

**Zaid S. Ansari & Associates**  
(ADVOCATES, HIGH COURT)

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**Offices:**

**Mumbai City:** 2<sup>nd</sup> Floor, Singh House, 23/25, Ambalal Doshi Marg, Fort, Mumbai 400023  
☎: 022- 22611295/96

**Mumbai Suburban:** Ground Floor, AI Tower, Hill Park Complex, Capt. Sarnant Marg,  
Jogeshwari (W), Mumbai 400 102  
☎: 022-26794006  
☎: 9004140321 ✉: zaidsheryansari@gmail.com

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**REPORT ON TITLE**

To,  
M/s. Buildtech Homes  
A/404, Samarth Aishwarya,  
Opp. Tarapur Tower, Lokhandwala,  
Andheri (West), Mumbai 400 102.

&

Hilton Developers Private Limited,  
611, Neelyog Square, R.B. Mehta Road,  
Adjoining Railway Station, Ghatkopar (East),  
Mumbai - 400077.

Sir,

Sub: All that piece and parcel of land bearing C.T.S No. 128 being, lying and situate at Village Maravali, Taluka Chembur, Mumbai Suburban District admeasuring 4816 (Four Thousand Eight Hundred and Six) sq. meters or thereabout (the said Land).

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1. You have furnished to us the photocopy of the following documents, papers etc. in respect of the said Land, details of which are as under:

<b>Sr.No.</b>	<b>Particulars</b>
1.	Development Agreement dated Nil, notarized on 10 <sup>th</sup> June, 2006, by and between UTTKARSH SRA CHS LTD, and Hilton Developers Pvt. Ltd.

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☎: 022- 22611255/96

Mumbai Suburban: Ground Floor, A1 Tower, Hill Park Complex, Capt. Samant Marg,  
Jogeshwari (W), Mumbai 400 102  
☎: 022-26794006  
U: 9004140521 ✉ : zaidsheryaransari@gmail.com

2.	Power of Attorney dated Nil, notarized on 11 <sup>th</sup> December, 2006, by and between UTTKARSH SRA CHS LTD, and Hilton Developers Pvt. Ltd.
3.	Development Agreement dated 21 <sup>st</sup> January, 2012, notarized on the same day, by and between UTTKARSH SRA CHS LTD, and Hilton Developers Pvt. Ltd.
4.	Power of Attorney dated 21 <sup>st</sup> January, 2012 notarized on the same day, by and between UTTKARSH SRA CHS LTD, and Hilton Developers Pvt. Ltd.
5.	Joint Development Agreement dated 11 <sup>th</sup> October, 2016, notarized on even date under Serial No. 905/2016, by and between Hilton Developers Pvt. Ltd. and Buildtech Homes.
6.	Joint Development Agreement dated Nil, notarized on 03 <sup>rd</sup> January, 2017, by and between UTTKARSH SRA CHS LTD, Hilton Developers Pvt. Ltd. and Buildtech Homes.
<b>REVENUE DOCUMENTS AND OTHER CORRESPONDENCE(S)</b>	
7.	Property Register Card of the said Land issued to you on 13 <sup>th</sup> May, 2011
8.	Letter Of Intent (LOI) dated 13 <sup>th</sup> Jan, 2011 bearing no. SRA/ENG/1520/ME/STGL/LOI issued by Slum Rehabilitation Authority in favour of Hilton Developers Pvt. Ltd.
9.	Intimation Of Approval (IOA) dated 19 <sup>th</sup> October, 2011 bearing No. SRA/ENG/2668/ME/STGL/AP for Rehab

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Mumbai Suburban:	Ground Floor, AI Tower, HEL Park Complex, Capt. Saumant Marg, Jogeshwari (W), Mumbai 400 172 ☎: 022- 26794006 ☎: 9004140321      ✉: zaidsheryar.ansari@gmail.com

	Building No. 3 issued by Slum Rehabilitation Authority in favour of Hilton Developers Pvt. Ltd.
10.	Commencement Certificate (C.C.) dated 29 <sup>th</sup> May, 2012 bearing no. SRA/ENG/2668/STGL/AP issued by Slum Rehabilitation Authority in favour of Hilton Developers Pvt. Ltd.
11.	Intimation Of Approval (IOA) dated 05 <sup>th</sup> May, 2017 bearing No. SRA/ENG/3870/ME/STGL/AP for Sale Building issued by Slum Rehabilitation Authority jointly in favour of Hilton Developers Pvt. Ltd. and M/s. Buildtech Homes.

2. We are also given by you a copy of Public Notice issued by Mr. Devang Mehta, Partner of M/s. Solicis Lex & Associates, Advocates & Solicitors, in Navshakti newspaper on 08<sup>th</sup> November, 2017 for verifying title of Hilton Developers Pvt. Ltd. and M/s. Buildtech Homes thereby calling for objections/claims, if any, with respect to the joint development taken up by Hilton Developers Pvt. Ltd. and M/s. Buildtech Homes on the said Land. In respect of the aforesaid Public Notice, you have represented to us that no objections/claims of any nature whatsoever were received by Mr. Devang Mehta, Partner of M/s. Solicis Lex & Associates, Advocates & Solicitors.

