

**PRAVIN MEHTA AND MITHI & CO. (REGD.)**

ADVOCATES, SOLICITORS &amp; NOTARY

**PARTNERS**

PRAVIN H. MEHTA  
 YUSUF H. MITHI ★  
 SHARAD V. KALYANI  
 NASEEM PATRAWALA  
 LEENA A. ADHVARYU  
 KALPESH P. MEHTA

★ NOTARY

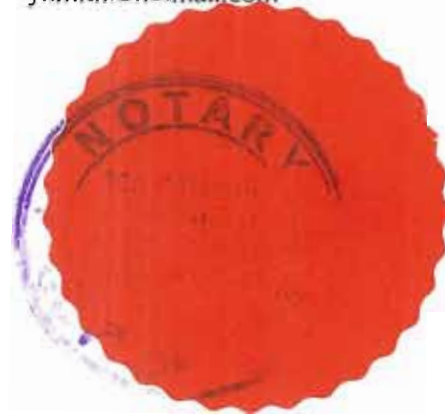
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Ref. No.

To:  
 M/s. Shraddha Shiv Shakti Developers,  
 B/3, Ashirwad Co-op.Housing Society Ltd.,  
 Babai Nama, L.T.Road,  
 Borivali (West),  
 Mumbai 400 092.



Dear Sirs,

As instructed by you we have investigated your title in respect of the property more particularly described in the schedule hereunder written. We submit our report inter-alia as under:

1. During his life time one George Alexandar Tone was absolutely seized and possessed of or otherwise well and sufficiently entitled to an immovable property situated lying and being at Village Eksar, Taluka Borivli in Mumbai Suburban District more particularly described in the Schedule hereunder written together with the structures standing thereon and hereinafter referred "the said Property".


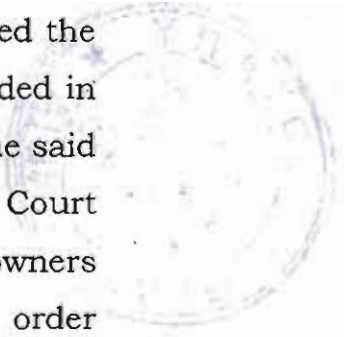
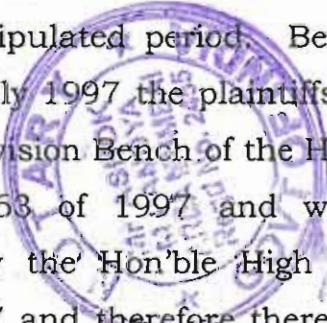
2. The said George Alexandar Tone was married to Nancie Lilian and they had 9 children being 7 sons and 2 daughters viz:-

- 1) Mr. Alexander George Tone
- 2) Mr. Everett George Tone
- Mr. John George Tone
- Mr. Kenneth George Tone
- Mr. Mervyn George Tone
- 3) Rev. Sister Beatrice (Nee Miss Beatrice George Tone)
- 4) Mrs. Iris Sorang (Nee Miss. Iris George Tone)
- 5) Mr. Hubert George Tone and
- 6) Mr. Norman George Tone

3. The said George Alexander Tone expired on or about 6<sup>th</sup> November, 1975 intestate in Mumbai leaving behind his 9 children (his wife said Nancie Lilian Tone pre-deceased him on or about 6<sup>th</sup>

December, 1959) without making any Will. The said Norman George Tone expired a bachelor on or about 5<sup>th</sup> December, 1992 without making a Will and Hubert George Tone also expired a bachelor on 1<sup>st</sup> May, 1999 without making any Will and in the premises, each of the said 1) Mr. Alexander George Tone, (2) Mr. Everett George Tone, (3) Mr. John George Tone, (4) Mr. Kenneth George Tone, (5) Mr. Mervyn George Tone, (6) Rev. Sister Beatrice (Nee Miss Beatrice George Tone), (7) Mrs. Iris Sorang (Nee Miss. Iris George Tone) as co-owners became entitled to the said property (hereinafter referred to as "the co-owners").

