

**To,**

M/s Goyal Hairyana Constructions,  
Bangalore.

**Sub:** Legal Scrutiny Report of title deeds and documents pertaining to all the piece and parcel of project known as "ORCHID PLATINUM" to be constructed on property bearing Sy.No.6/1A measuring 02 acre 32.25 guntas and Sy.No.6/1B measuring 7.5 guntas, situated at Whitefield Village, Krishnarajapuram Hobli, Bangalore East Taluk. Presently belonging to 1.Mr.Mohammed Ghiase and 2.Mr.Amjad Maniar

#### **I. DESCRIPTION OF THE PROPERTY:**

All the piece and parcel of project known as "ORCHID PLATINUM" to be constructed on property bearing Sy.No.6/1A measuring 02 acre 32.25 guntas and Sy.No.6/1B measuring 7.5 guntas, situated at Whitefield Village, Krishnarajapuram Hobli, Bangalore East Taluk and bounded on:

East by : Land bearing Sy.No.7  
 West by : Remaining portion of same Sy.No.6/1A retained by land owner,  
 North by : Road and remaining portion of Sy.No.6/1B  
 South by : Remaining portion of Sy.No.6/1A and Sy.No.6/1B  
 South by : Land bearing Sy.No.6/2

#### **II LIST OF DOCUMENTS SCRUTINISED (ALL PHOTO COPIES) :**

<b>Sl. No</b>	<b>Date</b>	<b>Description of documents</b>	<b>Original/ copy</b>
<b>Sy.No.6/1 (old No.16 &amp; 24)</b>			
1.	07.01.1931	Certified copy of registered sale deed bearing doc.No. 1723/1930-31 executed by 1.Mrs.D.Ruseell rep by her GPA holder M.Seton Smith, 2.V.Fitzpatrick rep by her GPA holder Seton Smith, 3.Watkins rep by her GPA holder Seton Smith and Seton Smith in favour of Meer Ziauddin @ Meer Sahib for old Sy.No.24, new Sy.No.16 measuring 10 acres and 19 guntas	Photocopy
2.	17.02.1951	Registered release deed bearing doc.No.53/1950-51 executed by Kairunnisa, Sharifunnisa, Rahitunnisa, Mohammadunnisa and Inkyasunnisa (daughters of Meer Ziauddin @ Mir Saheb) in favour of their father Meer Ziauddin @ Mir Saheb,	Photocopy
3.	30.05.1954	WILL executed by Meer Ziauddin @ Mir Saheb, wherein	Photocopy

		Meer Ziauddin @ Mir Saheb has bequeathed Sy.No.16, new Sy.No.6/1 measuring east to west 418 ft and north to south 372 ft along with other properties in favour of Mir Saduddin Saheeb	
4.	19.07.1986	Death Certificate of Mir Saduddin issued by Bangalore Mahanagar Palike, who has died on 17.07.1986	Photocopy
5.	20.08.1986	Memorandum of record of Hiba, wherein Mir Saduddin made oral Hiba on 10.07.1986, in favour of his daughters 1.Noor Jehan, 2.Jehan Ara, 3.Qamart Jehan, 4. Sarwar Jehan and his wife 5.Noor Nahar Wherein Saduddin jointly gifted Sy.No.6/1 measuring 16,500 sq ft to his four daughters 1.Noor Jehan, 2.Jehan Ara, 3.Qamart Jehan and 4. Sarwar Jehan and he died on 17.07.1986	Photocopy
6.	28.05.1987	Memorandum of Partition entered into between 1.Noor Jehan, 2.Jehan Ara, 3.Qamart Jehan and 4. Sarwar Jehan	Photocopy
7.	Nil	Tippanny issued by Department of Survey Settlement and Land records, shows Sy.No.6 is renumbered / bifurcated as 6/1A & 6/1B	Photocopy
		<b>Sy.No.6/1B old No.6/1</b>	
8.	20.04.1968	Official Memorandum bearing No.ALN.SR.2853/1968-69, for the conversion of Sy.No.6/1 measuring 03 acre from agricultural into non-agricultural residential purpose.	Photocopy
9.	17.04.2006	Registered sale deed bearing doc.No.1637/2006-07 executed by 1.Jehan Ara, 2.Qumar Jehan, 3.Sarwar Jehan 4.Siraj Ahmed Sherif, 5.Farha Deba 6.Asiya Ahmadi (Sl.No.4 to 6 are legal heirs of Noor Jehan) in favour of 1.Muneera Ghouse (W/o late Mohammed Ghouse) and 2.Maniar Mohammed Ghouse (S/o late Dr Mohammed Ghouse) for Sy.No.6/1, Khatha No.69, measuring 16,500 sq ft	Photocopy
		<b>Sy.No.6/1A, old No.6/1 measuring 3 acre</b>	
10.	20.04.1968	Official Memorandum bearing No.ALN.SR.2053/1968-69 for the conversion of Sy.No.6/1 measuring 03 acre from agricultural into non-agricultural purpose	Photocopy
11.	11.11.1981	Registered sale deed bearing doc.No.4546/1981-82 executed by Meer Saduddin in favour of Maniar Mohammed Ghouse for Sy.No.16, new No.6/1 measuring east side 372ft, west side 358ft, north side 295 ft and south side 392 ft	Photocopy
12.	Nil	Mutation register bearing MR No.16/1981-82 in the name of Maniar Mohammed Ghouse for Sy.No.6/1 measuring 3 acre, on the basis of registered sale deed bearing doc.No.4546/1981-82	Photocopy
13.	Nil	RTC for the period from 1997-98 to 1989-90 in the name of Maniar Mohammed Ghouse for Sy.No.6/1A measuring 3 acre 29½ guntas	Photocopy

