

APHWDS

To:

Endermic Realtors Pvt. Ltd.
202, 2nd Floor, Pituchhaya
Sakharam Keer Road,
Mahim, Mumbai- 400016

CERTIFICATE RELATING TO TITLE

Re: All that piece and parcel of Municipal leasehold land admeasuring 400 sq yards equivalent to 334.45 square meters being Plot No. 105 (North) of the Dadar Matunga Estate of Municipal Corporation of Mumbai, which forms the portion of C.S. No. 313/10 of Matunga Division, Mumbai - 400019.

1. Location:

All that piece and parcel of Municipal leasehold land admeasuring 400 sq yards equivalent to 334.45 square meters being Plot No. 105 (North) of the Dadar - Matunga Estate of Municipal Corporation of Mumbai, situated, lying and being at Matunga (East), at Road No.2, bearing Municipal No. FM1500740060000 F-7522 (3) 7, HC Road No. 20, which forms the portion of C.S. No. 313/10 of Matunga Division, Mumbai - 400019 in the Registration District and Sub- District of Mumbai City and suburban and bounded as follows- on the North – East by road 28 feet wide called Telang Road, on the South – East by plot No. 106 of Dadar - Matunga Estate, on the South-West by Plot No. 102 of the said Estate and on the North-West by Plot No. 104 of the said Estate (hereinafter referred to as the ‘said Property’).

2. Title Documents:

For the purpose of this certificate, we have reviewed the following documents:

- a) Copy of Indenture dated 5 November 1937 executed between Municipal Corporation of City of Bombay, Ivon Hope Jaunton, Mr. Narayan Madhwarao Mankar and Narayan Madhwarao Mankar and Bai Babilbai Narayan Mankar.
- b) Copy of Probate dated 23 January 1970 of the Last Will and Testament dated 15 November 1957 of Mr. Narayan Madhwarao Mankar and Mrs. Babilbai Narayan Mankar.
- c) Copy of Deed of Transfer dated 14 September 1995 duly registered with Sub-Registrar at Mumbai on 31 May 1996 at serial No. BBE-4364/1995 executed between Sharn (Shyam) Narayan Mankar and (1) Shri Subodh Anandrazo

Mankar and (2) Shri Naresh Shankar Mankar (3) Shri Milind Shamrao Mankar (4) Shri Vivek Shamrao Mankar and (5) Sham (Shyam) Narayan Mankar.

- d) Copy of Deed of Rectification dated 31 December 1998 duly registered with office of Sub-Registrar Mumbai at serial No. BBE-1637/1999 executed between Sham (Shyam) Narayan Mankar and (1) Shri Subodh Anandrao Mankar and (2) Shri Naresh Shankar Mankar (3) Shri Milind Shamrao Mankar (4) (a) Smt. Sandhya Vivek Mankar and (4)(b) Kurnari Darshana Vivek Mankar and (5) Sham (Shyam) Narayan Mankar.
- e) Copy of Deed of Release and Surrender dated 31 March 2001 duly notarized, executed between (1) (a) Smt. Sandhya Vivek Mankar and (3) (b) Kurnari Darshana Vivek Mankar through her mother and natural guardian and (1) Shri Subodh Anandrao Mankar (2) Shri Naresh Shankar Mankar (3) Shri Milind Shamrao Mankar and (4) Shri Sham (Shyam) Narayan Mankar.
- f) Copy of Affidavit cum Declaration dated 29 March 2007 of Mr. Subodh Anandrao Mankar.
- g) Copy of Affidavit cum Declaration dated 29 March 2007 of Mr. Milind Shamrao Mankar.
- h) Copy of Affidavit cum Declaration dated 29 March 2007 of Mr. Naresh Shankar Mankar.
- i) Copy of Deed of Release dated 14 November 2008 bearing registration No. BBE-318245/2008 executed between (1) (a) Smt. Sandhya Vivek Mankar and (1) (b) Kurnari Darshana Vivek Mankar through her mother and natural guardian and (1) Shri Milind Shamrao Mankar and (2) Shri Naresh Shankar Mankar.
- j) Copy of Development Agreement dated 10 May 2013 bearing registration No. BBE-412101/2013 executed between (1) Shri Subodh Anandrao Mankar (2) Shri Naresh Shankarrao Mankar (3) Shri Milind Shamrao Mankar and Endante Realtors Private Limited.
- k) Copy of the Death Certificate dated 26 March 1992 of Shankar Narayan Mankar.
- l) Copy of the Death Certificate dated 27 April 1992 of Anandrao Narayan Mankar.
- m) Copy of the Death Certificate dated 07 June 1997 of Ramrao Narayan Mankar.

