

MESSRS AMBUBHAI & DIWANJI

ADVOCATES, SOLICITORS & NOTARIES

Lentin Chambers, Dalal St:

Fort, BOMBAY-400 023

1st October, 1990

To:
The Charity Commissioner
Maharashtra State,
Bombay.

Dear Sir,

Re: Application under section 36 of the
Bombay Public Trust Act, 1950, for
Permission/sanction for sale of properties
at Hyderabad and Secunderabad A.P.
belonging to Gurudeo Siddha Peeth,
Ganeshpuri bearing P.T.R. No. A484/(Thane).
.....

On behalf of our clients, the Trustees of Gurudeo Siddha
Peeth, we submit herewith the above application under section 36
of the Bombay Public Trust Act, 1950, for permission /sanction
for sale of the properties at Hyderabad and Secunderabad, (Andhra
Pradesh) belonging to our clients.

2. Vakalatnama duly signed by our clients' Honorary Secretary
and Constituted Attorney Shri Shirish Thakkar as well as his
affidavit in support of the said application are also forwarded
herewith.

3. As required we have affixed court fees of Rs.10/- and court
fee stamps of Rs.2/- on the Application and on the Vakalatnama
respectively.

- 2 -

We request you to kindly expedite granting of the
necessary sanction or permission as prayed for.

Yours faithfully,
For Ambubhai and Diwanji,

Sd/-
Partner.

10733

c.c. to:
The Honorary Secretary,
Bhurodeo Siddha Peeth.

A. Hariyani

BEFORE THE LEARNED CHARITY COMMISSIONER

STATE OF MAHARASHTRA

APPLICATION NO. OF 1990.

In the matter of Gurudev Sidha Peeth bearing Trust No. A-484 (Thane) registered under the Bombay Public Trust Act, 1950 having its office at P.O. Ganeshpuri, Taluka Bhiwadi, District Thane, Maharashtra, PIN 401 206.

and

In the matter of permission/sanction of the sale of the properties of the Trust at Hyderabad/Secunderbade, A.P. under Section 36 of the Bombay Public Trust Act, 1950.

I N D E X

Sr.No.	Date	Particulars	Page Nos.
1.	25/9/1990	Application in respect of the property of the Trust	1 to 18
2.	25/9/1990	Vakalatnama	19 to 20
3.		<u>Exhibit 'A'</u> Scheme for the Management and Administration of the Trust.	21 to 37
4.		<u>Exhibit 'B' (Collectively)</u> Certificates under the Income Tax Act and Bombay Public Trust Act.	38 to 41
5.		<u>Exhibit 'C'</u> Schedule I showing the properties of the Trust from the register maintained by the Charity Commissioner Office.	42 to 49
6.		<u>Exhibit 'D'</u> Copies of the advertisements containing Public Notices in Deccan Chronicle and Telugu Desam, A.P.	50 to 53

<u>Sr.No.</u>	<u>Date</u>	<u>Particulars</u>	<u>Page Nos.</u>
7.	24/5/1990	<u>Exhibit 'E' (Collectively)</u> The copies of letter dated May 1990 from Mr. Satish Modi alongwith annexures	54 to 71
8.	8/5/1990	<u>Exhibit 'F'</u> Copy of Valuation Report dated 8/5/90 from the approved valuer Mr. P. Seetharam Rao.	72 to 74
9.	24/6/1990	<u>Exhibit 'G'</u> True copy of relevant portion of the Minutes the resolution passed in the Trustees meeting held on 24/6/1990.	75 to 76
10.	4/7/1990	<u>Exhibit 'H'</u> Copy of Letter of Acceptance dated 4/7/90 addressed by the Applicant to the intending Purchaser Mr. Satish Modi	77
11.	25/9/1990	The Affidavit of Shri Shirish Thakkar the Honorary Secretary of the Trust.	78 to 80

and intensives. Genuine spiritual desires, intense purity and self discipline is the only expectation from the devotees. In addition to the above these devotees also render women services in the social field in commitment of the poor, illiterate and adivasis by providing medical relief, rural development, forestation and other objects of the general public utility.

(a) The said Gurudev Sidhna Peeth (formerly known as SHREE GURUDEV ASHRAM) (hereinafter referred to as " the said Trust" for the sake of brevity) is a Public Trust registered under Registration No. P.T.R. No. A 484 (Thane) and being managed and administered under a Scheme framed and approved by the Charity Commissioner. The present Board of Trustees comprises of :-

- (i) Dr. S.D. Pandey
- (ii) Shri C.N. Bagve
- (iii) Shri Vinaykumar B. Toshniwal
- (iv) Shri K.N. Taparzia
- (v) Shri Javant G. Buty, Advocate.
- (vi) Shri Thomas Korula.
- (vii) Dr. (Smt) Vatsala M. Doctor
- (viii) Ms. Smita M. Shro
- (ix) Shri Daniel Katzin, and
- (x) Shri Sadanand S. Telang.

Ex. "A"

Hereto annexed and marked Ex. "A" is a copy of the said Scheme duly passed and approved by the learned Charity Commissioner.

(b) The principal aims and objects of Gurudev Sidhna Peeth are:-

(i) To realise the Divinity in all i.e., "Paraspara Devo Bhava"

(ii) To remove all pain i.e., "Sarva Dukkha Nivriti" and

(iii) To attain Supreme Bliss i.e., "Parmanand Prapti"

(c) For the purposes of attaining the objects of the said Trust, the principal activities of the Trust have been laid down as "the means and ways of reaching the aims - which are enumerated in clauses Nos.5 (a) to (g) of the said Scheme duly passed and approved by the learned Charity Commissioner. The Trust is granted registration certificate under the Bombay Public Trust Act, 1950 and also the Income Tax Act, 1966.

