

Mrs. S. M. Thakkar

Mr. M. S. Parekh

Mrs. A. J. Jasani

PURNANAND & CO.

(REGD.)

ADVOCATES & SOLICITORS

FORT CHAMBERS, 'C',
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65 TAMARIND LANE,
FORT, MUMBAI - 400 023.
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TITLE CERTIFICATE

To


M/S. PARORCH DEVELOPERS LLP
Shop No. 15, Anuradha Society,
S. V. Road, Near Irla Fire Bridge,
Andheri (West), Mumbai 400 063

Sub: Leasehold Plot of land bearing CTS No.2A(Part) of Village Powai, Taluka Kurla, admeasuring about 8585.75 sq. metres or thereabouts situated at Adi Shankaracharya Marg, Powai, Mumbai 400 076, (property)

At your request, we have investigated title of Silvermoon Co-Operative Housing Society Ltd in respect of the above property.

1. On the basis of documents produced before us, it appears that
 - a. Originally Sir Mohamed Yusuf Trust, Shabanu Siddick Trust, Shairbanu Mohamed Agboatwala Trust and Rabiabanu Mohamed Trust (hereinafter referred to as the "said Trusts") were inter alia seized and possessed of and/or otherwise well and sufficiently entitled to all that piece and parcel of freehold land bearing Survey No. 19, CTS Nos. 2A, 2B, 2C and 2D totally admeasuring about 45,366.30 sq. mtrs. or thereabouts and freehold land bearing Survey No. 20, CTS No. 3 admeasuring about 6145.40 sq.mtrs. or thereabouts situated at Adi Shankaracharya Marg, Powai, Mumbai 400076 of Village Powai, Taluka Kurla (Land bearing Survey No. 19 and land bearing Survey No. 20 are hereinafter collectively referred to as the "Larger Property");
 - b. By a Notification bearing Ref. No.ENC/DC/K/II/108/1993 dated 25th August 1993 issued by the Government of Maharashtra and published in the Gazette on 30th September 1993, the Government of Maharashtra has declared the Larger Property as a "slum" under the provisions of the Maharashtra Slum Areas

For ParOrch Developers LLP


Designated Partner

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(Improvement, Clearance & Redevelopment) Act, 1971(hereinafter referred to as the "Slum Act");

- c. The slum dwellers / occupiers of above Property proposed to form a Co-operative Society by the name Silvermoon Co-Operative Housing Society Ltd.(hereinafter referred to as the "said Society") for redevelopment of the said Property;
- d. The Additional Collector, Mumbai Suburban District, on behest of the Society initiated acquisition proceedings under section 14 (i) of slum Act in respect of the said Property and issued Notice dated 02.11.1998. Pursuant thereto the Government of Maharashtra by a Notification dated 5th December, 2000 acquired the said Property and in and around 13.3.2003, formal possession of the said property had been handed over to the Society;
- e. By Agreement to Lease dated 16th November 2006 duly registered with Sub Registrar of Assurances, Kurla, under Serial No. 8420/2006 on 8th December 2006, the Government of Maharashtra agreed to grant lease of the said Property to the Society for a term of 30 years on payment of rent and upon terms and conditions contained therein;
- f. By Development Agreement dated 3rd May 2007, the said society, granted development rights in respect of the said Property to One Orchid Buildcon Private Limited (hereinafter referred to as "said Orchid") on the terms and conditions contained therein;
- g. On account various defaults on the part of the said Orchid, the said Society terminated the Development Agreement dated 3rd May 2007;
- h. By Agreement dated 20th April 2008 duly registered with the Sub-Registrar of Assurance at Bandra under Sr. No. BDR 7/4337 of 2008, the Society appointed M/s. Parijat Developers Private Limited (hereinafter referred to as "said Parijat") for development of the said Property, on the terms and conditions contained therein;
- i. The said Orchid filed an Appeal before the High Power Committee being Appeal No. 127 of 2010, challenging

