

WITHOUT PREJUDICE

**NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI
TRANSFER COMPANY PETITION NO 870 OF 2017
(HIGH COURT COMPANY PETITION NO 788 OF 2016)**

Milestone Real Estate Fund)...Applicant
(Orig. Petitioner)

VERSUS

Chaubey Realities Pvt. Ltd)... Company

FURTHER CONSENT TERMS

1. These Consent Terms is entered into between
Milestone Real Estate Fund,
having address at 402A , Hallmark Business Plaza,
Sant Dyaneshwar Marg, Opp Guru Nanak
Hospital, Bandra (East), Mumbai-400 051
(hereinafter referred to as "Applicant" (Orig. Petitioner)).

AND

Chaubey Realities Pvt. Ltd,
having address at D/43, CRPL House,
Ashokvan, Opp Patel Samaj Hall, Borivali (East),
Mumbai-400 066
(hereinafter referred to as "The Company")

2. These Further Consent Terms are entered into between Milestone Real Estate Fund ("Applicant/original Petitioner") and Chaubey Realities Pvt. Ltd. ("Company").

3. The Applicant and the Company do hereby agree and confirm that these Further Consent Terms will be read along with the original Consent Terms dated 18th August, 2017.



4. The Applicant and Company do hereby agree and confirm that the Applicant at the request of the Company have agreed to deposit the Cheque for Rs.27,00,00,000/- (Rupees Twenty Seven Crores Only) dated 30th September, 2017 drawn on HDFC Bank, Shree Krishna Nagar Branch, bearing No. 506101 ("said Cheque") on the next working day after 30th October, 2017 instead of 30th September, 2017, time being of the essence as matter of indulgence in pursuance of the said Consent Terms dated 18th August, 2017 and Company do hereby undertake to this Hon'ble Court that the said Cheque when deposited by the Applicant will be honoured by the Bankers of the Company and shall be encashed by the Bankers of the Applicant without any objection or demur either by the Company or its Bankers in any manner whatsoever. Mr. Vijay Tripathy, Director of the Company who is present before the Hon'ble Court, who has executed these Further Consent Terms personally undertakes that the said Cheque will be honoured by the Bankers of the Company upon deposit of the said Cheque by the Applicant without any delay or default and Company shall ensure that there is sufficient balance in the account of the Company with the said HDFC Bank in that behalf.

5. The Company has further produced Certified True copy of the Resolution passed by the Board of Directors of Chaubey Realities Pvt. Ltd. on 03rd October, 2017 authorising Mr. Vijay Tripathi to execute these Further Consent Terms before the Hon'ble National Company Law Tribunal, Mumbai and to give the undertaking regards payment of Rs.27,00,00,000/- (Rupees Twenty Seven Crores Only) by the Company to the Applicant as recorded in these Further Consent Terms. A copy of the said Resolution passed by the Board of Directors of the Company on 3rd October, 2017 is annexed herewith and marked as **Exhibit "A"**.

6. The Applicant and the Company do hereby agree and confirm that these Further Consent Terms shall form part and parcel of the Consent Terms dated 18th August, 2017.

Dated this 10th day of October, 2017.

For Chaubey Realities Pvt. Ltd.

Authorised Director



VK Pandey
Advocate for the Applicant
Respondent Company

For Milestone Real Estate Fund

Authorised Signatory/Trustee



[Signature]
Advocate for the Company
Respondent



Chaubey Realities™

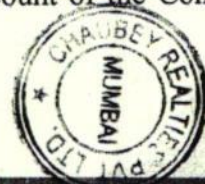
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CERTIFIED

www.chaubeyrealities.com
sales@chaubeyrealities.com
info@chaubeyrealities.com

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTOR OF CHAUBEY REALTIES PRIVATE LIMITED "(COMPANY)" AT THE MEETING HELD ON 03rd OCTOBER, 2017 AT 11.00 A.M. AT D-43, CRPL HOUSE, SHIV VALLABH ROAD, NEAR PATEL SAMAJ HALL, ASHOKVAN, BORIVALI-EAST, MUMBAI-400 066.

"RESOLVED THAT Mr. Vijay Tripathi, the Director of the Company is authorized to execute Further Consent Terms with Milestone Real Estate Fund before the National Company Law Tribunal, Mumbai Bench in Transfer Company Petition No. 870 of 2017 giving undertaking on behalf of the Company and also personal guarantee that Cheque for Rs.27,00,00,000/- (Rupees Twenty Seven Crores Only) drawn on HDFC Bank, Shree Krishna Nagar Branch bearing No. 506 101 dated 30th September, 2017 and which was to be encashed by Milestone Real Estate Fund on 30th September, 2017 be now, at the request of the Company, be deposited on the next working day after 30th October, 2017.

RESOLVED FURTHER THAT the said Mr. Vijay Tripathi is authorized by the Company to give undertaking on behalf of the Company before the National Company Law Tribunal, Mumbai Bench that the said Cheque when deposited by Milestone Real Estate Fund will be honoured by the Bankers of the Company and the Company will maintain sufficient fund in the Bank account of the Company on the next working day after 30th October, 2017.



Chaubey Realities Pvt. Ltd.

Corp. Office : 43 / CRPL House, Near Patel Samaj Hall, Shiv Vallabh Road, Ashokvan,
Borivali (E), Mumbai - 400 066. Tel.: 2848 5555 / 7777.



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www.chaubeyrealities.com
sales@chaubeyrealities.com
info@chaubeyrealities.com

RESOLVED FURTHER THAT the original Consent Terms dated 18th August, 2017 and the original Order passed by the National Company Law Tribunal also dated 18th August, 2017 are valid, subsisting and binding upon the Company and Company shall observe and perform all the terms thereof without any delay or default.”

Certified True Copy

For Chaubey Realities Pvt. Ltd.

Authorised Director

List of Director

1. Mr. Akhilesh Mayashankar Chaubey
Chanchal Chhaya, Pritam Villa,
Bungalow No. 6, Thakur Complex,
Kandivali (East), Mumbai 400101.

2. Mr. Alok Kumar Chaubey
Chanchal Chhaya, Pritam Villa,
Bungalow No. 6, Thakur Complex,
Kandivali (East), Mumbai 400101.

3. Mr. Vijayshankar Tripathi
A-301, Green Field, Thakur Complex,
Kandivali East, Mumbai-400 101.

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VERSUS

Chaubey Realities Pvt. Ltd

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Dated this 10th day of October, 2017