

**Kusuma R. Muniraju • Kusuma Kaushik**

B. S. Shankarnarayan • S. Venkateshwara Rao • J. Ravi Sunder • T.K. Thyagaraj • M.S. Sanjeeva Kumar • B. N. Oileep Kumar • B.R. Basavaraj  
N.L. Maheshwara Prasad • Shylini N • Nupur Kabra Mundhra • Rashmi, H • Amulya Sujit, B • K. S. Sushma • Geetha H. G. • Mohan Kumar G.M.

Dt: 22/07/2024.

**M/s. BRIGADE ENTERPRISES LIMITED,**  
29<sup>th</sup> & 30<sup>th</sup> Floors,  
'World Trade Center Bengaluru',  
Brigade Gateway Campus,  
No.26/1, Dr.Rajkumar Road,  
Malleshwaram-Rajajinagar,  
Bengaluru – 560 055.

Sirs,

Sub: Title Opinion in respect of the Properties measuring (i) 01 Acre 29 Guntas in Sy.No.23/2, (ii) 01 Acre 13 ½ Guntas in Sy.No.23/10 (earlier forming part of Sy.No.23/4), (iii) 00 Acre 37 Guntas in Sy.No.23/6A and (iv) 00 Acre 25 Guntas in Sy.No.23/6B duly converted for non-agricultural purposes vide Conversion Orders bearing Nos (i) 541355 and ALN (EBR) SR: 89/2023-24 dated 05/02/2024, (ii) 585478 dated 16/02/2024, (iii) 584904 and ALN (EBK)SR.128/2023-24 dated 05/02/2024, (iv) 584905 dated 16/02/2024, (v) 424624 dated 03/01/2023 and (vi) 424625 dated 03/01/2023 all issued by The Deputy Commissioner, Bengaluru Urban District totally measuring 04 Acres 24½ Guntas situated at Nimbekayipura Village, Bidarahalli Hobli, Bengaluru East Taluk (formerly Hoskote Taluk), Bengaluru Urban District.

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I am furnished with the photocopies of the following documents and my opinion is as follows:-

SL.NO.	DATE	NATURE OF THE DOCUMENTS
1.	05/09/1955	Certified Copy of the Sale Deed executed by Mr.Nagappa in favour of Mr.Basappa registered as Document No.1432/1955-56 in Book-I, Volume – 833, at pages 115 to 117, in the Office of the Sub-Registrar, Hoskote.
2.	22/08/1956	Certified Copy of the Sale Deed executed by Mr.Kondappa in favour of Mr.Basappa registered as Document No.1679/1956-57 in Book-I, Volume – 863, at Pages 10 to 12, in the Office of the Sub-Registrar, Hoskote.

*[Signature]* Page 1 of 17

3.	20/06/1954	Certified Copy of the Sale Deed executed by Mrs.Kempakka in favour of Mr.Basappa registered as Document No.817/1954-55 in Book-I, Volume – 805, at pages 72 to 73, in the Office of the Sub-Registrar, Hoskote.
4.	12/12/1957	Certified Copy of the Sale Deed executed by Mr.Munishamappa in favour of Mr.Basappa registered as Document No.3166/1957-58 in Book-I, Volume -891, at Pages 158 to 159, in the Office of the Sub-Registrar, Hoskote.
5.	25/05/1959	Sale Deed executed by Mr.Bachappa and Mr.Appanna in favour of Mr.Basappa registered as Document No.601/1959-60 in Book-I, Volume – 935, at pages 177 to 179, in the Office of the Sub-Registrar, Hoskote.
6.	19/07/1959	Sale Deed executed by Mr.Basappa and his children in favour of Mr.R.G.Sathyanarayana registered as Document No.1303/1959-60 in Book-I, Volume - 940, at Pages 87 to 92, in the Office of the Sub-Registrar, Hoskote.
7.	01/04/1965	Sale Deed executed by Mr.R.G.Satyanarayana in favour of Mr.P.S.Deva Das registered as Document No.1479/1965-66 in Book-I, Volume – 1128, at pages 1 to 6, in the Office of the Sub-Registrar, Hoskote.
8.	30/01/1963	Certified Copy of the Lease Deed executed by Mr.Deva Das in favour of Mr.P.S.Raghunathan registered as Document No.3296/1962-63 in Book-I, Volume – 1048, at pages 185-193, in the Office of the Sub-Registrar, Hoskote.
9.	01/01/1966	Deed of Partnership executed by (1) Mr.P.S.Ranganathan, (2) Mr.P.N.Gopirathnam and (3) Mr.P.N.Lavakumar.
10.	25/07/1968	Acknowledgment of Registration of Firm and the name of the firm M/s.Highclere Stud and Agricultural Farm.
11.	30/03/1970	Sale Deed executed by Mr.P.S.Deva Das in favour of M/s.Highclere Stud and Agricultural Farm registered as Document No.4163/1969-70 in Book-I, Volume – 1270, at pages 102 to 107, in the Office of the Sub-Registrar, Hoskote.

