

October 04, 2021

To,

Inspira Builders LLP
No.35, Raja Sabha,
Ground Floor, Kasturba Cross Road,
Off Lavelle Road,
Bangalore – 560 001

Kind Attn: Mr. Aravinda M. S., Partner

Re: Title Report in respect of the converted land admeasuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk, Bangalore Urban District.

Background

Inspira Builders LLP, a Limited Liability Partnership, having its office at No.35, Raja Sabha, Ground Floor, Kasturba Cross Road, Off Lavelle Road, Bangalore – 560 001 intends to develop the converted land admeasuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk, Bangalore Urban District (“Subject Land”) by constructing a residential apartment complex thereon comprising units of different dimensions contained in one or several blocks with common areas, amenities and facilities attached thereto (“Project”).

We have been engaged to conduct title due diligence and provide a Title Report with respect to the Subject Land.

Part I: Description of the Subject Land

All that piece and parcel of the converted land admeasuring 2 acres 8 ½ guntas comprised in Survey No.139/3 (old No.68/3) of Gullimangala Village, Sarjapur Hobli, Anekal Taluk, Bangalore Urban District and bounded as follows:

East by : land comprised in Survey No.140 of Gullimangala Village;
West by : land comprised in Survey Nos.139/2 and 138 of Gullimangala Village;

North by : land comprised in Survey No.139/4 of Gullimangala Village;
South by : Shingena Agrahara Village Boundary and Hoskuru Road.

We have been provided with copies of the following documents:



Sl. No.	Date	Description of the Documents
A: Title		
1.	15/09/1945	Sale Deed executed by Mr.Keroji Rao son of Mr.Sivaji Rao in favour of Mr.Gangana Bovi son of Mr.Daddara Chinnana in respect of the land measuring 5 acres comprised in Survey No.68/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk, registered as Document No.488/1945-46 in Book I, Volume 545 at Pages 210- 211 in the office of the Sub-Registrar, Anekal Taluk.
2.	03/04/1968	Sale Deed executed by byMr.Gangappa Bovi along with his brothers, Mr.Venkateshappa and Mr. Ramappa Bovi and Mr.Krishnappa Bovi (son of Mr.Gangappa Bovi) in favour of Mr.A.K.Niranjan Narain, son of Mr.A.S.Krishnamoorthy registered as Document No.227/1968-69 in Book I, Volume 1079 at Pages 207- 209 in the office of the Sub-Registrar, Anekal Taluk.
3.	18/07/1986	Sale Deed executed by Mr.A.K.Niranjan Narain, son of Mr.A.S.Krishnamoorthy in favour of Mr.Kutubuddin Ahmed Farooqi son of Mr.Hammid Asger Farooqi in respect of the measuring 2 acres 28 guntas comprised in Survey No.68/3 (Khata No.71) of Gullimangala Village, Sarjapur Hobli, Anekal Taluk, registered as Document No.1960/1986-87 in Book I, Volume 1442 at Pages 17-20 in the office of the Sub-Registrar, Anekal Taluk.
4.	30/06/1990	Irrevocable General Power of Attorney executed by Mr.Kutubuddin Ahmed Farooqi, son of Mr.Hammid Asger Farooqi in favour of Mr.P.S.J.Devadasen in respect of the land measuring 2 acres 28 guntas comprised in Survey No.68/3 (Khata No.71) of Gullimangala Village, Sarjapur Hobli, Anekal Taluk.
5.	16/09/1993	Sale Deed executed by Mr.Kutubuddin Ahmed Farooqi, son of Mr.Hammid Asger Farooqi represented by his constituted attorney Mr.P.S.J.Devadasen, son of Late Mr.V.D.Devadasen in favour of Ms.Shubha Devadasen daughter of Mr.P.S.J.Devadasen in respect of the land measuring 2 acres 28 guntas comprised in Survey No.68/3 (Khata No.71) of Gullimangala Village, Sarjapur Hobli, Anekal Taluk, registered as Document No.977/1993-94 in Book I, Volume 1739 at Pages 101-109 in the office of the Sub-Registrar, Anekal Taluk.
RTC Extracts		



