by registered Sale Deed dated 06/10/1975 registered under no. 589/1975 from the owners Mr. Chandrakant A. Bhojane & others and the name of Society had appeared on Property Card on 21/05/1976.
5. The members of the Society have appointed Mr. Chandrakant A. Bhojane &

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6. The developers appointed by the Society have constructed the building on the said property and the Occupation Certificate for the building was issued on 12/05/1978 by Thane Municipal Council. On Completion the building with occupation certificate, the same was handed over to the Society for its members.
7. Thereafter the said society has repaid the loan amount to Maharashtra State Co-operative Housing Finance Corporation Ltd.,and the Corporation has executed Release Deed dated 28/11/1997 registered under no. 6000/1197 in favor of the Society and also issued No DuesCertificate dated 29/04/2014 in favor of Society.On the basis of above documents the name of Maharashtra State Co-operative Housing Finance Corporation Ltd. was removed from the Property Cards.
8. The said building has outlived its life & is standing in dilapidated & precarious conditions & therefore the Society is desirous of developing the said property by demolishing the said building & in its place, construct a new building by utilizing the FSI presently available & further by utilizing the TDR, Premium FSI,incentive FSI (if any) potential permissible as per present Development Control Regulation of TMC & therefore is entrusting the work of Redevelopment of the said property by competent Developer. The said society Prabhat Apartment Co-op. Hsg. Soc. Ltd.has passed proposal of redevelopment of its Society building on dated 05/09/2016& accordingly Resolution has passed & formed Construction Committee for redevelopment of the Society. The Construction Committee has appointed M/s A.K. Enterprises as the Project Management Consultant (PMC) for the redevelopment work of the Society.

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10. On receipt of the requisite documents from the Society with respect to redevelopment of the said Property, the Deputy Registrar of Co-Operative Housing Society, Thane City has issued NOC dated 15/11/2016 for the redevelopment of the Society and appointment of M/s Samay Homes for the said redevelopment.

11. I have published Public Notices at Daily Newspaper "Thane Vaibhav" dated 24/11/2016 & the "Free Press Journal" dated 24/11/2016 before entering into the Development Agreement with said Society & its Members by M/s. Samay Homes.

12. The said Society has executed and registered the Development Agreement dated 07/02/2017 registered at the office of Sub-Registrar of Assurances, Thane under Sr. No. TNN-9/808/2017 and granted development rights to M/s. Samay Homes including rights to demolish the said Building and construct new building on the said Property, by consuming maximum permissible FSI, TDR, Premium FSI, Incentive FSI, (if any) & all other benefit in the form of any rights, advantages, FSI, benefits of substitutes of any FSI & FSI available after payment of premium or otherwise however in respect of said property. Simultaneously with the registration of Development Agreement dated 07/02/2017, the said Society has also executed a Power of Attorney in favor of the Partners of M/s. Samay Homes, which is registered with the Sub-Registrar of Assurances at Thane under Sr.No. TNN-9/809/2017 on 07/02/2017, granting the powers to do various acts, deeds, matters and things in respect of redevelopment of the said Property owned by M/s. Samay Homes

13. I have also gone through the Search Report dated 01/12/2016 taken by Mr. Sachin V Patil, who has taken search of the Index II register pertaining to the

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14. That, by virtue of registered Development Agreement dated 07/02/2017, and the registered Power of Attorney dated 07/02/2017 in respect of redevelopment of the said Property, **M/s. Samay Homes** has absolute authority and full right to develop the said Property.

That, on the basis of the above said facts and on the basis of the documents placed before me, I hereby certify that **M/s. Prabhat Apartment Co-op Hsg. Soc. Ltd.** is the Owner of the said Property and the building thereon and the said Society's title to the said property is clear, marketable and free from any encumbrances charge and / or claim whatsoever.

I further certify that **M/s. Samay Homes** has the absolute and is well and sufficiently entitled to develop the said Property and to construct the building/s thereon and the sale the flats in proposed new building. That on the basis of the documents placed before me, I hereby certify that the title of **M/s Samay Homes** is clear, marketable and free from any encumbrances charge and / or claim whatsoever.

Dated this 14<sup>th</sup> day of February, 2017

Place: Thane

Kamalakar Mahajan