12.	30/11/2004	Order passed by The Assistant Tahsildar, Bidarahalli Hobli, Bengaluru East Taluk in RRT BNK 533/2004-05.
13.		Mutation Register Extract bearing M.R.No.7/2004-05 issued by the Revenue Authorities.
14.		Order passed by the Debts Recovery Tribunal (Andhra Pradesh and Karnataka) at Bengaluru in O.A.No.343/1995.
15.	08/10/2005	No Due Certificate issued by State Bank of India, A.D.B, Hoskote.
16.	03/11/2004	Deed of Dissolution of Partnership Firm by and between (1) Mr.P.S.Ranganathan, (2) Mr.P.N.Lavakumar, (3) Mr.P.N.Basanth Kumar registered as Document No.21693/2004-05 in Book-I and stored in C.D.No.KRID 84, in the Office of the Sub-Registrar, K.R.Puram, Bengaluru.
17.	22/01/2008	Order in Regular First Appeal bearing RFA No.2096/2006 passed by The Hon'ble High Court of Karnataka filed by (i) Mrs.Usha Gopirathnam, (ii) Ms.Sanjana Rathnam and (iii) Ms.Devina Suresh against Mr.P.S.Ranganathan and 06 others.
18.	23/09/2022	Order passed in Civil Appeal No.2741 of 2009 arising out of SLP ( C ) No.15685 of 2008 by the Hon'ble Supreme Court of India.
19.	17/02/2005	Sale Deed executed by Mr.P.S.Ranganathan in favour of Mrs.Rahmathunnissa registered as Document No.31514/2004-05 in Book-I and stored in C.D.No.KRID 115, in the Office of the Sub-Registrar, Krishnarajapura, Bengaluru.
20.		Mutation Register Extract bearing M.R.No.12/2004-05 issued by the Revenue Authorities.
21.	17/02/2005	Sale Agreement entered into between Mrs.Rahmathunnissa and Mr.S.Abdul Raheem.
22.	25/08/2006	Sale Deed executed by Mrs.Rahmathunnissa as Seller and Mr.S.Abdul Raheem as Confirming Party in favour of Mrs.Noorjahan registered as Document No.17719/2006-07 in Book-I and stored in C.D.No.KRID 245, in the Office of the Sub-Registrar, K.R.Puram, Bengaluru.

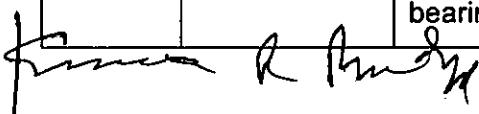
23.		Mutation Register Extract bearing M.R.No.13/2006-07 issued by the Revenue Authorities.
24.	14/11/2007	Notification bearing No.S.SO1929.E issued by Ministry of Shipping, Road Transport and Highways (Department of Road Transport and Highways).
25.	05/11/2008	Notification bearing No. SO2597E issued by Ministry of Shipping, Road Transport and Highways (Department of Road Transport and Highways).
26.		Mutation Register Extract bearing M.R.No.H11/2011-12 issued by the Revenue Authorities.
27.	12/05/2016	Order passed by The Deputy Commissioner, Bengaluru District in L.N.D: (E) C.R/185/2014-15 .
28.	19/01/2024	Deed of Relinquishment registered as Document No.5795/2023-24 in Book-I and stored in the Centralized Data Cell in the Electronic Form in the Office of the Sub-Registrar, Ulsoor executed by Mrs.Noorjahan in favour of Government of Karnataka.
29.	04/11/2022	Commencement Certificate bearing No.BDA/TPM/CLU-83/2020-21/1729/2022-23 issued by Bangalore Development Authority.
30.	05/02/2024	Conversion Order bearing No.541355 and ALN(EBK)SR 89/2023-24 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property measuring 01 Acre 25 Guntas in Sy.No.23/2 duly converted for commercial purposes.
31.	16/02/2024	Conversion Order bearing No.585478 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property measuring 00 Acre 04 Guntas in Sy.No.23/2 duly converted for Parks and Playground – Agriculture purposes.
32.	05/02/2024	Conversion Order bearing No.584904 and ALN (EBK) SR 128/2023-24 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property measuring 01 Acre 10 ½ Guntas in Sy.No.23/10 duly converted for Commercial purposes.

