

FORM VII
(See Rule 12)

Form of Application under sub- section (3) of section 11 of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 to issue a Certificate for Unilateral Deemed Conveyance or Registration of Declaration in favour of the Applicant.

Before the Competent Authority at _____.

Application under sub- section (3) of section 11 of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963.

Application No.: _____ **of Year** _____

_____))
_____)) **Applicant**
_____))

Versus

_____))
_____)) **Opponent**
_____))

The Applicant abovenamed State as follows:

(1) The applicants are the Members of a Co- Operative Housing Society formed under Section 10 of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 duly registered under the Maharashtra Co- Operative Societies Act/ the Company/ Association of Apartment- takers having its registered office at _____ (hereinafter referred to as "the Said Society"/ "the Said Company"/ "the Association of apartment- takers").

(2) The Said Society/ the Said Company/ the Association of apartment- takers is in possession of a Plot of Land bearing Survey No.: _____, Hissa No.: _____, City Survey No.: _____ admeasuring _____ Sq. Meters, hereinafter

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referred to as the “the Suit Premises”). Hereto annexed and marked as Exhibit No.: _____ is the copy of Registration Certificate of the Said Society/ the Said Company/ the Association of apartment- takers.

(3) The Applicant states that the Building of The Said Society/ the Said Company/ the Association of apartment- takers consists of _____ Floors/ _____ wings building known as _____.

(4) The Applicant states that the Opponent No.: ____ has entered into an Agreement for Sale of Flats/ Shops with the individual purchasers of the Flat/ Shop as required by Section 4 of Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 and all Agreements are duly Stamped as required under the Bombay Stamp Act, 1958 and also duly Registered as required under the Registration Act, 1908. The Opponent No.: ____ has agreed to convey the Suit Premises with the entire Building constructed thereon (hereinafter referred to as “the Said Property”) to the Said Society/ the Said Company/ the Association of apartment- takers within the period agreed upon in the Agreement or within a period of four months from the formation of the Said Society/ the Said Company/ the Association of apartment- takers, as provided in Rule 9 of Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Rules, 1964. The copy of the said Agreement for Sale executed with on of the Flat/ Shop Purchaser Shri./ Smt. _____ with Opponent No.: _____ is enclosed herewith and marked as Exhibit No.: _____, and a List of Present Members with details of Flat Number, Area, Stamp Duty Paid, Registration Number, Registration Fees paid etc., is given in Exhibit No.: _____.

(5) The Opponents have failed to execute a conveyance for conveying the Right, Title and Interest of the Promoter in the Land and Building in favour of the Applicants, which they are legally entitled to have and enjoy as provided under the Said Act and Rules made thereunder.

(6) The Applicant is therefore, entitled the have a Certificate issued by this Hon'ble Competent Authority that the Applicant is entitled to have a Unilateral deemed Conveyance in respect of the Suit Premises under Section 11 of the Said Act.

(7) Accordingly, this Hon'ble Competent Authority be pleased to issue a Certificate of entitlement of Unilateral Deemed Conveyance of Land admeasuring _____ Sq. Meters as specifically set out in (the Property Registration Card) the copy of the Agreement dated _____ along with Building situated at Plot No.: _____, bearing

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survey No.: _____, Hissa No.: _____ at _____ (Name of the Place) _____ in favour of the Applicant as the same falls within jurisdiction of this Hon'ble Competent Authority.

(8) The Applicant will rely upon a List of Documents, which is annexed hereto.

(9) The applicant therefore prays that:

(a) This Hon'ble Competent Authority be pleased to grant a certificate the Applicant is entitled to have an Unilateral Deemed Conveyance of the Suit Premises under Section 11 of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 and to have it Registered.

(b) For costs of the Applicant to be provided.

(c) For such other reliefs as this Hon'ble Competent Authority may deem fit.

Advocate of Applicant

Applicant

VERIFICATION

I, Shri./ Smt. _____ Member of the Applicant and Authorised Representative abovenamed, residing at _____ do hereby state on solemn affirmation that what is stated in the foregoing Application is true to my knowledge and I believe the same to be true.

Solemnly declared at _____.

This ____ Day of _____, 20____.

Advocate of Applicant

Applicant

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