

TO WHOMSOEVER IT MAY CONCERN

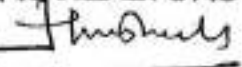
Re: In the matter of title report in respect of piece and parcel of Non – Agricultural Land bearing S.No. 281, Hissa No. 2 (part), corresponding CTS No. 692 & 692/1 to 19, admeasuring 1240 sq. mtrs., or there about Situate lying and being at Village Dahisar, registration Sub District Borivali and District Mumbai Suburban, at Yashwant Rao Tawade Road, Dahisar West, Mumbai - 400 068, within limits of Mumbai Municipal Corporation of Greater Mumbai.

TITLE REPORT

I HAVE PERUSED FOLLOWING DOCUMENTS

1. Public notices appeared in Free Press Journal dated 30/12/2006 and Navshakti dated 30/12/2006 and Gujrath Samachar /Janmbhoomi dated- 30/12/2006 , inviting objections from public.
2. Certificate of registration of M/s M.K. Realtors dated 3/4/2008, issued by Assistant Registrar of Firms, Bombay.
3. Deed of Conveyance dated 3/4/2008 entered and executed between  
1) Gregory Angel D'silva & others as vendors and M.K. Realtors as purchaser, registered at Sr.No.2961, at BDR/6, alongwith Index II. .
4. Notifications published by Dy. Collector (encroachment – Acquisition ) & Competent Authority , Borivali, in News paper 'Sakal' dated 16/8/2008.
5. Notification appeared in the Government Gazette dated 12/3/ 2010 for declaration as Slum Rehabilitation Area.
6. Development Agreement notarised on 5/4/2010 and General Power of Attorney dtd. 5/4/2010.
7. Annextures I to III submitted by developers to Slum Authorities

**FOR M. K. REALTORS**



**Partners**

8. Public notices appeared in Free Press Journal dated 24/3/2011 and Navshakti dated 24/3/2011, inviting objections.
9. Registration Certificate bearing registration No. MUM/ SRA/ HSG/ (SRA/ HSG/(TC)/12021/2011 dated 30/4/2011 issued by Dy. Registrar C.S. East & West Suburb, Slum Rehabilitation Authority.
10. Property cards and Index II.
11. Letter of intent dtd. 5/3/2011 issued by Dy. Chief Engineer, Slum Rehabilitation Authority.
12. Intimation of Approval dated 12/5/2011, No. SRA/ ENG/ 2611/ RN/ PL/AP by Executive Engineer, (SRA), for Rehabilitation building.
13. Commencement Certificate dtd.23/2/2012 upto plinth and extended CC dated 16/10/2012 for Ground +7 floor issued by Executive Engineer (SRA), for Rehabilitation building.
14. IOA Ref no. SRA/ ENG/2682/PN/PL/AP dated 19/7/2013 issued by Executive Engineer SRA for sale component or sale building.
15. Search Report dated 24/2/2014 issued by Search Clerk Mr N. D. Rane.
16. Commencement Certificate reference No ----- dated. ----- issued by Executive Engineer for plinth and extended CC for Ground +19 upper floors for salable component or saleable building.

ON PERUSAL OF THE ABOVE SAID DOCUMENTS I OBSERVED AS FOLLOWS :

- a. That Mr. Gregory Angel D'silva, 2) Mr. Hygin Angel D'silva, 3) Mr. Nevel Angel D'silva [legal heirs & representatives of Late Smt. Monica Angel Seal (D'silva) 4) Mr. Michael Nicholas Seal (D'silva), 5) Mr. Vincent Nicholas Seal (D'silva), 6) Mr. John Nicholas Seal (D'silva), 7) Smt. Edna Nicholas Seal (D'silva) 8) Mr. Joseph Stephen D'souza, 9) Smt. Katrine Lesle Gonsalves and 10) Smt. Keter Jerome D'silva (hereinafter referred to as "the said owners") were owners of all that piece and parcel of the land bearing survey No. 281, Hissa No. 2 (pt.), corresponding C.T.S. No. 692 and 692/1 to 19 admeasuring about

1240 sq. mtrs., along with the structures standing thereon, known as "NicholasWadi" situated at Yashwant Rao Tawade Road, Dahisar (West), Mumbai- 400 068, in the village Dahisar, Taluka Borivali ( hereinafter referred to as "the said property" ) .That the developers have invited objections in daily news papers such as Navshakti , Free Press Journal - and Gujrath Samachar / Janmbhoomi and as per instructions objections, claims were not received. That the partnership was registered on 3/4/2008. The said owners have entered and executed Deed of Conveyance dated 3<sup>rd</sup> April, 2008 registered under serial No. BDR 6/2961/2008 in the office of the Sub- Registrar , Borivali, Mumbai, with the developers herein .The said vendors have sold their all right , title and interest of the said property to the developers on the terms and conditions and for consideration as mentioned therein & that by execution of above said Deed of Conveyance , the said owners have sold all their rights , title, interest and possession and conveyed, transferred the said property and possession to the developers and developers have purchased the said property from the said owners. That Index II is in the name of the said Developers namely M.K . Realtors and the name of the said developers i.e M.K Realtors is mutated in the property card, by virtue of the said conveyance, Index II & Change recorded/ mutated in the record of rights such as in property card and by virtue of possession the developers became landlords and owners having all right title and interest in the said property .