- n) Copy of the Death Certificate dated 01 January 2003 of Shamrao Narayan Mankar.
- o) Copy of the Death Certificate dated 10 November 2008 of Vivek Shamarao Mankar.
- p) Copy of Search Clerk report of M/s. H. Gandhi & Co., dated 1 October 2008.
- q) Copy of the Extract dated 11 July 2014 of Property Card of the said Property.
- r) Copy of letter dated 04 March 2010 from the office of Assistant Commissioner (Estates) to Shri. Narash N. Mankar and others.
- s) Copy of letter dated 21 August 2010 addressed by Mr. Narash S. Mankar to the Superintendent of City Survey and Land Records.
- t) Copies of Public notices dated 01 August 2011 published in the newspaper daily Navshakti and Free Press Journal newspapers.
- u) Copy of the letter dated 07 March 2012 issued by Superintendent City Survey and Land Record Mumbai.
- v) List of Tenants and occupants certified dated 09 May 2012 by the MBRB Board of MHADA.
- w) Copy of Agreement dated 28 May 2013 executed between Endemic Realtors Pvt. Ltd. and Mr. Narash S. Mankar registered at serial No.BBI-4/2464/2013.
- x) Copy of NOC dated 25 November 2013 bearing Ref. No.F/NOC/F/2187/8882/MBRRB-13 issued by MHADA in favour of M/s. Endemic Realtors Private Limited.
- y) Copy of Agreement dated 19 April 2014 executed between Endemic Realtors Pvt. Ltd. and Mr. P.V. Rangarajan & Mrs. Savithri Rangarajan registered at serial No. BBI-5/1088/2014.
- z) Copy of Agreement dated 19 April 2014 executed between Endemic Realtors Pvt. Ltd. and Mrs. Bhavana Modi & Mr. Jatin Modi registered at serial No.BBI-5/1143/2014.

- aa) Copy of Agreement dated 23 April 2014 executed between Endemic Realtors Pvt. Ltd. and Mr. Santharam N. Chari and Smt. Sugandha N. Chari registered at serial No.BBI-5/1136/2014.
- bb) Copy of the letter dated 03 June 2014 by Endemic Realtors Private Limited to Asstt. Commissioner (Estate) for NOC for Roaddevelopment.
- cc) Copy of letter dated 5 July 2014, bearing No. AC/Estates/7198/A.E.(I) addressed by Asst. Engineer (Imp) (Estates) MCGM to M/s. Endemic Realtors Private Limited.
- dd) Copy of Undertaking dated 10 July 2014 executed by Endemic Realtors Private Limited in favour of Asstt. Commissioner (Estates) MCGM, registered with Sub-Registrar Mumbai-4 at serial No. BBE-4/2951/2014.
- ee) Copy of Agreement dated 18 July 2014 executed between Endemic Realtors Pvt. Ltd. and P.S. Natrajan registered at serial No. BBE-2/5959/2014 on 19 July 2014.
- ff) Copy of letter dated 16 August 2014, bearing No. AC/Estates/71360/A.E.(I)-(II) addressed by Asstt. Commissioner (Estates) MCGM to M/s. Endemic Realtors Private Limited granting formal NOC.
- gg) Copy of Intimation of Disapproval dated 7 February 2015 bearing Ref. No. EB/7333/FN/A in favour of M/s. Endemic Realtors Private Limited.
- hh) Copy of the letter dated 02 March 2015 by Endemic Realtors Private Limited to Asstt. Commissioner (Estate) for NOC for CC.
- ii) Copy of Agreement dated 03 June 2015 executed between Endemic Realtors Pvt. Ltd. and Raman Subramaniam registered at serial No. BBE-2/5489/2015 on 03 June 2015.
- jj) Copy of Undertaking dated 10 July 2015 executed by Endemic Realtors Private Limited in favour of Dy. Chief Engineer MCGM, registered with Sub-Registrar Mumbai-4 at serial No. BBE5/3031/2015.
- kk) Copy of Agreement dated 28 August 2015 executed between Endemic Realtors Pvt. Ltd. and Anuj N. Mankar registered at serial No. BBE-4/2983/2015 on 28 August 2015.