In view of rendering of yeomen and meritorious services of general public utility and activities for the benefit of all, the Trust has also been granted Certificates under Section 80 G and Section 10 (23) (iv) (c) and the Trust registration certificate under the provisions of the Income Tax Act 1966. Hereto annexed collectively and marked Ex." B" are copies of the said EX."B" Certificates under the Income Tax Act as well as under the Bombay Public Trust Act, 1950.

(d) The said Scheme of the Trust, inter alia, contains clause No.24 which reads as follows:-

(The Board of Trustees shall, inter alia, have the following powers:-

(i) To purchase, take on lease, or in exchange, hire or otherwise acquire property, moveable or immovable, and any rights or privileges which may be necessary or convenient for the purpose of the said Siddha Peeth and to construct for the purposes of the said Siddha Peeth and to

construct, improve, alter, maintain, sell, lease, mortgage, dispose of, turn to account, or otherwise deal with any part of the property movable or immovable of the Siddhi Peeth. In exercising the aforesaid powers, the Board of Trustees shall observe the provisions of the Bombay Public Trust Act, 1950 and the rules framed thereunder."

The Applicant therefore submits that the Board of Trustees are fully authorised and empowered to sell, deal with and dispose of the said properties being the subject matter of this Application.

(e) Under clause No.27 of the said Schema the Applicant is appointed as the Honorary Secretary of the said Trust by the Spiritual Head and is also given the necessary Powers of Attorney from the Trustees to perform the various acts, deeds, matters and things specified therein.

The Applicant craves leave to refer to and rely upon the said Powers of Attorney conferred by the various Trustees of the Trust in his favour.

(2) The Trust owns, inter alia, immoveable properties consisting of lands and buildings in Maharashtra and elsewhere in India as shown in Schedule I as maintained by the office of the learned Charity Commissioner a "C" Xerox copy whereof is annexed hereto and marked Ex. "C".

(3) The Applicant says that the Trustees of the said Trust have considered it necessary to sell out of the above properties certain lots of the Trust properties at Secunderabad, Hyderabad - twin cities in Andhra Pradesh consisting of Lots A, B, C, and D. (hereinafter referred to as "the said properties" for the sake of brevity) to Shri Satish Mody in the circumstances and in the manner and on the terms and conditions set out hereinafter:-

LOT "A"

The property mentioned in lot A being the property known as AHMED MANZIL (presently known as "Muktashram") and situated at Banjara Hill is a part of the larger property which originally belonged to one Shri Pravinchandra M. Modi. A portion thereof being lot A was donated to the said Trust by the said Pravinchandra M. Modi on condition that an Ashram be built thereon with a view to propagating the religious teachings and philosophy of Swami Muktanand and of his Guruji Swami Nityanand. This donation had been made during the life time of Swami Muktanandji but no specific directions and/or instructions and/or wass guidance were given by Swami Muktanand during his life time for the construction of the Ashram as contemplated and due to the lapse of time consequently the said property could not be developed and remained undeveloped and by passing of time, the said property started deteriorating its potentials for the purpose for which the said property was donated with specific wishes of the donor.

LOT "B"

Begumpet land being lot No: B formed part of land donated by Mrs. Kusumben Modi wife of Mr. Pravinchandra M. Modi to the said Trust also for putting up an Ashram to be used for carrying out the aims and objects of the Trust. The said land is an agricultural land in the heart of the city in the crowded residential locality. There are unauthorised encroachments on the said land by professional land grabbers and trespassers who managed to get their names entered wrongfully by foul means in the Records of Rights maintained by the Revenue Authorities.

7

Moreover these encroachers and trespassers have also filed suits in the Civil Courts and managed to obtain injunctive orders from the Court which requires the status-quo to be maintained by the Trust.

In the circumstances, this land has remained undeveloped since the matter is sub-judice. The Applicant craves leave to refer to and rely upon the court proceedings and the orders of injunction passed in the said suits, when produced.

LOT "C"

Lakhpur Building at Sarojini - vs. Board:-

This property known as "Lakhpur building" is a larger property measuring approximately 10,000/- square yards equivalent to 8361 sq. metres with several structures with different segments originally belonging to different owners. Out of the said larger property one segment belonging to the said Trust, measuring 3000 sq. yards equivalent to 2508 sq. mtr. or thereabout, has been partly developed at the cost of about Rs.35,00,000/- (Rupees Thirty five lacs only) but the tenants of the neighbouring trust, who are the transporters have encroached upon the segment belonging to the Trust and were not vacating the premises and also were blocking up the only approach or access road to the segment of the property belonging to the Trust. In view thereof, further development of the property became impossible. Stalemate has, therefore, arisen which has rendered the efforts of the Trust to develop the same infructuous. Unless the sheds of the transporter's tenants on the adjoining land are removed, levelled and cleared, any development thereof cannot be undertaken without lengthy and protracted litigation. It is not possible and viable to develop this

8
property also in view of the present market conditions and stagnation in the demand of developed properties in the area in which the same is situate.

LOT "D".

KARBALA MAIDAN

This property is partly a R.C.C. building and partly the rear portion is occupied by a factory workshop. Both these portions are tenanted. In case of the R.C.C. portion of the building the tenants are not co-operating with the Trust in the development thereof. Likewise the tenants of the factory workshop are also causing obstruction and hindrance in the development of the said property.

The said Lots A, B, C, and D are hereinafter referred to as "the said property." for the sake of brevity. The Trustees of the Trust in view of the various disputes, litigations, encroachments, they decided to sell the said properties referred to hereinabove invited offers for the sale of the said properties belonging to the Trust.

