

ANNEXURE - 'A'

Kishore Thakordas & Co.
Advocates & Solicitors

VATASAL K. MERCHANT
YASMIN J. BHANSALI
VIDYA V. MERCHANT
TEL. NO. : 2268 0438
TELEFAX : 2264 1825

CRESCENT CHAMBERS,
TAMARIND LANE, FORT,
MUMBAI - 400 023.

Date : 2nd May 2003

TO WHOMSOEVER IT MAY CONCERN

Re : Property bearing Final Plot No. 1052 to 1049 in T. P. IV,
Mahim, 23595 - 94 sq. mtrs. or thereabouts.

M/s. Sumer Builders..... Owners

Under instructions of our client M/s. Sumer Builders we have investigated their title to the above captioned property which is more particularly described in the Schedule hereunder written :

1. One Ahmed Yusuf Botawala and Suleman Mohammed Munnee by virtue of an indenture of Conveyance dated 26th February 1942, registered under Serial No. 1218 of 1942 had become seized and possessed of or otherwise well and sufficiently entitled to the undermentioned property bearing Cadastral Numbers 1/1142 (part) and 1143 of Lower Parel Division and now bearing F. P. No. 1052 to 1059 of T.P.S. IV, Mahim.
2. By a Deed of Trust dated 26th March 1943, the said Ahmed Yusuf Botawala transferred all his undivided share, right, title, interest in the undermentioned property to Dr. M.A. Botawala and S.A. Botawala as the Trustees under the said Deed of Trust known as the A. U. Botawala Trust which said Trust became entitled to the said one-half undivided share of Ahmed Yusuf Botawala in the undermentioned property.
3. The said Suleman Mohammed Munnee, Owner of the remaining one-half undivided share in the undermentioned property by his Last will and Testament dated 27th July 1944, conferred 1/3rd of his one-half share in the undermentioned property unto a Trust which Trust was thereafter constituted by the Executors of his will namely A.U. Botawala and E.M. Munnee by a Declaration of Trust dated 19th December 1949. The remaining 2/3rd share of one-half share, right, title, interest in the undermentioned property was bequeathed by Late Suleman Mohammed Munnee to his heirs and beneficiaries under his Last will dated 27th July 1944. Accordingly, the said Trust constituted under the Declaration of Trust dated 19th December 1949, known as "THE SULEMAN MOHAMMED MUNNEE WAQF" became entitled to the 1/3rd of the one-half share of Late Suleman Mohammed Munnee and Mohammed Yusuf Munnee and others as the heirs and beneficiaries of Late Suleman Mohammed Munnee became entitled to the remaining 2/3rd of the one-half share of the said Late Suleman Munnee in the undermentioned property.

4. Under diverse indentures of Lease various portions of the said property were demised by the then Holders of the undermentioned property to various Lessees for diverse periods as detailed hereinafter:

Sr. No.	Name of the Lessee	Area Sq. mtrs	Period of Lease.
1.	TRIBHOVANDAS LALBAI ENGINEER AND ORS. (JAYBHARAT ICE FACTORY) (F.P. No. 1055).	2240.82	40 years from 1-8-1950.
2.	CHIMANLAL G. PARIKH & ORS. (LAXMI METAL WORKS). (F.P. No. 1054).	1382.96	40 years from 1-4-1952.
3.	THE NEW ORIENTAL SILK MILLS & ORS. (F.P. No. 1053 part).	8121.00	40 years from 1-6-1964.
4.	MANGALAVATIBEN JHAVERI. (F.P. No. 1052).	501.67	40 years from 1-10-1948.
5.	DIVANCHAND AHUJA. (F.P. No. 1056).	194.00	40 years from 1-1-1950.
6.	BEST UNDERTAKING (F.P. No. 1057).	46.45	25 years from 1-10-1948.
7.	RAMANLAL MAGANLAL PARIKH (F.P. No. 1058)	244.15	40 years from 1-1-1950

Besides, the above referred Leases various portions and premises in the said property have been let out by the then Owners on monthly tenancy basis. The Leases in favour of (1) TRIBHOVANDAS LALBAI ENGINEER AND OTHERS (JAYBHARAT ICE FACTORY), (2) CHIMANLAL G. PARIKH & OTHERS (LAXMI METAL WORKS), (3) MANGALAVATIBEN JHAVERI, (4) DIVANCHAND AHUJA, (5) RAMANLAL MAGANLAL PARIKH have expired by efflux of time. As regards the Lease with M/s. NEW ORIENTAL SILK MILLS PVT. LTD., AND OTHERS, by an Agreement dated 24th January 2003, the said NEW ORIENTAL SILK MILLS PVT. LTD., AND OTHERS have arrived at an arrangement with M/s. SUMER BUILDERS for the development of the demised property;

5. By an indenture of Conveyance dated 13th August 1993, registered with the Sub-Registrar of Assurances at Bombay under Sr. No. BE2010 of 1993, Dr. M.A. Botawala and Others as Trustees of the Suleman Mohammed Munnee Waqf have sold, transferred and conveyed to M/s. Sumer Builders their undivided one-sixth shares, right, title, interest in the undermentioned property.
6. By an indenture of Conveyance dated 3rd August 1994, registered with the Sub-Registrar of Assurance at Bombay under Sr. No. BBE2838 of 1994, the said

Dr. M.A. Botawala and Others as the Trustees of the A.U. Botawala Trust have sold, transferred and conveyed unto M/s. Sumer Builders all their undivided one-half share, right, title, interest in the undermentioned property.

