

To,

M/S. K. MANIAR,

701, Center Plaza, Shivaji Chowk,

Daftary Road, Malad (E),

Mumbai-400 097


Respected Sir,

THIS IS TO CERTIFY THAT I have investigated the title of "**M/S. K. MANIAR**, a partnership firm duly registered under the provisions of Indian Partnership Act, 1932 (hereinafter referred to as "**the Developer**") to the property as mentioned in the schedule hereunder written and I have to state as follows:-

- A. The Maharashtra Housing and Area Development Authority (hereinafter referred to as 'MHADA') being the statutory body constituted as per the provision of the Maharashtra Housing Area and Development Act, 1976 is the owner of immovable property viz. all that piece or parcel of land adms. 2108.00 sq.mtrs. or thereabouts bearing CTS No.610 (pt) of Village Bandra (E), in the registration district and sub-district of Mumbai City and Mumbai Suburban situate, lying and being at Saibaba Nagar, Near Teachers Colony, Bandra (E), Mumbai (hereinafter for the sake of brevity referred to as "**said first property**") and more particularly described **FIRSTLY** in the schedule hereunder written.

RAMASHANKAR PANDEY
A/16/404, Saurabh Gokul Dham,
Goregaon (East), Mumbai-400063
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- B. The State of Maharashtra is also the owner of immoveable property viz. all that piece or parcel of land adms. 800 sq.mtrs. or thereabouts bearing CTS No.629 (pt) of Village Bandra (E), in the registration district and sub-district of Mumbai City and Mumbai Suburban situate, lying and being at Saibaba Nagar, Near Teachers Colony, Bandra (E), Mumbai (hereinafter for the sake of brevity referred to as "**said second property**") and more particularly described SECONDLY in the schedule hereunder written.
- C. The said first & second property are declared as slums under the provisions of Maharashtra Slum Area Improvement and Clearance and Redevelopment Act, 1971 and the rules framed thereunder.
- D. The slum dwellers/occupants occupying their respective tenements/hutments on the said first & second property have formed themselves a society namely "Vandre Saibaba Nagar Sahakari Gruh Nirman Sanstha Maryadit." (hereinafter referred to as "**said first society**") duly registered under the Maharashtra Co-operative Societies Act, XIV of 1960 and bearing registration no. BOM/MHADA/HSG (TO)/7718 of 1993-94 dated 02.11.1993 and "Sant Tukaram SRA Sahakari Gruh Nirman Sanstha Maryadit" (hereinafter referred to as "**said second society**") duly registered under the Maharashtra Co-operative Societies Act, XIV of 1960 and bearing registration no. MUM/SRA/HSG/(T.C)/11777 dated 03/04/2010, respectively with object of development of the said first & second property as per under Regulation 33(10) of the Development Control Regulations for Brihan Mumbai, 1991 and as per terms and conditions laid down by the Slum Rehabilitation Authority/ Municipal Corporation of Greater Mumbai.


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- E. By virtue of Indenture of Lease dated 06th March, 1995 Maharashtra Housing and Area Development Authority have demised unto the first society the said first property for the period of thirty years on the yearly rent and upon the terms and conditions more particularly mentioned in the said Indenture of Lease.
- F. Vide Development Agreement dated 03rd January, 2002 duly executed in Marathi language the said first society had granted the development right in respect of the said first property in favour of the Developers herein for redevelopment of the said first property as per the provision of Slum Rehabilitation Scheme administered by the Slum Rehabilitation Authority (SRA). In pursuance of the said Development Agreement, the said first society has also executed Irrevocable Power of Attorney dated 03rd January, 2002 through its office bearer in favour of the developers herein.
- G. In pursuance of the said Development Agreement, the Developer have paid Rs. 17,08,376/- towards improvement charges to MHADA for Vandre Saibaba Nagar Sahakari Gruh Nirman Sanstha Maryadit for redevelopment of the said first property under Slum Rehabilitation Scheme. Accordingly, upon payment of the same the MHADA vide their Letter dated 28.5.2007 granted their NOC for redevelopment of the said first property under Slum Rehabilitation Scheme.
- H. Vide Development Agreement dated 15th August, 2005 duly executed in Marathi language between the said second society had granted the development right in respect of the said second property in favour of the Developers herein for redevelopment of the said second property as per the provision of Slum Rehabilitation Scheme administered by the Slum Rehabilitation Authority (SRA). In

pursuance of the said Development Agreement, the said second society has also executed Irrevocable Power of Attorney dated 15th August, 2005 through its office bearer in favour of the developers herein.


