



महाराष्ट्र MAHARASHTRA

2017

SE 963815

FORM 'B'  
(See rule 3(4))



DECLARATION, SUPPORTED BY AN AFFIDAVIT WHICH SHALL BE  
SIGNED BY THE PROMOTER OR ANY PERSON AUTHORIZED BY  
THE PROMOTER.

**AFFIDAVIT CUM DECLARATION.**

Affidavit Cum Declaration of **M/S. PIONEER HOUSING**, a  
Partnership Firm constituted under the provisions of Indian  
Partnership Act, 1932 having its registered office at 322, Commerce  
House, 140, N. M. Road, Shri K. M. Vardhan Chowk, Fort. Mumbai  
- 400 001, (hereinafter referred to as "the Promoter") duly represented




by Mr. Karan Vardhan being the Partner of M/s. Pioneer Housing and the Promoter of the ongoing Project.

I, Karan Vardhan, one of the Partner of M/s Pioneer Housing and Promoter of the on going Project, duly authorized by the other Promoters of the on going project, do hereby solemnly declare, undertake and state as under:

1. The Promoter has a legal title report to the land on which the development of the project is proposed. On 14.12.1993, the Promoter has entered into an Agreement with Janardhan Atmaram Patil & Others and M/s. Crescent Builders (Co-Promoter No.1) on 14.12.1993 for the purpose of development of the Co-Promoter No.1's property. On 29.4.2002, Supplementary Agreement has been executed between the Promoter and the Co-Promoter No.1, whereby Co-Promoter No.1 permitted the Promoter to develop the Owners' property entirely.

2. There are certain litigations pending before the judicial and quasi judicial authorities against the Promoter viz. a) Suit No. 3051 of 2011 (in High Court of Bombay) filed by Indumati Dattaram Patil and 45 Others, against the Promoter and its partners for declaration that the Agreement dated 14.12.1993, Power of Attorney and Declaration registered by the partners of the Promoter on 11.12.2002 and the Development Agreement dated 14.12.1993, have been revoked, for possession of the property and for damages is pending, b) Writ Petition No.1940 of 2015 (in High Court of Bombay) filed by Kundan Mohan Patil against Commissioner of Municipal Corporation of Greater Mumbai and Others, to initiate an action for demolition of purported un-authorized construction carried out by the Promoter in respect of Project which is pending and c) RTS Appeal No. 01 of 2017, before the Dy. Collector (Appeal) Bandra, Mumbai filed by Nilesh Dattaram Patil against Janardhan Atmaram Patil challenging an order dated 20.09.2016 which is pending.



3. That the time period within which the Project shall be completed by the Promoter is 31<sup>st</sup> December 2018.

4. That seventy percent of the amounts to be realized hereinafter by the Promoter for the Real Estate Project from the allottees, from time to time, shall be deposited in a separate account to be maintained in a Scheduled Bank to cover the cost of construction and the land cost and shall be used only for that purpose.

5. That the amounts from the separate account shall be withdrawn in accordance with rule 5 by the Promoter.

6. That the Promoter shall get the accounts audited within six months after the end of every financial year by Chartered Accountant in practice and shall produce a statement of accounts duly certified and signed by such Practicing Chartered Accountant and it shall be verified during the audit that the amounts collected for a particular Project have been utilized for the Project and the withdrawal has been in compliance with the proportion to the percentage of completion of the Project.

7. That the Promoter shall take the pending approvals, if any, on time, from the Competent Authorities

8. That the Promoter shall inform the Authority regarding all the changes that have occurred in the information furnished under sub-section (2) of section 4 of the Act and under rule 3 of these rules, within seven days of the said changes occurring.

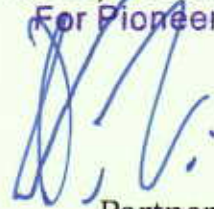
9. That the promoter has furnished such other documents as have been prescribed by the rules and regulations made under the Act.

10. That the Promoter shall not discriminate against any Allottee at the time of allotment of any Apartment on any grounds.





For M/s. Pioneer Housing  
For Pioneer Housing.



Partner

Partner  
(Deponent)

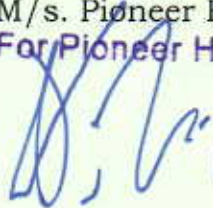
**Verification**

The contents of my above Affidavit Cum Declaration are true and correct  
and nothing material has been concealed by me therefrom.



Verified by me at Mumbai on this 27<sup>th</sup> day of July 2017.

For M/s. Pioneer Housing  
For Pioneer Housing.



Partner

Partner  
(Deponent)

*Subj  
Adv. High Court.*

Identified by me

Before me.