*Present & true copy*

33.	16/02/2024	Conversion Order bearing No.584905 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property measuring 00 Acre 03 Guntas in Sy.No.23/10 duly converted for Parks and Playground – Agriculture.
34.	03/01/2023	Conversion Order bearing No.424624 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property bearing Sy.No.23/6A duly converted for Commercial purposes.
35.	03/01/2023	Conversion Order bearing No.424625 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property bearing Sy.No.23/6B duly converted for Commercial purposes.
36.	06/02/2015	Agreement to Sell entered into between Mrs.Noorjahan as Seller (1) M/s.Bearys Properties and Developments Private Limited, (2) Mr.Syed Mohamed Beary as Guarantors in favour of M/s.Brigade Enterprises Limited, registered as Document No.3757/2014-15 in Book-I and stored in C.D.No.SHVD194, in the Office of the Sub-Registrar, Shivajinagar, Bengaluru.
37.	08/05/2024	Sale Deed executed by Mrs.Noorjahan also known as Noorjahan Syed Beary in favour of M/s.Brigade Enterprises Limited registered as Document No.1743/2024-25 in Book-I and stored in the Centralized Data Cell in the Electronic Form, in the Office of the Sub-Registrar, Krishnarajapuram, Bengaluru.
38.		Pahanies for the period between 1969-70 and 2023-24 issued by the Revenue Authorities in respect of land bearing Sy.No.23/2.
39.		Pahanies for the period between 1969-70 and 2023-24 issued by the Revenue Authorities in respect of land bearing Sy.No.23/4.
40.		Pahanies for the period from between 1974-75 and 2023-24 issued by the Revenue Authorities in respect of land bearing Sy.No.23/6A.
41.		Pahanies for the period from between 1969-70 and 2023-24 issued by the Revenue Authorities in respect of land bearing Sy.No.23/6B.

*Kusuma & Friends*

42.	18/11/2004	Endorsement bearing No.R.K.C.R 558/2004-05 issued by The Taluk Shrestedar, Krishnarajapuram, Bengaluru East taluk.
43.	06/12/2014	Endorsement bearing No.RK.CR/2493/2014-15 issued by The Tahsildar, Bengaluru East Taluk.
44.		Atlas issued by the Revenue Authorities in respect of land bearing Sy.No.23.
45.		Hissa Survey Tippani, R.R.Balabagada Nakalu, Hissa Survey Pakka and Atlas issued by the Revenue Authorities in respect of land bearing Sy.No.23/6.
46.		Akarbandh issued by the Revenue Authorities in respect of land bearing Sy.Nos.23/2, 23/4, 23/6A and 23/6B.
47.		Village Map of Nimbekayipura Village.
48.	27/09/2004	Endorsement bearing L.R.F.C.R 130/2004-05 issued by The Tahsildar, Krishnarajapuram, Bengaluru East Taluk.
49.	05/07/2014	Nil Tenancy Certificate issued by The Tahsildar, Bengaluru East Taluk, Bengaluru District.
50.	04/07/2014	Endorsement issued by The Assistant Commissioner, Bengaluru North Sub-Division, Bengaluru stating that there are no proceedings initiated for violation of the Section 79-A and 79-B of The Karnataka Land Reforms Act, 1961 in respect of land bearing Sy.Nos.23/2, 23/6A and 23/6B.
51.	09/01/2009	Endorsement issued by The Assistant Commissioner, Bengaluru North Sub-Division, Bengaluru stating that there are no proceedings initiated for violation of the Section 79-A and 79-B of The Karnataka Land Reforms Act, 1961 in respect of land bearing Sy.No.23/4.
52.	04/07/2014	Endorsement issued by The Assistant Commissioner, Bengaluru stating that there are no proceedings initiated for violation of the provisions of The Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of land bearing Sy.Nos.23/2, 23/6A and 23/6B.



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53.	06/01/2009	Endorsement issued by The Assistant Commissioner, Bengaluru stating that there are no proceedings initiated for violation of the provisions of The Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of land bearing Sy.No.23/4.
54.		Tax Paid Receipts for the years 2008-09 to 2011-12 and 2020-21 to 2023-24 issued by the Revenue Authorities.
55.		Certificates of Encumbrances for the period between 01/04/1960 and 04/06/2024 issued by the Jurisdictional Sub-Registrar in respect of the Properties bearing Sy.Nos.23/2, 23/6A, 23/6B and 23/4.

**DESCRIPTION OF THE PROPERTY :-**

All that Properties measuring (i) 01 Acre 29 Guntas (and 01 Gunta of Kharab Land) in Sy.No.23/2, out of which 01 Acre 25 Guntas converted for commercial purposes vide Conversion Order bearing No.541355 and ALN (EBK)SR:89/2023-24 dated 05/02/2024 and 00 Acre 04 Guntas converted for Parks and playgrounds – Agriculture purposes vide Conversion Order bearing No.585478 dated 16/02/2024 both issued by The Deputy Commissioner, Bengaluru Urban District, (ii) 01 Acre 13 ½ Guntas in Sy.No.23/10 (earlier forming part of Sy.No.23/4), out of which 01 Acre 10 ½ Guntas converted for commercial purposes vide Conversion Order bearing No.584904 and ALN (EBK)SR:128/2023-24 dated 05/02/2024 and 00 Acre 03 Guntas converted for Parks and Playgrounds – Agriculture purposes vide Conversion Order bearing No.584905 dated 16/02/2024, both issued by The Deputy Commissioner, Bengaluru Urban District, (iii) 00 Acre 37 Guntas in Sy.No.23/6A and (iv) 00 Acre 25 Guntas in Sy.No.23/6B converted for commercial purposes vide Conversion Order bearing Nos (i) 424624 and (ii) 424625 respectively both dated 03/01/2023 issued by The Deputy Commissioner, Bengaluru Urban District totally measuring 04 Acres 24 ½ Guntas situated at Nimbekayipura Village, Bidarahalli Hobli, Bengaluru East Taluk (formerly Hoskote Taluk), Bengaluru Urban District and entire property is bounded by:

East : Properties bearing Sy.Nos.23/8, 23/1, 23/5 and 23/7;  
 West : Properties bearing Sy.Nos.24, 23/3A, 23/3B and Nimbekayipura Village Road;  
 North : Properties bearing Sy.Nos.22, 23/1 and 24; and  
 South : Bengaluru- Kolar Road and Property bearing Sy.No.23/5;

**SOURCE OF TITLE:-**

The Properties referred to above will be hereinafter collectively referred to as 'Schedule Property' for convenience. The Schedule Property earlier forming part of Larger Property consisting of (i) 01 Acre 29 Guntas (and 01 Gunta of Kharab Land) in Sy.No.23/2, (ii) 01 Acre 29 Guntas (and 02 Guntas of Kharab Land) in Sy.No.23/4, (iii) 00 Acre 37 Guntas in Sy.No.23/6A and (iv) 00 Acre 25 Guntas in Sy.No.23/6B in all measuring 05 Acres 00 Guntas (and 03 Guntas of Kharab Land) of Nimbekayipura Village was originally owned and possessed by Mr.Basappa (Son of Mr.Narasappa). He purchased the Larger Property from his vendors in terms of five Sale Deeds detailed below:

- (i) Sale Deed dated 05/09/1955, registered as Document No.1432/1955-56 in Book-I, Volume- 833, at pages 115 to 117, in the Office of the Sub-Registrar, Hoskote executed by Mr.Nagappa in respect of land measuring 01 Acre 27 Guntas in Sy.No.23 (later identified as Sy.No.23/2);
- (ii) Sale Deed dated 22/08/1956, registered as Document No.1679/1956-57 in Book-I, Volume -863, at Pages 10 to 12, in the Office of the Sub-Registrar, Hosakote executed by Mr.Kondappa in respect of land measuring 01 Acre 25 ½ Guntas in Sy.No.23/2. In the said Sale Deed area of the land shown as 01 Acre 25 ½ Guntas as against 01 Acre 29 Guntas and 02 Gunta of Kharab Land shown in the revenue records and the same was referred as Sy.No.23/2 instead of Sy.No.23/4;
- (iii) Sale Deed dated 20/06/1954, registered as Document No.817/1954-55 in Book-I, Volume - 805, at pages 72 and 73, in the Office of the Sub-Registrar Hoskote executed by Mrs.Kempakka in respect of land measuring 00 Acre 31 Guntas in Sy.No.23/6;
- (iv) Sale Deed dated 12/12/1957, registered as Document No.3166/1957-58 in Book-I, Volume -891, at pages 158 to 159, in the Office of the Sub-Registrar, Hoskote executed by Mr.Munishamappa in respect of land measuring 00 Acre 15 ½ Guntas in Sy.No.23/6;
- (v) Sale Deed dated 25/05/1959, registered as Document No.601/1959-60 in Book-I, Volume – 935, at Pages 177 to 179, in the Office of the Sub-Registrar, Hosakote executed by Mr.Bachappa and Mr.Appanna in respect of land measuring 00 Acre 18 ½ Guntas in Sy.No.23/6A;

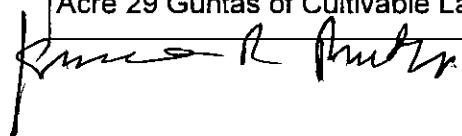
and since then, Mr.Basappa started enjoying the same as owner thereof. It is pertinent to note that, there is discrepancy in the measurements and Survey Numbers in the Larger Property in the aforesaid Sale Deeds which came to be admitted by the said

*Kusuma R. Adv. 2021*

Mr.Basappa under the Sale Deed dated 19/07/1959, registered as Document No.1303/1958-59 which is referred below. However, the said discrepancies came to be rectified in the later title deeds by incorporating the correct Survey Numbers and measurements available within four boundaries.

The said Mr.Basappa along with his children namely Mr.Siddaiah, Mr.Parama Shivaiah and Mr.Somashekaraiah later sold the lands measuring (i) 00 Acre 31 Guntas in Sy.No.23/6 (ii) 00 Acre 15 ½ Guntas in Sy.No.23/6 (ii) 01 Acre 30 Guntas in Sy.No.23/2 (iv) 00 Acre 39 Guntas in Sy.No.25/5, (v) 00 Acre 18 Guntas in Sy.No.23/6A and (vi) 01 Acre 31 Guntas in Sy.No.23/4 in favour of Mr.R.G.Sathyanarayana in terms of a Sale Deed dated 19/07/1959, registered as Document No.1303/1959-60 in Book-I, Volume – 940, at pages 87 to 92, in the Office of the Sub-Registrar, Hoskote and from the date of sale made in his favour, Mr.R.G.Sathyanarayana started enjoying the same as owner thereof and he inturn sold the said properties in favour of Mr.P.S.Deva Das in terms of a Sale Deed dated 01/04/1965, registered as Document No.1479/1965-66 in Book-I, Volume - 1128, at pages 1 to 6, in the Office of the Sub-Registrar, Hoskote and from the date of sale, Mr.P.S.Deva Das started enjoying the aforesaid lands as owner thereof. The lands bearing Sy.Nos.23/6, 23/6A were subjected to Re-Survey and on such re-survey, 00 Acre 37 Guntas was identified as Sy.No.23/6A and 00 Acre 25 Guntas was assigned with Sy.No.23/6B totally measuring 01 Acre 22 Guntas of Nimbekayipura Village.