14.	28.05.2001	Death Certificate of Dr.M.Mohammed Ghouse issued by BMP, who has died on 21.05.2001	Photocopy
15.	14.10.2004	Mutation register bearing MR No.6/2004-05 in the name of Dr.Muneer Ghouse for Sy.No.6/1A measuring 3 acre 29.08 guntas, on the death of her husband Dr.M.Mohammed Ghouse @ Maniar Mohammed Ghouse	Photocopy
16.	18.01.2017	Affidavit sworn by Muneer Ghouse, stating that M.Mohammed Ghiase and Mohammed Amjad are children of late Mohammed Ghouse @ Maniar Mohammed Ghouse and Muneer Ghouse	Photocopy
17.	16.04.2018	Official Memorandum bearing No.ALN(E.K.H.W)/S.R/66-2017-18, for the conversion of Sy.No.6/1A measuring 3 acre from agricultural residential purpose.	Photocopy
18.	Nil	RTC for the year of 2020-21 in the name of Muneer Ghouse for Sy.No.6/1A measuring 29.08 guntas and 3 acre	Photocopy
19.	20.03.2018	Endorsement issued by Karnataka Industrial Rural Development Board, stating that Sy.No.6/1A measuring 3 acre is not acquired for its any plan.	Photocopy
20.	17.02.2018	Endorsement issued by Sub-Divisional officer, stating that there are no claims are found under PTCL Act with respect to Sy.No.6/1A measuring 3 acre 29.08 guntas	Photocopy
21.	17.02.2018	Endorsement issued by Sub-Divisional officer, stating that there are no claims are found under Sec.79(A)(B) of KLR Act with respect to Sy.No.6/1A measuring 3 acre 29.08 guntas	Photocopy
22.	07.03.2021	Official memorandum bearing No.ALN(E.K.H.W)/S.R/66-2017-18, ALN(E.K.H.W)/C.R/74/2021-22, issued by Deputy Commissioner, for change of usage of land bearing Sy.No.6/1A measuring 02 acre 36 guntas and Sy.No.6/1B measuring 19.08 guntas totally measuring 3 acre 15.08 guntas from residential use into commercial use.	Photocopy
23.	Nil	RTC for the period from 2005-06 to 2020-21 in the name of Meera Abdul Khadar W/o.Meer Saheb for Sy.No.6/1B measuring 3 acres	Photocopy
24.	13.01.2022	<p>Order passed in R.A (B.E):289/2021 by the Court of Assistant Commissioner, Bangalore North Sub-Division at Bangalore, filed by M.Mohammed Ghiase, 2.Amjad Maniar (both are children of Maniar Mohammed Ghouse) against The Thasildhar, Muneera Ghouse (W/o late Maniar Mohammed Ghouse), this appeal is preferred by the appellant / under Sec.136(2) of the Karnataka Land Revenue Act 1964, seeking Rectification in the RTC, in respect of the property in Sy.No.6/1A and 6/1B old Sy.No.6/1.</p> <p>The appellant submits that the land in Sy.No.6/1 measuring 6 acre 35 guntas was belonging to Ziauddin @ Mira Saheb, having acquired the same, under the</p>	Photocopy

