Correspondence on Head Off Add: Room No. 34,
Parekh & Son's, Near Dattani Building,
Parekh Nagar, S. V. Road,
Kandivali (West), Mumbai - 400 067.
Email: yogeshbandal@ymail.com
Mob.: +91 98922 43432

YOGESH D. BANDAL
B. Com. LL.B
Advocate High Court

Date : 04/12/2019

TO WHOMSOEVER IT MAY CONCERN

Ref: All that pieces and parcels of land bearing Slum project in respect of Plot admeasuring area about 3807.8 Sq. Mtrs. or thereabout comprising of CTS No. 581A/3B/1 (Part), 581A/3B/1/ 1 to 9 of Village Malad, Taluka- Borivali, MSD at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai- 400097 on behalf of **EKTA SRA CO-OPERATIVE HOUSING SOCIETY (Proposed)** . (for brevity's sake hereinafter to as the said "Property").

CERTIFICATE OF TITLE

Upon the instructions of My Client **M/S POONAM HOUSECON PRIVATE LIMITED,** a company incorporated under the companies Act 1956, having address at Flat No:502, Floor No: 5th, Building Name: Shah Trade Center, Block Sector: Malad East, Road: Rani Sati Marg, Malad East, Mumbai, Maharashtra, 400097 and after perusing and scrutinizing the documents furnished to me interalia :

THIS IS TO CERTIFY THAT I have investigated the entitlement of **M/S POONAM HOUSECON PRIVATE LIMITED,** and title to the said property as mentioned in the schedule hereunder written, in the manner as described hereunder and accordingly I have to state you as under: I had issued public notice in the Free Press Journal and Nav shakti dated 19th August, 2019 inviting claims and/or objections, if any, to any interested party prior to issuing the title certificate in respect of the said land /the said immovable property in order to verify the title

Branch Off: Office No. 14, 3rd Floor, Radha Bhawan, Nagindas Master Road, (Nr. Dalal Street / Dwarka Hotel), Fort, Mumbai - 400 023.

of the said property. In response to the said Public Notice no claims and/or objections were received by me.

1) That property, bearing CTS No. 581A/3B/1 (Part), 581A/3B/1/ 1 to 9 of Village Malad, Taluka- Borivali, MSD at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai- 400097 were occupied by several slum dwellers, who do not have basic amenities provided to the slum dwellers, either by the Owners or by MCGM or by MHADA or by Competent Authority of Government.

2) That property, bearing old CTS No. 518 of Village Malad, Taluka- Borivali, MSD at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai- 400097 has been declared / notified as Slum under the provision of the Maharashtra Slum Area (Improvement, Clearance and Rehabilitation) Act, 1971 by Deputy Collector (Enc/Rem) & C.A., wide notification dated 18th March, 1978 Published on 6th April, 1978 in the Maharashtra Government Gazette.

3) That the land bearing old CTS No. 518 of Village- Malad, Taluka – Borivali, Mumbai Suburban District is amalgamated/merged in the CTs No. 581/A/3B and the property

Cards of the Old CTS No. 518 were cancelled and new property Registered cards for the CTS No. 581/A/3B is opened. The effect whereof of recorded in the column No.2 of the Property Registered Cards for CTS No. 581//A/3B in the remarks dated 12/11/1982.

4) That the various occupants of the said property/land came together and decided to Develop/Re-Develop the said land under the provisions of the Maharashtra Slum Area (Improvement Clearance & Rehabilitation) Act, 1971 and in its meeting held on 15th August 2006 resolved to Develop/Re-develop the said property/land by

implementing the Slum Rehabilitation Scheme and further resolved to form themselves into a proposed society.

5) That there are near about 262 occupants of CTS No. 581A/3B/1 (Part), 581A/3B/1/ 1 to 9 of Village Malad, Taluka- Borivali, MSD at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai- 400097 (hereinafter referred to as said slum property for the sake of brevity). That slum dwellers residing on the said slum property formed the Co-Operative Housing Society in the name of **EKTA SRA CO-OPERATIVE HOUSING SOCIETY (Proposed) (Hereinafter referred as the Said Society).**

6) That the society decided to initiate the process for acquiring the said land under provisions of the Maharashtra slum Areas (Improvement , Clearance & Rehabilitation) Act , 1971 and/or under any other act/statute and get the same developed through a Developer who shall take all steps for the development of the said property/land in the office of the S.R.A./Municipal Corporation of Greater Mumbai or any other Competent Authority at their own costs, charges and expenses.

7) That the said society considered various Developers and ultimately in its General Body meeting held on 15th August 2006 resolved to appoint M/s. Poonam Housecon Pvt. Limited as required to be appointed under the S.R.A. Scheme and to enter into the Agreement with the said Developer and authorized the Chief Promoter, the Hon. Secretary and the Treasurer to execute the Agreement with the Developers.

