

To,
MahaRERA
Maharashtra Real Estate Regulatory Authority,
Housefin Bhavan, 6th and 7th Floor,
E Block, Bandra Kurla Complex,
Bandra (East),
Mumbai 400 051

LEGAL TITLE REPORT

Dear Sir,

Sub: Title clearance certificate with respect to piece or parcel of land admeasuring 6 (six) acres or thereabouts equivalent to 29,040 sq. yds. or thereabouts or equivalent to 24,406.02 sq. mtrs. or thereabouts and bearing City Survey Nos. 544 and 544/1, Nahur Village, Taluka Kurla, Bombay Suburban District [old Survey Nos. 91(part), 149(part) and 156(part)] ("**said Property**").

A. We have investigated the title of the said Property as stated herein on the request of M/s. Runwal Constructions, a registered partnership firm incorporated under the provisions of Indian Partnership Act, 1932 consisting of (i) M/s. Runwal Farms Private Limited, (ii) M/s. Ariane Orgachem Private Limited, (iii) Mr. Sanjay Daga and (iv) Mr. H. A. Visweswara as its partners ("**M/s. Runwal Constructions**") and perusing the documents in the manner as stated herein:

1) Description of the said Property:

All that piece or parcel of land admeasuring 6 (six) acres or thereabouts equivalent to 29,040 sq. yds. or thereabouts or equivalent to 24,406.02 sq. mtrs or thereabouts and situate on and to the west of the Bombay-Agra Road and to the east of the New Tansa Pipe Lines in the Village Nahur, Taluka Borivali in Greater Mumbai (as per the title documents) but Taluka Mulund (as per the Property Register Card) District Mumbai – Suburban, Registration and Sub-district Bandra and in 'T' ward of the Municipal Corporation of Greater Mumbai and bearing City Survey Nos. 544 and 544/1, Nahur Village, Taluka Kurla, Bombay Suburban District [Old Survey Nos. 91(part), 149(part) and 156(part)].

2) The documents pertaining to the said Property are as under:

(i) (a) Title Certificate dated 24 December 2005 issued by Sunil R. More (Advocate) read with (b) Title Certificate dated 5 August 2006 issued by M/s. Mahimtura & Co., Advocates & Solicitors which inter alia refers to the following documents as perused by them respectively reflecting details of allotment of the said Property as under:



- a. Deed of Conveyance dated 13 November 1958 registered with the Sub-Registrar of Bandra under No. BND/2098/1/13/1958 and Deed of Conveyance dated 12 September 1959 registered with the Sub-Registrar at Mumbai under No. BND/1551/1/8/1959 whereby the property (as described therein respectively) was sold and transferred to Rallis India Limited and Rallifan Private Limited (later known as Rallis India Limited) respectively recording the terms and conditions therein.
 - b. Deed of Conveyance dated 30 August 1991 registered with the Sub-Registrar at Mumbai under No. PBBM/1/4460 of 1991 whereby Rallis India Limited sold and transferred the property (as described therein) to HPM Engineers Limited (later known as Blue Moon Engineers Limited as per Certificate of Change of name issued by Registrar of Companies, Kolkata on 30 July 2002) recording the terms and conditions therein.
 - c. Certificate of Sale dated 5 November 2004 issued by the Registrar, Kolkata Debt Recovery Tribunal, duly registered with the office of the Sub-Registrar of Assurances under Serial No. BDR-7/8312 of 2005 in favour of M/s. Runwal Constructions for sale / transfer of the said Property in favour of M/s. Runwal Constructions (sale was pursuant to recovery proceedings filed against Blue Moon Engineers Limited before the Kolkata Debt Recovery Tribunal).
- (ii) The title documents perused by us are more particularly set out in Certificate of Title dated 18 September 2019 issued by us and annexed / enclosed hereto and marked as "**Enclosure 1**".
- 3) Property Register Card pertaining to the said Property, details whereof are reflected in the Enclosure -1 and its Annexure/s.
 - 4) Search Notes / Report/s (i) for a period of 47 (forty-seven) years commencing from the year 1958 to 2005 issued by Mr. N. V. Vagal as mentioned in Title Certificate dated 24 December 2005 issued by Sunil R. More (Advocate) and (ii) for a period of 12 (twelve) years commencing from the year 2005 to 27 December 2017, details whereof are reflected in the Enclosure -1 and its Annexure/s;
- B. On perusal of the above mentioned documents read with what is stated herein and subject to what is stated in the Certificate of Title dated 18 September 2019



issued by us, annexed / enclosed herewith as "**Enclosure 1**" including the Annexures thereto and subject to the qualification / observation inter alia as regards the litigation set out in "**Enclosure 2**", we are of the opinion that M/s. Runwal Constructions are the owners of the said Property and their title to the said Property is clear, marketable and free of any encumbrances.