		<p>registered sale deed bearing doc.No.1723/1930-31 and he had executed a WILL and bequeathed the land measuring 02 acre 20 guntas to Abdul Khader Saheb and the remaining portion to Saddudin Saheb and after the death of said Ziauddin Sab, the said Saddudin had sold the south Eastern portion in Sy.No.6/1 together with 25ft wide passage formed in Sy.No.6/1 (measuring 25ft X 184ft or 4 guntas) connecting from Whitefield main road together measuring 03 acre to Maniar Mohammed Ghouse under a sale deed bearing doc.No.4546/1981-82, accordingly the Mutation was effected vide M R No.16/1981-82, later effected phody and assigned as Sy.No.6/1A measuring 03 acre 29.08 guntas and Sy.No.6/1B measuring 03 acre</p> <p>Further submit that the revenue authorities had registered Dr.Maniar Mohammed Ghouse as khathedar of Sy.No.6/1A measuring 03 acre 29.08 guntas based on hissa Survey instead registered him as khatedar of 02 acre 36 guntas in Sy.No.6/1A and 04 guntas in Sy.No.6/1B and hence it is erroneous and later Maniar Mohammed Ghouse died in the year 2001 leaving behind the appellant and 2<sup>nd</sup> respondent as his legal heirs to succeed the said land, on the application made by the 2<sup>nd</sup> Respondent, the khatha of the land has been transferred in the name of 2<sup>nd</sup> Respondent without including the appellant vide MR No.6/2004-05 and hence the same has to be set aside and said mistake has to be rectified hence this appeal</p> <p>It is ordered that, the appeal is allowed the Thasildar is directed to remove the name of 2<sup>nd</sup> respondent in respect of 03 acre and 29.08 guntas and further mention the name of Appellant and 2<sup>nd</sup> respondent in respect of 02 acre 36 guntas jointly</p> <p>Further directed to remove the extent of 03 acre and mention 03 acre 36 guntas in the name of Mir Abdul Khader and further mention the names of appellant and 2<sup>nd</sup> respondent jointly measuring 04 guntas in column NO.9 and 12(2) of RTC of Sy.No.6/1B</p>	
25.	13.01.2022	Mutation register bearing MR No.T2/2021-22 in the name 1.Muneera Ghouse, 2.M.Mohammed Ghiase and 3.Amjad Maniar for Sy.No.6/1B measuring 4 guntas, On the basis of order passed in R A No.289/2021	Photocopy
26.	20.01.2022	Mutation register bearing MR No.T1/2021-22 in the name of 1.Muneera Ghouse, 2.M.Mohammed Ghiase and 3.Amjad Maniar for Sy.No.6/1A measuring 2 acre 36 guntas, on the basis of order passed in RA No.289/2021	Photocopy
27.	22.09.2018	Khatha certificate issued by BBMP in the name of Muneer Ghouse (W/o late Mohammed Ghouse) for Sl.No.813, Khatha No.429, Sy.No.6/1A	Photocopy