6.	-	RTC extracts issued in respect of the land comprised in Survey No.139, old Survey No.68/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
7.	07/03/2009	Official Memorandum which bears out the order passed by the Special Tahsildar, Anekal Taluk in RRT CR No.335/2008-09.
Conversion		
8.	10/08/2012	Tahsildar Report issued in respect of the land measuring 2 acres 17 ½ guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
9.	-	Intimation Letter bearing No.ALN (ASII) SR 127/2012-13 issued by the Deputy Commissioner, Bangalore in respect of the land measuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
10.	19/02/2013	Challan.
11.	19/03/2013	Official Memorandum bearing No.ALN (ASH) SR 127/2012-13 issued by the Deputy Commissioner, Bangalore in respect of the land measuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
12.	06/06/2013	Mutation Register extract bearing MR No.T6/2012-13 issued by the Village Accountant in respect of the land measuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
13.	29/10/2014	Letter bearing No.BDA/CLU-332/2013-14/2754/2014-15 issued by the Bangalore Development Authority ("BDA") in respect of the land measuring 1 acre 25.64 guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
	17/11/2014	Certificate bearing No.BDA/CLU-332/13-14/2949/14-15 issued by the BDA in respect of the land measuring 1 acre 25.64 guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
Development		
14.	25/07/2013	LLP Constitution Deed of Sycon Homes LLP.
15.	26/07/2013	Development Agreement registered as Document No.3719/2013-14 in Book I, stored in CD No.CMPD95 in the office of the Sub-Registrar, Basavanagudi, Bangalore, executed between Ms.Shubha Devadasen ("Owner") and Sycon Homes LLP represented by its Partners – Mr. Kumar Nadig and Mr.Anil Bagalwadi in respect of the land measuring an



		extent of 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk.
16.	26/07/2013	General Power of Attorney executed by Ms.Shubha Devadasen in favour of Sycon Homes LLP, registered as Document No.198/2013-14 in Book IV, stored in CD No.CMPD95 in the office of the Sub-Registrar, Basavanagudi, Bangalore in respect of the land measuring an extent of 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk.
17.	26/07/2013	General Power of Attorney executed by Ms.Shubha Devadasen in favour of Sycon Homes LLP, registered as Document No.199/2013-14 in Book IV, stored in CD No.CMPD95 in the office of the Sub-Registrar, Basavanagudi, Bangalore in respect of the land measuring an extent of 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk.
18.	22/09/2021	Addendum to the Joint Development Agreement dated 26/07/2013 registered as Document No.5263/2021-22 in Book I, stored in CD No.BSKD1140 in the office of the Sub-Registrar, Basavanagudi, Bangalore, executed between Ms.Shubha Devadasen represented by Mr.Vikram Devadasen and Sycon Homes LLP represented by its Partners – Mr.Prabhakara U.R. and Inspira Builders LLP (represented by its Designated Partner Mr. Aravinda M.S.) in respect of the land measuring an extent of 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk.
19.	22/09/2021	Addendum to the General Power of Attorney dated 26/07/2013 executed on 22/09/2021, registered as Document No.231/2021-22 in Book IV, stored in CD No.BSKD1140 in the office of the Sub-Registrar, Basavanagudi, Bangalore in respect of the land measuring an extent of 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk.
Khata and Tax Paid Receipts		
20.	-	Form No.9 extract issued by the Huskuru Village Panchayath in respect of the land measuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk.
21.	-	Form 11 extract issued for the period 2013-14 by the Huskuru Village Panchayath in respect of the land measuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk.



Survey Documents		
22.	-	Tippani issued in respect of the land comprised in Survey No.139 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
23.	-	Hissa Survey Tippani issued in respect of the land comprised in Survey No.139 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
24.	24/02/1987	Resurvey Tippani issued in respect of the land comprised in Survey No.139/3 Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
25.	-	Pakka Book extract issued in respect of the land comprised in Survey No.139 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
26.	-	Akarbandh issued in respect of the land comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
27.	-	Village Map of Gullimangala Village.

Part III: Analysis

A. Title Flow:

1. Based on the documents provided to us, we observe that the land measuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village earlier formed part of the land measuring 4 acres 35 guntas comprised in old Survey No.68/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk, Bangalore Urban District. The said old Survey No.68/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk, Bangalore District was resurveyed and allotted Survey No.139 comprising 4 acres 35 guntas as per the order No.ADLR DPR 2/87-88 TQ LRP 1/53-54 which thereafter was bifurcated into Sy. Nos 139/1 to 139/4. The subject matter of this title report is the land admeasuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village ("Subject Land").
2. The Sale Deed dated 15/09/1945, registered as Document No.488/1945-46 in Book I, Volume 545 at Pages 210- 211 in the office of the Sub-Registrar, Anekal Taluk indicates that the land measuring 5 acres comprised in Survey No.68/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk ("Larger Property") was conveyed by Mr.Keroji Rao son of Mr.Sivaji Rao in favour of Mr.Gangana Bovi son of Mr.Daddara Chinnana.
3. The Sale Deed dated 03/04/1968, registered as Document No.227/1968-69 in Book I, Volume 1079 at Pages 207- 209 in the office of the Sub-Registrar, Anekal Taluk indicates that the land measuring 5 acres 1 gunta in the said Survey number of Gullimangala Village, Sarjapur Hobli, Anekal Taluk was conveyed by Mr.Gangappa Bovi along with his brothers, Mr.Venkateshappa and Mr. Ramappa Bovi and Mr.Krishnappa Bovi (son of Mr.Gangappa Bovi) in favour of Mr.A.K.Niranjan Narain son of Mr.A.S.Krishnamoorthy.