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<b>Mumbai Suburban:</b>	Ground Floor, A1 Lower, Hill Park Complex, Capt. Samant Marg, Jogeshwari (W), Mumbai 400 107 ☎: 022-26794005 ☎: 9004140321                      ✉ : zaidsheryansari@gmail.com

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3. We are also given by you the copies of Search Reports dated 23<sup>rd</sup> November, 2017 and 19<sup>th</sup> December, 2017 issued by Mr. S.M. Sawant and Mr. Ganesh Y. Gawde respectively.

4. We have gone through (i) the copies of the aforesaid documents and (ii) considered the representations made by you to us; which have been assured by you to us to be true and correct in all particulars, and on the basis thereof, we have observed as under:

5. The Government of Maharashtra is the owner of the said Land i.e. all that piece and parcel of land, bearing C.T.S. No. 128, of Village: Marvali, Taluka, Chembur admeasuring 4816 sq. meters or thereabout, situated at Shahaji Nagar, Ajit Baug, R.C. Marg, Chembur, Mumbai - 400 074 in Mumbai Suburban District. The Municipal Ward for the said Land is 'Ward M'.

6. The said Land is/was occupied by various structure(s)/slum(s) and resultanty, came to be declared as a 'Slum Area' in accordance with the provisions of Section 4 of the Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971 (for the sake of convenience hereinafter referred to "**the Slum Act**"). The said Land and the aforesaid structure(s)/slum(s) are hereinafter collectively referred to as "**the said Property**".

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Mumbai City:	2 <sup>nd</sup> Floor, Singh House, 2375, Ambali Doshi Marg, Fort, Mumbai 400023 ☎ 022- 22511295/96
Mumbai Suburban:	Ground Floor, A1 Tower, Hill Park Complex, Cape. Sanant Marg, Jogeshwari (W), Mumbai 400 102 ☎ 022-26794006 ☎ 9004140571                      ✉ : zaidsheryaransari@gmail.com

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7. The slum dwellers residing on the said Land for the purpose of developing their slum under the provisions of the Slum Act read with Development Control Regulation (DCR) 33(10) had formed themselves into a proposed society, namely, 'UTTKARSH SRA Co-Operative Housing Society (proposed)' (for the sake of convenience hereinafter referred to as "**the Prop. Society**").

8. Thereafter, the slum dwellers residing on the said Land, who were also members of the Prop. Society, in its Annual General Body Meeting held on 05<sup>th</sup> March, 2006, passed a resolution, consented to by 70% of the members of the Prop. Society, to appoint Hilton Developers Pvt. Ltd. as "Developer" to develop the said Property under the provisions of the Slum Act read with DCR 33 (10) and accordingly, the Prop. Society executed a Development Agreement dated Nil, notarized on 10<sup>th</sup> June, 2006, and a Power of Attorney dated Nil, notarized on 11<sup>th</sup> December, 2006, in favour of Hilton Developers Pvt. Ltd.

9. Thereafter, as required under the Slum Act, Hilton Developers Pvt. Ltd., submitted a scheme for development of the said Land under Regulation 33 (10) of DCR (for the sake of convenience hereinafter referred to as "**the said Scheme**") before the Slum Rehabilitation Authority (SRA) and accordingly, the Competent Authority (Enc/Rem) issued an Annexure-II dated 25<sup>th</sup> February, 2009 thereby certifying

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the number of eligible and non-eligible slum dwellers in the said Scheme.

10. Pursuant thereto, the Hilton Developers Pvt. Ltd. proved its eligibility before the Slum Rehabilitation Authority (SRA) to continue with the development/implementation of the said Scheme by submitting the requisite 70% consent of the slum dwellers residing on the said Land and accordingly, a Letter of Intent dated 13<sup>th</sup> January, 2011 bearing no. SRA/ENG/1520/ME/STGL/LOI was issued by the Slum Rehabilitation Authority (SRA) in favour of Hilton Developers Pvt. Ltd. pursuant to which, the Prop. Society was registered under the provisions of Maharashtra Co-operative Societies, Act, 1960 on 28<sup>th</sup> March, 2011 under registration no. MUM/ SRA /HSG /(TC) /12003 /2011 comprising of eligible slum dwellers as its members. (for the sake of convenience hereinafter referred to as "**the Reg. Society**").

11. In furtherance of the foregoing, another Development Agreement and Power of Attorney both dated 21<sup>st</sup> January, 2012, notarized on the very same day, came to be executed by and between the said Hilton Developers Pvt. Ltd. (therein referred to as "Developer" being Party of the First Part) and the said Reg. Society (therein referred to as "the Society" being Party of the Second Part) wherein the said Reg. Society granted rights to Hilton Developers Pvt. Ltd. to develop the said Property under the provisions of the Slum Act read with DCR 33 (10).

