

TITLE CERTIFICATE

Immoveable property being all that piece or parcel of land or ground admeasuring 1269.24 square metres situate at Mahim Agar in the registration Sub-District of Mumbai bearing Final Plot No.421 of T.P.S. - IV of Mahim Division and bearing C.S.No.1274 of Lower Panel Division, street Nos:176B & 180B, Bhavani Shankar Road, Dadar (W), Mumbai - 400 028.

TITLE CERTIFICATE

RE: All that piece or parcel of land or ground admeasuring 1269.24 square metres situate at Mahim Agar in the registration Sub-District of Mumbai bearing Final Plot No.421 of T.P.S.- IV of Mahim Division and bearing C.S.No.1274 of Lower Parel Division, street Nos.176B & 180B, Bhayani Shankar Road, Dadar (W), Mumbai - 400 028.

1. OBJECTIVE

- 1.1. We have been requested by M/s Anmol Land Developers a partnership firm with its office at Dudhwala House, 282, Bellasis Road, Mumbai Central, Mumbai 400008 ("ALD") to investigate their title to the captioned land which is more particularly described in Schedule I hereunder written (the "said Land") and to certify their title thereto.
- 1.2. This Certificate has been issued subject to the qualifications herein contained.

2. QUALIFICATIONS

- 2.1. The scope of our review, and of this Certificate, is subject to the following limitations and the express qualifications:
- 2.2. While performing the review, we have assumed the following:
 - 2.2.1. genuineness of all signatures;
 - 2.2.2. accuracy and correctness of all information/ representations provided/made to us, including the facts that are mentioned in agreements, executed copies of documents and government records;



- 2.2.3. authenticity of copies of all documents submitted to us;
 - 2.2.4. conformity of the copies or extracts submitted to us with the originals thereof; and
 - 2.2.5. compliance with all legal requirements by the parties concerned with the said Land.
- 2.3. Except as expressly informed to us, we have assumed that there are no outstanding / dues payable by ALD to any government / statutory authority (including any tax dues) or local body and that the said Land is not subject to any charge, attachment, proceeding or claim for any amounts due and payable to any governmental or statutory authorities or bodies. .
- 2.4. Our observations and conclusions in this Certificate are limited to issues and risks arising from a legal perspective in relation to the title of ALD to the said Land, as analyzed by us from the information and documents furnished to us. Other than as expressly indicated in the relevant parts of this Certificate, we have not conducted an independent verification of such information or documents.
- 2.5. The negative search (pertaining to any litigation by or against ALD) is restricted to the search carried out by us on the official website of the Bombay High Court on 4th July, 2016.
- 2.6. This Certificate is restricted to the said Land alone and we have been informed that the structures standing thereon have been demolished.
- 2.7. Although styled as a "Title Certificate", this document constitutes our opinion on ALD's title to the said Land.



3. TITLE VERIFICATION PROCESS

- 3.1. As a part of our process for verification of title to the said Land, we have undertaken the following:
 - 3.1.1. perused the title deeds and other documents furnished to us by ALD, being the documents listed in Schedule II hereunder written;
 - 3.1.2. had discussions with, and obtained clarifications from the representatives of ALD;
 - 3.1.3. inspected the original title deeds and other original documents with respect to said Land on 19th July, 2016, being the documents listed in Schedule III hereunder written;
 - 3.1.4. caused searches to be carried out in the concerned offices of the Sub Registrar of Assurances through an independent Search Clerk, Mr. S.M. Sawant;
 - 3.1.5. carried out an online search on the official website of the Department of Registration and Stamps, Government of India;
 - 3.1.6. caused an on-line search at the official website of the Bombay High Court on 4th July, 2016; and
 - 3.1.7. relied on a Declaration dated 9th August, 2016 of Mr. Nisar I. Patel, Partner of ALD.