(4) The Trustees of the Trust having decided to sell the said properties issued and caused to be issued Public Notices to be published in News Papers Viz: The Telugu Desam and Deccan Chronicle of Hyderabad inviting offers from the developers, actual users and investors for the development and/or for sale of the properties. In the said Public Notices it was clearly mentioned that the offers should reach the Trust within 30 days from the date of the release of the said advertisement. The said Public Notices were published on or about 8-8-1987. The Trustees also published and/or caused to be published three more advertisements in the Deccan Chronicle issues dated 13th, 17th and 19th March 1990 under Box No.: 2697, in respect of the said properties. The Assistant Manager of th

Deccan Chronicle has issued a certificate dated 28th March 1990 certifying that only one letter of offer dated 17th March 1990 was received from one party namely the Andhra Paper Mills Ltd. that too only making vague queries but the said party did not make any firm offer for purchase of the said properties, despite reminders by the Trustees in Ex. "D" that behalf. Hereto annexed and marked Ex "D" collectively are the copies of the said advertisements of the Public Notices in the local news papers of Hyderabad.

(5) Ultimately after protracted discussions, negotiations and meetings in this behalf, the Trustees of the Trust successfully negotiated the sale of the said properties with Shri Satish Modi of Hyderabad who offered to purchase the said properties at a price and for the consideration which is in the interest of the Trust and beneficial to the Trust. The Trustees requested the said party to submit his offer in writing which was received by them on 24th May 1990 by a letter addressed to the Trustees alongwith a copy of the terms and conditions for sale of the said properties at a lumpsum price of Rs.2,50,00,000/- (Rupees Two crores fifty lacs only). Hereto annexed and

Ex. E marked Ex. " E" is a copy of the said letter of offer dated 24th May 1990 alongwith the Annexures thereto.

(6) The intending purchase has offered to purchase the said properties on " AS IS WHERE IS" basis, subject to all pending encroachments, disputes, litigations and subject to the permission/sanction under Section 36 of the Bombay Public Trust Act, being granted by the learned Charity Commissioner.

(7) Salient features of the proposed offer for Sale are as follows:-

(a) The subject matter of the said offer are four immovable properties listed above to be purchased on "as is where is" basis, the Vendors to sell to the Purchaser the said four properties subject to all existing tenants, occupants, and unauthorised encroachments and subject to the existing claims, and litigations in respect thereof. The Purchaser is fully aware of the present status and condition of the said properties.

(b) The Purchaser shall be at liberty to get the title of the abovementioned properties investigated at his own costs, latest within 2 months from the date of the sanction of the learned Charity Commissioner, Bombay, and to satisfy himself that the title of the Vendors to the said properties is free from all encumbrances. For this purpose, the following documents shall be accepted by the Purchaser as the root of title.

(i) Deed of Gift dated 12-8-1975 from SMT. PRAVIN MODI to SHRI GURUDEV ASHRAM;

(ii) Deed of Gift dated 7-7-1975 from SMT. KUSUM MODI to SHRI GURUDEV ASHRAM;

(iii) Deed of Gift dated 16-10-1971 from SHRI SATISH MODI to SHRI GURUDEV ASHRAM;

(iv) Deed of Gift dated 7-5-1977 from SHRI SATISH MODI to SHRI GURUDEV ASHRAM;

(v) Deed of Gift dated 16-10-1971 from SHRI PRAMODCHANDRA MODI to SHRI GURUDEV ASHRAM;

(vi) Deed of Gift dated 17-10-1974 from SHRI PRAMODCHANDRA MODI to SHRI GURUDEV ASHRAM;

(vii) The Deed of Gift dated 17-10-77 from SHRI PROMODCHANDRA MODI to SHRI GURUDEV ASHRAM.

The Purchasers shall not be entitled to raise any objections as to title or otherwise, question the title of the Vendors prior to the dates of those documents. Subject as aforesaid, if the Purchaser finds within the time aforesaid that the title of the Vendors to the abovementioned properties or any of them is subject to any encumbrances, the Purchaser shall have the option (to be exercised within the aforesaid period of two months) either to waive the defect/deficiencies, if any, in the title of the Vendors to the said properties or any of them or to give notice to the Vendors terminating the agreement because of such defect/deficiency in the title. In the event of the Purchaser exercising the option to terminate the agreement the Vendors will refund to the Purchaser the monies paid by the Purchaser to the Vendors without interest or any compensation whatsoever and in such event neither party will have any claim of any kind against the other.

(c) Purchase price:- Lumpsum price of Rs.2,50,00,000/- (Rupees Two crores fifty lacs only) to be paid as under:

(i) Rs.2,50,000/- (Rupees Two lacs fifty thousands only) to be paid by the Purchaser to the Vendors within one month from the date of sanction of the sale by the learned Charity Commissioner as and by way of part payment of earnest money against execution of the Agreement for Sale between the parties to be executed within one month from the date of the sanction of the learned Charity Commissioner.

(ii) A further sum equivalent to 40% of the total purchase price viz. a further sum of Rs.50,00,000/- (Rupees Fifty lacs only) to be paid within eight months from the date of the Agreement for Sale.

(iii) A further sum of Rs.50,00,000/- (Rupees Fifty lacs only) to be paid within 14 months from the date of the Agreement of Sale.

(iv) A further sum of Rs.50,00,000/- (Rupees Fifty lacs only) to be paid within 20 months from the date of the Agreement for Sale.

(v) A further sum of Rs.50,00,000/- (Rupees Fifty lacs only) to be paid within 26 months from the date of the Agreement for Sale.

(vi) The balance amount of the purchase price after deducting and adjusting the part earnest money referred to in sub-clause (i) above) to be paid within 32 months from the date of the Agreement for Sale.

