

TO WHOMSOEVER IT MAY CONCERN

**All that pieces or parcel of land or ground admeasuring
2950.10 sq.mtrs or thereabout bearing CTS Nos.29(Part),
30(Part), 31(Part), 32, 33, 34 (Part) and 35(Part) of Village
Oshiwara, Taluka Andheri, Bombay Suburban District
Situate at Link Road, Jogeshwari (West), Bombay 400 102**

Under instructions from Messrs.Paras Builders (1985), I investigated into the marketability of title in respect of immovable property being all that pieces or parcel of land or ground admeasuring 2950.10 sq.mtrs or thereabout bearing CTS Nos.29(Part), 30(Part), 31 (Part), 32,33,34(Part) and 35(Part) of Village Oshiwara, Taluka Andheri, Bombay Suburban District, situate at Link Road, Jogeshwari (West), Bombay 400 102 (the said land). For the purpose of investigating into the marketability of title in respect of the said land, I issued public notice in the Free Press Journal and Navshakti both dated 28th May 2011 inviting claims and/or objections. I also caused searches to be taken in the office of the Sub Registrar of Assurances at Bandra for the period from 1971 to 2011 and in the office of Sub-Registrar of Mumbai for the period from 1971 to 2011. The Search Clerk has submitted his report dated 16th August 2011.

2. In response to the Public Notice published in the Free Press Journal and Navshakti both dated 28th May 2011, no claims and/or objections are received.

3. The said Messrs.Paras Builders (1985) have also produced before me for my perusal the following documents:

- i) The Development Agreement dated 21st February 2005 executed by and between Shiv Sfurti Sahakari Grih Nirman Sanstha (proposed) and the said Messrs.Paras Builders (1985).
- ii) The Power of Attorney dated 21st February 2005 executed by the said Shiv Sfurti Sahakari Grih Nirman Sanstha (proposed) appointing the said Paras Builders (1985) as their Constituted Attorney.
- iii) The copy of Deed of Rectification dated 7th August 2010 between Shiv Sfurti Sahakari Grih Nirman Sanstha Ltd and Paras Builders (1985) and copy of the Power of Attorney dated 7th August 2010 executed by the said Society in their favour.
- iv) Copies of the individual agreements executed by the Dwellers on the said land and who are the members of the said proposed Society.
- v) Copy of the certified Annexure II issued by the Maharashtra Housing Area Development Board vide Outward No. Chief Officer/ALM/Mumbai Mandal/Shiv Sfurti/3353/05 dated 11th July 2007.
- vi) The copy of the letter of Intent issued by the Slum Redevelopment Authority vide No.SRA/ENG/1095/KW/MHL/LOI dated 27th December 2005.
- vii) Copy of the approved plan and the intimation of approval issued by the Executive Engineer SRA vide No.SRA/ENG/1837/KW/MHL dated 11th July 2007 and amended approved plan of even number dated 2nd July 2009.
- viii) The copy of the Work Commencement Certificate issued by the SRA vide No.SRA/ENG/1837/KW/MHL/AP dated 18th October 2007 and revalidated from time to time upto 18th October 2010 for full height of Building..
- ix) The copy of the Registration Certificate of Shiv Sfurti Sahakari Grih Nirman Sanstha Ltd. issued by the Assistant Registrar of Cooperative Societies,SRA registering the said Society.

4. From the perusal of the above referred documents as also from the perusal of the Report of the Search Clerk, the following facts are revealed.

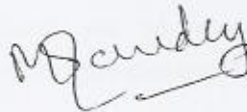
- (a) The said land are owned by the Maharashtra Housing and Area Development Board and the name of the Maharashtra Housing and Area Development Board is recorded as the holder of the said land in the Revenue Records in the Village Form 7, 7A and 12.

- (b) The slum dwellers on the said land appointed M/s.Paras Developers (1985) as the Developers for the development of the said land under the SRA Scheme by the Agreement dated 21st February 2005 and appointed them as their Constituted Attorney by executing a Irrevocable General Power of Attorney in their favour on 21st February 2005.
- (c) The said Shiv Sfurti Sahakari Grih Nirman Sanstha (Proposed) was registered as Co-operative Housing Society and under No. MUM/SRA/HSG/TC/11053/2006 dated 21st February 2006 by the Assistant Registrar, Cooperative Societies (SRA).
- (d) The Deed of Rectification dated 7th August 2010 was executed between Shiv Sfurti Grih Nirman Sanstha Ltd. and the said M/s.Paras Builders (1985) rectifying the said Development Agreement dated 21st February 2005. In furtherance of the said Deed of Rectification the said Society executed Fresh Power of Attorney dated 7th August 2010.
- (e) The said Messrs.Paras Builders (1985) prepared and submitted the Draft Annexure II to the Maharashtra Housing and Area Development Board who is the competent authority for the certification of the Annexure II in respect of the land owned by the Board. The said Board vide No.Chief Officer/ALM/Mumbai Mandal/Shiv Sfurti/3353/05 dated 11/07/05 certified the Annexure II. The certification of Annexure II by the Board is deemed to be the NOC for the development of the said land under the Slum Redevelopment Scheme.
- (f) The said Paras Builders (1985) submitted plans/proposals for the redevelopment of the said land which is approved by the SRA and intimation and approval dated 11th July 2007 and on the said Developer complying with the conditions of the IOA, the Work Commencement Certificate dated 18th October 2007 is issued. Thereafter amended IOA is issued under No. SRA/ENG/1837/Kw/MHL/AP dated 02/07/2009 and the Work Commencement Certificate is revalidated from time to time upto 18th October 2010. I am informed by the said Messrs. Paras Developers

(1985) that as per the said approved plan, IOA and Work Commencement Certificate, they have already started the work of construction of Rehab-cum-Sale Composite Building which has been structurally completed.

5. Taking into consideration the fact that no claims and/or objections are received in response to the Public Notice appearing in Free Press Journal and Navshakti dated 28th May 2011 and taking into consideration the report of the Search Clerk and the copies of the extracts in the Village Form 7, 7A, 12 and 6 submitted by the Search Clerk alongwith the report, in my opinion the Maharashtra Housing and Area Development Board is the owner of the said land and their title to the said land is clear, marketable, free from encumbrances and reasonable doubt and further taking into consideration that the Society of slum dwellers has appointed the said Messrs.Paras Developers (1985) as the Developers and they have got the scheme sanctioned for the development of the said land from the Slum Redevelopment Authority and are implementing the said scheme and developing the said land and as per the said scheme, they are executing the work of the said development within their right.

Dated this 22nd day of September 2011


ADVOCATE