4. The Sale Deed dated 18/07/1986, registered as Document No.1960/1986-87 in Book I, Volume 1442 at Pages 17-20 in the office of the Sub-Registrar, Anekal Taluk indicates that the land measuring 2 acres 28 guntas comprised in Survey No.68/3 (Khata No.71) of Gullimangala Village, Sarjapur Hobli, Anekal Taluk forming part of the Larger Property was conveyed by Mr.A.K.Niranjana Narain son of Mr.A.S.Krishnamoorthy in favour of Mr.Kutubuddin Ahmed Farooqi son of Mr.Hammid Asger Farooqi. Accordingly, the khata in respect of the land measuring 2 acres 28 guntas comprised in Survey No.68/3 (Khata No.71) of Gullimangala Village in the name of Mr.Kutubuddin Ahmed Farooqi as recorded in the extract from the Mutation register bearing MR No.4/1988-89.
5. Thereafter, Mr.Kutubuddin Ahmed Farooqi son of Mr.Hammid Asger Farooqi executed a Irrevocable Power of Attorney dated 30/06/1990 in favour of Mr.P.S.J.Devadasen in respect of the land measuring 2 acres 28 guntas comprised in Survey No.68/3 (Khata No.71) of Gullimangala Village, Sarjapur Hobli, Anekal Taluk duly authorising him, inter alia, to transfer by way of sale and conveyance, the aforesaid lands and do all acts, deeds and things incidental thereto.
6. Pursuant thereto, Mr.Kutubuddin Ahmed Farooqi son of Mr.Hammid Asger Farooqi represented by his constituted attorney Mr.P.S.J.Devadasen, son of Late Mr.V.D.Devadasen conveyed his right, title and interest in respect of the land measuring 2 acres 28 guntas comprised in Survey No.68/3 (Khata No.71) of Gullimangala Village, Sarjapur Hobli, Anekal Taluk forming part of the Larger Property in favour of Ms.Shubha Devadasen daughter of Mr.P.S.J.Devadasen in terms of the Sale Deed dated 16/09/1993, registered as Document No.977/1993-94 in Book I, Volume 1739 at Pages 101-109 in the office of the Sub-Registrar, Anekal Taluk. Accordingly, the khata in respect of the land measuring 2 acres 28 guntas comprised in Survey No.68/3 (Khata No.71) of Gullimangala Village in the name of Ms.Shubha Devadasen as recorded in the extract from the Mutation register bearing MR No.25/1995-95.

B. Record of Rights, Tenancy and Crops Inspection Certificate Extracts ("RTC extracts")

7. We have been provided with the following RTC extracts issued in respect of the land comprised in Survey No.139, old Survey No.68/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk:

Sy. No.	Year	Name of the Holder	Name of the Cultivator	Nature of Charge
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68/3	1969-70 to 1973-74	Ganganaboyi (in terms of a sale)	Nil	Nil
68/3	1974-75 to 1978-79	Ganganaboyi A.K. Niranjan Narayan (as self-acquired)	Nil	NIL
68/3	1979-80 to 1984-85	A.K. Niranjan Narayan (as self-acquired)	Nil	Nil
68/3	1984-84 to 1988-89	A.K. Niranjan Narayan (as self-acquired) Qutub-uddin Farooq son of Ahmed Asgar Faruk (2 acres 28 guntas, as recorded in MR No. 4/1988- 89)	Nil	Nil
68/3	1989-90 to 1993-94	A.K. Niranjan Narayan (as self-acquired) Qutub-uddin Farooq (as erstwhile owner) Shubha Devadasen (2 acres 28 guntas, as recorded in MR No. 25/1995-95)	Nil	Nil
139	1994-95 to 2004-05	Yellappa	Nil	Nil
139	2005-06 to 2007-08	Sumana Shankar Rao; J.K.L. Umashankar; Bhagyalakshmi.	Nil	Nil
139	2008-09	Syed Abdul Wajid Khan son of Syed Khuran Uddin Shubha Devadasen	Sumana Shankar J.K.L. Umashankar Bhagyal akshmi Syed	Nil