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Offices:

Mumbai City:	2 <sup>nd</sup> Floor, Singh House, 73/25, Ambaal Doshi Marg, Fort, Mumbai 400023 ☎: 022- 22611295/56
Mumbai Suburban:	Ground Floor, Al Tower, Hill Park Complex, Capt. Samant Marg, Jogeshwari (W), Mumbai 400 102 ☎: 022-26794006 ☎: 9004140521      ✉: zaidsheryuransari@gmail.com

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12. Thereafter, on compliance with the statutory requirements, Slum Rehabilitation Authority (SRA) issued in favour of Hilton Developers Pvt. Ltd., (i) Intimation of Approval (IOA) dated 19<sup>th</sup> October, 2011 bearing No. SRA/ENG /2668/ME /STGL /AP for Rehab Building No. 3 and (ii) Commencement Certificate No. SRA/ENG /2668 /ME /STGL/AP, dated 29/05/2012 for Wing 'A' of Rehab Building No. 3 upto plinth level, which has been extended from time to time.

13. Thereafter, Hilton Developers Pvt. Ltd. was in need of finance and hence, approached M/s. Buildtech Homes to act as joint developer in developing the said Scheme and after both of them arriving at a mutual understanding, Hilton Developers Pvt. Ltd. obtained the resolution from the said Reg. Society passed by it in a Special General Body meeting conducted on 05/10/2016, thereby resolving, with the requisite 70% majority of its members, to appoint M/s. Buildtech Homes as joint developer in respect of the said Scheme.

14. Pursuant thereto, Hilton Developers Pvt. Ltd. (in its capacity of being developer of the Scheme) entered into a Joint Development Agreement dated 17/10/2016, which was notarized on even date under Serial No. 905/2016, with M/s. Buildtech Homes (in its

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☎: 022- 2261295/96

**Mumbai Suburban:** Ground Floor, AI Tower, Hill Park Complex, Capt. Samant Marg,  
Jogeshwari (W), Mumbai 400102  
☎: 022-26794005  
ID: 0004140521 ✉: zaidsheryansari@gmail.com

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capacity of being joint developer of the Scheme), for the consideration and on the terms and conditions therein contained.

15. Accordingly, vide Joint Development Agreement dated NIL, notarized on 03<sup>rd</sup> January, 2017 under Sr. No. 18/2017, entered between the said Reg. Society, referred to therein as "the Society" being Party of the First Part, Hilton Developers Pvt. Ltd., referred to therein as "the Developer" being party of the Second Part and M/s. Buildtech Homes, referred to therein as "the Joint Developer" being Party of the Third Part, the said Reg. Society granted rights to M/s. Buildtech Homes to implement/develop the said Scheme jointly with Hilton Developers Pvt. Ltd. on the consideration and on the terms and conditions therein contained.

16. Pursuant to the aforesaid and on compliance with the required statutory obligations jointly and/or severally by Hilton Developers Pvt. Ltd. and M/s. Buildtech Homes, Slum Rehabilitation Authority (SRA) issued Intimation Of Approval (IOA) dated 05<sup>th</sup> May, 2017 bearing No. SRA/ENG/3870/ME/STGL/AP for Sale Building of the said Scheme.

17. In light of the aforesaid and in view of what is provided in the Search Reports caused to be provided to us by you, subject to what is provided hereinabove, subject to the production of the original Documents, subject to truthfulness and genuineness of the



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**Mumbai City:** 2<sup>nd</sup> Floor, Singh House, 23/25, Ambalal Doshi Marg, Fort, Mumbai 400023  
☎: 022- 22602295/86

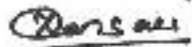
**Mumbai Suburban:** Ground Floor, Al Tower, Hill Park Complex, Capt. Samant Marg,  
Jogeshwari (W), Mumbai 400102  
☎: 022-26794006  
☎: 9004140521      ✉: zaidsheryansari@gmail.com

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representations made to us by you, subject to compliance with the terms and conditions mentioned in the Letter of Intent dated 13<sup>th</sup> January, 2011 bearing no. SRA /ENG /1520 /ME /STGL /LOI and the Intimation Of Approval (IOA) dated 05<sup>th</sup> May, 2017 bearing No. SRA/ENG/3870/ME/STGL/AP and subject to issuance of Commencement Certificate for Sale Building of the said Scheme, in our view, the Government of Maharashtra is the Owner of the said Land and consequently, Hilton Developers Pvt. Ltd. and M/s. Buildtech Homes are entitled to construct the Sale Building in the said Scheme and sell premises to be constructed in the Sale Building inter-alia by virtue of (i) Joint Development Agreement dated 17/10/2016, notarized on even date under Serial No. 905/2016, executed by and between Hilton Developers Pvt. Ltd. and M/s. Buildtech Homes, (ii) Joint Development Agreement dated NIL, notarized on 03<sup>rd</sup> January, 2017 under Sr. No. 18/2017, executed by and between the said Reg. Society and Hilton Developers Pvt. Ltd. and M/s. Buildtech Homes and (iii) Intimation Of Approval (IOA) dated 05<sup>th</sup> May, 2017 bearing No. SRA/ENG/3870/ME/STGL/AP issued by Slum Rehabilitation Authority (SRA).

Dated this 17<sup>th</sup> day of January, 2018

For Zaid S. Ansari & Associates,

  
Advocates  
High Court, Mumbai.