(d) After the Purchaser accepts the title of the Vendors to the said properties, the Purchaser shall be at liberty, at his own risk and cost:-

(i) To enter upon the said properties or any of them for the purpose of carrying out improvements thereon or redevelopment thereof at the costs of the Purchaser himself (but with all proper permissions and sanctions from all authorities concerned) and the same will be carried out in keeping with such permission/sanctions. The nature of the improvements/redevelopment shall be indicated to the Vendors in advance and their concurrence as to the same shall be obtained in writing before carrying out any such improvements/redevelopment;

(ii) To arrive at any arrangements/settlement with the occupants of the said properties for shifting such

13

occupants or to get such occupants vacated and to get the civil suits settled.

(iii) The Purchaser may in his turn may enter into Agreement for Sale/Transfer of the said properties to a third party but on condition that the actual document of alienation shall be effected and possession given to such third party only after the Purchaser has paid in full the agreed purchase price referred to above which is receivable by the Vendors.

(iv) The Purchaser shall do all such acts enumerated in sub-clauses (i) to (iii) above at his own risk and costs and keep the Vendors saved and indemnified in respect thereof. In the event of this agreement coming to an end as provided herein, the Purchaser shall not make any claim of whatsoever nature against the Vendors in respect of any act mentioned in sub-clauses (i) to (iii) above.

(e) The Purchaser shall not be entitled to require the Vendors to obtain any sub-division of the properties or the permission from the Urban Land Ceiling Authorities or from any public or local or municipal body or competent authority or government authority for sale, transfer or alienation of the said properties. If any such permission is required, the Purchaser himself shall obtain the same at his own cost but the Purchaser shall not be entitled to withhold payment of the purchase price on any ground of whatsoever nature irrespective of any such permission.

(f) All costs, charges and expenses including cost of development and stamp duty and registration charges and incidental to such deed or deeds of sale/conveyance shall be borne and paid by the Purchaser on his own.

(8) The Applicant states that the Trustees have obtained a Valuation Report dated 8-5-1990 from the Approved valuer Mr. P. Seetha Ram Rao B.E. (Civil) of Barkatpura, Hyderabad 500 027 (A.P.) who has after careful scrutiny and study of all the properties, certified that the total value of the said properties comes to Rs. 2,05,56,000/-. The Applicant states that the intending Purchaser has already offered reasonably higher price in respect of the said properties which is in the interest of and beneficial to the Trust.

Hereto annexed and marked Ex. F is the said Valuation Report dated 8-5-1990 issued by the said Approved Valuer Mr. P. Seetha Ram Rao. Ex. "F"

(9) All the Trustees of the Trust, after having carefully considered the said offer of the intending Purchaser and also the Valuation Report of the said Approved Valuer, discussed the said matter in their Trustee Committee meeting held on 24th June 1990 and passed an unanimous resolution as follows:-

"RESOLVED THAT the offer of Rs.2,50,00,000/- (Rupees Two crores fifty lacs only) for purchase of all the immoveable properties of the Trust situate in Secunderabad/Hyderabad vide his letter of Offer dated 24th May 1990 from Shri Satish Modi of 1-10-72/ 2/3, Begaum Peth, Hyderabad 500016 be and is hereby accepted, subject to and as per the sanction of the Charity Commissioner of Maharashtra under Section 36 (1) (a) of the Bombay Public Trust Act, 1950:-

Name of the Property	Situation Address	Description of Property
(1) Ahmed Manzil now known as Murtazapur	Sanjana Hill	Shop land
(2) Begumpet Land.	Begumpet	Open Agricultural land.
(3) Lakhsat Building	Secunderabad Road.	Building under construction and open land.
(4) Sonam Mansion.	Barab's Maidan	land adjacent occupied by tenants and adjacent land occupied by tenants.

occupied by tenants
and adjacent
land
occupied by
tenants
N

FURTHER RESOLVED THAT Shri. Shantaksh Thakkar, Honorary Secretary of the Trust be and is hereby authorized to issue a letter of Acceptance of offer made and submit an application and affidavits for obtaining the sanction / permission for sale of the aforesaid trust property under Section 36 (1) (a) of the Bombay Public Trust Act, 1950 and to do all that is necessary for effective completion of the aforesaid transaction for sale of the properties of the Trust situated in Secunderabad and Hyderabad twin cities".

The said Resolution was moved by the Chairman and the same was passed unanimously.

Hereto annexed and marked "Ex.G" is a true Certified copy of the relevant portion of the Minutes including the said Resolution passed in the Trustee meeting held on 24-6-1990.

(10) Pursuant to the aforesaid resolution, the Applicant issued a letter dated 4th July 1990 for the acceptance of the said offer dated 24-5-1990 informing Sri. Satish Modi, that the Board of Trustees of the said Trust have accepted his offer dated 24-5-1990 subject to and as per the sanction as may be granted by the Charity Commissioner, Maharashtra State under Section 36 of the Bombay Public Trust Act, 1950.

16
Hereto annexed and marked Ex.H is a copy of the said Ex. "H" letter of acceptance dated 4-7-1990 addressed by the Applicant to the said Shri Satish Modi.

(11) The Applicant says that it is just, necessary, and in the interest of and beneficial to the Trust to sell the said properties, inter alia, for the following reasons:

(a) The said properties yield very meagre income.

(b) The said properties are not useful for the objects and activities of the Trust.

(c) The said properties are subject to reservations, encroachments, litigation and recurring heavy repair expenses since the buildings thereon are in old condition.

(d) The Applicant Trust in order to fulfil its aims and objects of the Trust is continuously in the need of finance to fund the various Charitable and religious activities undertaken by the Trust. The Trust proposes to expand its activities and resources released from the sale proceeds of the said properties which would augment the resources of the Trust.