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- the order dated 3rd March 2010 passed by the Chief Executive Officer of Slum Rehabilitation Authority recording proposal of said Orchid;
- j. The High Power Committee, by order dated 3rd July 2010 set aside the Order dated 3rd March 2010 and restored the Application of the said Orchid;
 - k. The said Parijat filed Writ Petition No. 1739 of 2010 before the Hon'ble Bombay High Court, challenging the order dated 3rd July 2010 passed by the Hon'ble High Power Committee;
 - l. The parties thereafter negotiated and settled their disputes vide Consent Terms dated 20th January 2011 (hereinafter referred to as the "consent terms") and the Writ Petition No. 1739 of 2010 was disposed of in accordance with the Consent Terms;
 - m. In accordance with the said Consent Terms it was agreed that the said Property is to be developed through LLP, to be formed by the said Orchid and the said Parijat. Pursuant thereto the said Orchid and the said Parijat and others formed LLP by the name of M/s ParOrch Developers LLP i.e. yourself;
 - n. The Slum Rehabilitation Authority issued Letter of Intent bearing No.SRA/ENG/1762/S/PL/LOI dated 30th April 2011, in your favour permitting development thereof on the terms and conditions therein mentioned;
 - o. The Society at its General Body Meeting held on 23rd March 2013 passed necessary Resolution and reconfirmed your appointment as Developer. Pursuant thereto, the said Society executed in your favour Development Agreement dated 2nd April, 2013, there by granted development rights in respect of the said Property to you on the terms and conditions therein contained.
 - p. The SRA issued modified Letter of Intent on 16th January 2014 vide No.SRA/ENG/1762/S/PL/LOI on the terms and conditions therein mentioned.

2. One Pundlik Waman Nayak, claimed to have, purchased from the said Trusts, Larger Land vide eight separate Conveyances, all dated 22nd March 1994. The Larger land has been declared as surplus vacant land under provisions of Urban Land (Ceiling & Regulation) Act 1976 (the ULC Act). The said Pundalik Nayak filed Writ Petition No. 448 of 2008 inter alia against the Additional Collector & Competent Authority (ULC) challenging declaration of the Larger Property as Surplus Vacant Land and acquisition thereof under the ULC Act. By an Order dated 25th June 2008 the Hon'ble High Court, directed the Parties to the said Writ Petition No. 448 of 2008 to maintain status-quo pending hearing and disposal of writ petition. The said Pundlik Waman Nayak expired and thereupon name of Mrs. Pratima Pundalik Nayak was brought on record in place of late Pundalik Nayak, as his only heir and legal representative. Neither you nor the said Society are party to the said Writ Petition. The said Society have made an application to implead them as the Party to the said Writ Petition, which is pending.
3. The said Pratima Pundalik Nayak has filed Writ Petition no. 1053 of 2013 inter alia to challenge acquisition of the said Property by State of Maharashtra, under Section 14 (1) of the Maharashtra Slum Areas Act, 1971. By Order dated 12.2.2016, the said writ petition was disposed off as withdrawn.
4. Pursuant to the public notice issued in the news paper, we have received the certain objections, however despite being called upon to produce documents in support of their claim, till date they have failed to furnish any documentary evidence in support of their claim. In any event as set out herein, however in view of declaration of the said property as slum area and subsequent acquisition thereof by state of Maharashtra in accordance with the Slum Act, their rights if any, has come to an end.
5. Several litigations filed against you/Society in respect of the said Property. A list whereof is mentioned in Annexure "A" hereto.
6. Subject to what is stated hereinabove and subject to compliance of terms and conditions of Lease dated 16th November 2006 executed by the Government of Maharashtra

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in favour of the Society, Title of the said Society in respect
Leasehold rights of the said property appears to be clear and
marketable.

Dated this 26th day of February 2016.

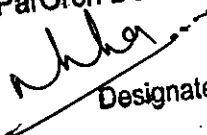
For Purnanand & Co.

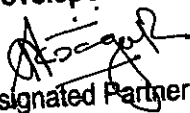


Partner

ANNEXURE "A"

- a. Writ Petition no.1537 of 2014 filed by Mrs. Lalita Shetty and 11 others inter alia for challenging your appointment as Developers in respect of the said property and the same is pending. However, till date no Order is passed in respect of the said Writ Petition.
- b. Suit No. 152 of 2015 filed by Dilip Toraskar inter alia, seeking a declaration that you are bound and liable to provide two flats admeasuring 1000 sq. ft. each in the building to be constructed on the said property and the same is pending. No Order has been passed in the said suit till date.
- c. S.C. Suit No. 3604 of 2013 filed by Mr. S.Anand Raj Nadar & Others in the Hon'ble City Civil Court inter alia, for declaration that they are owners of the portion of the said property admeasuring 40* 72 along with hut. However, no order has been passed in the said suit till date.

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