- ll) Copy of demand letter dated 29 July 2015, bearing No. AC/Estates/8849/A.E.(f) addressed by Asst. Engineer (Imp) (Estates) MCGM to M/s. Endemic Realtors Private Limited.
- mm) Copy of the letter dated 08 August 2015 by Endemic Realtors Private Limited to Asst. Commissioner (Estate) for NOC for CC.
- nn) Copy of NOC to CC dated 24 August 2015 bearing Ref. No. AC/Estates/8849/A.E.(f) issued by Asst. Commissioner BMC in favour of M/s. Endemic Realtors Private Limited.
- oo) Copy of Agreement dated 03 October 2015 executed between Endemic Realtors Pvt. Ltd. and Maharashtra Housing and Area Development registered at serial No. BBE-2/8256/2015 on 03 October 2015.
- pp) Copy of Commencement Certificate dated 24 November 2015 bearing Ref. No. EEBPC/7333/FNA.
- qq) Search Report dated 31st December 2015 by Harish Masholkar

3. Brief History of the said Property:

Based on the aforesaid documents and the information furnished to us, we observe as follows:

- a. Pursuant to an agreement contained in a proposal made on 18 April 1935 by one Mr. Narayan Madhavrao Mankar and accepted by the Municipal Corporation of the City of Bombay on 07 May 1935, Mr. Narayan Madhavrao Mankar erected a building on the said Property and was entitled to obtain a lease of the said Property in favour of himself or his nominees. By and under an Indenture of Lease dated 5 November 1937 registered with office of Sub-Registrar Mumbai at Serial No. 5577, executed between the Municipal Corporation of City of Bombay therein referred to as the Corporation of the First Part, Iyon Hope Jauntou therein referred to as the Commissioner of the Second Part, Narayan Madhavrao Mankar therein referred to as Building Tenant of the Third Part and Narayan Madhavrao Mankar and Bai Bahlbal Narayan Mankar therein referred to as the Lessees of the Fourth Part, the Corporation granted lease of the said Property for 999 years starting from 21 May 1935 in favour of the Lessees therein as joint tenants and on the terms and conditions stated therein.

- b. Bai Babilbal Narayan Mankar died on 06 April 1961 and Shri Narayan Madhavrao Mankar died on 04 February 1964 leaving behind their Last Joint Will and Testament dated 15 November 1957, wherein it was recorded that during the lifetime of any of them, the property shall be enjoyed for life by the survivor of them who may be surviving and after the demise of the survivor, the property shall be devolved equally amongst their four sons viz. (1) Shri Anandrao Narayan Mankar, (2) Shri Shankar Narayan Mankar, (3) Shri Ramrao Narayan Mankar and (4) Shri Sham Narayan Mankar. It was further recorded that the said Property shall be bequeathed to the said four sons and their male heirs and directed that in case any of the aforesaid sons have no son but only daughter or daughters, then the said daughter or daughters shall get the share of her father during the time the said daughter or daughters are unmarried, and after the last daughter of the said son is married the share of the son with no male heir shall go to the augment and accelerate the shares of the other sons who have male issues.
- c. Probate of the said Will dated 15 November 1957 was granted by Hon'ble High Court of Judicature at Mumbai on 23 January 1970. Pursuant to the grant of Probate the said Property was devolved upon all four sons in equal proportion i.e. (1) Shri Anandrao Narayan Mankar, (2) Shri Shankar Narayan Mankar, (3) Shri Ramrao Narayan Mankar and (4) Shri Sham Narayan Mankar.
- d. Thereafter, on 18 August 1975 Shri Anandrao Narayan Mankar died intestate leaving behind (1) Smt. Sudha Anandrao Mankar (wife) (2) Shri Subodh Anandrao Mankar (son) (3) Smt. Sumalini Shripad Vijaykar (daughter) (4) Smt. Jayeshshree Vinod Rane (daughter) as his only heirs and legal representatives. Mr. Subodh Anandrao Mankar by executing an Affidavit cum Declaration dated 29 March 2002 declared that after the demise of his father Mr. Anandrao Narayan Mankar, he i.e. Mr. Subodh Anandrao Mankar was entitled to the entire share of his father as per the Joint Will and Testament dated 15 November 1957. It was further declared that Sudha Anandrao Mankar wife of Anandrao Mankar had expired on 20 May 1992 and Smt. Sumalini Shripad Vijaykar and Smt. Jayeshshree Vinod Rane were not entitled to the share in the said Property by virtue of their marriage.
- e. Thereafter, on 24 December 1993, Shri Ramrao Narayan Mankar died intestate at Mumbai leaving behind no male child as his heir.