- C. The owners of the said Property are M/s. Runwal Constructions, a partnership firm consisting of (i) M/s. Runwal Farms Private Limited, (ii) M/s. Ariane Orgachem Private Limited, (iii) Mr. Sanjay Daga and (iv) Mr. H. A. Visweswara as its partners.
- D. This Legal Title Report is to be read in conjunction with our Certificate of Title dated 18 September 2019, annexed / enclosed herewith as "**Enclosure 1**" including the Annexures thereto and "**Enclosure 2**" and is subject to what is stated therein including the qualifications therein and we have not conducted any further diligence or independent searches save and except what is stated therein.

Dated this 24th day of May 2021.

For M/s. Hariani & Co.

Nirav. C. Jami
Partner



Encl: Enclosures / Annexures as above

To,

M/s. Runwal Constructions
5th floor, Runwal & Omkar Esquare,
Opp. Sion Chunabhatti Signal,
Off Eastern Express Highway,
Sion (East),
Mumbai- 400 022.

CERTIFICATE OF TITLE

Re: All that piece or parcel of land admeasuring 6 (six) acres or thereabouts equivalent to 29040 sq. yds. or thereabouts or equivalent to 24406.02 sq. mtrs or thereabouts and situate on and to the west of the Bombay-Agra Road and to the east of the New Tansa Pipe Lines in the Village Nahur, Taluka Borivali in Greater Mumbai (as per the title documents) but Taluka Mulund (as per the Property Register Card), District Mumbai – Suburban, Registration and Sub-District Bandra and in T ward of the Municipal Corporation of Greater Mumbai comprised of City Survey Nos. 544 and 544/1, Nahur Village, Taluka Kurla, Bombay Suburban District [old Survey Nos. 91(part), 149(part) and 156(part)] ("said Property") and bounded as follows:

- On or towards the North : By land forming portions of Survey Nos. 156, 91 and 149 and beyond that by the boundary of the village of Mulund.
- On or towards the East : Partly by Mumbai – Agra Road leading from Mumbai to Thane and partly by portion of the Survey Nos. 149 and 91 conveyed to Ralliwolf Private Limited.
- On or towards the South : Partly by the portion of Survey No. 149 conveyed to Ralliwolf Private Limited and partly by another portion of the Survey No. 91;
- On or towards the West : By Tansa Pipelines and beyond that another portion of the Survey Nos. 91 and 156 acquired by the Government of Mulund Refugee Colony.

On receiving instructions from you for providing an updated Title Certificate in pursuance to the Title Certificate dated 5 August 2006 issued by Mahimtura & Co., Advocates & Solicitors pertaining to the said Property and on perusing the copies of documents listed herein below for the period subsequent thereto, we are issuing this Supplementary Title Certificate in respect of the said Property as given hereunder:

I. Location:

All that piece or parcel of land admeasuring 6 (six) acres or thereabouts equivalent to 29040 sq. yds. or thereabouts or equivalent to 24406.02 sq. mtrs or thereabouts and situate on and to the west of the Bombay-Agra Road and to the east of the New Tansa Pipe Lines in the Village Nahur, Taluka Borivali in Greater Mumbai (as per the

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title documents) but Taluka Mulund (as per the Property Register Card) District Mumbai – Suburban, Registration and Sub-district Bandra and in T ward of the Municipal Corporation of Greater Mumbai comprised of City Survey Nos. 544 and 544/1, Nahur Village, Taluka Kurla, Bombay Suburban District [Old Survey Nos. 91(part), 149(part) and 156(part)]

II. Dimension / Area of the said Property:

24406.02 sq. mtrs.

III. Boundaries:

- On or towards the North : By land forming portions of Survey Nos. 156, 91 and 149 and beyond that by the boundary of the village of Mulund.
- On or towards the East : Partly by Mumbai – Agra Road leading from Mumbai to Thane and partly by portion of the Survey Nos. 149 and 91 conveyed to Ralliwolf Private Limited.
- On or towards the South : Partly by the portion of Survey No. 149 conveyed to Ralliwolf Private Limited and partly by another portion of the Survey No. 91;
- On or towards the West : By Tansa Pipelines and beyond that another portion of the Survey Nos. 91 and 156 acquired by the Government of Mulund Refugee Colony.

