

Hand Delivery

M/s. Thakkar Builders & Developers
Gokul Apartments, Haridas Nagar,
Behind Kora Kendra, Shimpoli Road,
Borivali West,
Mumbai 400092

Re: All that piece and parcel of land situate, lying and being at Village Shimpoli, Taluka Borivali in Registration District and Sub-District of Bombay City and Bombay Suburban bearing Survey No. 16, Hissa No. 3B corresponding to CTS no. 60 (part) Final Plot Nos. 705 and 706 of the Town Planning Scheme No. III (TPS III Borivali), Borivali (W) (hereinafter referred to as the "Property") presently standing in the names of Ganpat Jagannath Thakur and Narayan Sakham Thakur (hereinafter referred to as the "Owners").

We are investigating the title of M/s. Thakkar Builders & Developers, a proprietorship concern of Mr. Ajit G. Thakkar, and having its office address at Gokul Apartments, Haridas Nagar, Behind Kora Kendra, Shimpoli Road Borivali West Mumbai 400092 to the Property. We have been provided with the search report of Mr. N. D. Rane dated 22nd July 2013 and have perused the same. The flow of title is as under:

1. One Shri Jagannath Alo Thakur was shown as the owner of the Property, prior to the year 1939. Shri Jagannath Alo Thakur died on or about the year 1939 leaving behind him (i) Sakahram Jagannath Thakur; and (ii) Ganpat Jagannath Thakur as his only legal heirs and representatives who became entitled to the Property. The names of the said legal heirs were entered into the 7/12 Extracts vide Mutation Entry No. 38 dated 11th February 1940.



2. Sakahram Jagannath Thakur died on or about 4th July 1966 leaving behind him, Narayan Sakharam Thakur as his only legal heir and representative who became entitled to the rights of Sakharam Jagannath Thakur to the Property. The name of Sakharam Jagannath Thakur was deleted and the name of Narayan Sakharam Thakur was added vide Mutation Entry No. 162.
3. Ganpat Jagannath Thakur died intestate on or about 10th March 1984 leaving behind him his wife Sunderabal Ganpat Thakur as his only legal heir and representative who became entitled to his share in the Property. The said Ganpat Jagannath Thakur had no children.
4. Narayan Sakahram Thakur claimed right in the Property for himself and his three sons viz. (i) Sudhir Narayan Thakur (ii) Ajit Narayan Thakur; and (iii) Sanjay Narayan Thakur and one daughter (iv) Sushma Narayan Thakur. The said rights were accepted by the Competent Authority under Urban Land (Ceiling & Regulation) Act and an appropriate order was passed being Order No. C/ULC/ 6(1)/III/078/1728 dated 9th May, 1988.
5. Accordingly, (i) Narayan Sakharam Thakur; (ii) Vijaya Narayan Thakur; (iii) Sudhir Narayan Thakur & Ajit Narayan Thakur; (iv) Sanjay Narayan Thakur; (v) Sushma Narayan Thakur; and (vi) Sunderabal Ganpat Thakur became entitled to the Property (hereinafter referred to as the "**Previous Owners**"). The Previous Owners have made a declaration stating that they are the only owners of the Property and save and except them no other persons have any right in the Property.
6. By an Agreement date 20th December 1985 made and entered into between the Previous Owners (therein referred to as the Sellers) of the one part; and (i) Shashikant Sitaram Junnarkar; (ii) Vidhyadhar Sitaram Junnarkar; and (iii) Madhusudan Sitaram Junnarkar (therein referred to as the Purchasers) (hereinafter referred to as the "**Junnarkar Family**") of the other part, the said sellers therein agreed to sell and transfer and assign the Property (along with F. P. No. 704) to the said purchasers therein for a consideration and upon the terms and conditions as more specifically contained in the said Agreement dated 20th December 1985.