- I. The developers thereafter have applied to the Ministry of Revenue and Forest for their no-objection for the implementation of slum rehabilitation scheme and/or for redevelopment of the said property. Accordingly on the application of the said developers, the Ministry of Revenue and Forest vide their order dated 20.08.2011 have granted their no-objection for implementation of slum rehabilitation scheme and/or redevelopment of the said second property and further have granted their no-objection for clubbing the scheme of SRA i.e. the first society and second society on the said first and second property and upon the terms and conditions more particularly recorded therein. Thereafter even the Collector, MSD have also granted their no-objection for re-development of the said property under SRA scheme vide their letter no. 11/office-3B/KV-515/08 dated 01.12.2011.
- J. The portion of the said first & second property together is affected by 18.30 mtr. DP Road as per Development Plan Remarks.
- K. Due to height restriction imposed by Airport Authorities, it is not possible to make the Slum Rehabilitation Scheme viable on the balance of said first & second property. The said Slum Rehabilitation Scheme is only made viable by including/amalgamating the adjoining triangular piece of land adms. 244.50 sq.mtrs. out of CTS No.629(pt) of Village Bandra (E) (for the sake of brevity hereinafter referred to as '**said third property**') more particularly described THIRDLY in the schedule hereunder written


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- L. The Collector, MSD by his Order bearing No.11/3D/L-629 dated 17.9.2004 had already granted the said third property i.e. triangular piece of land adms. 244.50 sq.mtrs. as a right of way.
- M. Thus, the first society herein have made an Application on 05.11.2004 to the Government of Maharashtra to allot/grant the said third property with benefit to consume the FSI/TDR on it, so as to make viable the Slum Rehabilitation Scheme. However, in the meantime the first society has received the possession of the said third property as right of way on 15.04.2006. Accordingly, the first society has duly signed and acknowledged the possession receipt thereof.
- N. Vide an Order bearing No. Land-2603 / 2028 / F.No.1680 / Reconstuction-247 / J-3 dated 28.10.2014 passed by the State Government, Revenue and Forest Department had granted/allotted the said third property with benefit to consume the FSI/TDR on it to the first society herein, so as to implement the Slum Rehabilitation Scheme by amalgamating the said third property with the said first & second property, as per the then market rate and upon the terms and conditions mentioned therein.
- O. Vide an Order bearing No.11/3D/L-629/334 dated 8.5.2015 the present District Collector, MSD of State Government have confirmed the allotment of the said third property to the said first society with benefit to consume the FSI/TDR on it to the said first society , so as to implement the Slum Rehabilitation Scheme on the said amalgamated properties.
- P. The District Collector, MSD of State Government vide its further Letter bearing No.11/3D/L-629/413 dated 08.06.2015 have confirmed the allotment of the said third property by deleting the Condition Nos. 7 to 10 of its earlier order dated 08.05.2015.



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Goregaon (East), Mumbai-60.
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- Q. Vide further Order bearing No.11/3-D/L-629/412 dated 08.06.2015 the District Collector, MSD of State Government have granted a permission to the developer herein to utilize the TDR of the said third property adms. 244.5 sq.mtr.
- R. As per the order of the District Collector, MSD dated 08.05.2015 read with order dated 08.06.2015, the first society herein also executed a Form XIII [See Rule 42(1) (b)] with the Collector, Mumbai Suburban District, Bandra Mumbai, wherein the said first society being a Grantee therein duly confirmed the acquisition of the said third property.
- S. Accordingly, the said first Society in pursuance of their Resolution passed in Extra Ordinary General Body Meeting held on 08.11.2015, executed Supplemental Agreement to the Development Agreement dated 30.12.2015 in Marathi interalia granting further development right in the respect of the said third property in favour of the developer herein for effective, smooth and viable redevelopment of the said first & second property under the Slum Rehabilitation Scheme by amalgamating the same with the said third property and also with adjoining plot thereof with benefit to consume the FSI/TDR on it. In pursuance of the said supplemental agreement, the said first society has also executed Irrevocable Power of Attorney dated 30.12.2015 through its office bearer in favour of the developers herein.
- T. On application made by the Developers herein the Slum Rehabilitation Authority have issued Letter of Intent (LOI) bearing No.SRS/ENG/675/HE/MHL/LOI dated 07.12.2006 in favour of the Developers herein in respect of the said first & second property. Thereafter on 4.04.2009 the Slum Rehabilitation Authority have


RAMASHANKAR PANDAY
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further issued a Revised Letter of Intent (LOI) bearing No.SRS/ENG/675/HE/MHL/LOI in favour of the Developer herein in respect of the said first & second property whereby granted FSI of 2.79.