IV. Title Documents:

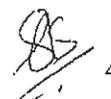
For the purpose of this Certificate, we have reviewed photocopies of the following documents:

- (a) Title Certificate dated 24 December 2005 issued by Sunil R. More (Advocate);
- (b) Title Certificate dated 5 August 2006 issued by Mahimtura & Co., Advocates & Solicitors;
- (c) Letter issued by the Municipal Corporation of Greater Mumbai ("MCGM") dated 13 September 2006 bearing no. CE/4815/BPES/AT;
- (d) Environmental Clearance ("EC") dated 16 November 2006 issued by the Ministry of Environment and Forest;

- (e) Commencement Certificate dated 11 October 2005 (in respect of Building No. 1) validated on various dates, the last of which was dated 25 February 2008.
- (f) Commencement Certificate dated 13 May 2005 (in respect of Building No. 2) validated on various dates, the last of which was dated 10 September 2007.
- (g) Commencement Certificate dated 3 August 2005 (in respect of Building No. 3) validated on various dates, the last of which was dated 25 February 2008;
- (h) Judgment reserved on 22 November 2007 and pronounced on 24 March 2008 by the Hon'ble High Court at Bombay in Writ Petition No. 1578 of 2006;
- (i) Stop Work Notices dated 4 April 2008 issued by the MCGM;
- (j) Certificate dated 21 January 2009 issued by LIC Housing Finance Ltd. (stating loan is repaid);
- (k) Letter dated 10 June 2009 addressed by LIC Housing Finance Ltd. to M/s. Runwal Constructions;
- (l) Letter dated 7 December 2009 issued by M/s. Runwal Constructions to The Conservator of Forests (Thane Forest Division) enclosing a cheque bearing no. 41387 dated 7 December 2009 drawn on IDB Bank;
- (m) Order dated 25 January 2010 passed by the Hon'ble Supreme Court of India in SLP (Civil) Nos. 10730, 10760, 11055, 11057, 11393, 11398, 11401, 11509, 11622, 11634, 11640, 12408, 21389, 15791, 16470, 24149 of 2008 with Writ Petition (Civil) No. 240 of 2008;
- (n) Judgment dated 30 January 2014 passed by the Hon'ble Supreme Court of India in Civil Appeal Nos. 1102 to 1120 of 2014;
- (o) Letter dated 7 May 2014 addressed by the City Survey Officer, Mulund to M/s. Runwal Constructions;



- (p) Letter dated 12 December 2014 bearing No. SA-30/2008/P.C 281/F-3 addressed by the State of Maharashtra to (i) the Commissioner of MCGM, (ii) Chief Conservator of Forest, Thane, (iii) Collector, Mumbai-Suburban/ Thane, and (iv) the Assistant Forest Officer, Thane;
- (q) Letter dated 15 January 2015 addressed by M/s. Runwal Constructions to the Superintendent of Land Records, Mumbai;
- (r) Letter dated 4 April 2015 addressed by M/s. Runwal Constructions to the Secretary, State Level Expert Appraisal Committee-2 (SEAC-2);
- (s) Letter dated 3 September 2015 addressed by the Architect for M/s. Runwal Constructions to the Executive Engineer, Building Proposal (E.S.), MCGM bearing Ref. No. U/No. 679/MUL/1138;
- (t) Letter dated 2 December 2015 addressed by M/s. Runwal Constructions to the Secretary, State Level Expert Appraisal Committee-II;
- (u) Letter dated 14 December 2015 bearing Ref. Nos. CE/4815/BPES/AT, CE/4816/BPES/AT, CE/4817/BPES/AT, CE/4881/BPES/AT and CE/4882/BPES/AT withdrawing the respective Stop Work Notices;
- (v) Deed of Reconstitution of M/s. Runwal Constructions dated 1 April 2016;
- (w) Property Register Card in respect of CTS Nos. 544 & 544/1 dated 31 December 2016;
- (x) Rejection orders/captions in respect of Building Nos. 4 & 5 bearing Ref. Nos. CE/4881/BPES/AT and CE/4882/BPES/AT dated 7 March 2017;
- (y) Letter dated 15 March 2017 bearing Ref. No. 679/MUL/270 issued by Daisaria Associates to M/s. Runwal Constructions;
- (z) Deed of Reconstitution of M/s. Runwal Constructions dated 31 March 2017;
- (aa) Deed of Reconstitution of M/s. Runwal Constructions dated 1st July 2019;
- (bb) Registration Certificate dated 6 September, 2017 registering the project "Runwal Infinity" under project Registration No. P51800012621;



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(cc) Declaration of Mr. Sanjay Daga on behalf of M/s. Runwal Constructions dated 18 September 2019;

(dd) Following paper/s and proceedings as under:

- (i) Complaint dated 25 November 2014 in Suit No. 962 of 2014 filed by M/s. Electrofab Engineering Pvt. Ltd. against M/s. Runwal Constructions & Anr. before the Hon'ble High Court at Bombay (Pages 1 to 22 only without the Exhibits mentioned therein);
- (ii) Notice of Motion No. 1525 of 2014 (not dated) in Suit No. 962 of 2014 filed by M/s. Electrofab Engineering Pvt. Ltd. against M/s. Runwal Constructions & Anr. before the Hon'ble High Court at Bombay;
- (iii) Affidavit in Reply dated 9 January 2015 of the Defendants filed in Notice of Motion No. 1525 of 2014 in Suit No. 962 of 2014;
- (iv) Order dated 16 January 2015 passed in the Notice of Motion No. 1525 of 2014 in Suit No. 962 of 2014 filed by M/s. Electrofab Engineering Pvt. Ltd. against M/s. Runwal Constructions & Anr.;
- (v) Further Affidavit of the Defendants dated 14 September 2016 filed in the Notice of Motion No. 1525 of 2014 in Suit No. 962 of 2014 filed by M/s. Electrofab Engineering Pvt. Ltd. against M/s. Runwal Constructions & Anr.;
- (vi) Notice of Motion No. 1559 of 2017 in Suit No. 962 of 2014 filed before the Hon'ble High Court at Bombay along with the Affidavit in Support dated 16 September 2017 thereon (without the Exhibits thereto);
- (vii) Order dated 20th December 2017 passed in the Notice of Motion No. 1525 of 2014 with Notice of Motion No. 1559 of 2017 in Suit No. 962 of 2014;
- (viii) Memorandum of Appeal dated 15 January 2018 in the Appeal No. 124 of 2018 in the Notice of Motion No. 1525 of 2014 with the Notice of Motion No. 1559 of 2017 in Suit No. 962 of 2014 (Page Nos. 1 to 15 only);



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- (ix) Order dated 2 July 2018 passed in the Appeal No. 124 of 2018 in the Notice of Motion No. 1525 of 2014 with the Notice of Motion No. 1559 of 2017 in Suit No. 962 of 2014 filed by M/s. Electrofab Engineering Pvt. Ltd. against M/s. Runwal Constructions & Anr.;

Search Report/s:

- (x) Original Search Report dated 1 January 2018 issued by Mr. H.D. Mashekar, Search Reporter in respect of search conducted in the office of Sub-Registrar of Assurances for the period 2005 till 2017.

V. Brief History of Title in respect of the said Property:

1. We have perused the photocopies of the (i) Title Certificate dated 24 December 2005 issued by Sunil R. More (Advocate) and (ii) Title Certificate dated 5 August 2006 issued by Mahimtura & Co., Advocates & Solicitors (hereinafter collectively referred to as "the said Title Certificates"), copies whereof are annexed as **ANNEXURE "A"** and **ANNEXURE "B"** hereto respectively. We have not independently verified the underlying documents as mentioned / referred to in the said Title Certificates and have assumed that all the terms, conditions and facts stated in the documents referred to therein have been complied with. This Certificate is being issued for updating the said Title Certificates by narrating the subsequent material events that have transpired thereafter in relation to the Property and as per your instructions, we have referred to / relied upon the said Title Certificates in all aspects and are not independently verifying the same nor commenting on the same.
2. As per the Title Certificate dated 24 December 2005 issued by Sunil R. More (Advocate), Mr. Sunil R. More certified the title of M/s. Runwal Constructions (a partnership firm constituted of (1) Subhash S. Runwal (2) Sandeep Runwal (3) Subodh Runwal and (4) Chanda Runwal as partners thereof) to the said Property as clear and marketable subject to what is more particularly stated therein. By the subsequent Title Certificate dated 5 August 2006, Mahimtura & Co., Advocates & Solicitors certified the title of M/s. Runwal Constructions to the said Property as marketable and free from encumbrances after referring to the mortgage created on the said Property by M/s. Runwal Constructions in

favour of LIC Housing Finance Ltd. as stated in the Declaration dated 5 August 2006 of Mr. Sandeep Runwal and further certified that M/s. Runwal Constructions is entitled to develop the said Property and to sell flats and premises therein in accordance with the plans approved or thereafter approved by the concerned authorities.

3. As stated above, we have referred to / relied upon the said Title Certificates in all aspects which is certifying the title of M/s. Runwal Constructions to the said Property and the rights of M/s. Runwal Constructions to develop the said Property and market and sell the premises constructed thereon.
4. Pursuant to the Order dated 25 July 2006 passed by the Hon'ble High Court at Bombay in Writ Petition No. 1578 of 2006 (referred to in the Title Certificate dated 5 August 2006 issued by M/s. Mahimtura & Co., Advocates & Solicitors), the MCGM vide its letter bearing no. CE/4815/BPES/AT dated 13 September 2006 withdrew the Stop Work Notices issued in respect of the structure/s being constructed by M/s. Runwal Constructions on the said Property subject to final order in the abovementioned Writ Petition No. 1578 of 2006.
5. Pursuant to the said Title Certificates, M/s. Runwal Constructions also obtained the following permissions in respect of the development of the said Property:
 - a. Commencement Certificate dated 11 October 2005 (in respect of Building No. 1) was validated on various dates, the last of which was dated 25 February 2008 with the remark Full CC in accordance with the sanctioned plans and approvals dated 16 January 2008 subject to outcome of the aforesaid Writ Petition.
 - b. Commencement Certificate dated 13 May 2005 (in respect of Building No. 2) was validated on various dates, the last of which was dated 10 September 2007 with the remark Full CC in accordance with the sanctioned plans and approvals dated 22 May 2007 subject to outcome of the aforesaid Writ Petition.
 - c. Commencement Certificate dated 3 August 2005 (in respect of Building No. 3) was validated on various dates, the last of which was



dated 25 February 2008 with the remark. Full CC in accordance with the sanctioned plans and approvals dated 16 January 2008 subject to outcome of the aforesaid Writ Petition.