(e) The Trust is not in a position to spend large amounts for the upkeep, maintenance and protection of the said properties which are situated out of the Head Quarters of the Trust office in Maharashtra.

(f) From long experience the Trustees have been sincerely feeling that the suits, litigations and further proceedings therefrom may take several years to be finalised so as to enable them to get quiet, vacant and

17

peaceful possession of the said properties and therefore it would be in the interest of the Trust to sell the properties at the best available price considering the Valuation Report obtained by the Trustees which in the opinion of the Trustees is in the best interest of the Trust in view of the facts and circumstances stated as above.

(12) The Applicant, therefore, submits that it is in the best interest of the Trust that the Trustees be permitted and allowed to sell to the Purchaser the said properties as per his offer being "Ex. E" hereto annexed.

(13) The Applicant has made an Affidavit in support of this Application under Section 36 of the Bombay Public Trust Act, 1950.

(14) A Vakalatnama signed by the Applicant in favour of the Advocates and Solicitors is hereto annexed.

(15) The Applicant has affixed Court fees of Rs.10/- on this Application.

(16) The Applicant, therefore, prays:

(a) That necessary permission/sanction under Section 36 of the Bombay Public Trust, 1950 be granted by the learned Charity Commissioner permitting the Trustees of the Trust to sell the said properties in terms of the offer marked Ex. E hereto in favour of the Purchaser and upon the terms and conditions mentioned therein.

(b) That the cost of and incidental to this Application be provided for.

(c) For such further and other reliefs as the nature and circumstances of the case may require.

18

Dated 21th day of September 1950.

For M/s. Ambudnai and Diwanji

A. Diwanji
Partner.

[Signature]
Applicant

Before me.

[Signature]
(YESHWANT M. DESAI)
NOTARY MAHARASHTRA STATE
25/9/50



BEFORE LEARNED CHARITY COMMISSIONER
MAHARASHTRA STATE, BOMBAY.

APPLICATION NO. OF 1990.

In the matter of Gurudev Sidhha
Trust bearing Trust No. A. 484
Thane registered under the
Bombay Public Trust Act, 1950
having its office at P.O.
Ganeshpuri, Taluka Shiwandi,
District Thane, Maharashtra,
Pin: 401 208.

Shri Shri
Inakkar Applicant.

APPLICATION

Dated this day of
1990

M/s. AMEJIBHAI & DIWANJI
Advocates for the applicant.

19

BEFORE THE LEARNED CHARITY COMMISSIONER
STATE OF MAHARASHTRA.

APPLICATION No. _____ of 1990.

In the matter of Sh. Jev Sinha
Trust bearing Trust No. A.484
(Thane) registered under the Bombay
Public Trust Act, 1952 having its
office at P.O. Ganeshpuri, Taluka:
Shiwadi, District Thane,
Maharashtra. PIN: 401 205.

and

In the matter of immovable
properties of the trust consisting
of:-

(a1) Property bearing MCH No.
5-4-187/3 and 4/8 2331 sq. yds.
equivalent 1949 sq. mts.

and

(a2) Property bearing MCH No.
5-4-187/3 and 3/4 Road and
admeasuring 1035 sq. yards.
equivalent to 930.3 sq. mtrs. and
known as Saham Mansion both situate
at Karbala Maisan, Secunderabad,
A.P.

(b1) Property bearing MCH No.
141 (old) and 1-8-179 (New) forming
part of land known as Lakhat
Building admeasuring 220 sq. yards
equivalent to 189.7 sq. mtrs.

and

(b2) Property bearing MCH No.
141 (old) and 1-8-179 (new) open
land with structures forming part of
Lakhat Building admeasuring 920 sq.
yds. equivalent to 768.21 sq. mtrs.
both situate at Sarojini Devi Road,
(Paradise Cross Road), Secunderabad,
A.P.

(c) Property bearing S. No. 37
and Part of S. No. _____ admeasuring
7948.55 sq. yds. equivalent to
6561.38 sq. mtrs. situated adjacent
to Chikot Garden, Begumpet,
Secunderabad, A.P.

and

(d) Property bearing MCH No.6-3-344 (Part) known as Mukteshran admeasuring 2840 sq. yds. equivalent to 2376 sq. mtrs. situated at Banjara Hills, Near Road No.1, Hyderabad, A. P.

and

In the matter of permission or sanction for sale of the above properties belonging to the Trust situate at Secunderabad, Hyderabad (A.P.) under Section 36 of the Bombay Public Trust Act, 1950.

Shri Shirish Thakkar,)
Honorary Secretary and)
Constituted Attorney of)
Trustees of)
Gurudev Siddha Peeth)
having its office at)
Ganeshpuri, District)
Thane, Maharashtra-)
40 206.)

... Applicant.

I, Shirish Thakkar, Honorary Secretary and Constituted Attorney to the Trustees of Gurudev Siddha Peeth do hereby appoint M/s.Ambubhai and Diwanji to act, appear and plead on my behalf in the above matter.

Dated this 25th day of September 1990.

We accept.

for M/s.Ambubhai & Diwanji

[Signature]
Partner.

[Signature]

APPLICATION NO.

OF 1990.

In the matter of Suruday Sidhna
Peeth bearing Trust No. A. 484
(Thane) registered under the
Bombay Public Trust Act, 1950
and having its office at
Ganeshpuri, District Thane,
Maharashtra.

Shri Shirish
Thakkar Applicant.

VAKALATNAMA

Dated this day of
1990

M/s. AMBUDKAR & DIWANJI
Advocates for the Applicants.

BEFORE THE LEARNED CHIEF COMMISSIONER
STATE OF MAHARASHTRA,
APPLICATION No. _____ of 1992.