- f. Thereafter, on 03 October 1988, Shri Shankarrao Narayan Mankar died intestate leaving behind (1) Smt. Shaila Shankar Mankar (wife) (2) Shri Naresh Shankarrao Mankar (son) (3) Smt Jyoti Milind Kothare (daughter) as his only heirs and legal representatives. Mr. Naresh Shankar Mankar by executing Affidavit cum Declaration dated 29 March 2002 declared that after the demise of his father Mr. Shankar Narayan Mankar, he, i.e. Mr. Naresh Shankar Mankar himself was entitled to the entire share of his father in the said Property as per the Joint Will and Testament dated 15 November 1957. It was further declared that as Shaila Shankar Mankar wife of Mr. Shankar Narayan Mankar expired on 22 June 1990 and Smt. Jyoti Milind Kothare was not entitled to the share in the said Property by virtue of her marriage.
- g. Thereafter, a Deed of Transfer dated 14 September 1995 duly registered with Sub-Registrar at Mumbai on 31 May 1996 at serial No. BBE-4364/1995 was executed between Sham (Shyam) Narayan Mankar as sole surviving executor of the said Joint Will and Testament dated 15 November 1957 therein referred to as the Transferor of the One Part and (1) Shri Subodh Anandrao Mankar and (2) Shri Naresh Shankar Mankar (3) Shri Milind Shamrao Mankar (4) Vivek Shamrao Mankar and (5) Sham (Shyam) Narayan Mankar therein collectively referred to as the Transferees. As per the said Deed of Transfer both (1) Subodh Anandrao Mankar and (2) Naresh Shankarrao Mankar each become owner of 1/3rd undivided share in the said Property while Shamrao Mankar alongwith his sons (1) Mr. Milind Shamrao Mankar and (2) Mr. Vivek Shamrao Mankar become joint owners of the balance 1/3rd undivided share in the said Property.
- h. Subsequently, on 8 June 1997, Shri Vivek Shamrao Mankar died intestate at Mumbai leaving behind his widow Sandhya Vivek Mankar and their minor daughter Darshana Vivek Mankar as his legal heirs and representatives.
- i. Thereafter, a Deed of Rectification dated 31 December 1998 duly registered with office of Sub-Registrar Mumbai at serial No. BBE-1837/1999 was executed between Sham Narayan Mankar therein referred to as the Transferor of the One Part and (1) Shri Subodh Anandrao Mankar and (2) Shri Naresh Shankar Mankar (3) Shri Milind Shamrao Mankar (4) (a) Sandhya Vivek Mankar and (4)(b) Kumari Darshana Vivek Mankar and (5) Shamrao Narayan Mankar therein collectively referred to as the Transferees, for rectifying the dates of death of Ramrao Narayan Mankar and Shankar Narayan Mankar and the description of

the property which were incorrectly mentioned in the Deed of Transfer dated 14 September 1995.

- j. Thereafter, a Deed of Release and Surrender dated 31 March 2001 duly notarised (but not registered) was executed between (1) (a) Sandhya Vivek Mankar and (1) (b) Kumari Darshana Vivek Mankar through her mother and natural guardian, therein referred to as the Releasees of the One part and (1) Subodh Anandrao Mankar (2) Nareesh Shankar Mankar (3) Milind Shamrao Mankar and (4) Sham (Shyam) Narayan Mankar therein collectively referred to as the Releasees of the Other Part wherein the Releaser i.e. Sandhya Vivek Mankar for herself and her minor daughter, released their shares in favour of Mr. Sham Narayan Mankar.