4. DEVOLUTION OF TITLE

4.1. Conveyance from Savitribai to Morarji Karsondas

4.1.1. As per the information contained in the Survey Register (Property Register Card) ("PR Card") pertaining to the said Land, under a Conveyance dated 5th May, 1919, the then owner of the said Land, Savitribai (w/o Bhai Ramchandra) and others in favour of one Morarji Karsondas, the said Savitribai and others conveyed and transferred the land, hereditaments and premises known as "Savitribai Chawl" situate at Bhavani Shankar Road, Dadar admeasuring about 1269.24 sq. mtrs. and bearing Final Plot no 421 of TPS IV of Mahim Division and CS No.1274 of Lower Parel Division to the said Morarji Karsondas.

4.1.2. Consequently, the said Land vested in Morarji Karsondas absolutely and continued to be entitled to the said Land until his death on or about 8th February, 1969. However, neither the original conveyance dated 5th May, 1919 nor a copy thereof is available with ALD.

4.2. Land devolved on heirs of Morarji Karsondas

4.2.1. As per the information contained in the Survey Register (Property Register Card) ("PR Card") pertaining to the said Land consequent to the death of the said Morarji Karsondas on or about 8th February, 1969, his wife Mrs. Laddibai was appointed as the executrix and Trustee of his Will dated 6th December, 1962, probate whereof was granted to her on or about 15th September, 1972. Under the Will dated 6th December, 1962, the said Land was bequeathed by Morarji



Karsondas to his sons (i) Jaysinh Morarji; (ii) Haridas Morarji; (iii) Jairaj Morarji; (iv) Krishnaraj Morarji. Neither the originals, nor copies of the said Will and/or the Probate granted in respect thereof, are available with ALD.

4.2.2. By a Declaration dated 15th February, 1989, the said Laddkibai declared that by virtue of operation of the Will of late Morarji Karsondas, the beneficiaries under the Will i.e. (i) Jaysinh Morarji; (ii) Haridas Morarji; (iii) Jairaj Morarji; and (iv) Krishnaraj Morarji are absolutely entitled to the said Land, in equal shares and are entitled to deal with and dispose of the same. Neither the original, nor a copy of the said declaration dated 15th February, 1989, is available with ALD.

4.3. Conveyance in favour of Vipin Pandya

4.3.1. By an under an Indenture dated 1st December, 1990 ("1990 Indenture"), registered at Sr. No. 3336 of 1990 with the Sub-Registrar of Assurances at Bombay, executed by and between (i) Jaysinh Morarji; (ii) Haridas Morarji; (iii) Jairaj Morarji; and (iv) Krishnaraj Morarji as the Vendors ("Original Vendors") and one Mr. Vipin Pandya as the Purchaser ("Purchaser"), the Original Vendors sold, assigned and conveyed to the Purchaser, the said Land for the consideration and on the terms and conditions mentioned therein. The conveyance has been duly stamped and registered. The conveyance does not contain any special or restrictive covenants. The conveyance records that that there are several tenants/occupants in possession / occupation of messuages, tenements or dwelling houses.



standing on the said Land. A list of 40 tenants/occupants is annexed to the conveyance.

4.4. Grant of Letters of Administration to Vipin Pandya's Widow

4.4.1. The said Vipin Pandya died intestate at Mumbai on or about 4th November 1995, leaving behind his wife, Ila Pandya as his only legal heir. Letters of Administration to the property and credits of Vipin Pandya were granted by the High Court of Bombay to Mrs. Ila Vipin Pandya in Testamentary Suit No.17 of 1996 arising out of the Petition No.132 of 1996 on 19th October, 2007.