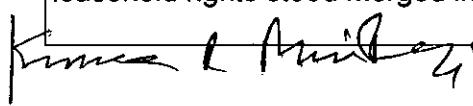
The said Mr.P.S.Deva Das owned several other lands adjoining the aforesaid lands. He granted lease of about 39 Acres of land at Huskur Village and in the adjoining Nimbekayipura Village and also other properties in favour of one Mr.P.S.Ranganathan for the purpose of utilizing the leased lands for running and raising a Stund Farm and for maintaining, improving and raising the Orchard and for agricultural purposes in terms of a Lease Deed dated 30/01/1963, registered as Document No.3296/1963-64 in Book-I, Volume - 1048, at pages 185 to 193, in the Office of the Sub-Registrar, Hoskote. It is pertinent to note that though the extent of lands are shown in aforesaid Sale Deeds, in reality the lands available within four boundaries consisted of (i) 01 Acre 29 Guntas of Cultivable Land and 01 Gunta of Kharab land in Sy.No.23/2, (ii) 01



Acre 29 Guntas of Cultivable Land and 02 Guntas of Kharab Land in Sy.No.23/4, (iii) 00 Acre 37 Guntas in Sy.No.23/6A and (iv) 00 Acre 25 Guntas in Sy.No.23/6B in all measuring 05 Acres 00 Guntas of Cultivable Land and 03 Guntas of Kharab Land, viz., the '**Larger Property**' herein however on the purchase of the entire land in the Larger Property by Mr.Basappa and his successors-in-title, any discrepancy in the measurements will not affect the title of owners.

The said (1) Mr.P.S.Ranganathan along with (2) Mr.P.N.Gopirathnam and (3) Mr.P.N.Lavakumar formed a Partnership firm under the name and style of 'M/s.Highclere Stud and Agricultural Farm' for breeding of horses and all forms of livestock and carrying out any agricultural operations in terms of a Deed of Partnership dated 01/01/1966 and the partners therein admitted Master.Basanth Kumar as a partner for benefits of the Partnership Firm. M/s. Highclere Stud and Agricultural Farm was registered in the Register of Firms as No.840 of 1968 as evidenced by Acknowledgment of Registration of Firm dated 25/07/1968 issued by the Registrar of Firms, Madras.

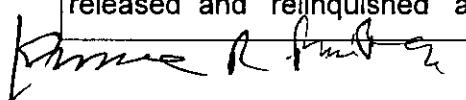
During the subsistence of the above lease, Mr.P.S.Deva Das sold the said 39 Acres of land at Huskur Village and Nimbekayipura Village including the Larger Property in favour of M/s. Highclere Stud and Agricultural Farm, a Partnership Firm (hereinafter referred to as '**HSAF**') represented by its Managing Partner Mr.P.S.Ranganathan in terms of a Sale Deed dated 30/03/1970, registered as Document No.4163/1969-70 in Book-I, Volume-1270 at pages 102 to 107, in the Office of the Sub-Registrar, Hoskote and since then HSAF started enjoying the Larger Property along with other properties as absolute owner thereof. Further, since mutation particulars in respect of the Larger Property were not entered in the Pahanies, The Assistant Tahsildar, Bidarahalli Hobli, Bengaluru East Taluk vide Order dated 30/11/2004 bearing RRT BNK 533/2004-05 ordered rectification of Pahanies and the same was carried out vide Mutation Register Extract bearing M.R.No.7/2004-05. In view of the aforesaid sale of the lands, the leasehold rights stood merged in the ownership rights.



A copy of the order passed in O.A.No.343/1995 on the file of Debt Recovery Tribunal is produced for perusal. It reveals that State Bank of India (hereinafter referred to as 'Bank') had filed a suit for recovery of money against HSAF and its aforesaid partners in O.S.No.15 of 1982 on the file of the Principal Civil Judge, Bengaluru Rural District which came to be decreed. The said Bank filed an Execution Petition bearing No. 2/1994 on the file of Principal Civil Judge, Bengaluru District, which later got transferred before The Debts Recovery Tribunal, Bengaluru (in short 'Tribunal'). Based on the said Decree, Tribunal vide its Order dated 30/10/1998 passed in O.A.No.343/1995 issued Debt Recovery Certificate. Thereafter, on mutual settlement between the Bank and HSAF, agricultural term loan was settled and The Tribunal vide Order dated 05/07/2004 withdrew the recovery certificate as per memo filed by the Bank. Further, the Bank issued a No Due Certificate dated 08/10/2005 which evidences that the said loan has been settled. Thereby the Larger Property became free from the aforesaid mortgage.