- d. Environmental Clearance dated 16 November 2006 for the development of the said Property, issued by the Ministry of Environment and Forests ("MoEF").
6. Vide the Judgment reserved on 22 November 2007 and pronounced on 24 March 2008 by the Hon'ble High Court at Bombay in Writ Petition No. 1578 of 2006, the Hon'ble High Court at Bombay dismissed the aforesaid Writ Petition on the grounds as more fully stated therein and as such the interim reliefs granted vide the abovementioned Order dated 25 July 2006 came to an end.
7. Pursuant to the abovementioned Judgment reserved on 22 November 2007 and pronounced on 24 March 2008 by the Hon'ble High Court at Bombay in Writ Petition No. 1578 of 2006, the MCGM issued fresh Stop Work Notices dated 4 April 2008 in respect of the development of the said Property.
8. It appears that on 30 April 2008, M/s. Runwal Constructions filed a Special Leave Petition (C) bearing no.11509 of 2008 before the Hon'ble Supreme Court of India challenging the abovementioned Judgment reserved on 22 November 2007 and pronounced on 24 March 2008 by the Hon'ble High Court at Bombay in Writ Petition No. 1578 of 2006. It further appears that the Hon'ble Supreme Court of India had granted an interim stay against the applicants though copy/ies of the relevant Order/s has/have not been provided and reference thereof has been obtained from the Order dated 25 January 2010 passed by the Hon'ble Supreme Court of India referred to below.
9. In the interim, LIC Housing Finance Ltd. issued a letter dated 21 January 2009 certifying that construction finance of Rs.35,00,00,000/- (Rupees Thirty Five Crore Only) availed of by M/s. Runwal Constructions was repaid on 31 December 2008 and there is no amount outstanding.
10. Vide a letter dated 10 June 2009 addressed by LIC Housing Finance Ltd. to M/s. Runwal Constructions, LIC Housing Finance Ltd. returned and

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handed over all the documents as stated therein to M/s. Runwal Constructions and further recorded that equitable mortgage created in favour of LIC Housing Finance Ltd. was cancelled and that LIC Housing Finance Ltd. has no rights whatsoever in respect of the said Property.

11. Vide its letter dated 7 December 2009 addressed to the Conservator of Forest, Thane, M/s. Runwal Constructions enclosed therewith a cheque for Rs.3,56,32,760/- (Rupees Three Crore Fifty Six Lakh Thirty Two Thousand Seven Hundred and Sixty Only), bearing no. 41387 dated 7 December 2009 drawn on IDBI Bank in pursuance of the demand made by the Conservator of Forests vide its letter dated 5 December 2009.
12. Vide an Order dated 25 January 2010 passed by the Hon'ble Supreme Court of India in SLP (Civil) Nos. 10730, 10730, 11055, 11057, 11393, 11398, 11401, 11509, 11622, 11634, 11640, 12408, 21389, 15791, 16470, 24149 of 2008 with Writ Petition (Civil) No. 240 of 2008, the Hon'ble Supreme Court of India vacated the interim stay and the various Applicants including M/s. Runwal Constructions were at liberty to make use of the respective lands and proceed with the construction on the respective lands subject to the decision of the MoEF, Government of India and the direction "not to make any further construction and not to create any third part interest" stood vacated
13. The Special Leave Petition (C) bearing No. 1509 of 2008 filed before the Hon'ble Supreme Court of India was converted to Civil Appeal No. 1109 of 2014. By a common Order dated 30 January 2014 the Hon'ble Supreme Court of India allowed the Civil Appeal of M/s. Runwal Constructions and the other Petitioners thereby setting aside the impugned judgment and order of the Hon'ble Bombay High Court dated 24 March 2008 and all notices impugned in the Writ Petitions filed before the Hon'ble Bombay High Court were quashed.
14. It appears that thereafter, M/s. Runwal Constructions called upon the City Survey Officer, Mulund to delete the entry "Private Forest" as mentioned in the Property Cards in respect of the said Property in pursuance of the aforesaid Order dated 30 January 2014. In response thereto, the City Survey Officer, Mulund issued a letter dated 7 May 2014 addressed to M/s. Runwal Constructions inter alia informing them that

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"Private Forest" entry will be deleted once an appropriate order is received from State of Maharashtra.

