

1148-A/4HM/2014

TITLE REPORT

TO WHOMSOEVER IT MAY CONCERN

I. DESCRIPTION OF THE PROPERTY:

All that piece or parcel of land or ground together with messuages, tenements, dwelling houses standing thereon, on C. S. No. 89(pt) of Salt Pan Division, Plot No. 368(pt), Ravli Camp, Sion Matunga Estate Scheme No. 6, G. T. B. Nagar, Mumbai - 400 037 in Registration District of Mumbai City, admeasuring about 1736.63 sq. mtrs. or thereabouts and commonly known as "Maharshi Balmiki Nagar" in the Registration District of Mumbai City and assessed by the Assessor and Collector of Municipal "F/N" ward, and bounded as follows:-

On or towards the North : by Shind Seva Nagar
On or towards the South : by C. G. Colony
On or towards the East : by Shind Seva Nagar
On or towards the West : by proposed D. P. Road
(hereinafter referred to as "**the said Property**")

II. INSTRUCTIONS:

Under instructions from our client, M/s. Alamdar Infrastructure Pvt. Ltd., one of the Joint Developers of the above captioned Property, we have through our Search Clerk taken searches of the records of the Sub-Registrar of Assurances at Mumbai and Bandra and City Survey Land Records and Revenue Records of the Collector of Mumbai and Mumbai Suburban.

III. DEVOLUTION OF TITLE:

We have perused the photocopies of documents of title and other relevant documents furnished to us and the Search Report of the Search Clerk, Mr. Pankaj V. Dahibawkar and we find as under:-

1. The Municipal Corporation of Greater Mumbai is the Owner of all that piece or parcel of land or C. S. No.89(pt) of Salt Pan Division, Plot No. 368 (pt), Ravli Camp, Sion Matunga Estate Scheme No. 6, G. T. B. Nagar, Mumbai – 400 037 in Registration District of Mumbai City, admeasuring about 1736.63 sq. mtrs. or thereabouts and commonly known as "Maharshi Balmiki Nagar" and more particularly described in the Clause I hereinabove.
2. Prior to 1995 various person/s had constructed several structures on the said Property and the said Property was occupied by the Slum dwellers and the same has been deemed as "slum area" under the provisions of Maharashtra Slum Areas (Improvement, Clearance and Re-Development) Act, 1971 and was allowed to be redeveloped in accordance with the scheme sanctioned by the Slum Rehabilitation Authority (S.R.A.).
3. The Slum dwellers occupying the said Property came together and proposed the formation of Co-operative Housing Society as "Maharshi Balmiki S.R.A Co-operative Housing Society (Proposed)" and appointed the Office Bearers thereof, (hereinafter referred to as "the said Proposed Society") and decided to appoint M/s. Shiv Mangal Developers, then a Sole Proprietary concern of Mrs. Meenadevi Babulal Samar as their Developer.
4. By and under a Development Agreement dated 19th September, 2005 made by and between the said Proposed Society through its Committee Members and the Office bearers, therein called the Society and M/s. Shiv Mangal Developers, then a Proprietary



concern referred to as the Developers therein, the slum dwellers nominated and appointed M/s. Shiv Mangal Developers to redevelop the said property in accordance with the provisions of Appendix IV of Development Control Regulations for Greater Mumbai, 1991 (for short "the said DCR")- under regulation 33(10) and the scheme to be sanctioned by the Slum rehabilitation Authority (S.R.A.) scheme along with a Power of Attorney of even date;

5. The said Shiv Mangal submitted the proposal for redevelopment of the said scheme to Slum Rehabilitation Authority and paid the Security Fees vide Challan no.496 dated 15th May, 2006 and accordingly the proposal was accepted by SRA and is numbered as F-N/MCGM/30038/3006051.
6. A Writ Petition came to be filed being Writ Petition No. 530 of 2010 for access to the said Property as the said Property was landlocked. The said Writ Petition was disposed of by the Division Bench of The Hon'ble Bombay High Court vide Order dated 22nd April, 2010 with the direction to Municipal Corporation Of Greater Mumbai (MCGM) to decide the representation under Rule 22 (5) of DCR 1991 for providing access. The Director (E.S. & P), MCGM vide an order dated 19th July, 2010 granted temporary access of 6.00 meters from Comrade Harbanslal Marg through the plot of Shindh Seva Samiti till access is made available through CPWD plot;
7. MCGM has issued Annexure-II for the said scheme under letter bearing No. Asstt. Comm./FN/11639/ Colony dated 6th November, 2011.

8. Under the Deed of Partnership dated 16th March, 2011, M/s Shiv Mangal Developers, the Proprietary Concern was converted into a partnership Firm, comprising of the Partners being Mrs. Meenadevi Babulal Samar and Mr. Babulal Mangilal Samar under the same name being M/s. Shiv Mangal Developers (hereinafter referred to as the "said Shiv Mangal").
9. By and under a Development Agreement dated 28th March, 2011 made by and between the said Proposed Society through its Committee Members and Office bearers, therein called the Managing Committee and the said Shiv Mangal referred to as the Developers therein, the slum dwellers confirmed the appointment and nomination of said Shiv Mangal to redevelop the said property and also executed a Power of Attorney of even date.
10. The said Shiv Mangal has obtained LOI from the Slum Rehabilitation Authority (S.R.A.) under No.SRA/ENG/1411/FN/ML/LOI dated 30th June, 2011 for the said property which is occupied by slum dwellers for rehabilitation building and Sale Building (hereinafter referred to as "the **said LOI**").
11. In the premises, the said Shiv Mangal became fully entitled to develop the said property under the provisions of Appendix IV of the said DCR, under regulation 33(10) in accordance with the scheme to be sanctioned by the Slum Rehabilitation Authority (S.R.A.) and dispose of / alienate flats and other premises to be constructed in the free sale component building on such terms and conditions as it may deem fit and proper;