When the matter stood as above, Mrs.Usha Gopirathnam, Mrs.Sanjana Rathnam and Mrs.Devina Suresh also known as Devina Hemdev filed a suit in O.S.No.169/2000 on the file of II Additional Civil Judge (Senior Division), Bengaluru District against Mr.P.S.Ranganathan and others contending that they are the successors of Mr.Gopirathnam who was a partner in the said HSAF and prayed for dissolution of the said Firm and for Partition and Separate Possession of 20 % of their share in properties which includes the Larger Property herein and the Properties bearing Sy.Nos.49, 50, 51, 52/6 of Huskur Village.

During the pendency of the said suit, HSAF was dissolved in terms of a Deed of Dissolution dated 03/11/2004, registered as Document No.21693/2004-05 in Book-I and stored in C.D.No.KRID 84, in the Office of the Sub-Registrar, Krishnarajapuram, Bengaluru and on dissolution of the said Firm, the entire lands including the Larger Property was allotted to the share of Mr.P.S.Ranganathan and all other partners released and relinquished all their rights in the said properties in favour of

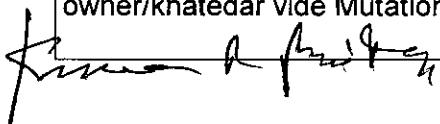


Mr.P.S.Ranganathan by accepting the monetary compensation towards their share in the Firm. The suit filed by Mrs.Usha Gopirathnam and others in O.S.No.169/2000 came to be dismissed by the Hon'ble Court by its Order dated 16/09/2006.

Being aggrieved by the Judgment and Decree passed in O.S.No.169/2000, Mrs.Usha Gopirathnam, Mrs.Sanjana Rathnam and Mrs.Devina Suresh preferred appeal in RFA No.2096/2006 on the file of the High Court of Karnataka, Bengaluru which came to be dismissed by Order dated 22/01/2008. On further Appeal before the Hon'ble Supreme Court of India in Civil Appeal No.2741 of 2009 arising out of SLP (C) No.15685 of 2008, The Hon'ble Supreme Court of India vide its Order dated 23/09/2022 held that the Appellants viz., Mrs.Usha Gopirathnama and others be entitled to an extent of Three Acres out of Eight Acres of land to be set aside. It is informed by your executives that a Sketch demarcating 08 Acres 00 Guntas in Sy.Nos.49 and 52/2 of Huskur Village was filed before the Hon'ble High Court of Karnataka and the same was also filed before the Hon'ble Supreme Court of India.

In the meantime, Mr.P.S.Ranganathan sold the Larger Property in favour of Mrs.Rahmathunnissa in terms of a Sale Deed dated 17/02/2005, registered as Document No.31514/2004-05 in Book-I and stored in C.D.No.KRID115, in the Office of the Sub-Registrar, Krishnarajapuram and her name came to be mutated in the revenue records as owner/khatedar vide Mutation Register Extract bearing M.R.No.12/2004-05.

Mrs.Rahmathunnissa later agreed to sell the Larger Property to Mr.S.Abdul Raheem in terms of an Agreement to Sell dated 17/02/2005, who later assigned his rights under aforesaid agreement to Mrs.Noorjahan and nominated her as the buyer of the Larger Property. Accordingly, Mrs.Rahmathunnissa as Seller and Mr.S.Abdul Raheem as Confirming Party sold the Larger Property in favour of Mrs.Noorjahan also known as Noorjahan.S.Beary in terms of a Sale Deed dated 25/08/2006, registered as Document No.17719/2006-07 in Book-I and stored in C.D.No.KRID245, in the Office of the Sub-Registrar, K.R.Puram, Bengaluru and since then she started enjoying the same as owner thereof and her name came to be mutated in the Revenue Records as owner/khatedar vide Mutation Register Extract bearing M.R.No.13/2006-07.



A portion of the Larger Property measuring 00 Acre 13 ½ Guntas in Sy.No.23/4 was acquired for formation of National Highway and was recorded in the revenue records vide Mutation Register Extract bearing M.R.No.H11/2011-12. Thereby, Mrs.Noorjahan retained the remaining portion measuring 01 Acre 15 ½ Guntas in Sy.No.23/4 of Nimbekayipura Village.

Later the Property bearing Sy.No.23/4 was subjected to Re-Survey/Phodi and on such re-survey/phodi and after excluding 00 Acre 13 ½ Guntas acquired for formation of National Highway, the remaining land measuring 01 Acre 15 ½ Guntas (and 02 Guntas of Kharab Land) was retained by Mrs.Noorjahan and it was assigned with Sy.No.23/10 of Nimbekayipura Village.