15. The State of Maharashtra through a letter dated 12 December 2014 bearing No. SA-30/2008/P.C 281/F-3 instructed the Commissioner of MCGM, Chief Conservator of Forest, Thane, Collector, Mumbai-Suburban/ Thane, Assistant Forest Officer, Thane to complete the formalities as per order dated 30th January 2014 and submit their report on 31st December 2014 to the Government of Maharashtra so as to not violate the abovementioned Order passed by Hon'ble Supreme Court of India dated 30 January 2014.
16. Pursuant to the abovementioned Letter dated 12 December 2014, M/s. Runwal Constructions addressed a letter to the Superintendent of Land Records dated 15 January 2015, Mumbai *inter alia* requesting him to direct the City Survey Officer, Mulund, to delete entry of "Private Forest" from the Property Cards in respect of the said Property. Accordingly, the entry of "Private Forest" was deleted from the Property Cards in respect of the said Property on 17 January 2015.
17. Pursuant to deletion of the entry of "Private Forest", the Architect of M/s. Runwal Constructions addressed a letter dated 3 September 2015 to the Executive Engineer, Building Proposal (E.S.), MCGM bearing Ref. No. U/No. 579/MUL/1138 calling upon MCGM to withdraw the abovementioned Stop Work Notices issued on 4 April 2008 so that further development of the said Property could be carried out.
18. In the interim, by letter dated 4 April 2015 read with subsequent letter dated 2 December 2015 addressed by M/s. Runwal Constructions to the State Level Expert Appraisal Committee-2, M/s. Runwal Constructions made an application for Revised Environment Clearance increasing the number of flats, parking and amenities as more particularly stated therein.
19. Pursuant to the above, the MCGM issued a Letter dated 14 December 2015 bearing Ref. Nos. CE/4815/BPES/AT, CE/4816/BPES/AT, CE/4817/BPES/AT, CE/4881/BPES/AT and CE/4882/BPES/AT withdrawing the respective Stop Work Notices dated 4 April 2008.

20. By a Deed of Reconstitution of M/s. Runwal Constructions dated 1 April 2016 executed by and between (i) Mr. Subhash Suganlal Runwal, therein referred to as the Party of the First Part, (ii) Mr. Sandeep Subhash Runwal, therein referred to as the Party of the Second Part, (iii) Mr. Subodh Subhash Runwal, therein referred to as the Party of the Third Part, and (iv) Mrs. Chanda Subhash Runwal, therein referred to as the Party of the Fourth Part, Mrs. Chanda Subhash Runwal retired from M/s. Runwal Constructions with effect from 1 April 2016 on terms and conditions stated therein.
21. By a Deed of Reconstitution of M/s. Runwal Constructions dated 31 March 2017 executed by and between (i) Mr. Subhash S. Runwal, therein referred to as the Party of the First Part, (ii) Mr. Sandeep S. Runwal, therein referred to as the Party of the Second Part, (iii) Mr. Subodh S. Runwal, therein referred to as the Party of the Third Part, (iv) Ariane Orgachem Pvt. Ltd., therein referred to as the Party of the Fourth Part, (v) Runwal Farms Pvt. Ltd., therein referred to as the Party of the Fifth part and (vi) Mr. Vidya Sagar Visvanathan, therein referred to as the Party of the Sixth Part it was inter alia recorded that the Party of the Fourth Part, the Party of the Fifth Part and the Party of the Sixth Part therein were duly admitted as partners of M/s. Runwal Constructions with effect from 31 March 2017 and the Party of the First Part, the Party of the Second Part and the Party of the Third Part therein had duly retired from M/s. Runwal Constructions with effect from 31 March 2017 on terms and conditions stated therein.
22. Pursuant to the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "RERA") being enacted, the development/ redevelopment of the said Property has been registered by M/s. Runwal Constructions as a 'real estate project' comprising of 5 (five) buildings [out of which 3 (three) buildings are reflected as sanctioned and 2 (two) buildings are reflected as proposed/not sanctioned] (hereinafter referred to as the "said Project") with the Real Estate Regulatory Authority ("Authority"), under the provisions of Section 5 of RERA read with the provisions of the Maharashtra Real Estate (Regulation and Development) (Registration of real estate projects, Registration of real estate agents, rates of interest and disclosures on website) Rules, 2017



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("RERA Rules") and the Regulations. The Authority has duly issued Registration Certificate dated 6 September, 2017 registering the said Project i.e. 'Runwal Infinity' under project Registration No. P51800012621.