8) That in pursuance of the application made by the Society, the Additional Collector and Competent Authority under the Maharashtra Slum Area (Improvement , Clearance & Rehabilitation) Act , 1971 ("the Act") and/or Government of Maharashtra initiated proceeding for acquisition of the said slum property /land under the provisions of the Act and accordingly the Government of Maharashtra vide its Notification dated 22nd November 2011 published on 22nd November 2011 in the State Government Gazette declared that the land admeasuring 3773.75Sq. Mtrs. or

thereabout comprising of 581A/3B/1(Part),of Vilage Malad, Taluka Borivali, situate at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai 400097 Mumbai Suburban District, vested in the State Government under the provisions of the Act;

9) That in the said Government Gazette inadvertently the land admeasuring 3807.8 Sq. Mtrs. or thereabout comprising of 581A/3B/1(Part), 581A/3B/1/ 1to9 of Vilage Malad, Taluka Borivali, situate at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai 400097 Mumbai Suburban District, which the society intend to develop and for which the society had taken steps for acquisition was, inadvertently recorded as the land admeasuring 3773.75 Sq. Mtrs. or thereabout comprising of 581A/3B/1(Part),of Vilage Malad, Taluka Borivali, situate at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai 400097 Mumbai Suburban District;

10) That the society requested the Developers to take proper steps for rectifying the defect in notification dated 22nd November, 2011 published on 22nd November 2011 in the State Government Gazette issued by government of Maharashtra and take out the corrigendum correcting the said discrepancy;

11) That as per the scheme of the development / re-development formulated under the Regulation 33(10) of the Development Control Regulation 1991 for Greater Mumbai each of the eligible occupants/slum dwellers is to be provided with alternative accommodation of 300 Sq. ft. of Carpet area free of cost in case Residential Premises and 225 Sq.ft. of Carpet area or at actual whichever is less in case Commercial Premises free of cost and on ownership basis subject to the amended to thereto from time to time.

12) That in the furtherance of acquisition of the said land, the society in its meeting held on 26th may 12 resolved to reconfirm the appoint of **M/S POONAM HOUSECON PRIVATE LIMITED** as the Developers to develop the said slum property/ land admeasuring 3807.8 Sq . Mtrs. more particularly described in the Schedule of the

property annexed hereto with a condition that the Developers shall provide one tenement each to each of the eligible occupants of the said slum property/ land which shall admeasure 300 Sq. ft. of Carpet area free of cost in case Residential Premises and 225 Sq.ft. of Carpet area or at actual whichever is less in case Commercial Premises and on ownership basis and comply with all the other requirement of the SRA.

13) That the managing committee of **EKTA SRA CO-OPERATIVE HOUSING SOCIETY LTD.** passed a resolution to entered into an Development Agreement with **M/S POONAM HOUSECON PRIVATE LIMITED,** wide Development Agreement dated 24th September, 2012 and confirm entrusted the development rights in their favour in respect of Plot admeasuring area about 3807.8 Sq. Mtrs. or thereabout comprising of CTS No. 581A/3B/1 (Part), 581A/3B/1/ 1 to 9 of Village Malad, Taluka- Borivali, MSD at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai- 400097.

14) That further wide Irrevocable Power of Attorney dated 24th September, 2012 the members of managing Committee of said society granted Irrevocable Power of Attorney entrusting and empowering **M/S POONAM HOUSECON PRIVATE LIMITED** to developed the above Plot admeasuring area about 3807.8 Sq. Mtrs. or thereabout comprising of CTS No. 581A/3B/1 (Part), 581A/3B/1/ 1 to 9 of Village Malad, Taluka- Borivali, MSD at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai- 400097on the terms and conditions contained therein which terms and conditions are still valid, subsisting and binding.

15) That **M/S POONAM HOUSECON PRIVATE LIMITED** has exclusive right to develop the said slum property with the right to use the available FSI of the said slum property on the buildings to be constructed thereon either under SRA Scheme or sale component.

16) That the EKTA (SRA) Co-op Housing Society Ltd. submitted their proposal to SRA in accordance with the procedure, prescribed by SRA for submission, processing & approval of Slum schemes.

17) That Deputy Collector, SRA forwarded the Draft Annexure II of the said society to SRA for verification, approval and certification. That the Deputy Collector (ENC/REM), Malad and Competent slum authority visited the site and considered the documents of each occupants and after verifying the same, decided their eligibility and issued Annexure II Certificate on 9/08/2016.

18) That the Deputy Collector (ENC/REM), Malad and Competent slum authority issued further revised Annexure II Certificate on 2/5/2019.