4.4.2. As the sole heir of the said Vipin Pandya, the said Land vested in the said Ila Pandya absolutely. By virtue of the said Letters of Administration, Ila Pandya became entitled to deal with the said Land. The original Letters of Administration dated 19th October, 2007, granted by the Bombay High Court in Testamentary Suit No.17 of 1996 arising out of the Petition No.132 of 1996, appointing Ila Vipin Pandya as the Administrator of the estate of her husband, Vipin Pandya were made available to us for inspection

4.5. Conveyance in favour of ALD

4.5.1. By and under a Deed of Conveyance dated 25th October, 2007 and registered at Sr.No.2777 of 2007 with the Sub-Registrar of Assurances at Bombay, entered into between Mrs. Ila Vipin Pandya as the Vendor and M/s Anmol Land Developers as the Purchaser, the said Mrs. Ila Vipin Pandya sold, transferred and conveyed all that piece or parcel of land admeasuring 1269.24 sq.mtrs bearing final plot No.421



of T.P.S - IV of Mahim Division and bearing C.S.No.1274 of Lower Parel Division ("ALD Plot"), to M/s Anmol Land Developers (subject to the rights/claims of the tenants / occupants) for the consideration and on the terms and conditions mentioned therein ("2007 Deed of Conveyance"). The conveyance has been duly stamped and registered. The conveyance does not contain any special or restrictive covenants. The conveyance records that there are several tenants/occupants in possession / occupation of messuages, tenements or dwelling houses, standing on the said Land. A list of 41 tenants/occupants is annexed to the conveyance. The sale to ALD is on an "as is where is basis". The schedules of the said Land, as mentioned in the 1997 Conveyance and the 1990 Conveyance vary with respect to the description of the neighboring plots.

4.6. Transactions pertaining to Redevelopment

4.6.1. Agreements with tenants / occupants of structures:

4.6.1.1. Both, the 1990 indenture and the 2007 Deed of Conveyance record that there are tenants / occupants on the said Land. Both these conveyances had a list of such tenants / occupants annexed thereto. While the 1990 Indenture records 40 tenants/occupants, the 2007 Conveyance records 41 tenants/occupants, whereas the NOC granted by the Maharashtra Housing and Area Development Authority ("MHADA") certifies a list of 37 tenants/occupants. ALD has informed us that they have, as a part of the process of

redevelopment of the said Land, entered into and executed various agreements with the tenants/ occupants. ALD has further informed us that they have executed agreements with the tenants and occupants for providing permanent alternate accommodation and ALD has confirmed that there are no disputes with any of the tenants/occupants. The said agreements with tenants / occupants have not been perused by us as the same are outside the scope of the present Certificate.

4.6.1.2. ALD has informed us that there is no claim or dispute with any tenant or occupant and that all tenants / occupants have been given alternate accommodation. ALD has informed us that all the tenements/structures that were standing on the said Land presently stand demolished.

4.6.2. Agreement for Sale of Flats in the New Building

4.6.2.1. ALD have informed us that ALD has agreed to sell, on 'ownership basis', all the free sale flats in the building proposed to be constructed on the said Land, to one M/s Sahaj Developers and have received certain payments against the proposed sale.

4.6.2.2. ALD has furnished to us copies of the receipts issued by ALD in favour of M/s Sahaj Developers with respect to the part payment made by M/s Sahaj Developers for the proposed sale.



4.6.2.3. We have also been informed by ALD that other than the said receipts, there are no other documents executed between the parties, and that the requisite agreements for sale remain to be executed. This position has been confirmed by ALD in its Declaration dated 9th August, 2018.

5. LAND RECORDS

5.1. Survey Register/Property Card:

5.1.1. We have perused the extract of the Survey Register dated 13th January, 2014 for F. P. No.421 TPS IV, for land admeasuring 1289.24 sq. mtrs., which currently stands in the name of ALD.

5.1.2. The PR Card shows the following: (i) that the said Land was conveyed by the said Savitribai and others to Morarji Karsondas Hargovind under a conveyance dated 5th May, 1919; (ii) that the property devolved upon Jaysingh Morarji, Haridas Morarji, Jairaj Morarji and Krishnaraj Morarji by virtue of the probated Will of late Murarji Karsondas; (iii) that the said Land was acquired by Vipin Pandya under a conveyance dated 1st December, 1990; (iv) that the said Land devolved on Ita Vipin Pandya as the widow of Vipin Pandya (based on a declaration cum indemnity dated 30th April, 1996 executed by her); (v) that the said Land was acquired by ALD under a conveyance dated 25th October, 2007.