- k. Subsequently on 15 December 2002, Shamrao Narayan Mankar died intestate at Mumbai leaving behind him (1) Shri Milind Shamrao Mankar (son) (2) Shri Priti Bharat Rane (daughter) as his only heirs and legal representatives. Mr. Milind Shamrao Mankar by executing Affidavit cum Declaration dated 29 March 2002 declared that after the demise of his father Mr. Shamrao Narayan Mankar on 15 December 2002, Mr. Milind Shamrao Mankar himself was entitled to the entire 1/3 share of his father in the said Property as per the Joint Will and Testament dated 15 November 1957. It has been further declared that as Smt. Meena Shyamrao Mankar wife of Shamrao Narayan Mankar expired on 10 August 1997 and Smt. Priti Bharat Rane was not entitled to a share in the said Property by virtue of her marriage.

- l. Further, a Deed of Release dated 14 November 2008, duly registered with office of Sub-Registrar Mumbai bearing registration No.8245/2008 was executed by Smt. Sandhya Vivek Mankar and Miss Darshana Vivek Mankar through her mother and natural guardian Sandhya Vivek Mankar therein referred to as the Releasees of the First Part and Milind Shamrao Mankar therein referred to as the Releasees of the Second Part and Mr. Nareesh Shankar Mankar and Subodh Anandrao Mankar therein referred to as the Confirming Parties of the Third Part, wherein the Releasees released all right, title and interest which they had in the said Property in favour of Shri Milind Shamrao Mankar.

- m. Thereafter, Mr. Nareesh S. Mankar and others had applied Municipal Corporation of Greater Mumbai for recording of their names as Lessees of the said Property by deleting the names of the earlier holders. After carrying out the necessary inquiries and necessary compliances the Brihanmumbai Mahanagarpalika by its

letter bearing No. AC/Estates/17234/LB II dated 04 March 2010 has informed Mr. Naresh S. Mankar and others that as per sanction of D.M.C. (I) w/o. MDD/1315 of 04 December 2009, the lease of the said Property vests in the name of following lessees i.e. (1) Shri. Subodh Anandrao Mankar- 1/3rd Share, (2) Shri. Naresh Shankarrao Mankar- 1/3rd Share and (3) Shri. Milind Shamrao Mankar- 1/3rd Share.

- n. Thereafter, a Development Agreement dated 10 May 2013 bearing registration No. BBE-4/2191/2013 was executed between (1) Shri Subodh Anandrao Mankar (2) Shri Naresh Shankarrao Mankar (3) Shri Milind Shamrao Mankar therein collectively referred to as the said Owners/Assignors of the One Part and Endemic Realtors Pvt. Ltd. therein referred to as the Developers of the Second Part, wherein the Owners/Assignors granted to the Developers sole and absolute right, power and authority to redevelop the said Property based on terms and conditions therein stated. Under the said Development Agreement, the Developer has agreed to provide a flat admeasuring 74.35 sq. mtrs. equivalent to 800 sq. ft (carpet area) free of cost to the Owner/Assignor. The old building in the said property was occupied by the 7 Tenants and occupants and flat thereof has been certified and issued on 09 May 2012 by the Mumbai Building Repairs And Reconstruction Board of MHADA. As per the said certified list, the total area occupied by the tenants was 509.05 sq. mtr. built up area.

- o. Thereafter, MHADA issued its No Objection Certificate bearing reference No. R/NOC/F-2187/8832/M/RRB-13 dated 25 November 2013 in favour of Endemic Realtors Pvt. Ltd. for redevelopment of the said Property in accordance with Development Control Regulation 33 (7) and Appendix – III.

