

DUA ASSOCIATES

Advocates & Solicitors

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Writers' Name: *C.R. Muralidharan/ Vinuth Gowda/ Chathurthi N.B.*

Strictly Confidential

Dated: June 28, 2024

EMERALD HAVEN REALTY LIMITED

Ispahani Centre, 4th Floor,
Door Nos. 123 and 124,
Nungambakkam High Road,
Chennai – 600 034, Tamil Nadu.

REPORT ON TITLE TO PROPERTY

DESCRIPTION OF THE PROPERTY:

All that piece and parcel of immovable property being commercial land, measuring East to West: 105 feet; and North to South on the Eastern side: 51 feet 4 inches, and on the Western side: 41 feet 4 inches, totally admeasuring an extent of 4,864.65 square feet, bearing Municipal No. 1, PID No. 48-38-1, situated at 1st Main Road, C.K.C. Garden, Sudhama Nagar, Bengaluru – 560 027, and bounded as follows:

On the East by : Property bearing Municipal No. 70;
On the West by : 1st Main Road;
On the North by : Private Property; and
On the South by : Property bearing Municipal No. 2.

The aforesaid immovable property is hereinafter referred to as the “**Property**”.

The Property has presently been amalgamated with and formed part of a larger extent of land measuring 51,056 square feet, bearing Municipal No. 70, PID No. 48-50-70, situated at Sudhama Nagar, Mission Road, Bengaluru.

LIST OF DOCUMENTS EXAMINED:

In connection with the title scrutiny of the Property, the following documents have been examined:

SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
1.	Partition Deed dated 04.05.1970 entered into between (i) Mr. C.H. Keerthi Sundar; (ii) Mr. C.H. Lokanath; (iii) Mr. C.H. Narayan; (iv) Mr. C.H. Choodanath; (v)	Certified Copy

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SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
	Mr. C.H. Chandrashekar; (vi) Mrs. Rajeshwari; (vii) Mrs. Jayalakshmi; and (viii) Mrs. Kathyayini (all being children of Late Mr. C.K. Chikka Hanumanthappa), <i>inter alia</i> in respect of the land bearing Site No. 10 (formed in and upon Survey Nos. 18, 18/1, 19 and 21), situated at Agrahara Thimmasandra Village, Bengaluru, and registered on 20.05.1970, as Document No. 382/1970-71, in Book-I, Volume No. 841, at Pages 96 to 103, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru;	
2.	Rectification of Partition Deed dated 03.09.1976 entered into between (i) Mr. C.H. Keerthi Sundar; (ii) Mr. C.H. Lokanath; (iii) Mr. C.H. Narayan; (iv) Mr. C.H. Choodanath; (v) Mr. C.H. Chandrashekar; (vi) Mrs. Rajeshwari; (vii) Mrs. Jayalakshmi; and (viii) Mrs. Kathyayini (all being children of Late Mr. C.K. Chikka Hanumanthappa), <i>inter alia</i> in respect of the land bearing Site No. 10 (formed in and upon Survey Nos. 18, 18/1, 19 and 21), situated at Agrahara Thimmasandra Village, Bengaluru, and registered as Document No. 653/1976-77, in Book-I, Volume No. 1078, at Pages 79 to 81, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru;	Certified Copy
3.	Sale Deed dated 04.05.1989 executed by Mr. C.H. Narayan, son of Mr. C.K. Chikka Hanumanthappa, in favour of Mrs. Zareen Taj, wife of Mr. Syed Jalal Akbar, in respect of the property bearing Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Bengaluru, measuring East to West – 105 feet; and North to South on the Eastern side – 51 feet 4 inches and on the Western side – 41 feet 4 inches, in all admeasuring about 4,500 square feet, together with a shed having a built-up area of about 3,000 square feet thereon, and registered as Document No. 389/1989-90, in Book-I, Volume No. 1578, at Pages 204 to 212, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru;	Certified Copy



SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
	<i>Note: The total extent of land is erroneously mentioned as 4,500 square feet instead of correct extent of land i.e., 4,864.65 square feet.</i>	
4.	Agreement for Sale dated 01.06.1992 executed by Mrs. Zareen Taj, wife of Mr. Syed Jalal Akbar, in favour of M/s. Hinduja Trading Company, represented by its Partner, Mrs. Veena R. Hinduja, wife of Mr. Rajendra Hinduja, in respect of the property bearing Municipal No. 1 (formed in and upon Site No. 10), situated at 1 st Main Road, C.K.C. Garden, Bengaluru, measuring East to West – 105 feet; and North to South on the Eastern side – 51 feet 4 inches and on the Western side – 41 feet 4 inches, admeasuring about 4,864.65 square feet, together with a shed measuring about 150 square feet (<i>unregistered Document</i>);	Original
5.	Sale Deed dated 24.09.1992 executed by Mrs. Zareen Taj, wife of Mr. Syed Jalal Akbar, in favour of M/s. Hinduja Trading Company, represented by its Partner, Mrs. Veena R. Hinduja, wife of Mr. Rajendra Hinduja, in respect of the property bearing Municipal No. 1 (formed in and upon Site No. 10), situated at 1 st Main Road, C.K.C. Garden, Bengaluru, measuring East to West – 105 feet; and North to South on the Eastern side – 51 feet 4 inches and on the Western side – 41 feet 4 inches, admeasuring about 4,864.65 square feet, together with a shed having a built-up area of about 150 square feet, and registered as Document No. 1824/1992-93, in Book-I, Volume No. 1785, at Pages 190 to 197, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru;	Original and Duplicate
6.	No Objection Certificate bearing Reference No. AA/Bng/6(63)8/1992-93, dated 14.08.1992, issued by the Assistant Commissioner of Income Tax, Bengaluru, for the sale and purchase of the property bearing Municipal Nos. 1, 2 and 2/1, situated at 1 st Main Road, C.K.C. Garden, Bengaluru;	Photocopy
7.	Agreement for Sale dated 25.09.2022 executed by M/s. Hinduja Trading Company, represented by its Partner,	Original

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SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
	Mrs. Nalini D. Hinduja, in favour of Emerald Haven Realty Limited, represented by its Head Legal Mr. M.S. Srinivasa Narayanan, in respect of the Property measuring East to West: 105 feet; North to South on the Eastern side: 51 feet 4 inches, and on the Western side: 41 feet 4 inches, totally admeasuring an extent of 4,864.65 square feet, bearing Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Sudhama Nagar, Bengaluru, and registered on 29.09.2022, as Document No. BSG-1-05313-2022-23, in Book-I, stored in C.D. No. BSGD-1292, in the Office of the Sub-Registrar, Basavanagudi;	
8.	Sale Deed dated 23.11.2022 executed by M/s. Hinduja Trading Company, represented by its Partners, (i) Mrs. Janaki M. Hinduja, wife of Mr. Madanlal J. Hinduja; (ii) Mrs. Veena R. Hinduja, wife of Mr. Rajendra J. Hinduja; (iii) Mrs. Nalini D. Hinduja, wife of Mr. Dinesh T. Hinduja; and (iv) Mr. Vivek M. Hinduja, son of Mr. Madanlal J. Hinduja, in favour of Emerald Haven Realty Limited, represented by its Chief Financial Officer, Mr. P. Vishal Anand, <i>inter alia</i> in respect of the land measuring East to West: 105 feet; North to South on the Eastern side: 51 feet 4 inches, and on the Western side: 41 feet 4 inches, totally admeasuring an extent of 4,864.65 square feet, bearing Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Sudhama Nagar, Bengaluru, and registered as Document No. BSG-1-06960-2022-23, in Book-I, stored in C.D. No. BSGD-1330, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru;	Original
9.	Special Power of Attorney dated 22.11.2022 executed by Mrs. Janaki M. Hinduja, wife of Mr. Madanlal J. Hinduja, in favour of Mr. Vivek M. Hinduja, son of Mr. Madanlal J. Hinduja, <i>inter alia</i> in respect of the land totally admeasuring an extent of 4,864.65 square feet, bearing Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Sudhama Nagar, Bengaluru, and registered as Document No. MLS-4-00362-2022-23, in Book-IV, stored in C.D. No. MLSD-1122, in the	Photocopy



SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
	Office of the Sub-Registrar, Gandhinagar (Malleshwaram), Bengaluru;	
10.	Special Notice bearing Reference No. DA(C)44/KTR/38/1993-94/MTR/156/1993-94 dated 21.01.1994, issued by the Assistant Revenue Officer, Chamarajpete Sub-Division, Bengaluru Mahanagara Palike, Bengaluru, sanctioning to the amalgamation of Khatha of the property bearing Municipal No. 2, measuring an extent of 5,069 square feet; and Municipal No. 2/1, measuring an extent of 4,582.81 square feet, with the Khatha of the property bearing Municipal No. 1 measuring an extent of 4,864.65 square feet;	Photocopy
11.	Special Notice bearing Reference No. RD/44/PR/72/1993-94/MT/37/1994-95 dated 27.05.1994, issued by the Assistant Revenue Officer, Chamarajpete Sub-Division, Bengaluru Mahanagara Palike, sanctioning the bifurcation of the property bearing Municipal No. 1 into Municipal Nos. 1, 2 and 2/1;	Photocopy
12.	Khatha Endorsement bearing Reference No. DA(C)44/KTR/60/1992-93 dated 22.02.1993, issued by the Assistant Revenue Officer, Bengaluru Mahanagara Palike, in respect of the Property bearing Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Bengaluru, in the name of M/s. Hinduja Trading Company, represented by its Partner Mrs. Veena R. Hinduja;	Original
13.	Khatha Certificate bearing Reference No. BMP/REV/2015-16/KC/971905 dated 20.07.2015, issued by the Assistant Revenue Officer, Bruhat Bengaluru Mahanagara Palike, in respect of the property bearing Municipal No. 1, PID No. 48-38-1, situated at 1 st Main Road, C.K.C. Garden, Bengaluru, standing in the name of M/s. Hinduja Trading Company, represented by its Partner Mrs. Veena R. Hinduja;	Original
14.	Khatha Extract bearing Reference No. BMP/REV/2015-16/KE/1062222 dated 20.07.2015,	Original

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SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
	issued by the Assistant Revenue Officer, Bruhat Bengaluru Mahanagara Palike, in respect of the Property bearing Municipal No. 1, PID No. 48-38-1, situated at 1 st Main Road, C.K.C. Garden, Bengaluru, standing in the name of M/s. Hinduja Trading Company, represented by its Partner Mrs. Veena R. Hinduja;	
15.	Khatha Certificate bearing Reference No. BMP/REV/2019-20/KC/1400385 dated 30.12.2019, issued by the Assistant Revenue Officer, Bruhat Bengaluru Mahanagara Palike, in respect of the Property bearing Municipal No. 1, PID No. 48-38-1, situated at 1 st Main Road, C.K.C. Garden, Bengaluru, standing in the name of M/s. Hinduja Trading Company, represented by its Partner Mrs. Veena R. Hinduja;	Original
16.	Khatha Extract bearing Reference No. BMP/REV/2019-20/KE/1528410 dated 30.12.2019, issued by the Assistant Revenue Officer, Bruhat Bengaluru Mahanagara Palike, in respect of the Property bearing Municipal No. 1, PID No. 48-38-1, situated at 1 st Main Road, C.K.C. Garden, Bengaluru, standing in the name of M/s. Hinduja Trading Company, represented by its Partner Mrs. Veena R. Hinduja;	Original
17.	Khatha Endorsement dated 29.10.2022, issued by the Assistant Revenue Officer, Bruhat Bengaluru Mahanagara Palike, in respect of the Property bearing Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Sudhama Nagar, in the name of M/s. Hinduja Trading Company;	Photocopy
18.	Khatha Endorsement dated 30.12.2022, issued by the Assistant Revenue Officer, Bruhat Bengaluru Mahanagara Palike, Bengaluru, in respect of the Property bearing Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Sudhama Nagar, in the name of Emerald Haven Realty Limited;	Original



SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
19.	Endorsement bearing Reference No. ARO.K.G.N/KTR/178/2022-23 dated 30.12.2022, issued by the Assistant Revenue Officer, Kempegowda Nagar, Sub-Division, Bruhat Bengaluru Mahanagara Palike, Bengaluru, in respect of the Property bearing Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Sudhama Nagar, in the name of Emerald Haven Realty Limited;	Original
20.	Amalgamation Deed dated 17.01.2023 executed by Emerald Haven Realty Limited, and registered as Document No. BSG-1-08744-2022-23, in Book-I, stored in C.D. No. BSGD-1373, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru, amalgamating the Khatha of the properties viz., (i) Municipal No. 1 measuring an extent of 4,864.65 square feet (i.e., Property); (ii) Municipal No. 2 measuring an extent of 5,069 square feet; (iii) Municipal No. 2/1 measuring an extent of 4,582.81 square feet; and (iii) Municipal No. 9 measuring an extent of 1,375 square feet, situated at 1 st Main Road, C.K.C. Garden, Bengaluru; and (i) Municipal No. 70 measuring an extent of 20,906 square feet; (ii) Municipal No. 71 measuring an extent of 5,520 square feet; (iii) Municipal No. 72 measuring an extent of 5,520 square feet; (iv) Municipal No. 73 measuring an extent of 1,610 square feet; (v) Municipal No. 74 measuring an extent of 805 square feet; and (vi) Municipal No. 75 measuring an extent of 805 square feet, situated at Mission Road, Bengaluru, totally admeasuring an extent of 51,056 square feet, and assigning with the single Municipal No. 70 situated at Mission Road, Bengaluru;	Original
21.	Special Notice bearing Reference No. DA/W-118/KTR/210/2022-23/MTR/24/2022-23 dated 04.03.2023, issued by the Assistant Revenue Officer, Kempegowda Nagar Sub-Division, Bruhat Bengaluru Mahanagara Palike, Bengaluru, amalgamating the Khatha of the properties viz., (i) Municipal No. 1 measuring an extent of 4,864.65 square feet (i.e., Property); (ii) Municipal No. 2 measuring an extent of	Original

SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
	5,069 square feet; (iii) Municipal No. 2/1 measuring an extent of 4,582.81 square feet; and (iii) Municipal No. 9 measuring an extent of 1,375 square feet, situated at 1 st Main Road, C.K.C. Garden, Bengaluru; and (i) Municipal No. 70 measuring an extent of 20,906 square feet; (ii) Municipal No. 71 measuring an extent of 5,520 square feet; (iii) Municipal No. 72 measuring an extent of 5,520 square feet; (iv) Municipal No. 73 measuring an extent of 1,610 square feet; (v) Municipal No. 74 measuring an extent of 805 square feet; and (vi) Municipal No. 75 measuring an extent of 805 square feet, situated at Mission Road, Bengaluru, totally admeasuring an extent of 51,056 square feet, and assigning with the single Municipal No. 70 situated at Mission Road, Bengaluru;	
22.	Endorsement bearing Reference No. ARO.K.G.N/ KTR/174/2022-23 dated 04.03.2023, issued by the Assistant Revenue Officer, Kempegowda Nagar, Sub-Division, Bruhat Bengaluru Mahanagara Palike, Bengaluru, confirming that the Khatha in respect of the property bearing Municipal No. 70, PID No. 48-50-70 situated at Mission Road, Bengaluru measuring an extent of 51,056 square feet, in the name of Emerald Haven Realty Limited;	Original
23.	Tax paid receipts issued by the Assistant Revenue Officer, Bengaluru Mahanagara Palike, evidencing the payment of property taxes, in respect of the Property bearing Municipal No. 1, for the years: 1992-93 to 1995-96; 1997-98; 1999-2000 to 2002-03; and 2006-07 to 2009-10;	Originals
24.	Tax paid receipts issued by the Bruhat Bengaluru Mahanagara Palike, Revenue department, evidencing the payment of property taxes, in respect of the Property bearing PID No. 48-38-1, for the years: 2011-12; 2013-14; and 2016-17 to 2022-23;	Originals/Computerized
25.	Tax paid receipt issued by the Bruhat Bengaluru Mahanagara Palike, Revenue department, evidencing the payment of property taxes, in respect of the	Computerized