7. By a Supplemental Agreement dated 10th November 1986 between the Previous Owners and the Junnarkar Family of the other part certain terms and conditions of the Agreement dated 20th December 1985 (referred to hereinabove) were modified in accordance with the said Supplemental Agreement dated 10th November 1986.
8. The said Junnarkar Family granted development rights to the said Property (along with F. P. No. 704) vide Development Agreement dated 2nd December 1986 entered into with Manesh Ranchoddas Kutmutia, the sole proprietor of Messer's. A .M. Developers, for a consideration and upon the terms and conditions as more specifically contained therein.
9. Since the names of the Junnarkar Family were not recorded in the property records maintained by the Government, the said Junnarkar Family caused the Previous Owners to execute a Power of Attorney dated 24th January 1987 in favour of Manesh Ranchoddas Kutmutia, the sole proprietor of Messers A. M. Developers for the purpose of development of the Property in accordance with the terms and conditions more specifically contained in the said Power of Attorney dated 24th January 1987.
10. Necessary statement under Section 6(1) of the Urban Land (Ceiling & Regulations) Act, 1976 has been filed and in pursuance thereto necessary order as already referred to above Under Section 8(4) of the Urban Land (Ceiling & Regulations) Act, 1976 is passed under No. C/ULC/ 6(1)/III/078/1728 on 9th May, 1988.
11. Vide an Agreement dated 14th April 1991 made and entered into between Manesh Ranchoddas Kutmutia, the sole proprietor of Messer's. A .M. Developers of the one part and Ajit G. Thakkar, proprietor of M/s. Thakkar Builders & Developers of the other part, it was, *inter alia*, agreed between the parties thereto that the Property shall be developed by Ajit G. Thakkar, proprietor of M/s. Thakkar Builders & Developers.
12. By a Declaration dated 4th July 1991 made and executed by the said Previous Owners, they have, *inter alia*, declared and admitted variation to the consideration under the original/agreement dated 20th December 1985.



13. By a Power of Attorney dated 6th February 2008 executed by the said Manesh Ranchoddas Kutmutia, the sole proprietor of Messer's. A.M. Developers in favour of Ajit G. Thakkar, proprietor of M/s. Thakkar Builders & Developers and registered with the Office of the Sub-Registrar of Assurances at Borivali under Sr. No. BDR-6/02169/2008 dated 10th March 2008, by virtue of Clause 17 of the Power of Attorney dated 24th January 1987, the said Manesh Ranchoddas Kutmutia, the sole proprietor of Messer's. A. M. Developers granted certain powers in favour of Ajit G. Thakkar, proprietor of M/s. Thakkar Builders & Developers as more specifically contained in the said Power of Attorney dated 6th February 2008.

14. No documents are traced in the course of search with regard to the ownership.

15. As per D.P. Remarks, the said property is not under any reservation or set back.

16. In these circumstances and relying on the above search report, the declaration made by the Previous Owners, the order of the Competent Authority under the Urban Land (Ceiling & Regulation) Act, and subject to what is stated hereinabove it can be concluded that –

(A) the Property stands in the name of the Previous Owners, that is to say, (i) Narayan Sakharan Thakur; (ii) Vijaya Narayan Thakur; (iii) Sudhir Narayan Thakur & Ajit Narayan Thakur; (iv) Sanjay Narayan Thakur; (v) Sushma Narayan Thakur; and (vi) Sunderabai Ganpat Thakur;

(B) M/s. A. M. Builders & Developers have acquired all Development Rights from the Junnarkar Family in the Property (who have acquired Property from the Previous Owners) vide validly executed agreements and Power of Attorney which have not be terminated till date and are valid, subsisting and in full force as of date. Accordingly, the M/s. A. M. Builders & Developers have development rights in respect of the Property.

(C) M/s. Thakkar Builders and Developers have, in turn, acquired development rights to the Property from M/s. A. M. Builders & Developers vide Agreement dated 14th April 1991



- (D) By validly executed and duly registered Power of Attorney dated 6th February 2008, Mr. Ajit Thakkar of M/s. Thakkar Builders & Developers are entitled to carry out the development of the Property for and on behalf of M/s. A. M. Builders and Developers.

THE SCHEDULE ABOVE REFERRED TO:

All That piece or parcel of land lying, being and situate at village Shimpoli, Taluka Borivli, in the Registration District and Sub - District, of Bombay City and Bombay Suburban District bearing final plot no. 705 admeasuring 420 sq. mtrs. (or thereabouts) & 706 admeasuring 502.50 sq. mtrs. (or thereabouts) of the Town Planning Scheme no. III, Borivli (TPS III Borivli), Borivli West.

Dated this 5th day of August 2013.

Yours faithfully

Mrugank & Basutkar Law Partners

Partner

