
ZAID S. ANSARI

B.L.S. LLB

ADVOCATE HIGH COURT

B-2, Sunset Heights, 59, Pali Hill,
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: TITLE CERTIFICATE :

TO WHOMSOEVER IT MAY CONCERN

Re: Property bearing C.T.S. Nos. 31E/5, 31E/5/1 to 31E/5/23, now new C.T.S. Nos. 31E/2D admeasuring about 8062.60 Sq. Mts. as per CTS Records, situated at Village Bandivali, Taluka Andheri, Mumbai Suburban District (**"the said Property"**).

1. Under instructions from my Clients, M/s. SMGK Developers Pvt. Ltd, a company incorporated under the Companies Act, 1956, I have perused the documents of the property acquired by my Client which inter-alia includes the said Property and Search Clerk Mr. Pradeep S. Waghmare, has inter-alia taken Search of the said Entire Land and provided reports inter-alia for the period from 2003 to 2017, at Bombay Sub Registrar Office, at Bandra Sub Registrar office and also at Andheri-1 to Andheri-7 Sub Registrar office.

2. The said Property forms part of certain properties admeasuring in aggregate to about 81,614.70 Sq. Mts. (hereinafter referred to as "the said Total Area of 81,614.70 Sq. Mts.").

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3. By and under Deed of Transfer dated 2nd March 1948, registered in the Office of Sub Registrar of Assurances at Bombay, under its Serial No.2385/1948, Lady Jerbai Byramjee Jeejeebhoy and Others, interalia transferred to Nanabhoy Byramjee Jeejeebhoy, amongst other properties, the said Total Area of 81,614.70 Sq. Mts.

4. By an Indenture dated 24th July 1951, registered in the Office of Sub Registrar of Bombay, under its Serial No. 4208/1951, the said Nanabhoy Byramjee Jeejeebhoy transferred and conveyed the said Total Area of 81,614.70 Sq. Mts. to M/s. Byramjee Jeejeebhoy Pvt. Ltd.

5. By an Indenture dated 9th April 1965, registered in the Office of Sub Registrar of Assurances at Bombay, under its Serial No.1608/1965, the said M/s. Byramjee Jeejeebhoy Pvt. Ltd. sold, transferred and conveyed the said Total Area of 81,614.70 Sq. Mts. to Saroj Dinshajee Minorcherjee and others.

6. The said Saroj Minocher & others have executed following documents in respect for the said Total Area of 81614.70 Sq. Mts.

- i. A registered Indenture of Conveyance dated 5th May 1971 in favour of Mr. Shamjibhai Ladhahbai Shah and others of Honest

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Stone and Metal Supply Company in respect of land admeasuring about 4856 Sq. Mts.

- ii. A registered Indenture of Conveyance dated 14th September 1972 in favour of Mr. Jankiprasad Mathaprasad Mishra (since deceased) (hereinafter referred to as “the said J. M. Mishra”) in respect of land admeasuring about 5058.60 Sq.Mts. (hereinafter referred to as “the said Area of 5,058.60 Sq. Mts.”).
- iii. Four registered Indentures of Conveyance dated 18th June 1991, 18th June 1991, 18th June 1991 and 13th July 1991 in favour of M/s. Vastu Shilpa Complex Designers Pvt. Ltd. in respect of 25% undivided share in an Area of 71,700.10 Sq. Mts. (hereinafter referred to as “the said Area of 71,700 Sq. Mts.”).
- iv. Four registered Indentures of Conveyance dated 20th June 1991, 20th June 1991, 20th June 1991 and 31st July 1991 in favour of M/s. Mackon Developers Pvt. Ltd., in respect of 25% undivided share in the said Area of 71,700.10 Sq. Mts.

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- v. A registered Indenture of Conveyance dated 4th November 1991 in favour of M/s. Shilpin Designers Pvt. Ltd. in respect of 26.25% undivided share in the said Area of 71,700.10 Sq. Mts.
- vi. Five registered Indentures of Conveyance dated 14th June 1991, 27th June 1991, 27th June 1991, 12th July 1991, and 29th August 1991 in favour of M/s. Shilpin Developers, a Firm, in respect of 16.25% undivided share in the said Area of 71,700.10 Sq. Mts.
- vii. A registered Indenture of Conveyance dated 4th September 1991 in favour of M/s. Rachna Builders, a Firm, in respect of 2.5% undivided share in the said Area of 71,700.10 Sq. Mts.
- viii. A registered Indenture of Conveyance dated 3rd July 1991 in favour of M/s. Shree Vinayak Enterprises, a Firm, in respect of 5% undivided share in the said Area of 71,700.10 Sq. Mts.
7. By virtue of the aforesaid Conveyances 1) M/s. Vastu Shilpa Complex Designers Pvt. Ltd., 2) M/s. Mackon Developers Pvt. Ltd., 3) M/s. Shilpin Designers Pvt. Ltd., 4) M/s. Shilpin Developers, 5) M/s. Rachna Builders and 6) M/s. Shree Vinayak Enterprises (hereinafter referred to as "the said