Subsequently, Mrs.Noorjahan along with the adjacent land owner filed an application before The Deputy Commissioner, Bengaluru District for relocating the pathway (Kaludhari) passing through middle of the Schedule Property in Sy.No.23/4, New Sy.No.23/10 and Property in Sy.No.23/5. The Deputy Commissioner, Bengaluru District vide his Order passed in LND(E):C.R/185/2014-15 dated 12/05/2016 relocated the pathway (Kaludhari) by utilizing the land measuring 04 Guntas including 02 Guntas of Kharab Land in Sy.No.23/4 and 01 Gunta in Sy.No.23/5 of Nimbekayipura Village. The pathway was accordingly relocated in terms of the aforesaid Order.

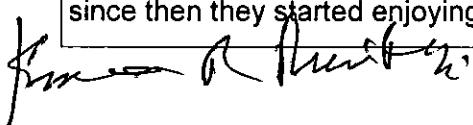
The said Mrs.Noorjahan released and relinquished all her right, title, interest and ownership in Property measuring 02 Guntas forming part of Sy.No.23/10 (old Sy.No.23/4) in favour of Government of Karnataka in terms of a Deed of Relinquishment dated 19/01/2024, registered as Document No.5795/2023-24 in Book-I and stored in the Centralized Data Cell in the Electronic Form in the Office of the Sub-Registrar, Ulsoor. Thus, Mrs.Noorjahan continued to own, possess and enjoy as the owner of the Properties measuring (i) 01 Acre 29 Guntas (and 01 Gunta of Kharab Land) in Sy.No.23/2, (ii) 01 Acre 13 ½ Guntas in Sy.No.23/10 (earlier forming part of Sy.No.23/4), (iii) 00 Acre 37 Guntas in Sy.No.23/6A and (iv) 00 Acre 25 Guntas in Sy.No.23/6B in all measuring 04 Acres 24 ½ Guntas (and 01 Gunta of Kharab Land) viz., the 'Schedule Property' herein.



The said Mrs.Noorjahan obtained change of land use of the Properties totally measuring 04 Acres 17.50 Guntas in Sy.Nos.23/2, 23/4, 23/6A and 23/6B for commercial purposes through Commencement Certificate bearing No.BDA/TPC/CLU-83/2020-21/1729/2022-23 dated 04/11/2022 issued by Bangalore Development Authority and later secured conversion of the Schedule Property from agricultural purposes to non-agricultural commercial purposes in terms of following Conversion Orders:

- 1) Conversion Order bearing No.541355 and ALN (EBK) SR 89/2023-24 dated 05/02/2024 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property measuring 01 Acre 25 Guntas in Sy.No.23/2, converted for commercial purposes;
- 2) Conversion Order bearing No.585478 dated 16/02/2024 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property measuring 00 Acre 04 Guntas in Sy.No.23/2 converted for parks and playgrounds – Agricultural purposes;
- 3) Conversion Order bearing No.584904 and ALN (EBK)SR 128/2023-24 dated 05/02/2024 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property measuring 01 Acre 10 ½ Guntas in Sy.No.23/10 converted for commercial purposes;
- 4) Conversion Order bearing No.584905 dated 16/02/2024 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property measuring 00 Acre 03 Guntas in Sy.No.23/10 converted for parks and playgrounds – Agricultural purposes;
- 5) Conversion Order bearing No.424624 dated 03/01/2023 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property measuring 00 Acre 37 Guntas in Sy.No.23/6A converted for commercial purposes; and
- 6) Conversion Order bearing No.424625 dated 03/01/2023 issued by The Deputy Commissioner, Bengaluru Urban District in respect of Property measuring 00 Acre 25 Guntas in Sy.No.23/6B converted for commercial purposes;

The said Mrs.Noorjahan later sold the Schedule Property in favour of M/s.Brigade Enterprises Limited in terms of a Sale Deed dated 08/05/2024, registered as Documents No.1743/2024-25 in Book-I and stored in the Centralized Data Cell in the Electronic Form in the Office of the Sub-Registrar, Krishnarajapuram, Bengaluru and since then they started enjoying the same as owners thereof. Prior to the said sale,



the parties have also entered into an Agreement to Sell dated 06/02/2015, registered as Document No.3757/2014-15 in Book-I and stored in C.D.No.SHVD 194, in the Office of the Sub-Registrar, Shivajinagar, Bengaluru.