23. By a Deed of Reconstitution of M/s. Runwal Constructions dated 1 July 2019 executed by and between (i) M/s Runwal Farms Private Limited, therein referred to as the Party of the First Part, (ii) M/s Ariane Orgachem Private Limited, therein referred to as the Party of the Second Part, (iii) Mr. Sanjay Daga, therein referred to as the Party of the Third Part, (iv) Mr. H. A. Visweswara, therein referred to as the Party of the Fourth Part, and (v) Mr. Vidya Sagar Visvanathan, therein referred to as the Party of the Fifth Part, it was inter alia recorded that the Party of the First Part and Party of the Second Part therein were the existing partners and Party of the Third Part and the Party of the Fourth Part therein were duly admitted as partners of M/s. Runwal Constructions with effect from 1 July 2019 and the Party of the Fifth Part therein had duly retired from M/s. Runwal Constructions with effect from 1 July 2019 on terms and conditions stated therein.
24. The Property Register Card in respect of the said Property i.e. CTS Nos. 544 & 544/1 of Village Nahur, Taluka Mulund dated 31 December 2016 provided to us, reflects the deletion of the entry of "Private Forest" and continues to reflect the name of "M/s. Runwal Constructions, Partner Mr. Sandeep Runwal".
25. We have been informed that M/s. Runwal Constructions has entered into various Agreements for Sale and/or Allotment Letters etc. with respect to the various premises comprised in the said Project i.e. 'Runwal Infinity' constructed/to be constructed on the said Property. We have been specifically instructed to restrict our comments only to the title of the said Property on which the said Project is constructed/to be constructed and not to deal with the said Project and/or the structure/s and/or premises comprised therein and as such we are not commenting on the said Project and/or the structure/s and/or the premises comprised therein and/or on proceedings / litigations / objections / disputes in respect thereof.

VI. Mortgages:

Though the Title Certificate dated 5 August 2006 issued by M/s. Mahimtura & Co., Advocates & Solicitors contained a reference to a mortgage created on the said Property by M/s. Runwal Constructions in favour of LIC Housing Finance Ltd., it appears that the same was by deposit of title deeds in respect of the said Property. As stated above, the loan was repaid on 31 December 2008 and vide a letter dated 10 June 2009 addressed by LIC Housing Finance Ltd. to M/s. Runwal Constructions, LIC Housing Finance Ltd., all the documents as stated therein were handed over to M/s. Runwal Constructions and it was further recorded that the equitable mortgage created in favour of LIC Housing Finance Ltd. was cancelled and that LIC Housing Finance Ltd. has no rights whatsoever in respect of the said Property

We have not been provided with any documents pertaining to any other mortgages / charges created on the said Property or part thereof. Further, no mortgage documents have been reflected in the Search Report referred to in Clause VIII below.

VII. Litigation:

Based on the papers provided to us, it appears that the Suit No. 962 of 2014 filed by M/s. Electrofab Engineering Pvt. Ltd. against M/s. Runwal Constructions & Anr. is pending before the Hon'ble High Court of Bombay and/or proceedings initiated / arising therefrom ("Suit"). In terms of Order dated 2 July 2018, M/s. Runwal Constructions has been directed to reserve and earmark an FSI equivalent to 14,306 sq. ft. carpet area. This Order in no manner creates any hindrance to M/s. Runwal Constructions from dealing with the said Property subject to the aforesaid.

By a Declaration dated 18 September 2019 of Mr. Sanjay Daga, partner on behalf of M/s. Runwal Constructions, it has been declared and confirmed that (a) there are no proceedings initiated by and/or against M/s. Runwal Constructions in respect of the said Property and (b) no order/s and /or reliefs have been granted by the any Court in respect of the said Property and/or affecting the said Property in any manner whatsoever as on date. A copy of the Declaration dated 18 September 2019 is annexed hereto as ANNEXURE "C".



VIII. Searches conducted with Statutory Authority

Based on your instructions, we had caused a search to be carried out through Mr. H. D. Mashelkar, Search Reporter in the office of the Sub-Registrar of Assurances at Bandra and Kurla in respect of the said Property from the year 2005 to 27 December 2017. Mr. H. D. Mashelkar has submitted a Report dated 1 January 2018 in respect of the search conducted by him for the period 2005 till 2017 which does not reflect any adverse entry.

IX. Public Notice:

Under the instructions of M/s. Runwal Constructions, we have not caused publication of Public Notices in any newspapers inviting claims and objections in respect of the said Property.

X. Conclusion

Subject to what is stated herein and what is stated in Annexure "A" and Annexure "B" hereto (to the extent presently applicable) and Annexure "C", we state that M/s. Runwal Constructions (a partnership firm consisting of (i) M/s. Runwal Farms Private Limited, (ii) M/s. Ariane Orgachem Private Limited, (iii) Mr. Sanjay Daga and (iv) Mr. H. A. Visweswara as its partners), is the owner of and entitled to the said Property and has clear and marketable title thereto.