19) That the Slum Rehabilitation Authority has issued (1) Letter of Intent (LOI) bearing No./ SRA/ ENG/ 2821/PN/ STGL/LOI dated 20/7/2019 (2) Commencement Certificate bearing No. PN/STGOVT/ 0035/20150310/AP/C-1 dated 29TH November, 2019 for the Composite Building No.1, (3) Intimation of Approval bearing No. PN/STGOVT/0035/20150310/AP/C-1 dated 26th July, 2019 and the competent authority has also issued the Annexure-II on dated 09/08/2016 and revised Annexure- II dated 2/05/2019 **and** the aforesaid permission and sanction are legally valid, binding and subsisting.

20) That **M/S POONAM HOUSECON PRIVATE LIMITED** is entitled to develop the said slum property under the Letter of Intent (LOI) bearing No./ SRA/ ENG/ 2821/PN/ STGL/LOI dated 20/7/2019 issued by the SRA with the right to use the available FSI of the said slum property on the buildings to be constructed thereon either under SRA Scheme or sale component.

21) That **M/S POONAM HOUSECON PRIVATE LIMITED** is entitled to develop the project/ SRA Scheme of the society presently known as **EKTA SRA CO-OPERATIVE HOUSING**

SOCIETY (Proposed) situated at Plot admeasuring area about 3807.8 Sq. Mtrs. or thereabout comprising of CTS No. 581A/3B/1 (Part), 581A/3B/1/ 1 to 9 of Village Malad, Taluka- Borivali, MSD at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai- 400097.

22) That **M/S POONAM HOUSECON PRIVATE LIMITED** and the said society further complied with necessary conditions of LOI and therefore requested SRA to approve the Building Plan of Rehab Building and therefore SRA issued Intimation of Approvals on 26/07/2019 for Rehab Building.

23) That **M/S POONAM HOUSECON PRIVATE LIMITED** and the said society thereafter complied with necessary conditions of Letter of Intent and Intimation of Approvals for composite Building and therefore SRA issued Commencement Certificate bearing No. PN/STGOVT/0035/20150310/AP/C-1 dated 29TH November, 2019 for the Composite Building No.1.

24) That along with the said proposal a plan has been submitted by **M/S POONAM HOUSECON PRIVATE LIMITED** for sanction by the Slum Rehabilitation Authority and the Slum Rehabilitation Authority has granted Commencement Certificate bearing No. PN/STGOVT/0035/20150310/AP/C-1 dated 29TH November, 2019 for the Composite Building No.1 and the commencement certificate has been granted by the Executive Engineer (WS) P/Ward of the Slum Rehabilitation Authority FOR Composite Building No. 1.

25) That **M/S POONAM HOUSECON PRIVATE LIMITED** is entitled to construct building on the said slum property in accordance with the recitals hereinabove.

In my opinion as per the permissions already referred above the **M/S POONAM HOUSECON PRIVATE LIMITED** is entitled to develop and construct the said property being All that piece or parcel of Land Proposed S. R. Scheme on Plot admeasuring area about 3807.8 Sq. Mtrs. or

thereabout comprising of CTS No. 581A/3B/1 (Part), 581A/3B/1/ 1 to 9 of Village Malad, Taluka- Borivali, MSD at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai-400097 for **EKTA SRA CO-OPERATIVE HOUSING SOCIETY (Proposed)** in the Registration District and Sub-District of Mumbai and Mumbai Suburban alongwith structures standing thereon subject to the compliance of the terms and condition of the permission granted by the SRA from time to time and further entitled to sale, assign, transfer convey the premises on ownership basis.

THE SCHEDULE ABOVE REFERRED TO AS :

All that pieces and parcels of land bearing Slum project in respect of Plot admeasuring area about 3807.8 Sq. Mtrs. or thereabout comprising of CTS No. 581A/3B/1 (Part), 581A/3B/1/ 1 to 9 of Village Malad, Taluka- Borivali, MSD at Abdul Gani Compound, Rani Sati Marg, Malad (East), Mumbai- 400097, for **EKTA SRA CO-OPERATIVE HOUSING SOCIETY (Proposed),** Mumbai of Revenue Village in the Registration District and Sub-District of Mumbai and Mumbai Suburban.

Your's Truly,

YOGESH D. BANDAL
B.Com, LL.B.
Advocate High Court
Off; Room No.34, Parekh & Son's,
Near Dattani Building, Parekh Nagar,
S.V. Road, Kandivali (West), Mumbai-400 06
Email : yogeshbandal@ymail.com
Mobile No. 98922 43432
Advocate Code : I 7038
High Court Original Side Regd. No. 10794