



# S. J. BONDRE

B. COM., LL.B.

ADVOCATE HIGH COURT

**Office :-**

No. 1 1st Floor, Sai Sharan Complex,  
Sector 8, Khanda Colony,  
New Panvel (West)  
Phone : 2746 4546, Mob. : 93225 93358

**Resi :-**

FL - 6A/1/0:2, Sector 1, Khanda Colony,  
New Panvel (West)  
Phone : 2746 4628,  
Mob. : 93225 93358

**Time : 9.00 a.m. to 11.00 a.m. 7.00 p.m. to 9.30 p.m.**

Date : 6/2/14

TITLE CERTIFICATE  
TO WHOMSOEVER IT MAY CONCERN

'Vartak Nagar Deepmala Co-Operative Housing Society Ltd'.

"The Society"

TO

M/s. Aditya Enterprises-Project Vartak Nagar (Association of Persons)

"The Developers"

PERUSED:

1. Copy of Lease Deed dated 24.02.2005 executed between MHADA (Lessor) and "Vartak Nagar Deepmala Co-Operative Housing Society Ltd.", (Lessee) for a period of 90 years in respect of the land adm.1122.75 Sq. Mtrs. or thereabout, situated and lying underneath and appurtenant to building No.50, bearing Survey No.211 & Survey No.212 lying, being & situate at village Majiwade, Vartak Nagar, Thane (West) within the Registration District and Sub-District Thane (under Sr. No.TNN2-00926/2005)
2. Copy of Power of Attorney dt.07.10.2003 executed by MHADA, inter alia, in favour of Mrs. S. D. Landge, Deputy C.D.O. MHADA before the Sub-Registrar of Assurances (Sr. No. BDR 1-06829/2003).
3. Copy of Sale Deed dated 21.02.2005 between MHADA (Vendor) and "Vartak Nagar Deepmala Co-Operative Housing Society Ltd." (Purchaser) in respect of the building No.50 constructed on



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the land adm. 1122.75 Sq. Mtrs., bearing Survey No.211 and Survey No.212 lying, being & situate at village Majiwade, Vartak Nagar, Thane (West) within the Registration District and Sub-District Thane (Sr. No. TNN2-0927)

4. Copy of Society Registration Certificate bearing No.TNA/TNA/MM/HSG/(TC)/2890/97-98 dated 24.03.1998 in the name of "Vartak Nagar Deepmala Co-Operative Housing Society Ltd."
5. Copy of the Resolution passed in the General Body Meeting held on 01.08.2010 by the Society regarding appointment of Developer for re-development of the building No. 50.
6. Copy of Letter No. Chairman/Nov/Letter/10 dated 05.11.2010 issued by the Office Bearers of the "Vartak Nagar Deepmala Co-Operative Housing Society Ltd.", regarding Appointment of 'M/s. Aditya Enterprises' as a Developers.
7. Copy of Development Agreement dated 30.12.2010 executed between "Vartak Nagar Deepmala Co-Operative Housing Society Ltd."(the Society) and M/s. Aditya Enterprises- Project Vartak Nagar' through their Authorized Signatories, Shri Arun B. Patil & Shri Sanjay Dattatray Bhalerao(the Developers) in respect of building No.50 owned by Society constructed on land adm.1744.47 Sq. Mtrs. bearing Survey No.212 lying, being & situate at village Majiwade, Vartak Nagar, Thane (West) within



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the Registration District and Sub-District Thane (Sr. No. TNN9-04003)

8. Copy of Power of Attorney dated 30.12.2010 executed by "Vartak Nagar Deepmala Co-Operative Housing Society Ltd." in favour of 'M/s. Aditya Enterprises-Project Vartak Nagar' through their Authorized Signatories, Shri Arun B. Patil & Shri Sanjay Dattatray Bhalerao (Sr. No. TNN9-04004).
9. Copy of Offer letter No.CO/KB/Arch/NOC/2375/2010 dated 30.12.2010 issued by MHADA regarding proposal for grant of NOC for reconstruction of the existing building No.50.
10. Copy of NOC issued by MHADA bearing No. CO/KB/ARCH/NOC/438 /2012 dated 03.03.2012 for redevelopment of the building No. 50 known as "Vartak Nagar Deepmala Co-Operative Housing Society Ltd."
11. Copy of Commencement Certificate bearing VP No.SO4/0051/13/TMC/TDD/0991/13 dated 01.11.2013 issued by Executive Engineer, Town Development Department, Municipal Corporation of City of Thane (TMC).
12. Copies of Approved Plan issued by Competent Authority TMC
13. Original Search Report dated 01.01.2014 from 1985 to 2014 submitted by Shri Sandesh Kante, Search Clerk in respect of Building No.50 and land underneath the same bearing Survey



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No. 211 and Survey No.212 lying, being & situate at village Majiwade, Vartak Nagar, Thane along with the Government Receipt No. 01/2014

Upon perusal the available documents on records, it has been observed that, the Maharashtra Housing and Area Development Authority (MHADA), a statutory Corporation constituted under Maharashtra Housing and Area Development Act, 1976 Rules and Bye laws, being the owner of the larger land at Vartak Nagar, Thane (West) is seized and possessed of and/or otherwise well & sufficiently entitled to all that piece and parcel of the land adm. 1122.75 Sq. Mtrs., bearing Survey No.21 at village Majiwade, Vartak Nagar, Thane (West) out of the larger land and more particularly described in the Schedule hereunder written, hereinafter referred to as the said Land.

