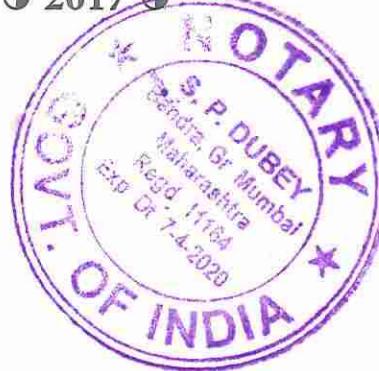




महाराष्ट्र MAHARASHTRA

● 2017 ●

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प्रधान मुद्रांक कार्यालय, मुंबई  
प.म.टि.क ८००००९४  
18 JUL 2017  
सक्षम आधिकारी

श्री. सु. का. पाटील

FORM 'B'  
[See Rule 3(6)]

### AFFIDAVIT CUM DECLARATION

Affidavit cum Declaration of **Mr. Priyadarshi Mehta**, Authorized Representative of the promoters viz. **SHREE NAMAN DEVELOPERS PRIVATE LIMITED** (formerly known as Shree Naman Developers Limited) ("Promoters") of the proposed project, duly authorized by the Promoters of the proposed project, by its resolution dated 12<sup>th</sup> July, 2017.

*B Mehta*

I, Mr. Priyadarshi Mehta Authorized Representative of **SHREE NAMAN DEVELOPERS PRIVATE LIMITED** (formerly known as Shree Naman Developers Limited) a company incorporated under the Companies Act, 1956 having its registered office at 315, Parekh Market, 39, J.S.S. Road, Opera House, Mumbai- 400 004, ("Promoters") of proposed project known as "**NAMAN HABITAT**" ("the Project") to be constructed and developed on all that piece and parcel of land admeasuring 6,354.63 sq. mtrs. bearing CTS Nos. 647, 647/1 to 6, 648, 648/1, 650, 651, 651/1, 652, 653, 654, 654/1 to 6, 660/1 to 5, 661, 662, of village Ambivali, Andheri Taluka, South Salsette District Bombay Suburban Registration, Sub District Bandra situate, lying and being at Jay Prakash Road, Andheri (West), Mumbai-400 058 ("Project Land"), do hereby solemnly declare, undertake and state as under do hereby solemnly declare, undertake and state as under :

1. I say that, Promoters have a legal title Report to the Project Land on which the development of the Project is to be carried out and a legally valid authentication of the title of the Promoters to the said Project Land, is set out in the Title Report dated 14<sup>th</sup> January, 2017 issued by Padiyar & Co., Advocates & Legal Consultants, read with Title Report dated 31<sup>st</sup> March, 2010 issued by Law Point, Advocates and Solicitors. A legally valid authenticated copies of the said Title Reports are annexed hereto and marked as **Annexure - "A" and "B"** respectively.
  
2. (a) The Promoters had created three Mortgages in respect of the Project Land/Project viz (i) By Deed of Mortgage dated 16<sup>th</sup> May, 2012 duly registered under Serial No. 5482 of 2012, executed in favour of M/s. Indiabulls Financial Services Limited (ii) By Deed of Mortgage dated 22<sup>nd</sup> January, 2015 duly registered under Serial No. BDR1-718 of 2015 executed in favour of Indiabulls Housing Finance Limited and (iii) By Deed of Mortgage dated 22<sup>nd</sup> January, 2015 duly registered under Serial No. BDR1-719 of 2015 executed in favour of

*Priyadarshi Mehta*



Indiabulls Infrastructure Credit Limited, all of which stands replaced/substituted by the Mortgages as stated hereinafter.

- (b) By an 3 (Three) different Mortgage Deeds all dated 10<sup>th</sup> May, 2017, duly registered with the Sub-Registrar of Assurances at Bandra under Serial Nos. BDR18/2889/2017, BDR18/2891/2017 and BDR18/2909/2017, made and executed by and between the Promoters, therein referred to as the Mortgagor of the One Part, and M/s. Indiabulls Housing Finance Ltd. as the "Mortgagee" of the other part, the Promoters has created a security by way of Lien/mortgage unto and in favour of said Mortgagee/Lender, the said Project land together with all the present and/or future structures, buildings (including Project called as "Naman Habitat") furniture, fixtures, fittings, standing and/or plant and machinery thereon installed/to be installed and/or constructed and/or all present and future title, Interest and rights of Promoters, upon terms and conditions therein contained.
- (c) Promoters have filed a Writ Petition being Writ Petition (L) No.1643/2017 in Hon'ble Bombay High Court against Union of India & 5 others, thereby praying for order or direction in the nature of Writ of Certiorari and for quashing and setting aside the Letter dated 14<sup>th</sup> October, 2016 issued by Dy. General Manager (ATC-NOC) of Airport Authority of India (AAI), thereby rejecting Promoters application dated 15<sup>th</sup> July, 2016, for revalidation of NOC dated 18<sup>th</sup> April, 2011 issued by Appellate Committee of AAI. Pursuant to the NOC dated 18<sup>th</sup> April, 2011 issued by Appellate Committee of AAI, the Promoters were permitted to utilize the height of 90.08 AMSL for the Project and the said NOC dated 18<sup>th</sup> April, 2011 was valid for period of five years from 22<sup>nd</sup> July, 2010

and expired on 21<sup>st</sup> July, 2015. The said Writ Petition is pending before the Hon'ble High Court.

3. The Project shall be completed by the Promoters on or before 31<sup>st</sup> August 2019, subject to Force Majeure events as defined in Explanation to Section 6 of RERA.
4. That seventy per cent of the amounts to be realized 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, since the estimated receivables of the Project are more than the estimated cost of completion of the Project.
5. That the amounts from the separate account shall be withdrawn in accordance with Rule 5 of the Maharashtra Real Estate (Regulation and Development) (Registration of real estate projects, Registration of real estate agents, Rates of interest and Disclosures on website) Rules, 2017 ("**General Rules**") framed by the Government of Maharashtra under RERA.
6. That the Promoters shall get its 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 the Project have been utilized for the Project and the withdrawal has been in compliance with the proportion to the percentage of completion of the Project.
7. That the Promoters shall take all the pending approvals on time, from the competent authorities.



8. That the Promoters shall inform the RERA Authority regarding all the changes that have occurred in the information furnished under sub-section (2) of Section 4 of RERA and under Rule 3 of the General Rules, within seven days of the said changes occurring.
9. That the Promoters has furnished all such other documents as have been prescribed by the rules and regulations made under RERA.
10. That the Promoter shall not discriminate against any allottee at the time of allotment of any apartment in the Project.

**Shree Naman Developers Pvt. Ltd.**

  
**Authorized Representative**  
(Deponent)

**Verification**

The contents of the above Affidavit cum Declaration are true and correct and nothing material has been concealed by me there from.

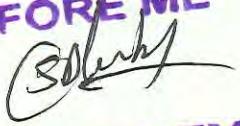
Verified by me at Mumbai on this

25th day of July, 2017.

**Shree Naman Developers Pvt. Ltd.**

  
**Authorized Representative**  
(Deponent)



**BEFORE ME**  
  
**S. P. DUBEY**  
B.A LL.B.  
NOTARY GR. MUMBAI  
MAHARASHTRA  
'Govt. of India'  
25 JUL 2017