28.	22.09.2018	Khatha extract issued by BBMP in the name of Muneer Ghouse (W/o late Mohammed Ghouse) for Sl.No.813, Khatha No.429, Sy.No.6/1A measuring 3 acre	Photocopy
29.	08.05.2018	Khatha Certificate issued by BBMP in the name of Muneer Ghouse for khatha No.73/6/1/69	Photocopy
30.	08.05.2018	Khatha extract issued by BBMP in the name of Muneer Ghouse for khatha No.73/6/1/69 measuring 16,500 sq ft	Photocopy
31.	18.02.2019	Special notice issued by BBMP, for amalgamation of property No.73/6/1/69 measuring 16,500 sq ft WITH Khatha No.813/6/1A measuring 1,30,680 and assigning new Khatha no.813/6/1A measuring 1,47,180 sq ft and khatha for the same is registered in the name of Muneer Ghouse (W/o late Mohammed Ghouse)	Photocopy
32.	12.05.2022	<p>Registered Partition deed bearing doc.No.1738/2022-23 entered into between 1.Muneer Ghouse (W/o late Maniar Mohammed Ghouse) 2.Maniar Mohammed Ghiaise 3.Dr.Amajad Maniar (both are sons of late Maniar Mohammed Ghouse)</p> <p>1.Wherein 50% of share in portion of Sy.No.6/1A measuring in all about 02 acres 32.35 guntas (equivalent to 61,120.12 sq ft)</p> <p>2.An undivided 33% share in Sy.No.6/1A measuring 3.75 guntas (equivalent to 1347.63 sq ft)</p> <p>3.An undivided share in 50% share in Sy.No.6/1B measuring 3.5 guntas (equivalent 1905.75 sq ft)</p> <p>4.An undivided share in 33% share in Sy.No.6/1B measuring 12 guntas (equivalent 4312.44 sq ft) is allotted to <b>Maniar Mohammed Giase</b></p> <p>An Undivided share in 34% of share in Sy.No.6/1A measuring 3.75 guntas (equivalent to 1388.47 sq ft)</p> <p>An undivided share in 34% of share in Sy.No.6/1B measuring 12 guntas (equivalent to 4443.12 sq ft) are allotted to <b>Muneer Ghouse</b></p> <p>Wherein 1.50% of share in portion of Sy.No.6/1A measuring in all about 02 acres 32.35 guntas (equivalent to 61,120.12 sq ft)</p> <p>2.An undivided 33% share in Sy.No.6/1A measuring 3.75 guntas (equivalent to 1347.63 sq ft)</p> <p>3.An undivided share in 50% share in Sy.No.6/1B measuring 3.5 guntas (equivalent 1905.75 sq ft)</p> <p>4.An undivided share in 50% share in Sy.No.6/1B measuring 3.5 guntas (equivalent 1905.75 sq ft) is allotted to Maniar Mohammed Giase</p> <p>5. An undivided share in 33% share in Sy.No.6/1B measuring 12 guntas (equivalent 4312.44 sq ft) is</p>	Photocopy

		allotted to <b>Dr.Amjad Maniar</b>	
33.	10.06.2022	Modified Official Memorandum bearing No.ALN[EKHW]SR/66/2017-18, issued by Deputy Commissioner, for change of usage of land bearing Sy.No.6/1A measuring 02 acre 32.04 guntas and Sy.No.6/1B measuring 7.08 guntas totally measuring 2 acre 39.12 guntas from commercial usage into residential usage	Photocopy
34.	10.10.2022	Registered JDA bearing doc.No.8225/2022-23 entered into between 1.Mohammed Ghiase 2.Amjad Maniar (both are children of Mohammed Ghous) WITH M/s Goyal Hairyana Constructions rep by partner Goyal & Co Constructions Pvt Ltd., rep by its Director Tanmay Agarawal for Sy.No.6/1A measuring 02 acre 32.25 guntas and Sy.No.6/1B measuring 7.5 guntas Wherein 60% of super built up area is allotted to developer and 40% of super built up area is allotted to owner	Photocopy
35.	10.10.2022	Registered GPA bearing doc.No.332/2022-23 executed by 1.Mohammed Ghiase 2.Amjad Maniar (both are children of Mohammed Ghous) in favour of M/s Goyal Hairyana Constructions rep by partner Goyal & Co Constructions Pvt Ltd., rep by its Director Tanmay Agarawal for Sy.No.6/1A measuring 02 acre 32.25 guntas and Sy.No.6/1B measuring 7.5 guntas	Photocopy
36.	24.01.2023	Khatha Certificate issued by BBMP in the name of M.Mohammed Ghiase and Mohammed Amjad Maniar for Sl.No.813/429/Sy.no.6/1A	Photocopy
37.	24.01.2023	Khatha extract issued by BBMP in the name of M.Mohammed Ghiase and Mohammed Maniar for Sl.No.813/429/Sy.no.6/1A measuring 02 acre 39.12 guntas	Photocopy
38.	27.01.2023	Tax paid receipt for the year 2022-23 issued by BBMP for Sy.No.6/1	Photocopy
39.	16.08.2021	Nil EC for the period from 01.04.1960 to 28.03.1981 for Sy.No.6/1	Photocopy
40.	16.08.2021	Nil EC for the period from 29.03.1981 to 31.05.1989 for Sy.No.6/1A	Photocopy
41.	10.08.2021	Nil EC for the period from 01.06.1989 to 31.03.2004 for Sy.No.6/1A	Photocopy
42.	10.08.2021	Nil EC for the period from 01.04.2004 to 08.08.2021 for Sy.No.6/1A	Photocopy
43.	16.08.2021	Nil EC for the period from 29.03.1961 to 31.05.1989 for Sy.No.6/1B	Photocopy
44.	10.08.2021	Nil EC for the period from 01.06.1989 to 31.03.2004 for Sy.No.6/1B	Photocopy
45.	10.08.2021	Nil EC for the period from 01.04.2004 to 08.08.2021 for Sy.No.6/1B	Photocopy

