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TO WHOMSOEVER IT MAY CONCERN

- 1 By a Deed of Conveyance dated 18th May 1942 registered under No BOM/3009 of 1942 on 13th June 1942 with the Sub-Registrar at Bombay Narayan Bhimrao Santi alias Samartha Sadguru Narayan Maharaj sold conveyed and transferred unto (1) Dattatraya Gangadhar Pandit and (2) Saraswatibai Dattatraya Pandit ('Original Owners') the plot of land presently situate near Apna Bazar Maharashtra Seva Sangh Road Off Jawaharlal Nehru Road Mulund (West) Mumbai 400 080 in the revenue village of Mulund West taluka Kurla within the limits of Greater Mumbai in the district and registration sub-district of Mumbai City and Mumbai Suburban formerly bearing Survey No 170A and now bearing CTS no 1391, 1391/1 to 1391/17 admeasuring 5959.25 sq yds ie 4,981.93 sq mts ('Plot').
- 2 By a Writing dated 20th May 1964 the said Original Owners agreed to sell and transfer the said Plot unto Krishna Raghava Ayyar.
- 3 By an Agreement for Sale dated 20th May 1964 the said Krishna Raghava Ayyar agreed to sell and transfer the said Plot unto (1) N Ragothama Rao (2) V K Subramaniam and (3) M K Sundaram the then promoters of then Ganesh Society (Proposed).
- 4 The Shree Ganesh Co-operative Housing Society Limited was registered under the Maharashtra Co-operative Societies Act 1960 under No BOM/ HSG/ 813 of 1964 on 12th December 1964 ('Ganesh Society').
- 5 By a Deed of Conveyance dated 6th March 1965 registered under no BOM-R/725 of 1965 on the same day with the Sub Registrar at Mumbai the said Original Owners sold conveyed and transferred and the said Krishna Raghava Ayyar, N Ragothma Rao, V H Subramaniam and M K Sunderam confirmed unto the said Ganesh Society the said Plot.

6 By a Deed of Mortgage dated 6th March 1965 registered under no BOM-R/726 of 1965 with the Sub-Registrar at Mumbai the said Ganesh Society mortgaged the said Plot with the said Original Owners as a security for due repayment of the amounts advanced.

7 By a Deed of Reconveyance dated 23rd September 1966 the said Original Owner reconveyed unto the said Ganesh Society the Plot upon the principal amount interest and all other amounts being repaid to the said Original Owner.

8 By a Deed of Mortgage dated 23rd September 1966 registered under no 3498 of 1970 on 7th November 1970 with the sub-registrar at Mumbai the said Ganesh Society created a charge mortgage and lien on the said Plot in favour of the Maharashtra Co-operative Finance Society Limited (**Bank**) in consideration of the term loans and financial facilities advanced by the said Bank.

9 The then members of the said Ganesh Society constructed and completed a building consisting of three Wings of ground and three upper floors and known as 'A' 'B' and 'C' on the said Plot which are presently assessed to municipal taxes under 'T' Ward no (i) 1808(2)/206/A Mithaghar Road Mumbai (ii) 1808(1)/206/B Mithaghar Road Mumbai (iii) 1807/205 Mithaghar Road C Building Mumbai (iv) 1808 (1A) 206 Mithaghar Road Society Office Mumbai (**Buildings**) on the said Plot. The Occupation Certificate bearing no CE-5816-BSI-A-1 dated 6th November 1967 and the Building Completion Certificate bearing no CB/5742/A dated 15th December 2012 was granted by the Municipal Corporation of Greater Mumbai (**MCGM**) in respect of the said Building .

10 The Mulund Shree Siddhivinayak Co-operative Housing Society Limited was registered under No BOM/HSG/5819 of 1979 on 21st April 1979 (**Siddhivinayak Society**) consisting of the owners/ holders of flats tenements and premises in the 'C' Wing of the said Building (**Rohini Building**), who were earlier the members of the said Ganesh Society. The said Siddhivinayak Society was formed only for the sake of convenience and maintenance of the said Rohini Building.

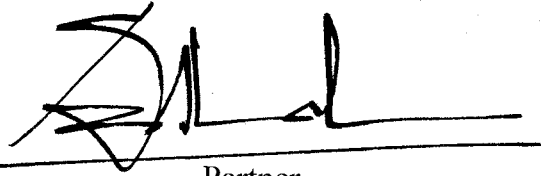
- 11 A Writ Petition bearing no 1383 of 1981 was filed in the High Court of Judicature at Bombay by the Ganesh Society against the said Siddhivinyak Society and Ors. By the Consent Decree dated 24th April 1985 passed in the aforesaid Suit, it was mutually agreed between the Ganesh Society and the Siddhivinyak Society that Siddhivinayak Society will bear and pay all the proportionate taxes maintenance charges dues and duties in respect of the said Rohini Building.
- 12 By a Deed of Reconveyance dated 16th July 1990 registered under no PBBJ/3081 of 1990 on 4th August 1990 with the sub-registrar at Mumbai the said Bank confirmed and recorded the receipt of full repayment of amounts advanced full and final settlement of its dues and reconveyed the Plot unto the said Ganesh Society.
- 13 The said Plot with the said Buildings thereon shall hereinafter be collectively referred to as the '**Property**'
- 14 By an Agreement dated 7th February 2013 registered under no KRL-1/3846 of 2013 on 30th April 2013 with the Sub-Registrar at Kurla - 1 Mumbai the said Ganesh Society and the said Siddhivinayak Society granted unto Nayan Builders ('**Promoters**') the rights to develop the said Property.
- 15 By an Order bearing No Mumbai/T-Ward/Division/Mulund Shree Siddhivinayak/205/2013 dated 24th May 2013 passed by the Deputy Registrar, Co-operative Societies, it was held stated that the Siddhivinayak Society was amalgamated into the said Ganesh Society which was allotted new registration certificate bearing No MUM/WT/HSG/TC/10604/2013-2014 dated 13th August 2013.
- 16 By its letter bearing no CHE/342/DPES/T dated 1st September 2012 the Assistant Engineer Development Plan (T Ward) MCGM has certified that the said Plot falls in the Residential Zone and that it is not reserved for any public purpose save and except a part thereof admeasuring about 30 sq mts falling within the setback line for road widening.

17 The area of the said Plot has been recorded to be admeasuring 3,849 sq mts as per the City Survey Record and stated in the Property Register Card.

18 We have caused the public notices to be issued, the searches to be taken in the records of the competent Sub-Registrars, inspected the original title deeds and documents and otherwise investigated the title of the Ganesh Society to the said Property and state that in our opinion the same is clear and free from all encumbrances beyond reasonable doubts and as such marketable.

Mumbai, Dated this 4th day of October 2013

For L D Shah & Company



Partner

Advocates Solicitors & Notary

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