

20/6/2012

“ D “ S “ A “

DIVYA SHAH ASSOCIATES
advocates, solicitors and notaries

DMS/

/2012

TO ALL WHOM THESE PRESENTS CONCERN

Re: All that piece or parcel of land bearing Plot No. 11 and Survey Nos. 382, 335, 129 and 128, bearing CTS No. 1746/21, Sion Trombay Road, in the Registration Sub-District of Bandra, District Bombay Suburban containing by admeasurements 3234.30 sq. meters as per Property Register Card, situate, lying and being at Plot No. 11, Off V. N. Purav Marg, Chembur, Mumbai - 400 071 together with a building known as "Panorama" standing thereon (**Property**)
=====

We have investigated the title of **Golf View Apartments Co-Operative Housing Society Limited**, a Society registered under the provisions of the Maharashtra Co-operative Societies Act, 1960 under No. BOM/HSG/3642 of 1972, and having its registered office at "Panorama", Plot No. 11, Off V. N. Purav Marg, Chembur, Mumbai - 400 071 ("**the Society**") by perusing the relevant title documents and by causing to take searches in the office of Sub-Registrar of Assurances at Bandra for 46 years i.e. from 1967 to 2012, office of Sub-Registrar of Assurances at Chembur for 18 years from 1995 to 2012 and office of Sub-Registrar of Assurances at Mulund for 8 years i.e. from 2002 to 2010. We had also issued Public Notices in three News Papers namely 'Free Press Journal', 'Navbharat and 'Marathiya Murasu" in their respective issues all dated 30th July, 2011 inviting claims/objections on the title of the said Society in respect of the above referred Property.

We have also investigated the title of **Ekta Shubham Venture**, a partnership firm, having their office at 401, Hallmark Business Plaza, Sant Dnyaneshwar Marg, Kalanagar, Bandra (East), Mumbai - 400 051 ("**the Developers**") by perusing Development Agreement dated 10th May 2012, executed between the Society and the Developers and registered with the office of Sub-Registrar of Assurances at Bandra (Kurla-1) under Sr. No. BDR-3/04473/2012 ("**the Development Agreement**") thereby granting to the Developers the right to develop the above referred Property and sell the

(All correspondence to be addressed to Head Office)

HEAD OFFICE 6, Bhagyoday Building 79, Nagindas Master Road, Fort, Mumbai 400 001. Tel: 61140303 Fax: 61140333
Email : vpereira@dsaindia.com / adiamondwala@dsaindia.com

BRANCH OFFICE 'Swagatam', 4th Floor, Plot No. 141, S. V. Road, Opp. Khar Police Station, Khar (W), Mumbai 400 052. Tel: 61140404 Fax: 61140444
Email: divyashahassociates@gmail.com

flats/units constructed thereon on the terms and conditions as set out in the said Development Agreement and General Power of Attorney also dated 10th May 2012, executed by the Society through its authorized signatories, in favor of the Developers and registered with the Office of Sub-Registrar of Assurances at Bandra (Kurla-1) under Serial No. BDR-3/04474/2012 (**Power Of Attorney**) granting various powers to the Developers for the purpose of redevelopment

Upon perusal of the above referred documents / title deeds and search note submitted to us by Search Clerk (which is subject to torn pages of Index II and unavailable record for the years as mentioned in search note), we have to state as follows:

1. Prior to the year 1972, one Bazargate Co-operative Housing Society Limited. ("**Bazargate Society**") was seized and possessed of or otherwise well and sufficiently entitled to all that piece or parcels of land bearing Plot No.11 and Survey Nos. 382, 335, 129 and 128 admeasuring 3979.49 sq. yards equivalent to 3327.36 sq. meters or thereabouts situate, lying and being at Chembur in the registration Sub-District of Bandra, District Bombay Suburban, being the land hereinabove referred ("**said Land**").
2. By the Deed of Conveyance dated 29th July, 1972 executed between Bazargate Society, therein referred to as "the Vendors" of the One Part and the Society herein, therein referred to as "the Purchasers" of the Other Part and registered with the Office of Sub-Registrar at Mumbai under Sr. No. BOM/R/4083/1972, the said Bazargate Society granted, conveyed, sold and transferred unto the said Society, the said Land at or for the consideration contained therein.
3. In or about 1976, a building consisting of 3 wings, each wing comprising of Ground and 3 upper floors and collectively consisting of 27 residential flats was constructed on the said Land and was named

as "Panorama" (hereinafter referred to as the "said Building") (the said Land along with the said Building shall be collectively referred to as "said Property")

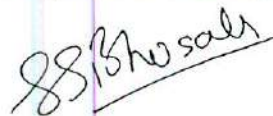
4. By virtue of the aforesaid, the said Society became the absolute owner with respect to the said Property and its name was recorded in the Property Register Card as the owner thereof. Although the area of the said Land as per the Deed of Conveyance dated 29th July, 1972 is 3327.36 sq. meters or thereabouts, the area of the said Land as per the Property Register Card is 3234.30 sq. meters.
5. Upon perusal of the Property Register Card, we have observed that by a Deed of Mortgage dated 15th March, 1975 ("Mortgage"), the Society had created mortgage of the said Land in favour of the one Maharashtra State Co-operative Housing Finance Corporation Limited, Mumbai ("MSCHFCL") for securing repayment of a sum of Rs. 5, 99,000/- advanced to the Society on certain terms and conditions therein contained.
6. By Indenture dated 15/10/1999 (Re-conveyance) executed by and between MSCHFCL (therein referred to as the Mortgagees) of one part and the Society (therein referred to as the Mortgagors) of the other part and registered under Sr. No. BBJ/6859/99, MSCHFCL, in consideration of full and final satisfaction of the mortgage claims, granted, released and re-conveyed unto the Society the said Property. Further, the Society has made necessary applications before the appropriate authorities, but the Property Register Card still reflects MSCHFCL as a mortgagee.
7. By the said Development Agreement dated 10th May 2012, executed between the Society and the Developers and registered with the office of Sub-Registrar of Assurances at Bandra (Kurla-1) under Sr. No. BDR-3/04473/2012, the Society after passing necessary resolutions

has granted development rights in respect of the said Property to the Developers to develop the said Property by demolishing the building known as "Panorama" standing thereon and constructing a new building/s thereon for the consideration and on the terms and conditions set out therein.

8. In pursuance of the said Development Agreement, the Society through its authorized signatories has granted a Power of Attorney, also dated 10th May 2012, in favor of the said Developers to do various acts and deeds and exercise various powers and authorities conferred upon them by and under the said Development Agreement.
9. In the circumstances and subject to what is stated hereinabove and on the basis of the investigation of the title of the Society to the said Property, we hereby certify that the title of the Society to the said Property is clear and marketable and subject to the Developers fulfilling their obligation towards the existing members as per the said Development Agreement, we hereby certify that Ekta Shubham Venture is entitled to develop the said Property to the utmost extent and to sell the flats to the prospective purchasers and allot car-parking spaces in the new building/s to be constructed by them thereon.

Dated this 20th day of June, 2012.

Yours faithfully,
For Divya Shah Associates



Partner