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Concerns") acquired ownership undivided share, right, title and interest in the said Area of 71,700.10 Sq. Mts., having shares shown against their respective names mentioned below:

Sr. No.	Name of the Concern	Share	Area (Sq. Mts.)
1	M/s. Vastu Shilpa Complex Designers Pvt. Ltd.	25%	17,925.03
2	M/s. Mackon Developers Pvt. Ltd.	25%	17,925.03
3	M/s. Shilpin Designers Pvt. Ltd.	26.25%	18,821.27
4	M/s. Shilpin Developers	16.25%	11,651.26
5	M/s. Rachna Builders	2.5%	1,792.50
6	M/s. Shree Vinayak Enterprises	5%	3585.01
	Total	100%	71,700.10

8. Under another registered Indenture of Conveyance dated 19th February 1992, Smt. Vishnudevi Jankiprasad Mishra and others (legal heirs and representatives of the said J. M. Mishra) sold, transferred and conveyed the said Area of 5058.60 Sq. Mts. in favour of the said Concerns.

9. Accordingly by virtue of the aforesaid conveyances in their favour, the said Concerns acquired absolute rights, title and interest in an aggregate



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area of about 76,758.70 Sq. Mts. i.e. the said area of 71,700.10 Sq. Mts. plus the said Area of 5,058.60 Sq. Mts. (hereinafter referred to as “the said Area of 76,758.70 Sq. Mts.”).

10. Under a Deed of Conveyance dated 22nd July 2004, registered in the Office of Sub Registrar of Assurances at Bandra, under its Serial No. 3441/04, the said Concerns sold, transferred and conveyed an area of about 30,000 Sq. Mts., out of the said Area of 76,758.70 Sq. Mts. to my Clients i.e. M/s. SMGK Developers Pvt. Ltd.

11. By Orders dated 13th December 2004 and 7th April 2005, both under reference no. SR/263 passed by the District Collector, Mumbai Suburban District, the said Area of 76,758.70 Sq. Mts. was sub-divided and new C.T.S. Numbers were allotted to the said Area of 76,758.70 Sq. Mts. as mentioned in the said Orders.

12. As per the aforesaid two orders dated 13th December 2004 and 7th April 2005, the aggregate area of all the properties comprising the said Area of 76,758.70 Sq. Mts. was revised to about 78,755.40 Sq. Mts. (hereinafter referred to as “the said Area of 78,755.40 Sq. Mts.”), and Property Register Cards for the said properties were accordingly issued by the CTS

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Department. Accordingly, the area conveyed to my Clients i.e. M/s. SMGK Developers Pvt. Ltd. vide Conveyance dated 22nd July 2004 out of the said Area of 78,755.40 Sq. Mts. aggregates to about 30,995.80 Sq. Mts. leaving a balance area of 47,759.60 Sq. Mts. (hereinafter referred to as "the said Area of 47,759.60 Sq. Mts.").

13. Under another Deed of Conveyance dated 13th March 2006 registered in the Office of Sub Registrar of Assurances at Bandra, under Serial No. BDR-02072-2006, the said Concerns sold transferred and conveyed an area of about 1,244.50 Sq. Mts. out of the said Area of 47,759.60 Sq. Mts. to my Clients i.e. M/s. SMGK Developers Pvt. Ltd. Accordingly, my clients, M/s. SMGK Developers Pvt. Ltd. became absolute owners in respect of total area aggregating to about 32,209.50 Sq. Mts. (i.e. 30,965 Sq. Mts. plus 1,244.50 Sq. Mts.). The said Property forms part of the aforesaid aggregate area of about 32,209.50 Sq. Mts. and the name of my Clients, M/s. SMGK Developers Pvt. Ltd. has been recorded as Owners/Holders in the relevant Property Register Cards of the said Property.

14. The said Property being a declared Slum Area under the provisions of the Maharashtra Slum Area (Improvement & Development) Act, 1971 and

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the Development Control Regulations, 1991 of the Municipal Corporation of Greater Mumbai (SRA) has been envisaged to be developed by my Clients M/s. SMGK Developers Pvt. Ltd. under the SRA Schemes in respect of slum properties.

15. A portion of the said Property admeasuring about 3,932 Sq. Mts. (hereinafter referred to as "the said Plot") has been taken up for development by my Clients, M/s. SMGK Developers Pvt. Ltd. under D.C. Rules 33(10) of the SRA Schemes.