5.2. Town Planning Scheme Remarks:

- 5.2.1. ALD has furnished the Town Planning Scheme Remarks of the Town Planning Scheme Bombay City No. IV (Mahim Area) (1st Variation) (Final) dated 8th October, 2010 bearing No.CHE/DP/780/TPS/R issued by the Office of the Executive Engineer (Town Planning), Municipal Corporation of Great Mumbai to Mr. D. H. Patel ("Town Planning Scheme").
- 5.2.2. In the Town Planning Scheme records, the name of Moraji Karsondas Hargovindas continues to be shown as the owner of the said Land. ALD has furnished us with a copy of the letter dated 7th May, 2013 addressed by ALD to the Executive Engineer (Town Planning) in Form-B of the Town Planning Scheme requesting mutation of the record to reflect the change in ownership of the said Land. In reply to the said letter dated 07th May, 2013, a letter dated 24th May, 2013 bearing reference no. EE/TPW/Mahim IV/128/TPS has been addressed by the Office of the Executive Engineer (Town Planning) to ALD. In the said letter it is mentioned that the Municipal Corporation of Greater Mumbai cannot change the Town Planning record unless and until authorization is received from the Urban Development Department of Government of Maharashtra under Section 91 of the Maharashtra Regional Town Planning Act, 1986 for variation of the Town Planning Scheme with regard to changes of ownership of the said Land and therefore the request for change of ownership of in the Town Planning Scheme cannot be considered at this stage and that the same will be considered on its own merits and after verification of the necessary documents on receipt of authorization / notification from the Urban Development Department. As per the Declaration dated 9th August, 2016,



ALD is pursuing the matter with the Urban Development Department and other authorities for change of ownership in Form - B of the Town Planning Scheme for the said Land in favour of ALD.

6. ULC PERMISSION

- 6.1. ALD has furnished a letter dated 5th July, 1996 bearing No. C/ULC/ D.III/22/6083 of the Additional Collector and Competent Authority (ULC) Greater Mumbai addressed to the Mrs. Ila Vipin Pandya with respect to the permission for redevelopment of property bearing CS No.1274, FP No.421 of Mahim Division, TPS IV to ALD.
- 6.2. The entire area of 1269.24 sq. mtrs. was certified to be non-vacant. It was further clarified that after the demolition of the existing structures grant of formal permission under section 22 would be considered subject to compliance of the conditions stated therein. The conditions stipulated therein include *inter alia*, restriction on plinth area for the tenements, restriction on sale of more than one unit per family, restriction on sale of dwelling unit by the purchaser for a period of 5 (five) years from the date of the original purchase.
- 6.3. The Urban Land (Ceiling and Regulation), Act, 1976 was repealed in the State of Maharashtra with effect from December, 2007.
- 6.4. However, by a Judgment of a Division Bench of the Bombay High Court dated 3rd September, 2014, it has been held *inter alia* that all exemption orders passed under the ULC Act (as well as the conditions therein), continue to be valid and subsisting. We understand that an appeal has been filed in the Supreme Court of India against the 2014 Bombay High Court ULC Order and the same is pending. Considering the 2014 Bombay High Court ULC



Order, the conditions in the Letter of Intent dated 05.07.1996 may be considered valid and enforceable.

7. MORTGAGES/ OTHER ENCUMBRANCES

7.1. We are informed by ALD that there are no encumbrances or mortgages subsisting with respect to the said Land and ALD has confirmed this position in its Declaration dated 9th August, 2016.

7.2. The Search Report dated 23rd September, 2016, too does not reflect any registered mortgage, charge or other encumbrance on the said Land.

8. RESTRICTIVE COVENANTS / SPECIAL COVENANTS / EASEMENTS

8.1. Neither the conveyance dated 1st December, 1990 nor the conveyance dated 25th October, 2007 contain any restrictive or special covenants.