			Abdul Wajid Khan ShubhaDevadasen	
139	2009-10	Syed Abdul Wajid Khan; Shubha Devadasen Jamshid Hussain son of late Majar Ul Mulk M. AltabHussianson of late Majar Ul Mulk	Nil	Nil
139/3	2010-11 to 2011-12	Shubha Devadasen	Nil	Nil
139/3	2012-13 to 2019-20	Shubha Devadasen (converted to Industrial purpose as recorded in MR No. T6/2012-2013)	Nil	Nil

It is pertinent to that the RTC extracts issued for the period 1994-95 to 2007-08 indicates the names of Yellappa, Sumana Shankar Rao, J.K.L.Umashankar and Bhagyalakshmi as the occupants of the land comprised in Survey No.139 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk. In this regard, we have been provided with the Official Memorandum dated 07/03/2009 which bears out the order passed by the Special Tahsildar, Anekal Taluk in RRT CR No.335/2008-09 whereby:

- It was held that the name of Yellappa appearing in the phodi Patta Book, Phodi Thakte by rounding off the names of Gangana Bovi and A.K.Niranjan is purely an act of fraud and concocted one.
- The flow of title under the following sale deeds i.e the Sale Deed dated 15/09/1945, registered as Document No.488/1945-46, Sale Deed dated 03/04/1968, registered as Document No.227/1968-69, Sale Deed dated 18/07/1986, registered as Document No.1960/1986-87 and Sale Deed dated 16/09/1993, registered as Document No.977/1993-94 correlate to the IL and RR and therefore these successors should find a place in the new Phod No.139.
- The names of Syed Abdul Wajid and Shubha Devadasen existing in Survey No.68/3 of Gullimangala Village, Sarjapur Hobli for an extent of 2 acres 20 guntas each to be incorporated in new Phoded Survey No.139 for an extent of 2 acres 17 ½ guntas each.

The names now existing in Survey No.139 i.e. Suman Shankar and Bhagyalaksmi has to be continued in Survey No.68/11.

C. Conversion:

8. The Tahsildar Report dated 10/08/2012 *inter-alia* denotes that there are no proceedings initiated under Sections 79A and 79B of the Karnataka Land Reforms Act, 1961 and the Karnataka Scheduled Castes and Scheduled Tribes. (Prohibition of Transfer Certain Lands) Act, 1978 and that there are no tenancy applications in respect of the land measuring 2 acres 17 ½ guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk.
9. The Intimation Letter bearing No.ALN (ASH) SR 127/2012-13 issued by the Deputy Commissioner, Bangalore indicates that a sum of Rs.3,85,561/- is required to be paid towards conversion fine by Ms.Shubha Devadasen for converting the land measuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk from agricultural to non-agricultural industrial (hi-tech) purposes.
10. The Challan dated 19/02/2013 denotes that Ms.ShubhaDevadasen has made the payment of the aforesaid sum of Rs.3,85,561/-.
11. The Official Memorandum dated 19/03/2013 bearing No.ALN (ASH)SR 127/2012-13 issued by the Deputy Commissioner, Bangalore indicates that the land measuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk has been converted from agricultural to non-agricultural industrial (hi-tech) purposes on an application made by Ms.Shubha Devadasen.
12. The Mutation Register extract dated 06/06/2013 bearing MR No.T6/2012-13 issued by the Village Accountant indicates that land measuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk has been converted for non-agricultural industrial (hi-tech) purposes by Ms.Shubha Devadasen.
13. The Letter dated 29/10/2014 bearing No.BDA/CLU-332/2013-14/2754/2014-15 issued by the Bangalore Development Authority ("BDA") depicts that the land use of the land measuring 1 acre 25.64 guntas forming part of the Subject Land shall be changed from industrial (hi-tech) to residential use upon payment of the fine amounting to Rs.3,00,250/-. The Challan dated 30/10/2014 by Canara Bank, BDA Complex Branch, KP West, Bangalore indicates the payment of the said fine amounting to Rs.3,00,250/-.



14. The Certificate dated 17/11/2014 bearing No.BDA/CLU-332/13-14/2949/14-15 issued by the BDA indicates that the land use of the land measuring 1 acre 25.64 guntas or 6,640.99 square meters forming part of the Subject Land has been changed from industrial (hi-tech) to residential use under the provisions of 14-A (3) of the Karnataka Town and Country Planning Act, 1961 subject to conditions stipulated therein.