46.	21.01.2017	EC for the period from 01.04.2004 to 20.01.2017 for Sy.No.6/1 (1637)	Photocopy
47.	21.10.2022	EC for the period from 01.04.2019 to 20.10.2022 for Sy.No.6/1A (8225, 1738)	Photocopy
48.	04.01.2023	Nil EC for the period from 20.11.2022 to 04.01.2023 for Sy.No.6/1A and 6/1B	Photocopy

### **III. FLOW OF TITLE TO THE PROPERTY :**

The project known as “ORCHID PLATINUM” to be constructed on property bearing Sy.No.6/1A measuring 02 acre 32.25 guntas and Sy.No.6/1B measuring 7.5 guntas, situated at Whitefield Village, Krishnarajapuram Hobli, Bangalore East Taluk.

#### **Sy.No.6/1 (old No.16 & 24)**

The property bearing Sy no.6/1 old Sy.No.24, new Sy.No.16 measuring 10 acres and 19 guntas was previously belonging to 1.Mrs.D.Ruseell rep by her GPA holder M.Seton Smith, 2.V.Fitzpatrick rep by her GPA holder Seton Smith, 3.Watkins rep by her GPA holder Seton Smith and Seton Smith who have sold the same in favour of Meer Ziauddin @ Meer Sahib, as seen from the Certified copy of registered sale deed bearing doc.No. 1723/1930-31, which is referred in **SI No.1 of II Para.**

Kairunnisa, Sharifunnisa, Rahitunnisa, Mohammadunnisa and Inkyasunnisa (daughters of Meer Ziauddin @ Mir Saheb) have released their rights over family property in favour of their father Meer Ziauddin @ Mir Saheb, as seen from the Registered release deed bearing doc.No.53/1950-51, which is referred in **SI No.2 of II Para.**

Meer Ziauddin @ Mir Saheb has bequeathed Sy.No.16, new Sy.No.6/1 measuring east to west 418 ft and north to south 372 ft along with other properties in favour of Mir Saduddin Saheeb, as seen from the WILL executed by Meer Ziauddin @ Mir Saheb, which is referred in **SI No.3 of II Para.**

Mir Saduddin has died on 17.07.1986, as seen from his Death Certificate issued by Bangalore Mahanagar Palike, which is referred in **SI No.4 of II Para.**

The Memorandum of record of Hiba, executed and declared by 1.Noor Jehan, 2.Jehan Ara, 3.Qamart Jehan, 4. Sarwar Jehan and his wife 5.Noor Nahar, wherein they confirm that Mir Saduddin made oral Hiba on 10.07.1986 and gifted Sy.No.6/1 measuring 16,500 sq ft to his four daughters 1.Noor Jehan, 2.Jehan Ara, 3.Qamart Jehan and 4. Sarwar Jehan jointly and he died on 17.07.1986, is referred in **SI No.5 of II Para.**

The Memorandum of Partition entered into between, 1.Noor Jehan, 2.Jehan Ara, 3.Qamart Jehan, 4. Sarwar Jehan, and 5.Noor Nahar, wherein the property Sy.No.6/1 measuring 16,500 sq ft was allotted to the joint share of 1.Noor Jehan, 2.Jehan Ara, 3.Qamart Jehan, 4. Sarwar Jehan, is referred in **SI No.6 of II Para.**

The Tippany issued by Department of Survey Settlement and Land records, shows Sy.No.6 is renumbered / bifurcated as 6/1A & 6/1B, is referred in **S1 No.7 of II Para.**

### **Sy.No.6/1B old No.6/1**

The land in Sy.No.6/1 measuring 03 acre is converted from agricultural into non-agricultural residential purpose, as seen from the Official Memorandum bearing No.ALN.SR.2853/1968-69, which is referred in **S1 No.8 of II Para.**

1.Jehan Ara, 2.Qumar Jehan, 3.Sarwar Jehan 4.Siraj Ahmed Sheriff, 5.Farha Deba 6.Asfiya Ahmadi (Sl.No.4 to 6 are legal heirs of Noor Jehan) have sold Sy.No.6/1, Khatha No.69, measuring 16,500 sq ft in favour of 1.Muneera Ghouse (W/o late Mohammed Ghouse) and 2.Maniar Mohammed Ghouse (S/o late Dr Mohammed Ghouse), through Registered sale deed bearing doc.No.1637/2006-07, is referred in **S1 No.9 of II Para.**