Regarding Revenue Documents, Pahanies for the period between 1969-70 and 2023-24 issued by Revenue Authorities reveals the names of Mr.Basappa, Mr.P.S.Ranganath, Mrs.Rahmathunnissa and Mrs.Noorjahan as owners/khatedars in respect of the land in Sy.No.23/2 during the relevant period of time and Government name was entered in Column No.12 of the Pahanies for the period between 2003-04 and 2006-07 in respect of the said property which came to be deleted and accordingly names of Mr.P.S.Ranganath and his successors –in –title came to be recorded. Pahanies for the period between 1969-70 and 2023-24 issued by Revenue Authorities reveals the names of Mr.Basappa, Mr. P.S. Ranganath, Mrs.Rahmathunnissa and Mrs.Noorjahan as owners/khatedars in respect of the Larger Property in Sy.No.23/4 during the relevant period of time. The Pahanies for the period between 2012-13 and 2023-24 further discloses that land measuring 00 Acre 13.08 Guntas in Sy.No.23/4 was acquired for the formation of national Highway. Pahanies for the period between 1974-75 and 2023-24 issued by Revenue Authorities reveals the names of Mr.P.S.Ranganath, Mrs.Rahmathunnissa and Mrs.Noorjahan as owners and khatedars in respect of the land bearing Sy.No.23/6A during the relevant period of time. It is relevant to note that by oversight the name of Mr.G.V.Vishweshwaraiah Iyer came to be mutated in the revenue records in the form of Pahani for the year 1974-75 and in Hissa Survey Tippani in respect of Sy.No.23/6A and later the said error came to be rectified by deleting his name. Pahanies for the period between 1969-70 and 2023-24 issued by Revenue Authorities reveals the names of Mr.Basappa, Mr.P.S.Ranganath, Mrs.Rahmathunnissa and Mrs.Noorjahan as owners/khatedars in respect of the land bearing Sy.No.23/6B during the relevant period of time and the same does not discloses any claims in respect of the said property. Endorsement dated 18/11/2004 and 06/12/2014 issued by the Revenue Authorities states that the pahanies for the period between 1979-80 and 1983-84 and

*[Handwritten signature/initials over the bottom left of the text block]*

1999-2001 in respect of the Schedule Property are not available in his office records. Atlas issued by the Revenue Authorities discloses that land bearing Sy.No.23 was subjected to phodi and was bifurcated into seven portions viz., Sy.No.23/1 to 23/7 of Nimbekayipura Village. Hissa Survey Tippani, R.R.Balabagada Nakalu and Atlas issued by the Revenue Authorities reveals that the Property bearing Sy.No.23/6 was subjected to phodi and was bifurcated into portions i.e., Sy.No.23/6A and 23/6B. Akarbandh issued by the Revenue Authorities confirms the measurement of the Larger Property as per Pahanies. Village Map of Nimbekayipura Village shows the shape of the Property bearing Sy.No.23 in the said Village. Endorsements dated 27/09/2004 and 05/07/2014 issued by The Tahsildar, Bengaluru East Taluk states that there are no tenancy claims in respect of the Schedule Property. Endorsements dated 04/07/2014 and 09/01/2009 issued by The Assistant Commissioner, Bengaluru North Sub-Division states that there are no proceedings initiated for violation of the Sections 79-A and 79-B of The Karnataka Land Reforms Act, 1961. Endorsements dated 04/07/2014 and 06/01/2009 issued by The Assistant Commissioner, Bengaluru North Sub-Division state that there are no proceedings initiated for violation of the provisions of The Karnataka Scheduled Castes and Scheduled Tribes (Prohibition and Transfer of Certain Lands) Act of 1978 in respect of the Schedule Property. Property taxes in respect of the Larger Property was paid as evidenced from the Tax Paid Receipts for years 2008-09 to 2011-12 and 2020-21 to 2023-24 issued by the Revenue Authorities.

Certificates of Encumbrances for the period between 01/04/1960 and 04/06/2024 issued by the Jurisdictional Sub-Registrar in respect of the Larger Property/Schedule Property are produced and the same discloses the transactions referred to above and do not reveal any charge or encumbrance over the said property during the said period.

Thus on the basis of the documents referred to above, representations made and subject to my aforesaid observations, I am of the opinion that **M/s. BRIGADE ENTERPRISES LIMITED** are the owners of Schedule Property and their title to the same is clear and marketable and free from all encumbrances during the periods referred to in the Encumbrance Certificates. While conducting the scrutiny, I have assumed that the documents provided to me are the only documents

*Praveen A. Praveen*

relating to the Schedule Property and assumed the genuineness of all signatures, authenticity of all documents submitted and the conformity of photo-copies or extracts with that of the original documents. I have also assumed that copies of the documents made available to me were/are properly authorized and executed. In the event of facts in this opinion are different from my conclusions or assumptions from any documents not furnished and which may contradict my opinion, it may or may not have an impact on my opinion. Further, during discussion, I have also relied upon various oral representations made to me by your representatives in respect of the Schedule Property. Other than as specifically mentioned, I have not inspected the Schedule Property or verified physically, possession or boundaries and not independently validated the information provided to me with any external sources and not independently validated with the records of the Jurisdictional Sub-Registrar, Revenue Authorities. I have not conducted any independent searches at the Courts or Forums or Government Offices in relation to the Schedule Property in respect of any litigations. This opinion is provided to you on the basis of the documents referred to above and representations and observations made etc., as aforesaid and no responsibility will be accepted by me to you or to any third party with regard to this opinion and further this opinion shall not be used as evidence in any courts or other forums or Government/authorities.

All the documents sent to me are returned herewith.

Yours faithfully,



(KUSUMA R. MUNIRAJU),  
ADVOCATE.