



महाराष्ट्र MAHARASHTRA

2017

SR 208450



प्रधान मुद्रांक कार्यालय, मुंबई
प.मु.वि.क्र. ८०००००६
22 SEP 2017
सक्षम अधिकारी

श्री. प्र. ना. चिंचघरे

FORM 'B'
[Rule 3(6)]

**DECLARATION, SUPPORTED BY AN AFFIDAVIT, WHICH SHALL
BE SIGNED BY THE PROMOTER OR ANY PERSON AUTHORIZED
BY THE PROMOTER**

Affidavit cum Declaration

Affidavit cum Declaration of Mr. Pranay Vasantlal Shah, Director of M/s
Damji Shamji Realty Pvt. Ltd. promoter of the proposed project.

I, Mr. Pranay Vasantlal Shah Director of the promoter of the proposed project
do hereby solemnly declare, undertake and state as under:

PM

[illegible]

1-4 OCT 2017

4 OCT 2017

901970



1. That I have a legal title Report to the land on which the development of the proposed project is to be carried out and a legally valid authentication of title of such land along with an authenticated copy of the agreement between such owner and promoter for development of the real estate project is enclosed herewith. I have negotiated with the owners of adjoining plots/properties for purchasing and/or acquiring development rights in respect of the adjoining plots/properties. I shall after such adjoining plots/properties are purchased and/or acquired for development amalgamate such purchased and/or acquired adjoining plots/properties with the land on which the development of the project namely 'Mahavir Kalpavruksha Orchid' (J Wing) is to be carried out and construct portion of 'Mahavir Kalpavruksha Orchid' (J Wing) on such amalgamated adjoining property.

2. That the project land is free from all encumbrances subject to i) Indenture of Mortgage dated 5th June, 2014 registered under No. TNN-2/5063 of 2014 on 20th June, 2014 with the Sub Registrar at Thane-2 and ii) Indenture of Mortgage dated 6th September, 2016 registered under No. TNN-12/1609 of 2016 on the same day with the Sub Registrar at Thane-12 by which M/s Damji Shamji Realty Pvt. Ltd. created a lien charge and mortgage in favour of ICICI Bank Ltd., inter alia in respect of the premises to be sold in the Building known as Mahavir Kalpavruksha on the terms and conditions therein mentioned and subject to the following litigations:

i) Smt. Mankibai Krishna Mukadam has filed a Special Civil Suit bearing No. 930 of 2008 in the Court of Civil Judge (S.D.) Thane. The said Suit is pending in the Court. No interim Order has been passed therein against M/s Damji Shamji Realty Pvt. Ltd.

ii) Smt. Shantibai Dharma Bhoir has filed a Special Civil Suit bearing No. 736 of 2011 in the Court of Civil Judge (S.D.) Thane. The said Suit is pending in the Court. No interim Order has been passed therein against M/s Damji Shamji Realty Pvt. Ltd.

3. That the time period within which the project shall be completed by me from the date of registration of project is December, 2022;

4. For new project that seventy per cent of the amounts realised hereinafter by the promoter for the real estate project from the allottees, from time to time, shall be deposited in a separate account to be maintained in a scheduled bank to cover the cost of construction and the land cost and shall be used only for that purpose.

5. That the amounts from the separate account shall be withdrawn in accordance with Rule.

6. That I shall get the accounts audited within six months after the end of every financial year by a practicing Chartered Accountant, and shall produce a statement of accounts duly certified and signed by such practicing Chartered Accountant, and it shall be verified during the audit that the amounts collected for a particular project have been utilised for the project and the withdrawal has been in compliance with the proportion to the percentage of completion of the project.

7. That I shall take all the pending approvals on time, from the competent authorities.

[Signature]



8. That I shall inform the Authority regarding all the changes that have occurred in the information furnished under sub-section (2) of section 4 of the Act and under rule 3 of these rules, within seven days of the said changes occurring.

9. That I have furnished such other documents as have been prescribed by the rules and regulations made under the Act.

10. That I shall not discriminate against any allottee at the time of allotment of any apartment, plot or building, as the case may be.

Mr. Pranay Vasantlal Shah
Deponent

Verification

The contents of my above Affidavit cum Declaration are true and correct and nothing material has been concealed by me therefrom.

Verified by me at Mumbai on this 4th day of October, 2017.

Mr. Pranay Vasantlal Shah
Deponent

NOTARY IS NOT RESPONSIBLE
FOR ANY CONTENTS OF DOCUMENT

Register Sr. No. 2237/2017
Date: 04 OCT 2017

SIGNED BEFORE ME

JAYANTI K. GADA
ADVOCATE & NOTARY PUBLIC
B/4, Mahavir Jyot, Opp. Odeon Shopping,
Vallabhbaug Lane, Ghatkopar (E),
Mumbai - 400 677