

From
Soham Modi
Saurab Modi

To
M.B.S. Purushotham,
s/o. M.V. Subba Rayudu,
aged 80 years, C-11, Vikrampuri colony,
Secunderabad Cantonment,
Secunderabad.

Sir,

We, Soham Modi and Saurab Modi, ss/o. Satish Modi, with whom you have entered into articles of agreement dated 1-4-1985 for development of land admeasuring 411 sq. mts. bounded on North by Begumpet road, Soluth : House of -----, East : by land and West by : property bearing Sy.No.42, hereby issue the following notice to you.

That you have represented to our father that the above mentioned property is in Sy.No.41, Begumpet village, Ranga Reddy District and upon your representation our father spent huge amount and developed the land and constructed a commercial complex on the same. In the said articles of agreement, you have clearly stated at clause (a) of the recitals that you are the absolute owner of the property free from all encumbrances. Further, after the construction was over, you have executed sale deeds in our favour bearing

document Nos.3529/1993 and 3530/1993 in respect of the land admeasuring 160 sq. mts. And 155 sq. mts. Respectively. Pursuant to the said articles of agreement you have executed a sale deed in favour of No.1 of us in respect of 160 sq. mts. of land at 1-10-72/2/3, Begumpet, Hyderabad with a structure of 790 sq. ft. thereon bearing document Nos.3529/93 and document bearing No.3530/93 in favour of No.2 of us uro 155 sq. mts. of land along with 790 sq. ft. built up area in the ground floor in H.No.1-10-72/2/3/A, Begumpet, Hyderabad. In the said sale deeds, you have clearly stated at clause No.3(a) that you are the absolute owner and possessor of the land under the sale deed bearing document No.1477/73 dated 9-7-1973. However, subsequently, one Dinamani K. Mehta and her children have filed L.G.C.No.144/1995 on the file of the Special Court under the A.P. Land Grabbing (Prohibition) Act against yourself and also us and other stating that we are land grabbers and we have grabbed their land. In the said case, they have referred to the Judgment rendered in another suit in which you are a party i.e., O.S.No.36 of 1975 on the file of the IV Additional Judge, city Civil Court, Hyderabad seeking declaration of title and permanent injunction. In the said suit, you were also defendant No.7. The said suit was decreed and the father of Dinamuni K. Mehta was declared as the owner of 0-05 guntas = 605 sq. yards of land in Sy.No.40. You have suppressed all these facts before us and our father

and you have induced our father to develop the property and further induced us to purchase the same for a valuable consideration. ~~How,~~ As we were bonafide purchasers and as we did not have ill-intentions and as we did not suspect your bonafides, we have pursued the case in the land grabbing court and after we lost the same we have filed W.P.No.----- in the High Court of Andhra Pradesh and got the same allowed. However, in the S.L.P. filed by Dinamuni K. Mehta against the Judgment of the High court, the Supreme Court has remanded the matter to the Chief Judge, city Civil Court, Hyderabad for the purpose of declaring the title of the true owner and as such the same was remanded and thereafter OP No.2440 of 2009 was filed by Dinamuni K. Mehta and others in the Court of the Chief Judge, city Civil Court, Hyderabad. After elaborate trial and best efforts made by us the trial court allowed the O.P. filed by Dinamuni K. Mehta and directed us to pay Rs.35 lakhs with interest to Dinamuni K. Mehta and others and the decretal amount is coming to Rs.65 lakhs as on today. Further, the O.P. was decreed in part and as such Dinamuni K. Mehta and others have filed an appeal in C.C.C.A.No.7 of 2015 before the High Court for the amount which was not granted by the trial Court. Thus, the entire matter has become disputed and it is now revealed to us that you never had any title to the property which you have sold to us putting us into deep losses and severe hardship. As you have sold the property

to us clearly declaring that you are the absolute owner of the same and it is ultimately found that you are not the owner of the property, you are liable to make good the loss which we are suffering. In the appeal filed by us in the High Court of A.P. in C.C.C.A.No.133 of 2013, the High Court has directed us to deposit the entire amount into the Court.

Here we have to state that as you are the person who has sold the property to us you are responsible to deposit the amounts into the court and we have nothing to do with the same. We therefore call upon you to pay Rs.65 lakhs to enable us to deposit the same into the civil court forthwith in compliance of the orders passed by the Hon'ble Court. We reserve all our rights further to claim further amounts if and when the appeal filed by the said Dinamuni K. Mehta for the balance amount is decided in accordance with the result of the appeal.

Yours sincerely