H. D. Joshi (B.com, LLM)
Advocate, Bombay High Court

(TO WHOM IT MAY CONCERN)

Certificate of Title

Re: All that piece and parcel of plots of land forming part of larger land known as "Inamdar Lay-out" bearing Plot No. 30 and 35 of Survey No. 26, Hissa No. 1 (pt), and having corresponding CTS No. 307/86 admeasuring 499.60 sq. mtrs. and CTS No. 307/87 admeasuring 481 sq. mtrs. aggregately admeasuring 980.60 sq. mtrs. of Village: Valnai, Taluka: Borivali, lying being and situate at Sai Baba Park, Evershine Nagar, Off-Link Road, Mithchowki, Malad (west), Mumbai-400 064, and within the jurisdiction of Mumbai Suburban District the "**said Plot**", Together with building constructed thereon "**Amar Building**" and the said plot and the said building shall hereinafter collectively referred to as **"the said property"** for short.

(a) Deed of Conveyance (Unilateral Deemed) of 14th December, 2016

(b) Development Agreement dated between

Sai Amar CHSL Ltd., .. the Society

And

JPV Realtors Pvt. Ltd. .. the Developer

I, at the request of our Client Sai Amar CHS Ltd., ("**the Society**"), having address at Sai Baba Park, Evershine Nagar, Off-Link Road, Mithchowki, Malad (west), Mumbai-400 064, investigated the title of Sai Amar CHSL being the owner of said property mentioned in Schedule hereinabove written. I have perused the revenue records and other documents such as Deed of

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Owner/Lessors assigned the lease hold rights in respect of said Inamdar Lay-out unto the said Lasses for the terms of 98 years.

6. By virtue of Development Contract dated 01/08/1978 executed by and between the Pankaj Cooperative Housing Development Society Ltd. and Navyug Builders with respect to said Inamdar Lay-out, the said Pankaj Society had assigned development rights unto the said Navyug Builders.

7. Under an Agreement dated 28/11/1978 and two other Agreements both dated 28/04/1979 M/s. Navyug Builders assigned its rights and authorized M/s Vikas Builders and Developers to develop the said Inamdar Lay-out.

8. Vide Agreement dated 13/06/1980 said M/s Vikas Builders and Developers further assigned its rights with respect to 27 smeller plots out of the said Inamdar Lay-out, inter-alia Plot No 30 & 35 bearing CTS No. 307/86 admeasuring 499.60 sq. mtrs. and CTS No. 307/87 admeasuring 481 sq. mtrs. aggregately admeasuring 980.60 sq. mtrs. of Village: Valnai, Taluka: Borivali, lying being and situate at Sai Baba Park, Evershine Nagar, Off-Link Road, Mithchowki, Malad (west), Mumbai-400 064, within the jurisdiction of Registration Sub-District and Suburban District of Mumbai, ("the said Plot") in favour of M/s Amar Construction and authorized it to develop the said plots with right to sale the constructed premises on ownership basis to prospective purchaser under the provisions of MOFA, 1963.

14. In the premises aforesaid the said M/s. Amar Construction and its partners alongwith the said Inamdars, Owners/Lessors, Lessees and the respective assignees herein are the Promoters within the definition of section 2(c) of MOFA, 1963.

15. The said M/s. Amar Construction alone had the sole and exclusive rights to sell the flats/units in the said building to the prospective purchasers. The said agreements were executed under the provisions of MOFA, and it is informed that all the purchasers thereof have complied with all the terms and conditions of the said Agreements and M/s. Amar Construction has received the entire consideration in respect thereof.

16. All the prospective flat/shop purchasers have collectively formed and registered a housing society under the provisions of MCS Act, 1960, being the Applicant society bearing No. BOM/W-P/HSG /(TC)/2252 of 1986-87 dated 22/04/1987.

17. Since the Promoters failed to convey right title and interest in the said plot and said building to the Society in terms of MOFA, 1963, the Society therefore, made an application u/s 11(3) of MOFA being Application No. 24 of 2014 before the Competent Authority appointed u/s 5A of the Maharashtra Ownership Flats Act 1963 viz. the District Deputy Registrar of Cooperative Societies, Mumbai City - 4 for issuing a Certificate of Entitlement to the said Society to have an Unilateral Deemed Conveyance executed in its favour and to have it registered, by exercising the powers granted under Maharashtra Ownership Flats Act, 1963. The Competent Authority, being satisfied with the merits of

the Sub-Registrar of Assurances at Borivali- under s/r. BRL-5-11132-2019 dated 30th August, 2019 in favour of the partners/ nominees of the Developer to do all acts, deeds and things in respect of the proposed redevelopment of the said plot as also to deal with the members of the said Society occupying various units/flats in the said Building.

20. I have examined the copies of aforesaid records and documents in detail, taking into account all I certify that the title of the said Sai Amar CHSL in respect to said plot, is clear and marketable and the redevelopment rights granted by the society in favor of JPV REALTORS PVT. LTD. herein is in accordance with the law for the time being in force and subject to terms and condition of the said Development Agreement, the development rights granted to the Developer is therefore absolutely clear and free from all encumbrances.

Dated: 1nd October, 2019

H. D. Joshi
(Advocate)