16. The slum dwellers of the said Plot have formed a society known as Om Sai Shastri Nagar S.R.A. Co-operative Housing Society Ltd. (hereinafter referred to as "the said Society") which has been registered under Reg. No. MUM/SRA/HSG/ (T.C.) /11237 /2006 and they have given their consents and have executed the agreements for the Slum Rehabilitation Scheme under provisions of D.C. Rules 33(10) in favour of my Clients, M/s. SMGK Developers Pvt. Ltd. and accordingly, Annexure-II dated 25/05/2006 has been issued in respect of the said Plot by the concerned authorities.

17. The Slum Rehabilitation Authorities, vide their letter dated 22/9/2006 have issued Letter of Intent under no. SRA/ENG/1200/KW/PL/LOI for the

aforesaid SRA Scheme, which has been revised on 21/10/2010 and have also approved a Layout of the said Plot under no. SRA/ENG/678/KW/PL/LAY dated 23/12/2013 (hereinafter referred to as “the said Layout”). My Clients, M/s. SMGK Developers Pvt. Ltd. have also obtained Intimation of Approval dated 16/04/2007 and Commencement Certificate dated 24/08/2007, both bearing common no. No. SRA/ENG/1855/KW/PL/AP for the construction of Rehab Building on a portion of the said Plot (hereinafter referred to as “the said Rehab Building”).

18. The concerned authorities have also accorded various other approvals and sanctions from time to time, in respect of the said Plot and accordingly, my Clients have completed the constructions of three (3) wings of the said Rehab Building consisting of 161 units and have obtained Part-Occupation Certificate for the same and the construction of fourth wing of the said Rehab Building is in progress.

19. The Slum Rehabilitation Authorities vide Intimation of Approval dated 10/04/2014 and Commencement Certificate dated 17/ 10/2014, both bearing common No. SRA/ENG/3011/KW/PL/AP have also accorded sanctions for the construction of the said Sale Building (hereinafter referred

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to as “the said Sale Building”) on a portion of the said Plot and my Clients have commenced construction of the said Sale Building. The shape of the said Property has also been modified for better planning after obtaining necessary sanction for the same from the concerned authorities and pursuant to understandings arrived at by my Clients and the developers and owners of the adjoining property bearing C.T.S. No. 31E/2/A.

20. I have verified from the Search Reports of Mr. Pradeep Waghmare, that there is no mortgage or any other encumbrance registered pertaining to the said Property. My Clients have also provided papers and documents pertaining to all the litigations in respect of the said Property. I have perused all the aforesaid papers and documents pertaining to the aforesaid litigations and have verified that there are no injunctive reliefs or restraining orders passed against my Clients in respect of either the said Property or any part thereof including the said Plot by any competent court and my Clients are taking appropriate steps to defend the aforesaid litigations against them. Details of all such pending Court cases proceedings which are sub-judice in the Competent Courts in respect of inter-alia the said Property, as provided by my Clients, is annexed hereto as **Annexure ‘A’**.

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21. In view of the aforesaid, the title of my Clients, M/s. SMGK Developers Pvt. Ltd. to the said Property is clear and marketable and in my opinion my Clients are entitled to construct the said Sale Building and sell units/flats/shops therein on ownership basis, as they may deem fit and proper.

Dated this 29th day of July, 2017



Zaid S. Ansari
Advocate High Court

Annexure "A" - DETAILS OF THE PENDING LITIGATION

Sr. No.	Short Title	Current status	Whether any preventive and/or restraining order passed against the Owners and/or my Clients.
1.	City Civil Court at Bombay, Borivali Division, Dindoshi S.C. Suit No. 546 of 2014 Dharamraj Rammurat Yadav ... Plaintiff V/s. Slum Rehabilitation Authority and Anr. ... Defendants (My Clients are Defendant No. 2)	Notice of Motion for Reply/Rejoinder	NO
2.	City Civil Court at Bombay, Borivali Division, Dindoshi S.C. Suit No. 192 of 2012 Ghanshyam Shivpati Sharma & Ors. ... Plaintiffs V/s. M/s. SMGK Developers Pvt. Ltd. ... Defendant	Notice of Motion Hearing	NO
3.	In The Court of Small Causes at Bombay Appeal (St.) No. 2848 of 2015 SMGK Developers Pvt. Ltd. ... Plaintiff V/s. Municipal Corporation of Greater Mumbai and Ors. ... Defendants	For Orders on Computation.	NO

4.	<p>In the High Court of Judicature at Bombay, Ordinary Original Civil Jurisdiction Writ Petition No. 1839 of 2017</p> <p>Rambali Shankar Yadav & One, ... Petitioner V/s. Slum Rehabilitation Authority & 4 Others. ... Respondents (My Clients are Respondent No. 2)</p>	For Rejection	NO
5.	<p>City Civil Court at Bombay, Borivali Division, Dindoshi L.C. Suit No. 5471 of 2006</p> <p>Bijendra Ramkailash Singh ... Plaintiff V/s. M/s. S.M.G.K. Developers Pvt. Ltd. & 11 Others. ... Defendants (My Clients are Defendant No. 1)</p>	For Recording of Evidence.	NO

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