D. Development of the Subject Land:

15. The Deed of Limited Liability Partnership dated 25/07/2013 denotes that Avanti Electronic City Project LLP, Caerus Advisors Private Limited, Sycon Constructions Private Limited Kumar Nadig, Anil R. Bagalwadi and Praful Rai have constituted an LLP in the name of Sycon Homes LLP (the "LLP") and the LLP has been incorporated with the Registrar of Companies on 18/07/2013 with LLP Identification No.AAA-9192 for the purposes of carrying on the business of acquisition of the Subject Land in the name of the LLP and construct apartments, open spaces, club houses as per the plans approved by the concerned government authorities.

16. The Development Agreement dated 26/07/2013, registered as Document No.3719/2013-14 in Book I, stored in CD No.CMPD95 in the office of the Sub-Registrar, Basavanagudi, Bangalore, executed between Ms.Shubha Devadasen ("Owner") and Sycon Homes LLP represented by its Partners – Mr. Kumar Nadig and Mr.Anil Bagalwadi in respect of the land measuring an extent of 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk. In terms of the Development Agreement, the parties have *inter-alia*, agreed to the following:

- a) Sycon Homes LLP has been granted development rights in respect of the Subject Land i.e.the right and interest to construct on the Subject Land,multi-storied residential apartments along with car parking spaces, garden area, terrace area, amenities and facilities ("Project").
 - b) The LLP shall deliver to the Owner 14.579% of the super built-up area in the Project ("Owner's Area") and retain the balance 85.421% of the super built-up area in the Project ("Developer's Area").
17. The General Power of Attorney dated 26/07/2013, registered as Document No.198/2013-14 in Book IV, stored in CD No.CMPD95 in the office of the Sub-Registrar, Basavanagudi, Bangalore in respect of the land measuring an extent of 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk denotes that the Owner has authorized the LLP to, *inter-alia*, do the following acts and deeds:
- a) To obtain plan sanction/license from the concerned authorities for the purpose of putting up construction of multi-storied residential apartment over the Subject Land.



- b) To apply to BBMP, BDA, Bangalore Water Supply and Sewerage Board, Bharat Sanchar Nigam Limited, Karnataka Fire and Emergency Services, KPTCL, Bangalore Electricity Supply Company Limited, Airport Authority of India, KSPCB, and other departments sanction of plans, no objection certificates etc. in connection with the Project.
- c) To enter into agreement to sell/lease with prospective purchasers and receive advance consideration in respect of the Developer's Share in the Project and to present the same for registration before the sub-registrar exercising the relevant jurisdiction over the Subject Land.
- d) To take loans and financial facilities from banks, financial institutions as against the security of Developer's Share the Subject Land.
- e) To transfer and convey by way of sale, lease etc in respect of the Developer's Share in the Project and execute necessary deeds of sale/conveyance/lease in favour of intending purchasers/transferees/lessees etc.
18. The General Power of Attorney dated 26/07/2013, registered as Document No.199/2013-14 in Book IV, stored in CD No.CMPD95 in the office of the Sub-Registrar, Basavanagudi, Bangalore in respect of the land measuring an extent of 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk denotes that the Owner has authorized the LLP to, *inter-alia*, do the following acts and deeds:
- a) To obtain plan sanction/license from the concerned authorities for the purpose of putting up construction of multi-storied residential apartment over the Subject Land.
- b) To apply to BBMP, BDA, Bangalore Water Supply and Sewerage Board, Bharat Sanchar Nigam Limited, Karnataka Fire and Emergency Services, KPTCL, Bangalore Electricity Supply Company Limited, Airport Authority of India, KSPCB, and other departments sanction of plans, no objection certificates etc. in connection with the Project.
19. The Addendum to the Joint Development Agreement dated 26/07/2013 executed on 22/09/2021 ("Addendum JDA"), registered as Document No.5263/2021-22 in Book I, stored in CD No.BSKD1140 in the office of the Sub-Registrar, Basavanagudi, Bangalore, between Ms.Shubha Devadasen represented by Mr.Vikram Devadasen and Sycon Homes LLP represented by its Partners – Mr.Prabhakara U.R. and Inspira Builders LLP (represented by its Designated Partner Mr. Aravinda M.S.) in respect of the land measuring an extent of 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk indicates that the parties have revised the terms of the Joint Development Agreement dated 26/07/2013 on account of enactment of GST laws and the Real Estate Regulation and Development Act, 2016 and Karnataka Real Estate (Regulation and Development) Rules, 2017. In terms of the Addendum JDA, the parties have *inter-alia*, agreed to the following:



- a) The time for completion of the Project and obtaining Occupancy Certificate from the concerned authority has been extended for a further period of 36 months and a grace period of 6 months from the date of execution of the Addendum JDA.
 - b) The Owner's Area and the Developer's Area have been revised as follows:
 - (i) The Owner shall be entitled to 26,604 square feet of super built-up area in the Project along with proportionate car parking spaces, undivided right, title and interest in the common areas, terrace areas and other areas of common use in the Subject Land ("Revised Owner's Area").
 - (ii) The LLP shall be entitled to the balance super built-up area in the Project along with proportionate car parking spaces, undivided right, title and interest in the common areas, terrace areas and other areas of common use in the Subject Land ("Revised Developer's Area").
20. The Addendum to the General Power of Attorney dated 26/07/2013 executed on 22/09/2021, registered as Document No.231/2021-22 in Book IV, stored in CD No.BSKD1140 in the office of the Sub-Registrar, Basavanagudi, Bangalore ("Addendum GPA") denotes that the Owner has authorized the LLP to, *inter-alia*, do the following acts, deeds and things:
- a) To obtain modified plan sanction/license from the concerned authorities for the purpose of putting up construction of multi-storied residential apartment over the Subject Land.
 - b) To appear before Real Estate Regulatory Authorities.
 - c) To apply to BBMP, BDA, Bangalore Water Supply and Sewerage Board, Bharat Sanchar Nigam Limited, Karnataka Fire and Emergency Services, KPTCL, Bangalore Electricity Supply Company Limited, Airport Authority of India, KSPCB, and other departments sanction of plans, no objection certificates etc. in connection with the Project.
 - d) To enter into agreement to sell/lease with prospective purchasers and receive advance consideration in respect of the Revised Developer's Share in the Project and to present the same for registration before the sub-registrar exercising the relevant jurisdiction over the Subject Land.
 - e) To take loans and financial facilities from banks, financial institutions as against the security of Revised Developer's Share in the Project.
 - f) To transfer and convey by way of sale, lease etc in respect of the Revised Developer's Share in the Project and execute necessary deeds of sale/conveyance/lease in favour of intending purchasers/transferees/lessees etc.
- E. Khata and Tax Paid Receipts:
21. The Form No.9 extract issued by the Huskuru Village Panchayath in respect of the land measuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimangala Village,



Sarjapur Hobli, Anekal Taluk denotes the name of Ms.Shubha Devadasen as the owner and further indicates that the said land has been converted in terms of the order bearing No.ALN (ASH) SR 127/2012-13.

22. The Form 11 extract issued for the period 2013-14 by the Huskuru Village Panchayath in respect of the land measuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk denotes the name of Ms.Shubha Devadasen as the owner.

F. Survey Documents:

23. The Tippani issued in respect of the land comprised in Survey No.139 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk depicts the bifurcation of Survey No.139 into Survey Nos.139/1, 139/2, 139/3 and 139/4.

24. The Hissa Survey Tippani issued in respect of the land comprised in Survey No.139 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk depicts that the said land has been bifurcated into Survey Nos.139/1, 139/2, 139/3 and 139/4. Further, the name of Shubha Devadasen has been depicted as owner of land comprised in Survey No.139/3 as per mutation records.

25. The Resurvey Tippani dated 24/02/1987 issued in respect of the land comprised in Survey No.139/3 Gullimagala Village, Sarjapur Hobli, Anekal Taluk depicts the following:

- a) The land comprised in old Survey No.68 was resurveyed and allotted Survey No.139;
- b) Total extent of land in Survey No.139 is 4 acres 35 guntas and does not include any kharab land;
- c) GanganaBovi and A.K.NiranjanNarain as erstwhile Kardas and Yallappa as the present karda.

26. The Pakka Book extract issued in respect of the land comprised in Survey No.139 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk depicts the following:

- a) Survey No.139/1 consists of 2 ½ guntas and indicates the name of Syed Abdul as *bissedar*;
- b) Survey No.139/2 consists of 1 acre and indicates the name of Jamshid Hussain as *bissedar*;
- c) Survey No.139/3 consists of 2 acres 17 ½ guntas and indicates the name of Shubha Devadasen as *bissedar*;
- d) Survey No.139/4 consists of 1 acre 15 guntas and indicates the name of Altaf Hussain as *bissedar*.