4. Kishore M. Shah and three others filed a Suit in the High Court of Judicature at Bombay against the said co-owners being Suit No.2690 of 1995 inter alia for a declaration that the agreement dated 23<sup>rd</sup> September 1979 made between the said co-owners and M/s. Sweet Home, is valid, subsisting and binding upon the said co-owners and the termination of the said agreement by the said co-owners vide notice dated 11<sup>th</sup> May 1995 is invalid, illegal and of no legal consequences whatsoever and for other reliefs. The plaintiffs in the said suit took out a Notice of Motion No.2046 of 1995 for interim and ad-interim reliefs. By an order dated 14<sup>th</sup> July 1997 the Hon'ble Shri Justice Nijjar dismissed the said Notice of Motion No.2046 of 1995 for the reasons recorded in the said order and by the said Order His Lordship directed the said co-owners to deposit a sum of Rs.20,000/- in the Hon'ble Court and the said amount has been deposited by the said co-owners within the stipulated period. Being aggrieved by the said order dated 14<sup>th</sup> July 1997 the plaintiffs in the said suit filed an Appeal before the Division Bench of the Hon'ble High Court Mumbai being Appeal No.863 of 1997 and which Appeal also came to be dismissed by the Hon'ble High Court by an order dated 20<sup>th</sup> October 1997 and therefore there is no order for running against the said co-owners of any nature whatsoever. It appears that no



Lis Pendens has been filed by the Plaintiffs with the Sub-Registrar of Assurances concerned in respect of the said suit or the suit property.

5. The aforesaid co-owners by an Agreement for Sale dated 9<sup>th</sup> August, 2008 duly registered with the Sub-Registrar of Assurances at Borivli under Serial No. 6481 of 2008 agreed to sell the said property to you for consideration and on the terms and conditions mentioned therein.

6. Subsequently by a Deed of Conveyance dated 11<sup>th</sup> August, 2008 duly registered with the Sub-Registrar of Assurances Bandra, Mumbai under Serial No. 6484 of 2008, the said co-owners conveyed and transferred the said property in your favour and in the premises now you became entitled to the said property together with the structures standing thereon which is more particularly described in the Schedule hereunder written

7. Thus M/s. Shraddha Shiv Shakti Developers now as owner is absolutely seized and possessed of or otherwise well and sufficiently entitled to said property.

8. In pursuance of the application made by you, your name has been mutated in the property register card and revenue records. We have published Advertisements in the News Papers inviting claims. We have not received any claims. We have perused revenue records. We have also perused the search report submitted by our search clerk and subject to what is stated hereinabove, we are of the opinion and we hereby certify that you have marketable title in respect of the said property described in the Schedule hereunder written free from encumbrances beyond reasonable doubts.



**SCHEDULE OF THE PROPERTY**

All that piece and parcel of land or ground situated, lying and being at Village Eksar, Taluka Borivali bearing Survey No. 156, Hissa No. 5 (Part) corresponding to C.T.S. No.1072, 1072(1),1072(2) admeasuring about 2709.77 square yards equivalent to 2265.70 square meters or thereabouts together with the structure standing thereon and within the Registration the Registration District and Sub-District of Mumbai Suburban and lying being and situate at Mandpeshwar Road, Borivli (West), Mumbai - 400 103 and bounded as follows :

- On or towards the North: By the proposed D.P.Road of 44 ft. xx width;
- On or towards the South : By land bearing Survey No. 156, Hissa No.5 of Village Ekasar;
- On or towards the East : By the property owned by the Vendors bearing C.T.S. No. 166 of Village Mandpeshwar;
- On or towards the West: Partly by land bearing Survey No. 156, Hissa No. 6 and C.T.S. No. 1076 both of Village Eksar.

Dated this 28th day of November, 2008.



Yours faithfully  
For PRAVIN MEHTA AND MITHI & CO.

*P. Mehta*

Partner.

**CERTIFIED TRUE COPY**  
*AM*  
ASHOK M. PANDYA  
ADVOCATE & NOTARY (GOVT. OF INDIA)  
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