In the matter of Gurudev Siddha Peeth bearing Trust No. 4484 (Thane) registered under the Bombay Public Trust Act, 1950 having its office at P.O. Ganeshpuri, Taluka Shiwandi, District Thane, Maharashtra, Pin: 401 206.

and

In the matter of permission/sanction for the sale of the properties of the Trust, at Hyderabad/Secunderabad, A.P. under Section 36 of the Bombay Public Trust Act, 1950.

I, Shirish Pranjivandas Thakkar, of Shiwandi Indian Inhabitant, residing at Gurudev Siddha Peeth, P.O. Ganeshpuri, Taluka Shiwandi, District Thane, Pin. 401 206, Maharashtra do hereby solemnly affirm and says as follows:-

(i) I am the Honorary Secretary of Gurudev Siddha Peeth having its office at P.O. Ganeshpuri, Taluka Shiwandi, District Thane, Maharashtra. Since October 1955 I have been appointed by the Spiritual Head of the said Trust. The said Trust is registered under the Bombay Public Trust Act, 1950 under Trust Registration No. 4484 (Thane).

(ii) I have been given the Powers of Attorney by the various Trustees of the said Trust for performing various acts, deeds, matters and things in connection with the various activities of the said Trust.

(iii) I am fully conversant with the affairs and activities of the said Trust and as such I am able to make this Affidavit.

(iv) The said Trust owns, inter alia, various immovable properties in the State of Andhra Pradesh and elsewhere in India and the income from the said properties are being exclusively utilised for the purposes and objects of the said Trust. The main objects of the said Trust are

"Paraspara Devo Bhava" that is to say to realise divinity in all

"Sarva Dukkha Nivrutti" that is to remove all pains.

"Paramanand Prapti" that is to attain Supreme Bliss.


(v) The said Trust is governed by the Scheme framed by the learned Charity Commissioner which is annexed as Exhibit A to the Application made by me under Section 36 of the Bombay Public Trust Act, 1950 seeking permission/sanction of the learned Charity Commissioner for sale of the properties described in the said Application and situate at Hyderabad and Secunderabad, Andhra Pradesh.

(vi) I repeat, reiterate and confirm all and singular the statements and submissions made by me on behalf of the Trust in the said Application as though the same are reproduced herein.

(vii) I say that it would be in the best interest of and beneficial to the Trust to sell the said properties referred to in the said Application and that the Trust could be benefitted from the sale proceeds of the said properties for expanding the yeoman activities of the said Trust. I crave leave to refer to and rely upon the various documents, papers and proceedings referred to in the said Application.

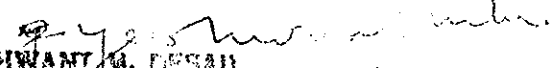
(viii) I, therefore, pray that the learned Charity Commission be pleased to grant the said Application in the best interest of the Trust.

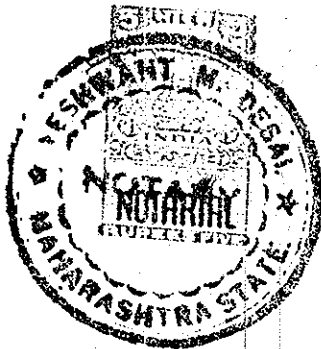
Solemnly affirmed at Bombay
this 07th day of September
1990.



For and on behalf of
H. H. Desai
Karnar

Before me,


YESHWANT M. DESAI
NOTARY MAHARASHTRA STATE
25/9/90



BEFORE LEARNED CHARITY COMMISSIONER.

MAHARASHTRA STATE, BOMBAY.

APPLICATION NO.

OF 1990.

In the matter of Gurudev Sidhha
Trust bearing Trust No. A. 484
Trust, registered under the
Bombay Public Trust Act, 1950
having its office at P.O.
Ganeshpuri, Taluka Bhiwandi,
District Thane, Maharashtra,
Pin: 401 200.

Shri Shirish
Thakkar Applicant.

Affidavit of Shri Shirish
Thakkar in support of the
Application under Section 36 of
the Bombay Public Trust Act,
1950.

.....
Dated 2nd Sept day of
1990

M/s. AMBUBHAI & DIWANJI
Advocates for the Applicant.

TRUE EXTRACT OF MINUTES OF THE BOARD OF TRUSTEES
OF GURUDEV SIDDHA PEETH

The 177th meeting (3rd of 1990) of the Board of Trustees of Gurudev Siddha Peeth was held in the premises of the trust in Ganeshpuri at 4 PM on Sunday, 24th day of June, 1990 when the following persons were present:

1. Shri C. N. Bagve	Trustee
2. Dr. S. D. Pandey	"
3. Dr. (Smt.) Vatsala Doctor	"
4. Miss Smita Shroff	"
5. Shri H. N. Taparia	"
6. Shri Vinay Toshniwal	"
7. Shri Jayant Buty	"
8. Shri Thomas Korula	"
9. Shri Sadanand Telang	"
10. Shri Daniel Katzin	"
11. Shri Shirish Thakkar	Honorary Secretary

Under the next item of the agenda, the offer of Shri Satish Modi dt. 24/5/90 to purchase the properties of the Trust at Hyderabad Secunderabad was taken up for consideration.

Shri Korula stated that a stalemate has come into existence concerning the development of properties of the trust at Hyderabad Secunderabad, and the trustees have been seriously concerned about it. He explained in detail the reasons for stalemate and suggested that it is in the interest of the trust to sale them on "as it is where it is" basis. Shri Korula placed the offer of Shri Satish Modi for consideration of the trustees. He stated that Shri Satish Modi is a reputed builder and developer in the twin city of Hyderabad Secunderabad. He is also a devotee of the Ashram. In fact, the properties offered for purchase have been originally donated by Shri Satish Modi and his relatives. He has come forward to make this offer because each property has its own problems which are difficult to sort out and the property market is slack in Hyderabad Secunderabad twin city. Under the circumstances, all efforts to sell/lease out the trust properties have not met with any success.