- p. Endemic Realtors Private Limited by its letter dated 03 June 2014 requested the Asstt. Commissioner (Estate) Municipal Corporation for Greater Mumbai (M.C.G.M.) to grant NOC for redevelopment of the said Property as required under the Indenture of Lease dated 05 November 1937. In response to the said letter dated 03 June 2014, the Asst. Engineer (Imp) (Estate) MCGM by its letter bearing No. AC/Estates/7198/A.E. (I) dated 5 July 2014 informed Endemic Realtors Private Limited that Municipal Corporation of Greater Mumbai had framed a policy vide L.C.R. No. 130 dated 15 October 2008 and Corporation Resolution No. 796 dated 11 November 2008 for execution of fresh lease with the lease tenure of 30 years in favour of the society of rehabilitated tenants as well as for the sale component when redevelopment of Municipal leased plots

take place, and that the old lease shall get extinguished. The said policy was challenged in the Hon'ble High Court Bombay by some parties and after the order passed therein, the same was challenged in Hon'ble Supreme Court by Municipal Corporation of Greater Mumbai. After filing Minutes of Order signed by both parties, the Supreme Court had remitted the said petitions to Hon'ble High Court Bombay for fresh hearing and disposal in accordance with law. It was further informed that in view of the above facts, if agreeable, the formal NOC/NOC to Commencement Certificate will be granted with a condition that the Society shall execute a fresh lease for 30 years lease tenure as per aforesaid resolution of MCGM. In the alternative, if desired, a formal NOC/NOC to Commencement Certificate will be issued subject to submitting a registered undertaking stating that orders that may be passed by Hon'ble High Court in the said Petitions and any further orders passed therefrom, shall be binding as well as the third parties. Accordingly, Endemic Realtors Private Limited has submitted a registered undertaking dated 10 July 2014 registered with Sub-Registrar Mumbai-4 at serial No. BBE4/2951/2014.

- q. Thereafter, the Asstt. Commissioner (Estates) MCGM by letter bearing No. AC/Estates/11360/A.E.(I)-(II) dated 16 August 2014 granted no objection to Endemic Realtors Private Limited for submission of redevelopment proposal of the said Property. Accordingly, Intimation of Disapproval bearing Ref. No. EB/ 7333/FN/A dated 7 February 2015 has been issued in favour of Endemic Realtors Private Limited. Subsequently Endemic Realtors Private Limited executed an Undertaking dated 10 July 2015 by in favour of Dy. Chief Engineer MCGM, which is registered with Sub-Registrar Mumbai-4 at serial No. BBE5/3031/2015 agreeing to abide the provision of Maharashtra Ownership of Flats (Regulation of the promotion of construction, sale management and transfer) Act 1963 etc.

- r. Pursuant to various compliances having been fulfilled, the Asstt. Commissioner (Estate) vide letter bearing Ref. No. AC/Estates/8849/A.E. (I) II dated 24 August 2015, granted NOC to Commencement Certificate in favour of Endemic Realtors Private Limited. Thereafter, the Commencement Certificate bearing Ref. No. EEBPC/7333/FN/A dated 24 November 2015 has been issued in respect of the said Property.

- s. An Agreement for providing Permanent Alternate Accommodation dated 03 June 2015 bearing registration No. BBE-2/5489/2015 was executed between Endemic

Realtors Pvt. Ltd. therein referred to as the Developers of the One Part and Raman Subramaniam therein referred to as the Occupant of the Second Part, wherein in lieu of the existing tenanted premises flat No. 1 on ground floor admeasuring 561.77 sq. ft. (52.21 sq. mtrs) of the Occupant in the old building in the said property, subject to the outcome of R.A.D Suit No. 2032/2007 the Developer has agreed to allot the Occupant a flat admeasuring 735 sq. ft. (68.29 sq. mtrs.) (Carpet area) including 195 sq. ft. of fungible carpet area in the new building to be constructed in the said property. Suit No.2032 of 2007 is filed by Mr. Raman Subramanian against (1) Chidambaram Subramanian Alias Kannan (2) Smt. Lakshmi Iyer Alias Laxmi Mari (3) Milind Mankar (4) Nareesh Mankar in the Hon'ble Small Causes Court at Mumbai for the relief of declaration that he is the sole tenant with respect to said Flat No. 1 and for an injunction not to dispossess him and other reliefs. It appears that by an order dated 23 July 2010, interim relief was granted. However, the Plaintiff himself has vacated that suit premises in terms of the said agreement dated 03 June 2015.