9. RESULTS OF OTHER INVESTIGATIONS

9.1. Searches in the Offices of the Sub-Registrar of Assurances:

9.1.1. We have relied on a search report dated 16th May, 2016 of Search Clerk Mr. S.M.Sewant. The Search has been carried out for the period 1987 to 2016 with respect to the said Land.

9.1.2. The Search Report does not reflect any documents relating to the said Land other than those specified hereinabove, except for: (i) transfer Deed of Leasehold rights dated 3rd April, 2012 registered at Sr.No.2263 of 2012 with the Sub-Registrar of Assurances at Mumbai and executed between



Mr. Umashankar Pashi and Mr. Shailesh Yeshwant Pednekar, pertaining to Flat No.28/B on the ground floor of the building known as Savitribai Chawl on the said Land; (ii) Lease Deed dated 14th May, 2015 registered at Sr.No.3306 of 2012 with the Sub-registrar of Assurances at Mumbai and executed between Mr. Nandlal Saraju Pashi (Saroj), Kanhaiyalal Mithalal Pashi (Saroj), Babunath Ramraj Pashi (Saroj) and Chhotelal Mataprasad Pashi (Saroj) [M/s Anmol Land Developers] to Mr. Ishaq Wali Patel pertaining to Residential room bearing No 37(35) on the ground floor of the building known as Savitribai Chawl on the said Land; (iii) Release Deed dated 18th November, 2013 registered at Sr. No.2090 of 2014 with the Sub-registrar of Assurances at Mumbai and executed between Bank of Baroda and one Mrs. Sumedha Manoj Thakur pertaining to Flat No.1102 in the building known as "Ashish Sea view" situated at Prabhadevi; (iv) Agreement dated 3rd April, 2014 registered at Sr.no.1873 of 2014 with the Sub-registrar of Assurances at Mumbai and executed between Anmol Land Developers and MHADA; (v) Affidavit dated 8th April, 2015 registered at Sr.No.1084 of 2015 with the Sub-registrar of Assurances at Mumbai and executed by M/s Anmol Land Developers pertaining to the said Land; (vi) Affidavit dated 8th April, 2015 registered at Sr.No.7088 of 2015 with the Sub-registrar of Assurances at Mumbai and executed by M/s Anmol Land Developers pertaining to the said Land.

9.1.3. The documents at (i) and (ii) relate to flats/premises in the structures that were heretofore standing on the building known as "Savitribai Chawl" on the said Land and are transfers of existing tenancies. As such, these documents have no bearing on ALD's title to the said Land. The



document at (ii) is not related to the said Land or any of the structures standing thereon and therefore, has no bearing on ALD's title to the said Land. The documents at (iv) to (vi) are declarations, undertakings and/or affidavits filed by ALD with the municipal authorities and as such these documents have no bearing on ALD's title to the said Land.

9.2. Registrar of Firms Search

9.2.1. We are informed that ALD is not a registered firm as on date and therefore, no search has been conducted with the Registrar of Firms.

9.2.2. We have however been furnished with a copy of the application for registration of ALD made with the Registrar of Firms, and we understand that the application dated 18th June, 2008, is pending with the office of the Registrar of Firms.

9.3. Litigation Search

9.3.1. We have conducted an online search at the official website of Bombay High Court on 4th July, 2016 and with respect to the following entities and individuals (i) Anmol Land Developers (ii) Nisar Patel (partner of ALD) (iii) Rafiq Patel (partner of ALD) (iv) Imtiaz Patel (partner of ALD) (v) Ila Pandya (predecessor-in-title) (vi) Vipin Pandya (predecessor-in-title) (vii) Laskibai Morarji (executrix) (viii) Jaysinh Morarji (predecessor-in-title) (ix) Haridas Morarji (predecessor-in-title) (x) Jairaj Morarji (predecessor-in-title) (xi) Krishnaraj Morarji (predecessor-in-title) (xii) Morarji Karsandas (predecessor-in-title).