Shri Satish Modi, has decided to take up the venture and take the risk on himself to purchase such properties of the trust.

The valuation of the properties has been done by a renowned approved Valuer/Architect Shri P. Seetha Rama Rao, vide his Report dt. 8th May, 1990 a copy of which is placed in the meeting. Copies of the advertisements and all other relevant details are placed before the trustees to help them in taking the decisions.

After detailed discussions it was decided to accept the offer of Shri Satish Modi and the following resolution was passed:

"RESOLVED that the offer of Rs. 2,50,00,000/. (Rupees two crore fifty lacs only) for the purchase of all the immovable properties of the trust situated in Hyderabad-Secunderabad, vide his letter of offer dt. 24th May, 1990 received from Shri Satish Modi of 1-10-72/2/3, Begumpeth, Hyderabad, PIN 500016 be and is hereby accepted subject to and as per the sanction of the Charity Commissioner of Maharashtra under section 36 (1)(a) of the Bombay Public Trust Act, 1950.

NAME OF THE PROPERTY	SITUATION ADDRESS	DESCRIPTION OF PROPERTY
1. Ahmed Manzil (now known as Muktashram)	Banjara Hills	Open Land
2. Begumpeth Land	Begumpeth	Open agricultural land
3. Lakhpat Building	Sarojinidevi Road	Building under construction and open land.
4. Soham Mansion	Karbala Maidan	Building occupied by tenants and adjacent land occupied by tenant.

FURTHER RESOLVED that Shri Shirsh Thakkar, Honorary Secretary of the Trust be and is hereby authorised to issue a letter of acceptance of the offer, sign and submit application and affidavits for obtaining sanction/permission for sale of the aforesaid trust properties u/s 36(1)(a) of the Bombay Public Trust Act and to do all that is necessary for effective completion of the aforesaid transaction of sale of the properties of the trust situated in Hyderabad-Secunderabad twin city.

Moved by the Chairman

Passed unanimously."

True Copy
[Signature]

Office of the Deputy Charity Commissioner,
Maharashtra State,
Bombay.

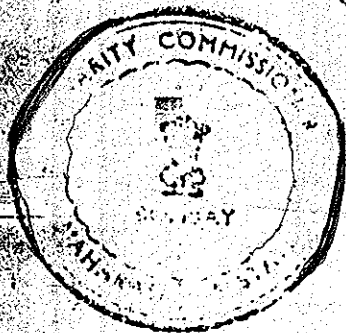
BEFORE THE DEPUTY CHARITY COMMISSIONER,
WITH APPELLATE POWERS,
MAHARASHTRA STATE, BOMBAY.

APPLICATION NO. 2 of 1978-

In the matter of Shree Gurudev
Ashram Trust situated at Gavdevi,
Ganeshpuri, Taluka Ehiwandi,
Dist - Thana. P.T.R. NO. A-481 (Thana
-na).

AND

Modification of the scheme settled
in Application No. 47/1978 under
Section 50A(3) of the Bombay Public
Trusts Act, 1950.



Shri Sheshrao K. Wankhede and Others

Applicants.

APPEARANCE:- Shri P.N. Yande on behalf of the trust.

J U D G M E N T

THIS IS An application under Section 50A(3) of the Bombay
Public Trusts Act, 1950 to modify the scheme settled in Application
No. 47 of 1978. There were two trusts in existence at Ganeshpuri
Tal. Ehiwandi, District Thana, one was designated as Gurudev
Ashram, Thana, P.T.R. NO. A-484 and other was named as Sri
Mukt chwar Trust at Bombay and registered at No. A-300(L). Both
these trusts were registered as public trusts. Thereafter the trustees
of both these trusts filed an application under Section 50A(3)

of the Bombay Public Trusts Act, 1950 for amalgamation of both these trusts being application No. 47/1976. The said application was disposed of by me on 30th April, 1976. On hearing the trustees I was satisfied that the amalgamation of the said two trusts is in the interest of the beneficiaries and the working of both these trusts. Hence I allowed the said application and ordered the amalgamation of the said two trusts and further a scheme is also sanctioned for the said amalgamated trust. As per the order passed in the said application the amalgamated trust is known as ^{Ashram} Gurudev Ashram Trust, Ganeshpur-1 and it is deemed to be registered at No. A-484(Thana) and as per my order passed in the said application the registration of the other trust at No. A-305(Thana) is cancelled. Therefore, the said amalgamated trust at No. A-484(Thana) is run since then as per the scheme sanctioned by me in the said application.

2/- The present application is filed by the trustees of the said amalgamated trust being No. 484(Thana). All the trustees have signed this application and the application is filed under Section 50A(3) to modify the scheme settled in the last application. The applicants state in their application that in view of the activities of the trust, it is necessary to make slight modifications in the title or in the name of the trust so that it would be in keeping with the activities of the trust. They further state that all the trustees are unanimous in this proposal and that they have passed a resolution to the effect.

3/- Hence the issue for my determination is, whether the said modification is proper and in the interest of the trust and be sanctioned and my finding is in the affirmative.