27. The Akarbandh issued in respect of the land comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk depicts that the said land consists of a total extent of 2 acres 17 ½ guntas and that there is no kharab land comprised within.
28. The Village Map of Gullimagala Village denotes that the land comprised in Survey No.139 forms part of the said Village and the boundaries of Survey No.139 is as follows:
- East: land comprised in Survey No.140 of Gullimagala Village;
West: land comprised in Survey No.138 of Gullimagala Village;
North: Chikkanagamangala Village Boundary;
South: Shingena Agrahara Village boundary and land comprised in Survey No.137 of Gullimagala Village.

Part IV: Encumbrance

1. The Encumbrance Certificate issued for the period 15/09/1945 to 12/10/1993 in respect of the land comprised in Survey No.68/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk denotes:
 - a. Sale Deed dated 15/09/1945, registered as Document No. 488,
 - b. Sale Deed dated 27/11/1986, registered as Document No. 1877.
 - c. Sale Deed dated 4/12/1986, registered as Document No. 1960.
 - d. Sale Deed dated 12/10/1993, registered as Document No. 977.
2. The Encumbrance Certificate issued for the period 01/04/2004 to 22/05/2013 in respect of the land comprised in Survey No.68/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk denotes Gift Deed dated 28/04/2010, registered as Document No.365/2010-11.
3. The Encumbrance Certificate issued for the period 01/04/2004 to 22/05/2013 in respect of the land comprised in Survey No.68/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk denotes Gift Deed dated 27/06/2019, registered as Document No.2518/2019-20.
4. The Encumbrance Certificate issued for the period 01/04/2013 to 11/12/2019 in respect of the land comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk denotes Development agreement date 26/06/2013, registered as Document No. 3719/2013-14.
5. The Encumbrance Certificate issued for the period 01/04/2019 to 06/07/2021 in respect of the land comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk denotes nil encumbrance.



Part V: Observations

1. We had sought for the Index of Lands and Record of Rights extract in respect of the lands comprised in Survey No.68 and 139 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk. We have been informed that the same is unavailable and in this regard, we have been provided with a copy of the Endorsement dated 26/07/2013 issued by the Shirastedar, Office of the Tahsildar, Anekal Taluk denoting that the Index of Lands and Record of Rights extract in respect of the lands comprised in Survey No.68 and 139 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk are unavailable.

However, the recitals in the Official Memorandum dated 07/03/2009 issued by the office of the Tahsildar clearly records the fact of the Index of Lands and Record of Rights extracts having been submitted before the Special Tahsildar and the fact that the flow of ownership in the hands of Mrs.Shubha Devadasen co-relate to the entries in the Index of Lands and Record of Rights extract.

2. It is observed from the recitals of the Sale Deed dated 15/09/1945 listed as Document No.1 in the list under Part II of this Report that the extent of land purchased by Mr.Gangana Bovi was about 5 acres comprised in Survey No.68/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk and the boundaries recorded in the said sale deed are as under:

East: District Board Road
West: land belonging to Govind Shetty
North: land in Survey No.68/4
South: land belonging to Hyder Sab

It is further observed from the Sale Deed dated 03/04/1968 listed as Document No.2 in the list under Part II of this Report that the extent of land purchased by Mr.A.K.NiranjanNarain was about 5 acres 1 gunta comprised in the said Survey number of Gullimangala Village, Sarjapur Hobli, Anekal Taluk and the boundaries recorded in the said sale deed are as under:

East: Huskur Road
West: land belonging to Munishami Mudaliar
North: land belonging to Sallapuri Bovi
South: Road to Shingena Village

From the above, it appears that the extents sold under the Sale Deed dated 15/09/1945 and the Sale Deed dated 03/04/1968 are different and the boundaries do not match considering that the land sold under the Sale Deed dated 03/04/1968 appears to be bounded on two sides

i.e. the east and the south by road and the land sold under the Sale Deed dated 15/09/1945 appears to be bounded by the road only on the east.

However, taking into consideration the following facts:

- a) That the land comprised in Survey No.68 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk are not grant lands or Inam land;
 - b) That the survey number, boundaries and extent mentioned in the Sale Deed dated 18/07/1986 listed as Document No.3 and the Sale Deed dated 16/09/1993 listed as Document No.4 are identical and thereafter, the flow of title is consistent till date, we are of the opinion that the inconsistencies noticed in the Sale Deed dated 15/09/1945 and the Sale Deed dated 03/04/1968 as enumerated above are not an impediment to title in the hands of the present owner, Mrs.ShubhaDevadasen.
3. It is pertinent to that the RTC extracts issued for the period 1994-95 to 2007-08 indicates the names of Yellappa, Sumana Shankar Rao, J.K.L.Umashankar and Bhagyalakshmi as the occupants of the land comprised in Survey No.139 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk. However, the Official Memorandum dated 07/03/2009 which bears out the order passed by the Special Tahsildar, Anekal Taluk in RRT CR No.335/2008-09 indicates that the name of Yellappa appearing in the phod Patta Book, Phod Thakte by rounding off the names of Gangana Bovi and A.K.Niranjan is purely an act of fraud and concocted one and further, the names of Syed Abdul Wajid and Shubha Devadasen existing in Survey No.68/3 of Gullimangala Village, SarjapurHobli for an extent of 2 acres 20 guntas each was ordered to be incorporated in new Phoded Survey No.139 for an extent of 2 acres 17 ½ guntas each.
4. The Opinion in Part VI below is subject to the production of the following documents and the recitals/ entries in the same not revealing or recording any fact that would impede/restrict or affect the title vesting in the hands of the present owner Ms. Shubha Devadasen:
- a) Encumbrance Certificate issued from 06/07/2021 till date in respect of the land comprised in Survey No.139/3 of Gullimangala Village, Sarjapur Hobli, Anekal Taluk;
 - b) Order passed in ADLR DPR 2/87-88, TQLRP 1/53-54 in respect of the land comprised in Survey No.139 of Gullimangala Village, Sarjapura Hobli, Anekal Taluk;
 - c) Copy of the Endorsements from the BDA, Karnataka Industrial Areas Development Board, Karnataka Housing Board and the Public Works department stating that the Subject Land is not notified/acquired for any of the development schemes.

Part VI: Opinion

Based on the documents provided to us and subject to our observations made in Part V above, we are of the opinion that:

- (i) Ms. Shubha Devadasen is the owner having right, title and interest over the land admeasuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk i.e the Subject Land free from any liens, lis-pendens, mortgages or charges of any kind and acquisition or requisition proceedings.
- (ii) The land admeasuring 2 acres 8 ½ guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk has been converted from agricultural to non-agricultural industrial (hi-tech) purpose in terms of the Official Memorandum dated 19/03/2013 bearing No.ALN (ASH) SR 127/2012-13 issued by the Deputy Commissioner, Bangalore.
- (iii) The land use of the land measuring 1 acre 25.64 guntas forming a part of the Subject Property has been changed from industrial (hi-tech) to residential use
- (iv) The Encumbrance certificates submitted to us do not reflect or record any subsisting encumbrances on the Subject Land.
- (v) In terms of the Development Agreement dated 26/07/2013, registered as Document No.3719/2013-14 in Book I, stored in CD No.CMPD95 in the office of the Sub-Registrar, Basavanagudi, Bangalore, executed between Ms.Shubha Devadasen and Sycon Homes LLP in respect of the land measuring an extent of 2 acres 8 ½ Guntas comprised in Survey No.139/3 of Gullimagala Village, Sarjapur Hobli, Anekal Taluk, Ms.Shubha Devadasen has authorised Sycon Homes LLP to develop the Subject Land into a multistoried residential project, the Project.
- (vi) As per the Addendum JDA entered into between Ms.Shubha Devadasen and Sycon Homes LLP and the Addendum GPA executed by Ms.Shubha Devadasenin favour of Sycon Homes LLP, Ms.Shubha Devadasen is entitled to 26,604 square feet of super built-up area in the Project along with proportionate car parking spaces, undivided right, title and interest in the common areas, terrace areas and other areas of common use in the Subject Land and the LLP is entitled to the balance super built-up area in the Project along with proportionate car parking spaces, undivided right, title and interest in the common areas, terrace areas and other areas of common use in the Subject Land.
- (vii) Sycon Homes LLP is advised to register the Project under the provisions of the Real Estate (Regulation and Development) Act 2016 read with the Karnataka Real Estate (Regulation and Development) Rules 2017 post obtaining the plan sanction and before entering into any Agreement/s to Sell or with prospective purchasers of residential apartments in the Project.

Part VII: Disclaimer



The Opinion in Part VI is based on the photocopies of documents provided to us by Sycon Homes LLP and does not certify as to the authenticity of such documents. This Opinion given by us is not binding on the statutory authorities or any other person/s or entities. This Title Report is subject to:

- a) The copies of the documents provided to us being genuine and confirming to the originals of the same.
- b) The fact that no independent search of any proceedings, claims or litigation has been conducted by us in any Courts of Law or legal forums including the jurisdictional Sub-Registrar office.
- c) The fact that no site survey or physical verification of the Subject Land has been undertaken by us for the purposes of verifying the description, title and boundaries of the Schedule Property.

Opined accordingly,

Arvind Raghavan

**Arvind Raghavan and Associates
Advocates & Solicitors**



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