XI. General

a. This Certificate is issued solely on the basis of the documents provided by you as mentioned in Clause IV hereinabove and we have no obligation to update this Certificate with any information or replies or documents received by us beyond this date. As instructed by you, we have solely relied upon the said Title Certificates issued by Mr. Sunil R. More (Advocate) and M/s. Mahimtura & Co., Advocates & Solicitors, for the period till 5 August 2006 and have not commented or reported on the contents of the said Title Certificates. We have not carried out any independent searches including searches in the any offices / departments, save as expressly stated herein.

b. This Certificate is issued only in respect of the land i.e. the said Property and as per the specific instructions of M/s. Runwal Constructions we have restricted our comments to the same and have merely reflected the



approvals obtained in respect of the 3 (three) building/s sanctioned as on date and in any event we are not commenting in respect of the construction of the building as well as individual premises / units of the building(s) / structure(s) standing on the said Property and/or litigation/s / proceedings/ disputes and/or any other encumbrances pertaining thereto, even though documents pertaining to the same may have been provided to us.

- c. We have not opined on the applicability, enforceability and compliance of the Urban Land (Ceiling and Regulation) Act, 1976 and/or the Urban Land (Ceiling and Regulation) Repeal Act, 1999 and/or order(s) passed thereunder and/or their consequences or validity and we have not dealt with the same in this Certificate. However, we have merely referred to the documents provided to us in respect of the aforesaid in this Certificate and we have not commented thereon.
- d. Unless specifically stated otherwise, we have not inspected or perused the original documents in respect of the said Property.
- e. We are not qualified to and have not independently verified the area of the said Property. We have referred to and retained the admeasurements in Hectare/Ares and sq. meters, as we have found them in various documents.
- f. We have not visited the said Property.
- g. Unless specifically stated otherwise, we have not issued any public notice to invite claims from the public at large in respect of title of M/s. Runwal Constructions to the said Property.
- h. Unless specifically stated otherwise, we have not carried out any searches in any courts and/or any negative search and/or any website.
- i. For the purpose of this Certificate, we have assumed
 - (i) The legal capacity of all natural persons, genuineness of all signatures, authenticity of all documents submitted to us as certified or photocopies.
 - (ii) That there have been no amendments or changes to the documents examined by us.



- (iii) The accuracy and completeness of all the factual representations made in the documents.
 - (iv) That all prior documents have been adequately stamped and duly registered.
 - (v) Any statements in the document/s, authorization/s or any certificate/s or confirmation/s relied upon by us for issuance of this Certificate is correct and otherwise genuine.
 - (vi) Each document binds the parties intended to be bound thereby.
 - (vii) Photocopies provided to us are accurate photocopies of originals.
- j. For the purposes of this Certificate, we have relied upon information relating to:
- (i) All of the information (including the documents) supplied to us was, when given, and remains, true, complete, and accurate and not misleading.
 - (ii) Boundaries on the basis of the documents provided to us by the clients.
- k. For the purposes of this Certificate, we have relied upon:
- (i) Photocopies of documents where original documents of title were not available.
 - (ii) Photocopies of Property Register Card in respect of the said Property.
- l. For the purpose of this Certificate, we have relied upon information relating to lineage, on the basis of revenue records and information provided to us by you.
- m. We are not certifying the boundaries of the said Property nor are we qualified to express our opinion on physical identification of the said Property. We also do not express our opinion on matters related to actual physical use of the said Property.
- n. We express no view about the zoning/user/reservations/FSI/or developability of said Property.



- o. We have not verified issues relating to acquisition and / or reservation of the said Property or any portion thereof by Governmental Authorities.
 - p. We have not verified the market value of the properties involved nor whether appropriate stamp duty has been paid on the various documents referred to herein nor do we express any opinion thereon.
 - q. We are not authorized or qualified to express an opinion relating to plan permissions, approval or development potential of the said Property.
 - r. A certificate, determination, notification, opinion or the like will not be binding on an Indian Court or any arbitrator or judicial or regulatory body which would have to be independently satisfied, despite any provision in the documents to the contrary.
 - s. Even though this document is titled "Certificate of Title" it is in fact an opinion based on the documents perused by us. This Certificate has been so given at the request of the client to whom it is addressed;
 - t. This Certificate is limited to the matters pertaining to Indian Law (as on the date of this Certificate) alone and we express no opinion on laws of any other jurisdiction.
- XII. This opinion is addressed to M/s. Runwal Constructions alone. This opinion may not be disclosed, furnished, quoted or relied on by any person or entity other than M/s. Runwal Constructions, for any purpose without our prior written consent. It may however be disclosed or furnished by M/s. Runwal Constructions as may be required in connection with any transaction or legal process or in relation to an inquiry or demand by any Indian governmental or regulatory authority.

Dated this 18th day of September 2019.

For M/s. Hariani & Co.


Associate Partner

Encl: As above.