- U. Pursuant to the said Development Agreement dated 03rd January, 2002 and Development Agreement dated 15th August, 2005 in respect of the said first & second property respectively and upon obtaining various permissions, sanctions & approvals from SRA authorize and other concerned authorities as mentioned above, the developer herein have already completed the construction of two buildings on the said first & second property and the members of the said first & second society herein have already been handed over with their respective new premises being the permanent alternate accommodation on ownership basis free of cost in lieu of their existing old premises.
- V. However for effective redevelopment of the said first & second property, the said third property as mentioned thirdly in the schedule hereunder written is required to be amalgamated with the said first & second property, so as to construct the third building no. 3 i.e. sale building thereon along with the said third property.
- W. Thus, the developer herein have applied with the Slum Rehabilitation Authorities for fresh Letter of Intent, and accordingly, the Slum Rehabilitation Authority have issued further revised Letter of Intent dated 14.10.2015 whereby granted/sanction FSI of 2.65 (max 3 FSI) for slum plot i.e. first & second property and FSI of 2.00 for non slum plot i.e. third property and on the terms and conditions mentioned therein.



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- X. The developers has also obtained Intimation of Approval bearing No. SRA/ENG/3261/HE/MHL/AP dated 21.10.2015 for Sale Building No.3 to be constructed on the remaining portion of said properties mentioned in the schedules hereunder written.
- Y. The developers has also obtained Commencement Certificate bearing No.SRA/ENG/3261/HE/MHL/AP dated 21.01.2016 for construction of Sale Building No.3 on the remaining portion of said properties mentioned in the schedules hereunder written.
- Z. In my opinion **M/S. K. MANIAR** is entitled to construct Sale Building No.3 on the remaining portion of said properties mentioned in the schedules hereunder written and is further entitled to sell/lease or otherwise transfer the Flats/shops/premises/car parking space to be constructed therein and enter into Agreement for Sale/ Transfer of flat/Shops/ other premises in building/s to be constructed by them on the remaining portion of said properties mentioned in the schedules hereunder written in accordance with sanctioned plan.

THE FIRST SCHEDULE ABOVE REFERRED TO

All that piece or parcel of land adms. 2108.00 sq.mtrs. or thereabouts bearing CTS No.610 (pt) of Village Bandra (E), in the registration district and sub-district of Mumbai City and Mumbai Suburban situate, lying and being at Saibaba Nagar, Near Teachers Colony, Bandra (E), Mumbai and which is bounded as follows:

- On or towards East : By CTS No. 629 & Govt. staff quarters
On or towards West : By CTS No. 609 & 610
On or towards North : By existing road, CTS No. 629
On or towards South : By CTS No. 610


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Goregaon , Mumbai-63,
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THE SECOND SCHEDULE ABOVE REFERRED TO

ALL that piece or parcel of land adms. 800 sq.mtrs. or thereabouts bearing CTS No.629 (pt) of Village Bandra (E), in the registration district and sub-district of Mumbai City and Mumbai Suburban situate, lying and being at Saibaba Nagar, Near Teachers Colony, Bandra (E), Mumbai and which is bounded as follows:

On or towards East : By CTS No. 629
On or towards West : By CTS No. 629 & 610
On or towards North : By existing road
On or towards South : By Govt. staff quarters

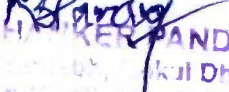
THE THIRD SCHEDULE ABOVE REFERRED TO

All that piece or parcel of land adms. 244.50 sq.mtrs. out of CTS No.629(pt) of Village Bandra (E), in the registration district and sub-district of Mumbai City and Mumbai Suburban situate, lying and being at Saibaba Nagar, Near Teachers Colony, Bandra (E), Mumbai and which is bounded as follows:

On or towards East : By CTS No. 629
On or towards West : By CTS No. 609 and 610 & proposed road
On or towards North : By existing road
On or towards South : By CTS No. 610

Dated this 23rd day of May, 2016.

Advocate


RAMASHANKAR PANDEY
A/16/404, Saurabh Gokul Dham,
Goregaon (E), Mumbai-63,
Ph:-9324109510