1. An Agreement for providing Permanent Alternate Accommodation dated 18 July 2014 bearing registration No. BBE-2/5959/2014 was executed between Endemic Realtors Pvt. Ltd. therein referred to as the Developers of the One Part and Mr. P.S. Natrajan therein referred to as the Occupant of the Second Part, wherein in lieu of the existing tenanted premises flat No. 0 Second Floor admeasuring 542.52 sq. ft. (50.42 sq. mtrs) of the Occupant in the old building in the said property, subject to the outcome of R.A.D Suit No. 1745/2011 the Developer has agreed to allot the Occupant a flat admeasuring 732 sq. ft. (68.07 sq. mtrs.) (Carpet area) including 190 sq. ft. of fungible carpet area in the new building to be constructed in the said property. The said R.A.D Suit No 1745 of 2011 is filed by Mr. Peruvamba Seshan Shankaran against (1) M/s. Endemic Realtors Pvt. Ltd. (2) Shri Subodh Anand Rao Mankar (3) Shri. Nareesh Shankarrao Mankar (4) Shri. Milind Shamrao Mankar (5) Mr. Peruvamba Seshan Natrajan in the Hon'ble Small Causes Court at Mumbai for the relief to be declared as a joint tenant with Mr. P. S. Natrajan with respect to said Flat No. 0 and injunction for not to dispossess him and other reliefs. However till date no order has been passed in the matter.

- ii. Besides the aforesaid two Tenants/Occupants, Endemic Realtors Private Limited have also executed separate agreements the other balance five Tenants/Occupants and thereby have to provide them Permanent Alternate Accommodation.

v. An Agreement dated 03 October 2015 registered at serial No. BBE-20256/2015 on 03 October 2015 is executed between Endemic Realtors Pvt. Ltd. and Maharashtra Housing and Area Development for providing 33.00 sq. mtrs. built up area on 1st floor in the new building to be constructed in the said property.

w. We had issued public notices in the newspaper daily Navshakti dated 19 December 2015 in Marathi and in the newspaper daily Free Press Journal dated 19 December 2015 in English to investigate the title of the said Property. We haven't received any objection in response to the said public notices. We have also caused Mr. Mashelkar Search Clerk to carry out searches in respect of the said Property from the year 1986 to 2015 in the offices of concerned Sub-Registrar.

4. Subject to what is stated hereinabove, we certify that 'Endemic Realtors Pvt. Ltd.' have free clear and marketable title to the Development Rights in respect to the said Property.

5. **General:**

a) For the purpose of this opinion we have assumed

i) the legal capacity of all natural persons, genuineness of all signatures, authenticity of all documents submitted to us as certified or photocopies.

ii) that there have been no amendments or changes to the documents examined by us.

iii) The accuracy and completeness of all the factual representations made in the documents.

iv) all documents have been adequately stamped and registered.

b) For the purposes of this opinion, we have relied upon information relating to:

i) lineage, on the basis of revenue records and information provided to us.

c) For the purposes of this opinion, we have relied upon:

i) copies of documents where original documents of title were not available;

ii) certified copy of Property Card.

- d) A certificate, determination, notification, opinion or the like will not be binding on an Indian Court or any arbitrator or judicial or regulatory body which would have to be independently satisfied, despite any provision in the documents to the contrary.
- e) Even though this document is titled "Certificate Relating to Title" it is in fact an opinion based on the documents perused by us. The title has been so given at the request of the client to whom it is addressed.
- f) This opinion is limited to the matters pertaining to Indian Law (as on the date of this opinion) alone and we express no opinion on laws of any other jurisdiction.
- g) We are not certifying the boundaries of the said Property nor are we qualified to express our opinion on physical identification of the said Property.
- h) We are not authorized or qualified to express an opinion relating to plan permissions, approval or development potential of the said Property and the opinion does not cover or deal with the same. We have not visited the said Property.
- 6. This opinion may be disclosed or furnished by Endemic Realtors Pvt. Ltd. as may be required in connection with any transaction or legal process or in relation to an inquiry or demand by any Indian governmental or regulatory authority.

Dated this 29th day of January, 2016.

For M/s. Hariani & Co.



Partner