- b. That the Dy. Collector ( encroachment ) and Competent Authority, as per the provisions of section 4 of the Maharashtra Slum Area ( Improvement, Clearance& redevelopment) Act, 1971 ( for short the said Act) issued Public Notice /Notification in daily News Paper Sakal' dated 16/8/2008 , thereafter , the Authority under the Slum Rehabilitation Authority ,declared the said property as slum Rehabilitation Area, by notification as published in the Government Gazette dated 12/3/2010 as required under the said Act.

- c. As the said property was declared as Slum Rehabilitation Area .The the slum dwellers formed proposed Co- Operative Housing Society by name NICHOLASWADI CO-OPERATIVE HOUSING SOCIETY LIMITED ( PROP) for the redevelopment of the said property under Slum Rehabilitation Scheme and the slum dwellers selected the said M.K. Realtors as their developers and passed resolution in their meeting and appointed the said developers herein as their developers for the development of the said property under the Slum Rehabilitation Scheme under the provisions of Slum Rehabilitation Act and rules made there under .The said proposed society of slum dwellers entered and executed notorised Development Agreement dated on 5/4/2010 with the developers herein and also executed an Irrevocable Power of Attorney notorised on 5/4/2010 in favour of the Developers interalia authorizing the developers to do various acts, deeds and things in relation to the redevelopment of the said property as well as additional construction on the said property. In above said circumstances above , the said M.K Realtors have appointed as the developer to develop the said property. The said developer have submitted Annexure to SRA Authorities.
- d. Society was registered on 30/4/2011,again publication were made in Navshakti and Free Press Journal both dt 24/3/2011 as per instructions no objections, claims etc were received.
- e. The Slum Rehabilitation Authority have issued Letter of Intent ( L O I) bearing No SRA/ ENG/2361/ RN / PL/LOI dated 5<sup>th</sup> March 2011. That Executive Engineer, SRA have issued Intimation of Approval ( I O A) bearing no SRA/ ENG/ 2611/ PL /AP dated 12<sup>th</sup> May 2011, for Rehabilitation building. The Chief Executive Engineer Slum Rehabilitation Authority have issued/granted Commencement Certificate bearing no SRA/ ENG/2611/RN / PL /AP dated 23<sup>rd</sup> February 2012 , for plinth level for Rehabilitation Building , the said Commencement Certificate was further extended on 16<sup>th</sup> October 2012

in respect of Gr plus 7 upper floors, for entire Rehabilitation Building, the said developers have constructed the said Rehabilitation Building .

- f. That S.R.A have issued L O .A dated 19/7/2013 bearing No.SRA/ENG/2682/RN/PL/AP For Sale Component Building Mr. N.D. Rane, Search clerk has submitted Search Report dated 24/2/2013 the said report shows that one document dated 9/1/1987 ,registered on 2/8/1988 at Sr. No. BBJ/ 84/1987, with M/s A.J. Enterprises . The said SRA Authorities have issued Commencement Certificate dated -----, bearing no.----- in respect of saleable building.

I) CONCLUSION;

- a) That I have perusal of the above said documents and after said perusal and on the basis of observations mentioned herein above , it appears that my clients have invited objections ,claims,for purchase of the said property which were not received. The said owners have conveyed and transferred their all rights, title and interest and possession in favour of M.K. Realtors by Deed of Conveyance as mentioned above .That the Competent Authorities have declared the said property as Slum.

The SRA Authorities have issued IOA, again publication was made in local news papers ,no objections, claims, demands were received . The 30 years search was taken and one document was found registered, on queries it was submitted by the partners of the said .M.K Realtors that they have settled the matter with the said A.J. Enterprises and that document to that effect was or have been executed, however after due and diligent search the said was not traceable and they further assured that they will execute the necessary document/s to that effect, hence they have not taken any objection or that they no objection and have consent for the said development. That from the said explanation it appears to be reasonable & M.K Realtors have settled the matter with said A.J.

Sanjay A. Ghaisas

B.S.C.LL.B

ADVOCATE

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Mob.: 9821581746

Enterprises and the SRA Authorities issued I. O. D. & CC, for rehabilitation and sale component buildings respectively, the said developers have constructed Rehabilitation building, the saleable building is under construction

Without any objection, claim, demand etc and the property is developed under SRA Scheme, therefore, the explanation appears to be true in the facts and circumstances mentioned above.

- b. From the above said perusal of title I am of the opinion that M.K. Realtors are entitled to develop, construct the proposed building and sell on ownership basis flats, shops and premises of the saleable components in open market to prospective purchasers.

*S. Ghaisas*  
*Advocate*

*True copy*

*S. Ghaisas*  
SANJAY A. GHAISAS  
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For M. K. REALTORS

*M. K. REALTORS*  
Partners