### **Sy.No.6/1A, old No.6/1 measuring 3 acre**

The Official Memorandum bearing No.ALN.SR.2053/1968-69 for the conversion of Sy.No.6/1 measuring 03 acre from agricultural into non-agricultural purpose, is referred in **S1 No.10 of II Para.**

Meer Saduddin, who had acquired the property bearing Sy No.16 from Meer Ziauddin @ Mir Saheb has sold Sy.No.16, new No.6/1 measuring east side 372ft, west side 358ft, north side 295 ft and south side 392 ft in favour of Maniar Mohammed Ghouse, through Registered sale deed bearing doc.No.4546/1981-82, is referred in **S1 No.11 of II Para.**

On the basis of registered sale deed bearing doc.No.4546/1981-82, the khatha for Sy.No.6/1 measuring 3 acre is transferred in the name of Maniar Mohammed Ghouse, as seen from the Mutation register bearing MR No.16/1981-82 and RTC for the period from 1997-98 to 1989-90 in the name of Maniar Mohammed Ghouse for Sy.No.6/1A measuring 3 acre 29½ guntas, which are referred in **S1 No.12 and 13 of II Para.**

Dr.M.Mohammed Ghouse has died on 21.05.2001, as seen from the Death Certificate issued by BMP, which is referred in **S1 No.13 of II Para.**

On the death of her husband Dr.M.Mohammed Ghouse @ Maniar Mohammed Ghouse, the khatha for Sy.No.6/1A measuring 3 acre 29.08 guntas is transferred in the name of his wife Dr.Muneer Ghouse, as seen from the Mutation register bearing MR No.6/2004-05, which is referred in **S1 No.14 of II Para.**

The Affidavit sworn by Muneer Ghouse, stating that M.Mohammed Ghiaise and Mohammed Amjad are children of late Mohammed Ghouse @ Maniar Mohammed Ghouse and Muneer Ghouse, is referred in **S1 No.15 of II Para.**

The Official Memorandum bearing No.ALN(E.K.H.W)/S.R/66-2017-18, for conversion of Sy.No.6/1A measuring 3 acre from agricultural to residential purpose, is referred in **S1 No.16 of II Para.**

The RTC for the year 2020-21 in the name of Muneer Ghouse for Sy.No.6/1A measuring 29.08 guntas and 3 acre, is referred in **SI No.17 of II Para.**

The Endorsement issued by Karnataka Industrial Rural Development Board, stating that Sy.No.6/1A measuring 3 acre is not acquired for any of its project, is referred in **SI No.18 of II Para.**

The Endorsement issued by Sub-Divisional officer, stating that there are no claims under PTCL Act over Sy.No.6/1A measuring 3 acre 29.08 guntas, is referred in **SI No.19 of II Para.**

The Endorsement issued by Sub-Divisional officer, stating that there are no claims registered under Sec.79(A)(B) of KLR Act over Sy.No.6/1A measuring 3 acre 29.08 guntas, is referred in **SI No.20 of II Para.**

The Official memorandum bearing No.ALN(E.K.H.W)/S.R/66-2017-18, ALN(E.K.H.W)/C.R/74/2021-22, issued by Deputy Commissioner, for change of usage of land bearing Sy.No.6/1A measuring 02 acre 36 guntas and Sy.No.6/1B measuring 19.08 guntas totally measuring 3 acre 15.08 guntas from residential use into commercial use, is referred in **SI No.21 of II Para.**

The RTC for the period from 2005-06 to 2020-21 in the name of Meera Abdul Khadar W/o.Meer Saheb for Sy.No.6/1B measuring 3 acres, is referred in **SI No.22 of II Para.**

1.M.Mohammed Ghiase, 2.Amjad Maniar (both are children of Maniar Mohammed Ghouse) have filed an appeal against The Thasildhar, Muneera Ghouse (W/o late Maniar Mohammed Ghouse), under Sec.136(2) of the Karnataka Land Revenue Act 1964, seeking Rectification in the RTC, in respect of the property in Sy.No.6/1A and 6/1B old Sy.No.6/1 in RA.(B.E):289/2021. Wherein the appellant submits that the land in Sy.No.6/1 measuring 6 acre 35 guntas was belonging to Ziauddin @ Mira Saheb, having acquired the same, under the registered sale deed bearing doc.No.1723/1930-31 and he had executed a WILL and bequeathed the land measuring 02 acre 20 guntas to Abdul Khader Saheb and the remaining portion to Saddudin Saheb and after the death of said Ziauddin Sab, the said Saddudin had sold the south Eastern portion in Sy.No.6/1 together with 25ft wide passage formed in Sy.No.6/1 (measuring 25ft X 184ft or 4 guntas) connecting from Whitefield main road together measuring 03 acre to Maniar Mohammed Ghouse under a sale deed bearing doc.No.4546/1981-82, accordingly the Mutation was effected vide MR No.16/1981-82, later effected phody and assigned as Sy.No.6/1A measuring 03 acre 29.08 guntas and Sy.No.6/1B measuring 03 acre