The said MHADA in pursuance of the Scheme of the Government of India constructed along with other buildings, building No.50 on the said Land consisting of eighty (80) tenements. All the purchasers of the tenements in the Building No.50 formed a Co-operative Housing Society by name "Vartak Nagar Deepmala Co-Operative Housing Society Ltd.", which has been registered under the Maharashtra Co-operative Societies Act, 1960 vide Registration No. TNA/TNA/MM/HSG/(TC)/2890/97-98 dated 24.03.1998, hereinafter referred to as the said Society. The said building No.50 is hereinafter referred to as the said Building.



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At the request of the said Society, the said MHADA in pursuance of the registered Lease Deed dated 24.02.2005 (Sr. No. TNN2-00926) leased out the said Land in favors of the said Society for the period of 90 years w. e. f. 31.03.1995 on the terms and conditions contained therein and simultaneously, in terms of Sale Deed dated 24.02.2005 (Sr. No. TNN2-0927) said MHADA conveyed, granted and assured unto the said Society the said Building, consisting of eighty tenements, standing on the said Land.

By virtue of the above said Lease Deed & Sale Deed, the said Society became the lawful Lessee of said Land and owner of the said Building respectively. However, it appears that the necessary changes have not yet been effected in the Revenue records. We have been informed that, the said Society has initiated the process & will be completed in due course.

It appears that the said Building was in the dilapidated condition and outlived its utility and therefore, the said Society has decided to demolish the said Building and construct a new building on the said Land with the permission of the said MHADA and Thane Municipal Corporation by availing the benefit of the available F.S.I and TDR buildable area by utilization thereof on the said Land.

The said Society has followed & adopted the due procedure for re-development of the said Property. Accordingly, in its Special General Body meeting held on 01.08.2010 the said Society unanimously resolved to appoint the Developers viz. M/s. Aditya Enterprises for the



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purpose of re-development and passed a resolution to that effect. The said Society authorized its Managing Committee to sign and execute the Development Agreement and other necessary documents for that purpose.

In the meanwhile the M/s. Aditya Enterprises formed an Association of Persons for re-development of Building No.50 in joint venture with M/s. S.D. Bhalerao Associates, an another partnership firm.

By and under a registered Development Agreement executed on 30.12.2010 (Sr. No. TNN9-04003), the said Society has irrevocably granted the development rights along with the registered Power of Attorney of even date (Sr. No. TNN9-04004) in favors of the Developers viz. M/s. Aditya Enterprises-Project Vartak Nagar' through their Authorized Signatories Shri Arun B. Patil & Shri Sanjay Dattatray Bhalerao for demolishing the said Building and construct the new building by using the balance/permissible F.S.I. (if any) as per the prevailing rules and regulations of MHADA and TMC on the said Land, situate at Vartak Nagar, Thane (West).

It has been informed that in terms of the said Development Agreement and Power of Attorney the vacant and peaceful possession the said Land & the said Building has been handed over to the Developers.

It appears that on the application of the said Society, the said MHADA vide its letter bearing No. CO/KB/ARCH/NOC/438/2012 dated 03.03.2012 addressed to the A.D.T.P., Town Development





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Department, TMC and a copy thereof endorsed to the said Society granted NOC for reconstruction of the building No.50 on the said Land on the terms & conditions contained therein.

The necessary permissions of the TMC viz. sanction of plans and Commencement Certificate bearing VP No.S04/0051/13/TMC/TDD /0991/13 dated 01.11.2013 have been obtained.

In this matter, I have caused the necessary searches to be taken through Shri Sandesh Kante, Search Clerk in the office of the Sub-Registrar of Assurances Thane 1, 2, 5 & 9 for last 30 years. However, I have not come across any registered encumbrance over the said Land and the said Building described in the Schedule hereunder written.

In the premises and subject to what is stated hereinabove, I hereby certify that, the "Vartak Nagar Deepmala Co-Operative Housing Society Ltd." has valid and subsisting lease hold rights in respect of the said Land, more particularly described in the Schedule hereunder written, which is clear, marketable and free from registered encumbrances.

Further, in pursuance of the registered Development Agreement and Power of Attorney granted by the said Society, the Developers viz. M/s. Aditya Enterprises-Project Vartak Nagar' are entitle to develop the said Land and construct a new building thereon, subject to the terms & conditions contained therein and subject to the terms & conditions of the Lease Deed dated 24.02.2005 and also subject to the terms &



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conditions of the NOC issued by MHADA and as per sanctioned plans & specifications and permissions of TMC & MHADA and to sell the constructible area apportioned to the share of the Developers.

THE SCHEDULE ABOVE REFERRED TO

(Description of the leasehold land & building standing thereon)


ALL THAT PIECE AND PARCEL OF land adm. about 1744.47 Sq. Mtrs. + Tit Bit Land, underneath and appurtenant to the building constructed thereon bearing No. 50 popularly known as "Vartak Nagar Deepmala Co-operative Housing Society Ltd." lying, being and situate at Village Majiwade bearing Survey No. 211 & Survey No. 212, at Vartak Nagar Taluka & Dist. Thane in the Registration Dist of Thane and bounded as follows:

ON OR TOWARDS THE NORTH : By 30' Road  
ON OR TOWARDS THE SOUTH : By Building No. 49  
ON OR TOWARDS THE EAST : By 30' Road  
ON OR TOWARDS THE WEST : By open space

Date: 06/02/2014

Place: Thane



  
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