9.3.2. The online search reflected the following litigation: (i) MTA 1 of 2014 (pre-admission) (ii) RP 7 of 2002 (pre-admission) (iii) S 157 of 1997 (transferred to City Civil Court) (iv) S 1542 of 1986 (transferred to City Civil Court).

9.3.3. We have been informed by ALD that these proceedings do not pertain to the said Land and ALD has confirmed this position in its Declaration dated 9th August 2016. No independent verification of the above is possible.

9.3.4. It is clarified that the litigation search is restricted to Bombay High Court alone, and does not cover any other courts or tribunals.

9.4. Inspection of Original Documents

9.4.1. We have taken inspection of the original title deeds and other original documents relating to the said Land on 19th July, 2016 at our office. A list of original documents furnished for our inspection is listed in Schedule III hereto.

9.4.2. There is no indication that the original of the conveyance dated 5th May, 1919, was handed over to the said Vipin Pandya at the time of the execution of the conveyance dated 1st December, 1990. No declaration and/or indemnity in respect of the said original conveyance dated 5th May, 1919 appears to have been obtained from the vendors under the conveyance dated 1st December, 1990. However, since the originals of the conveyances dated 1st December, 1990 and 25th October, 2007 are available with ALD, in our view, the non-availability of the conveyance dated 5th May, 1919 is not material.



9.5. Public Notices

9.5.1. Public notices were issued by us in the Mumbai Samachar (Gujarati) and in Free Press Journal (English), both dated 27th April, 2016; inviting claims / objections from the members of the public with respect to the said Land.

9.5.2. We have, to date, not received any claim / demand/ objection or other response, to the public notice issued by us.

10. REDEVELOPMENT PERMISSIONS

10.1. Examining and commenting on the validity and/or adequacy of development permissions pertaining to the construction being carried out on the said Land is outside the scope of this title certificate (which is restricted to the title to the said Land and does not cover the construction thereon) as also outside the scope of legal services and the same have been set out herein by way of information only.

10.2. MHADA NOC

10.2.1. MHADA has granted its No Objection Certificate bearing No. R/NOC/F-2065/6252/MBRRB-12 dated 20th Nov, 2012, for redevelopment of the said Land issued by the Chief Officer, Mumbai Building Repair and Reconstruction Board, a unit of MHADA, which is valid until 19th November, 2013.

10.2.2. As per the Declaration, the MHADA NOC has not been cancelled by MHADA although the redevelopment work



has not commenced within the stipulated period of 12 months from the date of issue of the NOC. ALD has further informed us that an application has been made for the revalidation of the MHADA NOC. Clause 11 of the MHADA NOC, provides that the NOC holder i.e. ALD shall surrender a surplus built up area admeasuring 106.64 sq. mtrs in a new building to be constructed for residential use only, and 213.35 sq. mtrs. if the new building is constructed for mixed use i.e. residential and commercial use, as per Schedule III to the MHADA Act, 1976.

10.2.3. In conformity with the Order dated 15th January, 2014, ALD is also required to surrender an additional area of 108.79 sq. mtrs out of another property held by, and being developed by ALD, bearing F.P.No.414 in the form of duly constructed flats over and above the surrender of area 378.42 sq mtrs out of the said Land.

10.2.4. As per the Agreement dated 3rd April, 2014 between Maharashtra Housing and Area Development Authority and ALD and registered with the Sub-Registrar of Assurances at Mumbai bearing registration number BBE-3 1873 of 2014, the total area of 483.04 sq. mtrs. shall be surrendered to MHADA from the said Land in the form of duly constructed flats at the time of application for Occupancy Certificate for free sale flats in compliance with the Order dated 15th January, 2014, and no additional area shall be surrendered from the land bearing FP No.414.

10.2.5. It has further been agreed that, upon MHADA receiving the vacant possession of the said flats, occupancy certificate



shall be issued and permission to occupy the free sale flats shall be granted.