12. By and under a Development Agreement dated 4th November, 2011 registered with the office of the Sub-Registrar of Assurances at Mumbai under Sr. No.BBE-2/7852 of 2011 entered into and executed between the said Shiv Mangal therein referred to as "Shiv Mangal" and M/s Alamdar Infrastructure Pvt. Ltd., therein referred to as "Alamdar" (hereinafter referred to as **"the said Agreement"**) the said Shiv Mangal permitted M/s Alamdar Infrastructure Pvt. Ltd. to redevelop the said Property in accordance with the scheme sanctioned by the SRA for the consideration and on the terms and conditions more particularly set out therein.
13. The said Shiv Mangal also granted a Power of Attorney dated 22nd March, 2012 in favour of M/s Alamdar Infrastructure Ltd. authorizing M/s Alamdar Infrastructure Ltd., Mr. Murtuza Rajkotwala, Mr. Raju Govind Pawar and Hozefa E. Chechatwala to do all such acts and deeds for the redevelopment of the said Property.
14. The Slum Rehabilitation Authority has sanctioned the building Plans for the construction of rehab component as well as free sale component and have issued Intimation of Approval under Sub-Regulation 2.3 of Appendix IV of Development Control Regulations No.33(10) on 19th October, 2012 under no. SRA/ENG/2904/FN/ML/AP.
15. Under the Deed of Partnership dated 14th day of August, 2013, said Mrs. Meenadevi Babulal Samar retired from the said Shiv Mangal Developers and her son Mr. Rahul Babulal Samar was taken as incoming partner along with the continuing partner Mr. Babulal Mangilal Samar in the said Shiv Mangal Developers.

16. A Deed of Modification dated 19th June, 2014 duly registered with sub-registrar of assurance under registration no. BBE2-5031 – 2014 on 20-6-2014, came to be executed between M/s Alamdar Infrastructure Ltd. (hereinafter referred to as "the said Alamdar") and the said Shiv Mangal recording therein the re-negotiated terms and conditions provided in the hereinbefore recited Development Agreement dated 4th November, 2011.
17. The Slum Rehabilitation Authority has issued Amended Plans under No. SRA/ENG/2904/FN/ML/AP dated 19th June, 2014 in respect of the Composite Building to be constructed on the said property.
18. The Slum Rehabilitation Authority has issued Commencement Certificate ("CC") under no. SRA/ENG/2904/FN/ML/AP on 27th June, 2014 for the Composite Building to be constructed on the said property.
19. As per the provisions of DCR 33(10) since redevelopment is on the plot of land belonging to the Municipal Corporation of Greater Mumbai, being a Statutory Authority, the Corporation / Slum Rehabilitation Authority will execute a Lease for 30 years in favour of the society to be formed by all the residents/occupants of the building and such Leases are renewable for further 30 years.
20. In the above Premises, the said Shiv Mangal along with the said Alamdar, are jointly entitled to redevelop the said Property subject to the compliance of the obligations under the said LOI by the said Shiv Mangal and the said Alamdar.

**IV. SEARCHES:**

We have through our Search Clerk taken the searches of the records of the Sub-Registrar at Mumbai and Bandra, City Survey Land Records and Revenue Records of the Collector of Mumbai in respect of the said property from the year 1983 to 2013 and have been furnished with the copy of the Report dated 4th January, 2013, of our Search Clerk. The Search Report states that Search of the City Survey Record and taking down the Extract of the Property Card pertaining to the said Property was not allowed by the City Survey Office. The content of the Property Card maintained at the Government Website Viz. "<http://mumbaicity.gov.in>" mentions the piece of land bearing C.S.No. 89 of Saltpan Division is admeasuring 80703.63 Sq. Mtrs. and at present name of "The Trustees For the Improvement of the City of Bombay" being the Municipal Corporation of Greater Mumbai now is recorded as the holder of the said Property..


V. PUBLIC NOTICE:

Under instructions of our clients, we have caused Public Notices to be published in Free Press Journal dated 6th December, 2012 and Navshakti dated 7th December, 2012 and in pursuance of the said Public Notice, we state that we have received no claims or objections in respect of the said property being undertaken for redevelopment by the said Shiv Mangal Developers and the said Alamdar jointly.

TITLE REPORT

Subject to what is stated hereinabove, we are of the opinion that the Municipal Corporation of Greater Mumbai being the successor in title of "The Trustees For the Improvement of the City of Bombay" is the Owner of the said Property and in pursuance to

what is stated above, M/s. Shiv Mangal Developers and M/s. Alamdar Infrastructure Pvt. Ltd. are jointly entitled to redevelop the said Property and sell their respective entitlement of constructed area in the said Property, subject to the compliance of the conditions laid down by the Slum Rehabilitation Authority and other Statutory Authority and with an obligation to construct rehab components for the slum dwellers on the said Property and rehabilitating them by providing the permanent alternate accommodation to them.

Dated this  day of August, 2014.

For M/S. PRAVIN MEHTA AND MITHI & CO.


PARTNER