The parties submit that the revenue authorities had registered Dr.Maniar Mohammed Ghouse as khathedar of Sy.No.6/1A measuring 03 acre 29.08 guntas based on hissa survey instead registered him as khatedar of 02 acre 36 guntas in Sy.No.6/1A and 04 guntas in Sy.No.6/1B and hence it is erroneous and later Maniar Mohammed Ghouse died in the year 2001 leaving behind the appellant and 2nd respondent as his legal heirs to succeed the said land, on the application made by the 2nd Respondent, the

khatha of the land has been transferred in the name of 2nd Respondent without including the appellant vide MR No.6/2004-05 and hence the same has to be set aside and said mistake has to be rectified hence this appeal.

On hearing the parties and examining the records the appeal is allowed and the T hasildar is directed to remove the name of 2nd respondent in respect of 03 acre and 29.08 guntas and further mention the name of Appellant and 2nd respondent in respect of 02 acre 36 guntas jointly. It is further directed to remove the extent of 03 acre and mention 03 acre 36 guntas in the name of Mir Abdul Khader and further mention the names of appellant and 2nd respondent jointly measuring 04 guntas in column NO.9 and 12(2) of RTC of Sy.No.6/1B, as seen from the Order passed in R.A (B.E):289/2021 by the Court of Assistant Commissioner, Bangalore North Sub-Division at Bangalore, which is referred in **Sl No.23 of II Para.**

On the basis of order passed in R A No.289/2021, the khatha for Sy.No.6/1B measuring 4 guntas and Sy.No.6/1A measuring 2 acre 36 guntas was transferred in the name 1.Muneera Ghouse, 2.M.Mohammed Ghiase and 3.Amjad Maniar, as seen from the Mutation register bearing MR No.T2/2021-22 and Mutation register bearing MR No.T1/2021-22, which are referred in **Sl No.24 and 25 of II Para.**

The property coming within the jurisdiction of BBMP, Khatha certificate and extract is issued by BBMP in the name of Muneer Ghouse for Sl.No.813, Khatha No.429, Sy.No.6/1A and for Sl.No.813, Khatha No.429, Sy.No.6/1A measuring 3 acre, which are referred in **Sl No.26 and 27 of II Para.**

The Khatha Certificate and Khatha extract issued by BBMP in the name of Muneer Ghouse for khatha No.73/6/1/69 measuring 16,500 sq ft, are referred in **Sl No.28 and 29 of II Para.**

The Special notice issued by BBMP, for amalgamation of property No.73/6/1/69 measuring 16,500 sq ft WITH Khatha No.813/6/1A measuring 1,30,680 and assigning new Khatha no.813/6/1A measuring 1,47,180 sq ft and khatha for the same is registered in the name of Muneer Ghouse (W/o late Mohammed Ghouse), which is referred in **Sl No.30 of II Para.**

1.Muneer Ghouse (W/o late Maniar Mohammed Ghouse) 2.Maniar Mohammed Ghiase 3.Dr.Amjad Maniar (both are sons of late Maniar Mohammed Ghouse) have entered into Registered Partition deed bearing doc.No.1738/2022-23, is referred in **Sl No.31 of II Para.**

- 1.Wherein 50% of share in portion of Sy.No.6/1A measuring in all about 02 acres 32.35 guntas (equivalent to 61,120.12 sq ft)
- 2.An undivided 33% share in Sy.No.6/1A measuring 3.75 guntas (equivalent to 1347.63 sq ft)
- 3.An undivided share in 50% share in Sy.No.6/1B measuring 3.5 guntas (equivalent 1905.75 sq ft)
- 4.An undivided share in 33% share in Sy.No.6/1B measuring 12 guntas (equivalent 4312.44 sq ft) is allotted to Maniar Mohammed Giase

An Undivided share in 34% of share in Sy.No.6/1A measuring 3.75 guntas (equivalent to 1388.47 sq ft)

