

-:: AGREEMENT TO SALE ::-
(without possession)

M/S. ABHILASHHA BUILDCON, a partnership firm registered under the Indian Partnership Act, 1932, having its principal place of business at 47, Vrajdharm Bungalows, Village Shela, Taluka Sanand, District Ahmedabad, (**PAN** _____), represented by its authorized working Partner **MR. VIJAYBHAI NAVGHANBHAI MUNDHVA** (**Aadhar no.** _____), hereinafter referred to as the "Promoter" or "PARTY OF FIRST PART".

(which expression shall unless repugnant to the context or meaning thereof be deemed to mean and include its successors-in-interest, executors, partners, administrators and permitted assignees, including those of the respective partners)

AND

MR./MRS. _____ aged about _____
years, Residing at: _____
(AADHAR NO. _____) (PAN No. _____).

Hereinafter called the "**ALLOTTEE**" or "**PARTY OF SECOND PART.**"

(which expression shall unless repugnant to the context or meaning thereof be deemed to mean and include his/her heirs, executors, administrators, successors-in-interest and permitted assignees).

- A) **WHEREAS** by an Agreement dated _____ register at office of Sub Registrar of Assurance (Aslali-11) under serial no. _____, dated _____, executed between **(1) MR. VIJAY NAVGHAN MUNDHVA (2) MR. NAVGHAN KARMANBHAI BHARWAD (3) MR. GOPAL NAVGHANBHAI BHARWAD** residing at 47, Vrajdham Bunglows, Village Shela, Taluka Dascroi, Ahmedabad (hereinafter referred to as **"THE ORIGINAL OWNERS"**) of the One Part and the Promoter i.e. **M/S. ABHILASHHA BUILDCON** of the Other Part (hereinafter referred to as **"THE DEVELOPMENT AGREEMENT"**), the Original Owner granted to the Promoter development rights to the piece or parcel of freehold Non-Agricultural Land for residential and commercial purpose on Survey/Block no. 450 admeasuring 8700 sq. meters in Draft T.P. Scheme no. 82 (Lambha-Laxmipura) allotted & bearing Final Plot no. 67 admeasuring 5221 sq. meters of Village Lambha, Taluka Vatva in the Registration District & Sub District of Ahmedabad, or thereabouts more particularly described in the First Schedule therein as well as in the First Schedule hereunder written (hereinafter referred to as **"THE PROJECT LAND"**) and to

construct thereon building/s in accordance with the terms and conditions contained in the Development Agreement;

B) AND WHEREAS the Promoters are entitled and enjoined upon to construct buildings on the project land. That the Promoters are well sufficient and entitled to deal & develop the said Land. WHEREAS the Promoter is in possession of the project land. That the Promoter shall construct a residential & commercial project in the name of "_____".

C) AND WHEREAS the Promoter has proposed to construct on the project land _____ Blocks having _____ floors in the scheme called as _____.

D) Further the Promoters have approved proper plan from Ahmedabad Municipal Corporation and Ahmedabad Municipal Corporation have granted Commencement Certificate no. _____, dated _____ for constructing the said project on the project land as per the plan approved by Ahmedabad Municipal Corporation. Likewise, Non-Agricultural Permission is acquired by order no. _____, dated _____.

- B) WHEREAS** the Allottee is offered an **Flat no.** _____ on the _____ **Floor**, (herein after referred to as the "**SAID FLAT**" in the **Block no.** "_____" of the Building called as "_____" being constructed in the said project, by the Promoter.
- C) WHEREAS** the Promoter has registered the Project under the provisions of the Act with the Real Estate Regulatory Authority at no. _____ and the authenticated copy are attached hereinwith.
- D) AND WHEREAS** by virtue of this the Promoter has sole and exclusive right to allot the said flat in the said building/s to be constructed by the Promoter on the said land and to enter into Agreement/s with the allottee of the said flat to receive the sale consideration in respect thereof.
- E) WHEREAS** on demand from the allottee, the Promoter has given inspection to the Allottee of all the documents of title relating to the project land and the plans, designs and specifications prepared by the Promoter's Architects Messrs M/s. _____ and of such other documents as are specified under the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as

"the said Act") and the Rules and Regulations made thereunder and the Allottee if satisfied in respect of the same;

- F) AND WHEREAS** the authenticated copies of Certificate of Title Issued by M/s. Legal Values the attorney at law advocate of the Promoter, authenticated copies of Property card or extract of Village Forms VI and VII and XII or any other relevant revenue record showing the nature of the title of the Promoter to the project land, authenticated copies of the plans of the Layout as approved by the concerned Local Authority, on which the project is constructed, authenticated copies of the plans of the Layout as proposed by the Promoter and according to which the construction of the buildings and open spaces are proposed to be provided for on the said project have been inspected by the Allottee and is satisfied in respect of the same.
- G) AND WHEREAS** the authenticated copies of the plans and specifications of the Apartment agreed to be purchased by the Allottee has been annexed herewith.
- H) AND WHEREAS** the Promoter has got approvals from Ahmedabad Municipal Corporation to the plans, the specifications, elevations, sections and of the said building/s and shall obtain the balance

approvals from various authorities from time to time, so as to obtain Building Completion Certificate or Occupancy Certificate of the said Building after the completion of construction before handing over the actual possession.

- I) WHEREAS** Promoter while developing the project land shall keep due observance and performance of which only the completion or occupancy certificate in respect of the said building/s shall be granted by the concerned local authority.
- J) AND WHEREAS** the Promoter has accordingly commenced construction of the said building/s in accordance with the said proposed plans.
- K) AND WHEREAS** the Allottee has applied to the Promoter for allotment of a **Flat No.** _____ on _____ **floor** in **Block** no. ____ **admeasuring** _____ **sq. meters carpet area** excluding the area covered by the external walls, areas under services shafts, lift, lobbies, common amenities, underground water tank, overhead water tank, parking area, common plot, exclusive balcony or verandah area and exclusive open terrace area but includes the area covered by the internal partition walls of the flat being constructed in the aforesaid project That the Party of the Second