7. By seven separate Indenture of Conveyances :

- (a) dated 24th January 1995, registered with the sub-Registrar of Assurances at Bombay under Sr. No. BBE343 of 1995
- (b) Dated 13th December 1995, registered with the Sub-Registrar of Assurances at Bombay under Sr. No. BBE4087 of 1995
- (c) Dated 18th December 1995, registered with the sub-Registrar of Assurances at Bombay under sr. No. BBE4170 of 1995.
- (d) Dated 16th December 1995, registered with the Sub - Registrar of Assurances at Bombay under sr. No. BBE4169 of 1995.
- (e) Dated 27th August 1996, registered with the Sub-Registrar of Assurances at Bombay under sr. No. BBE3079 of 1996.
- (f) Dated 27th August 1996, registered with the Sub-Registrar of Assurances at Bombay under sr. No. BBE3080 of 1996.
- (g) Dated 31st March 1997, registered with the Sub-Registrar of Assurances at Bombay under sr. No. BBE1189 of 1997

Yakub Essof Munnee and others being the heirs, legatees and beneficiaries of Late Suleman Mohammed Munnee have sold, transferred and conveyed all their undivided share, right, title, interest in the undermentioned property to M/s. Sumer Builders.

In the Premises aforesaid, the said M/s. Sumer Builders have acquired the said undermentioned property from the Trustees of the said A. V. Botawala Trust as well as the Suleman Mohammed Munnee Waqf and the heirs and beneficiaries of Late Suleman Mohammed Munnee.

The said Indentures of Conveyance above recited being duly registered, application has been made by M/s. Sumer Builders for incorporating their name in the Property Register Card as Holders of the said property described in the Schedule hereunder written.

We have caused searches to be taken at the office of the Sub-Registrar of Assurances at Bombay and Bandra, perused Title Deeds of the Owners along with the INDEX II Extracts in evidence of the same having been duly indexed and registered and have also caused Public Notices to be issued in newspapers inviting claims if any to the title of the Owners wherein (in respect whereof we have received no claims) and we are of the opinion that subject to what is set out herein, the owners M/s. Sumer Builders have a clear and marketable title free of encumbrances and reasonable doubts to the undermentioned property.

The said M/s. Sumer Builders accordingly are entitled to develop the undermentioned property more particularly described in the Schedule hereunder written subject to the grant of necessary development permission from the Concerned Authorities.

THE SCHEDULE HEREINABOVE REFERRED TO

All That piece or parcel of land situate, lying and being at New Prabhadevi Road at Mahim in the Registration Sub-District of Bombay containing by admeasurement 28197 square yards or thereabouts equivalent to 23595.94 square metres or thereabouts bearing Final Plot Nos. 1052 to 1059 in TPS IV, Mahim registered along with other land in the Books of the collector of Land Revenue under old Nos. 175, 177 and 220, 350, 414, 524, 537, 538, 569, 754 New No. B/3804 and Collector's New Nos. 3571, 3867, 4060, 4076, 5/4511 and C. R. No. A/683, Old Survey Nos. 514, 516 to 519 and New Survey Nos. 1/c, 1811 and 1816 and bearing Cadastral Survey Nos. 1/1142 (part) and 1143 (part) of Lower Parel Division and assessed by the Assessor and Collector of Municipal Rates and Taxes along with other property under ward Nos. 180, 3067 (1), and (6), (8-8A), (9) and (12), 3067 (2A), 3967 (3), 3067 (3A), 3067 (4), 3067 (5), 3067 (7), 3067 (10), 3067 (11), 3067 (13), 3067 (14), 3067 (15), 3067 (19), 3067, 3069, 3070 (1), 3070 (1A-1B), 3070 (2), 3070 (3), 3071 (1A), 3071 (2), 3073 (1) and Street Nos. 531 etc., 38, 38A, 531B, 60, 60A, 62, 62A, etcetera, 40-48, 5310, 331D, 331F, 531 I, 60A, 62, 62A, etcetera, 40-48, 531D, 331 F 531I, 531J, 531L, 531M, 531N, 531R, 88A, 88B, 88D 88C, 88F, 88F, 88E, 535A, 89, 80A, 82, 84 and 78 Sheet No. together with building / Structures standing thereon and bounded as follows :

On or towards North partly by the property of Rao Saheb Devji Dharsi and Kalelinji Devji, and partly by passage and partly by the New Prabhadevi Road; On or towards South Partly by the property of the Crown Mills, partly by private Temple belonging to Sayyaji Neguji and by a passage 5 ft. wide from the New Prabhadevi Road to the side temple and partly by the New Prabhadevi Road, on or towards East partly by the Property of Devji Dharsi and Others and partly by the properties of the Crown Spg. Mills and On or towards West by the New Prabhadevi Road.

Dated this 2 day of May 2003.

For M/s. Kishore Thakordas & Co.


PARTNER