10.2.6. ALD has also furnished the No Objection Certificate bearing No. R/NOC/F-2065/8308/MBRRB-15 dated 12th August, 2015, revalidating the No Objection Certificate for redevelopment of the said Land issued by the Chief Officer, Mumbai Building Repair and Reconstruction Board, a unit of MHADA, dated 20th November, 2012 and valid up to 19th November, 2016.

10.2.7. As per the Declaration dated 9th August, 2016, executed by ALD, the MHADA NOC is valid and subsisting and ALD is not in breach or default of any of its obligations thereunder.

10.3. Intimation of Disapproval

10.3.1. ALD has furnished the Intimation of Disapproval ("IOD") bearing No.E.B./CE/EB/6428/GN/PS/A, dated 20th September, 2013 together with the amended IOD dated 28th January, 2015.

10.4. Commencement Certificate

10.4.1. ALD has furnished the Commencement Certificate dated 25th July, 2014 issued for carrying out work up to plinth level only.

10.4.2. ALD has obtained an endorsement dated 4th July, 2016, on the Commencement Certificate, granting an extension of the Commencement Certificate, for carrying out



construction up to the 14th Floor, as per the approved plan dated 26th January, 2015.

10.5. Development Plan Remarks

10.5.1. ALD has furnished us with a copy of the Sanctioned Revised Development Plan Remarks bearing No.CHE/832/DPCity/G/N dated 8th December, 2014 issued by the MCGM. As per the DP Remarks, there are no reservations affecting the said Land. The said Land falls under the R (Residential) Zone.

10.6. Town Planning Scheme Remarks

10.6.1. ALD has furnished the Town Planning Scheme Remarks of the Town Planning Scheme Bombay City No. IV (Mahim Area) (1st Variation) (Final) dated 8th October, 2010 bearing No. CHE/DP/760/TPS/R issued by the Office of the Executive Engineer (Town Planning), Municipal Corporation of Great Mumbai to Mr. D. H. Patel ('Town Planning Scheme').

10.6.2. In the Town Planning Scheme records, the name of Morarji Karsondas Hargovindas continues to be shown as the owner of the said Land. ALD has furnished us a copy of the letter dated 7th May, 2013 addressed by ALD to the Executive Engineer (Town Planning) requesting for a change of ownership in Form-B of the Town Planning Scheme for the said Land. In reply to the said letter dated 7th May, 2013, a letter dated 24th May, 2013 bearing reference No.EE/TPV/Mahim IV/128/TPS has been addressed by the Office of the Executive Engineer (Town



Planning) to ALD. The said letter states that the Municipal Corporation of Greater Mumbai cannot change the Town Planning record unless and until authorization is received from the Urban Development Department of Government of Maharashtra under Section 91 of the Maharashtra Regional and Town Planning Act, 1966 for variation of the Town Planning Scheme with regard to changes of ownership of the said Land and therefore the request for change of ownership of in the Town Planning Scheme cannot be considered at this stage and that the same will be considered on its own merits and after verification of the necessary documents on receipt of authorization / notification from the Urban Development Department. As per the Declaration dated 9th August, 2016, ALD is pursuing the matter with the Urban Development Department and other authorities for change of ownership in Form - B of the Town Planning Scheme for the said Land in favour of ALD.

11. CONCLUSION

- 11.1 Subject to what is stated hereinabove, and particularly the Qualifications, we are of the opinion that Anmol Land Developers has a clear and marketable title to the said Land, free from encumbrances, charges and claims, and ALD has the requisite title, power and authority in law to develop the said Land in accordance with law.