REASONS

4/- Shri P.N. Yande the Chairman of the Council of Management of Shree Gurudev Ashram appeared before me on behalf of the trust. He submitted that the Ashram in question is held in the high esteem by every one concerned and who is interested in the study and practice of Siddha Yoga. He stated that the aspirants of the Siddha Ashram has become like Pooja for the world of India and that the Ashram is like a temple in the circle of science of Siddha

Siddha Yoga and to impart education in Siddha Yoga and further he submitted that the said position accomplished by the Ashram is required to be properly designated and suitably named, which would reflect its position, place and functions. He therefore stated that the meeting of the trustees was called on 8-10-1977 and they carefully considered the proposal and passed a resolution unanimously that the Ashram be known as Gurudev Siddha Peeth. They have submitted a copy of the resolution passed by the Board of Trustees in that behalf. Shri Yande therefore requested that the application for modification be sanctioned and that the name of the trust be changed accordingly.

5/- I find sufficient force in the arguments advanced by Shri Yande on behalf of the trust. It is not disputed that this Ashram is doing a good work in Siddha Yoga and large number of people are attracting towards the Ashram in view of its activities and great work is done by the Ashram in the sphere of Siddha Yoga. I also agree with the arguments advanced by Shri Yande that such Institution should be designated and named properly so that the name itself should reflect and give the idea of the activities of such Institution. Moreover this Institution has attracted large number of persons not from India but also from Foreign Countries. Hence the proposal made by the applicant will have to be considered favourable. I am therefore satisfied that the activities of this Institution will be properly reflected if it is designated as Gurudev Siddha Peeth, Ashram.

6/- Hence in view of my above observations I give my findings as mentioned above and pass the following order :-

ORDER

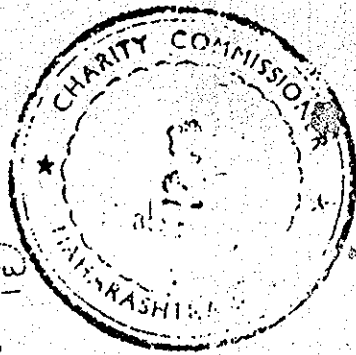
The application filed by the applicants at Ex. 1 is hereby sanctioned. I hereby allow modification to the scheme already settled in Application No. 47 of 1976 in respect of the name and title of the said trust. I therefore order that this trust shall be named and designated as "Gurudev Siddha Peeth, Ganeshpuri," registered at No. 484(Thana). The modification is ordered to be made in the

in the original scheme in application No. 47/1976. No orders
as to costs.

Sd/-
(M.G.MADAN)
Deputy Charity Commissioner,
With Appellate Powers.
Maharashtra State, Bombay.

Bombay,

Dated: 28th February, 1978.



Certified to be a true copy

copy of
sent to
reference - /A.

(mw)

Superintendent, 17-2
Jilla of the Charity Commissioner, 78
Maharashtra State, Bombay



GURUDEV SIDDHA PEETH

4th July, 1990

To
Shri Satish Modi
1-10, 72/2/3, Begumpet,
Hydrabad, 500016

Dear Sir,

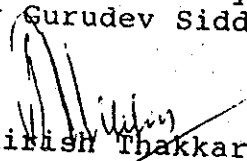
Sub: Proposed Sale of Immovable Properties at
Secundrabad - Hyderabad (AP)

Ref: Your letter dt. 24th May, 1990.

With reference to your above referred offer for purchase of our immovable properties in Secundrabad-Hydrabad (AP), we are pleased to inform you that the Board of Trustees have accepted your offer dt. 24/5/1990 subject to and as per the sanction as may be granted by the Charity Commissioner of Maharashtra, u/s. 36 of the Bombay Public Trust Act, 1950.

Thanking you,

Yours faithfully,
For Gurudev Siddha Peeth


(Shrish Thakkar)
Hon. Secretary

ST/me

79
(iv) The said Trust owns, inter alia, various moveable and immovable properties in the State of Maharashtra and elsewhere in India and the income from the said properties are being exclusively utilised for the purposes and objects of the said Trust. The main objects of the said Trust are

"Paraspara Devo Bhava" that is to say to realise brotherly love and unity in all

"Sarva Dukkha Nivrutti" that is to remove all pains.

"Paramanand Prapti" that is to attain Supreme Bliss.

The said Trust is governed by the Scheme framed by the learned Charity Commissioner which is annexed as Schedule I to the Application made by me under Section 36 of the Bombay Public Trust Act, 1950 seeking the sanction of the learned Charity Commissioner for the sale of the properties described in the said Application and situate at Hyderabad and Secunderabad, Andhra Pradesh.

(vi) I repeat, reiterate and confirm all and singular statements and submissions made by me on behalf of the Trust in the said Application as though the same are reproduced herein.

(vii) I say that it would be in the best interest of the Trust to sell the said properties as proposed to in the said Application and that the Trust would be benefitted from the sale proceeds of the said properties for expanding the yeoman activities of the said Trust. I crave leave to refer to and rely upon the various documents, papers and proceedings referred to in the said Application.

(viii) I, therefore, pray that the learned Charity Commission be pleased to grant the said Application in the best interest of the Trust.

Solemnly affirmed at Bombay)
this ____ day of _____)
1990.)

Before me,

BEFORE LEARNED CHARITY COMMISSION

MAHARASHTRA STATE, BOMBAY

APPLICATION NO.

OF 1990.

In the matter of Gurudev Sidhha
Feeth bearing Trust No. A. 484
Thane registered under the
Bombay Public Trust Act, 1950
having its office at P.O.
Ganeshpuri, Taluka Bhiwandi,
District Thane, Maharashtra,
Pin: 401 206.

Shri Shirish
Thakkar Applicant.

Affidavit of Shri Shirish
Thakkar in support of the
Application under Section 36 of
the Bombay Public Trust Act,
1950.

.....
Dated this day of
1990

M/s. AMBUBHAI & DIWANJI
Advocates for the Applicant.