An undivided share in 34% of share in Sy.No.6/1B measuring 12 guntas (equivalent to 4443.12 sq ft) are allotted to Muneer Ghouse

1. Wherein 50% of share in portion of Sy.No.6/1A measuring in all about 02 acres 32.35 guntas (equivalent to 61,120.12 sq ft)
2. An undivided 33% share in Sy.No.6/1A measuring 3.75 guntas (equivalent to 1347.63 sq ft)
3. An undivided share in 50% share in Sy.No.6/1B measuring 3.5 guntas (equivalent 1905.75 sq ft)
4. An undivided share in 50% share in Sy.No.6/1B measuring 3.5 guntas (equivalent 1905.75 sq ft) is allotted to Maniar Mohammed Giase
5. An undivided share in 33% share in Sy.No.6/1B measuring 12 guntas (equivalent 4312.44 sq ft) is allotted to Dr.Amjad Maniar

Modified Official Memorandum bearing No.ALN[EKHW]SR/66/2017-18, issued by Deputy Commissioner, for change of usage of land bearing Sy.No.6/1A measuring 02 acre 32.04 guntas and Sy.No.6/1B measuring 7.08 guntas totally measuring 2 acre 39.12 guntas from commercial usage into residential usage, is referred in **S1 No.32 of II Para.**

1. Mohammed Ghiaise and 2.Amjad Maniar (both are children of Mohammed Ghouse) has entered into Registered JDA bearing doc.No.8225/2022-23 WITH M/s Goyal Hairyana Constructions rep by partner Goyal & Co Constructions Pvt Ltd., rep by its Director Tanmay Agarawal to develop Sy.No.6/1A measuring 02 acre 32.25 guntas and Sy.No.6/1B measuring 7.5 guntas into residential apartment, which is referred in **S1 No.33 of II Para.** Wherein 60% of super built up area is allotted to developer and 40% of super built up area is allotted to owner.

1. Mohammed Ghiaise 2.Amjad Maniar (both are children of Mohammed Ghouse) has also executed Registered GPA bearing doc.No.332/2022-23 in favour of M/s Goyal Hairyana Constructions rep by partner Goyal & Co Constructions Pvt Ltd., rep by its Director Tanmay Agarawal, authorising them to deal with Sy.No.6/1A measuring 02 acre 32.25 guntas and Sy.No.6/1B measuring 7.5 guntas and 60% of developer's share in the property, which is referred in **S1 No.34 of II Para..**

The Khatha Certificate and Khatha extract issued by BBMP in the name of Mr.M.Mohammed Ghiaise and Mr.Mohammed Maniar for S1.No.813/429/Sy.no.6/1A measuring 02 acre 39.12 guntas, are referred in **S1 No.35 and 36 of II Para.** It is informed that Sy.No.6/1B measuring 7.5 guntas is for commercial usage and hence the khatha shall be obtained and verified later.

Tax for the property is paid upto date, as seen from the Tax paid receipt for the year 2022-23 issued by BBMP, which is referred in **S1 No.37 of II Para.**

**IV. TITLE :**

On the basis of the documents scrutinized, subject to above observations and conditions, I certify that Mr.M.Mohammed Ghiase and Mr.Mohammed Maniar have clear marketable title over the property described in Para 1.

**V. POSSESSION:**

On the basis of the documents scrutinized above, I certify that Mr.M.Mohammed Ghiase and Mr.Mohammed Maniar, are in possession of the property described in Para 1.

**VI. ENCUMBRANCE CERTIFICATE:**

On perusal of the Encumbrance Certificate referred at **Sl.No.39 to 48 of II Para**, I certify that the above property is free from all encumbrances during the period from 01.04.1960 to 20.10.2022 and from 20.11.2022 to 04.01.2023. However EC for the period from 20.10.2022 to 20.11.2022 and from 05.01.2023 to till date have to be obtained.

**CERTIFICATE**

On the basis of documents scrutinized by me as referred in II Para, and subject to condition of obtaining :

1. RERA Registration Certificate
2. Approved construction plan issued by concerned authority
3. EC from 20.10.2022 to 20.11.2022 and from 05.01.2023 to till date

I certify that, Mr.M.Mohammed Ghiase and Mr.Mohammed Maniar, have valid clear absolute marketable title over the property described in Para I. M/s Goyal Hairyana Constructions, are registered JDA and GPA holders to be property having 60% undivided share in the property.

**D & M LAW ASSOCIATES**