SCHEDULE I

All that piece or parcel of land or ground at Mahim Agar in the Registration Sub-district of Bombay now bearing Final Plot No.421 of TPS IV of Mahim Division



and bearing C.S.No.1274 of Lower Parel Division, containing an area of 1518 square yards (1269.24 square metres) being G Ward No. 3127(2-3) and (4), Street Nos. 180B and 176B, Bhavani Shankar Road, Gr. W No. 3124 and bounded as follows:

- On or towards the North: by property bearing Final Plot No. 422;
On or towards the South: by Bhavani Shankar Road;
On or towards the East: by property bearing Final Plot No. 425;
On or towards the East: by property bearing Final Plot No. 420;

SCHEDULE II

LIST OF PHOTOCOPIES OF DOCUMENTS PROVIDED TO US

1. Indenture dated 1st December, 1990 executed between (i) Jaysinh Morarji, (ii) Haridas Morarji, (iii) Jairaj Morarji, and (iv) Krishnaraj Morarji as the Vendors And Vipin Pandya.
2. Letters of Administration to the property and credits of Vipin Pandya, granted by the High Court of Bombay to Mrs. Ila Vipin Pandya in Testamentary Suit No. 17 of 1998 arising out of the Petition No. 132 of 1998 on 19th October, 2007.
3. Deed of Conveyance dated 25th October 2007, registered at Sr.No.2777 of 2007 with the Sub-Registrar of Assurances at Bombay, executed between Mrs. Ila Vipin Pandya And M/s Anmol Land Developers.
4. Receipt bearing No.278840 dated 8th October, 2010 in the name of Mr. Vipin Pandya, acknowledging payment of a sum of Rs.9553/- as land revenue arrears payable for 2008-2010 and land revenue taxes for the period 2010-2011.
5. PR Card dated 27th September, 2011.
6. MHADA NOC bearing No.R/NOC/F-2065/8252/MBRRB-12 dated 20th November, 2012.
7. MHADA NOC dated 12th August, 2015 bearing No. R/NOC/F-2065/8306/MBRRB-15.



8. Intimation of Disapproval dated 20th September, 2013 bearing No. E. B./CE/EB/6428/GN/PS/A.
9. Commencement Certificate dated 25th July, 2014.
10. Agreement dated 3rd April, 2014, executed between MHADA and ALD.
11. Letter dated 5th July, 1996 bearing No. C/ULC/ D.III/22/6083 of the Additional Collector and Competent Authority (ULC) Greater Mumbai addressed to the Mrs. Ila Vipin Pandya with respect to the permission for redevelopment of property bearing GS No. 1274, FP No.421 of Mahim Division, TPS IV to ALD.

SCHEDULE III

ORIGINAL DOCUMENTS INSPECTED

1. Indenture dated 1st December, 1990 executed between (i) Jaysinh Morarji; (ii) Haridas Morarji; (iii) Jairaj Morarji; and (iv) Krishnaraj Morarji as the Vendors And Vipin Pandya.
2. Deed of Conveyance dated 25th October 2007, registered at Sr.No.2777 of 2007 with the Sub-Registrar of Assurances at Bombay, executed between Mrs. Ila Vipin Pandya And M/s Anmol Land Developers.
3. Letters of Administration to the property and credits of Vipin Pandya, granted by the High Court of Bombay to Mrs. Ila Vipin Pandya in Testamentary Suit No. 17 of 1996 arising out of the Petition No. 132 of 1996 on 19th October, 2007.
4. Deed of Partnership of Anmol Land Developers dated 11th July, 2007.
5. Property Register Card dated 13th January, 2014.
6. DP Remarks dated 8th December, 2014.
7. MHADA NOC dated 20th November, 2012.
8. Commencement Certificate dated 25th July, 2014, revalidated on 4th July, 2016.
9. Intimation of Disapproval dated 20th September, 2013 and the amended IOD dated 28th January, 2015.



10. Letter dated 5th July, 1998 bearing No. C/ULC/ D.III/22/8083 of the Additional Collector and Competent Authority (ULC) Greater Mumbai addressed to the Mrs. Ila Vipin Pandya.
11. Agreement dated 3rd April, 2014, executed between MHADA and ALD.
12. Town Planning Remarks dated 8th October, 2010.

Dated this 7th day of October, 2016

TATVA LEGAL MUMBAI



Partner