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SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
	Property bearing PID No. 48-50-70, for the year: 2023-24;	
26.	Partnership Deed dated 23.02.1979 entered into between (i) Mrs. Dayavanthi Bai J. Hinduja, wife of Mr. Jhamandas H. Hinduja; (ii) Mrs. Janaki M. Hinduja, wife of Mr. Madanlal J. Hinduja; (iii) Mrs. Veena R. Hinduja, wife of Mr. Rajendran J. Hinduja; and (iv) Mrs. Nalini D. Hinduja, wife of Mr. Dinesh J. Hinduja, constituting themselves into a partnership firm, under the name and style of "M/s. Hinduja Trading Company";	Photocopy
27.	Partnership Deed dated 01.04.1992 entered into between (i) Mrs. Dayavanthi J. Hinduja, wife of Mr. Jhamandas H. Hinduja; (ii) Mrs. Janaki M. Hinduja, wife of Mr. Madanlal J. Hinduja; (iii) Mrs. Veena R. Hinduja, wife of Mr. Rajendran J. Hinduja; and (iv) Mrs. Nalini D. Hinduja, wife of Mr. Dinesh J. Hinduja, constituting themselves into a partnership firm, under the name and style of "M/s. Hinduja Trading Company";	Photocopy
28.	Form C (Acknowledgement of Registration of Firms) dated 02.11.1993, issued by the Registrar of Firms, Gandhinagar, Bengaluru, evidencing the registration of the Partnership Firm namely, M/s. Hinduja Trading Company, with a Registration No. 1271/1993-94;	Photocopy
29.	Reconstitution of Partnership Deed dated 01.04.2014 entered into between (i) Mrs. Janaki M. Hinduja, wife of Mr. Madanlal J. Hinduja; (ii) Mrs. Veena R. Hinduja, wife of Mr. Rajendra J. Hinduja; (iii) Mrs. Nalini D. Hinduja, wife of Mr. Dinesh J. Hinduja; and (iv) Mrs. Dayavanthi J. Hinduja, wife of Mr. Jhamandas H. Hinduja, evidencing the retirement of Mrs. Dayavanthi J. Hinduja, from the partnership firm, i.e., "M/s. Hinduja Trading Company";	Photocopy
30.	Reconstitution of Partnership Deed dated 05.09.2015 entered into between (i) Mrs. Janaki M. Hinduja, wife of Mr. Madanlal J. Hinduja; (ii) Mrs. Veena R.	Photocopy



SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
	Hinduja, wife of Mr. Rajendra J. Hinduja; (iii) Mrs. Nalini D. Hinduja, wife of Mr. Dinesh J. Hinduja; and (iv) Mrs. Dayavanthi J. Hinduja, wife of Mr. Jhamandas H. Hinduja, evidencing the retirement of Mrs. Dayavanthi J. Hinduja, from the Partnership firm, i.e., "M/s. Hinduja Trading Company";	
31.	Deed of Addendum dated 23.06.2017 in relation to insertion of Clause No. 13, related to Right to Nominate a Successor/ Heir to the Reconstitution of Partnership Deed dated 05.09.2015;	Photocopy
32.	Reconstituted Deed of Partnership dated 18.09.2020 entered into between (i) Mrs. Janaki M. Hinduja, wife of Mr. Madanlal J. Hinduja; (ii) Mrs. Veena R. Hinduja, wife of Mr. Rajendra J. Hinduja; (iii) Mrs. Nalini D. Hinduja, wife of Mr. Dinesh J. Hinduja; and (iv) Mr. Vivek M. Hinduja, son of Mr. Madanlal J. Hinduja, upon admitting Mr. Vivek M. Hinduja as a partner to the partnership firm, i.e., "M/s. Hinduja Trading Company";	Photocopy
33.	Form D (Memorandum of acknowledging the receipt of documents) bearing Filing No. 120/2015-16 dated 29.08.2015, issued by the Registrar of Firms, Basavanagudi, Bengaluru, in relation to the change of address of the partnership firm, M/s. Hinduja Trading Company;	Photocopy
34.	Form D (Memorandum of acknowledging the receipt of documents) bearing Filing No. 305/2015-16 dated 25.01.2016, issued by the Registrar of Firms, Gandhinagar, Bengaluru, in relation to the Reconstitution of the partnership firm, M/s. Hinduja Trading Company;	Photocopy
35.	Form D (Memorandum of acknowledging the receipt of documents) bearing Filing No. 141/2020-21 dated 29.09.2020, issued by the Registrar of Firms, Gandhinagar, Bengaluru, in relation to the Reconstitution of the partnership firm, M/s. Hinduja Trading Company;	Photocopy

SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
36.	Extract of Form A (Register of Partnership Firms) dated 07.10.2020, in respect of the partnership firm, M/s. Hinduja Trading Company, issued by the Registrar Firms, Gandhinagar, Bengaluru;	Photocopy
37.	Mortgage Deed dated 21.12.2022 executed by Emerald Haven Realty Limited, represented by its Head Legal, Mr. M.S. Srinivasa Narayanan, in favour of Aditya Birla Finance Limited, <i>inter alia</i> in respect of the land measuring East to West: 105 feet; North to South on the Eastern side: 51 feet 4 inches, and on the Western side: 41 feet 4 inches, totally admeasuring an extent of 4,864.65 square feet, bearing Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Sudhama Nagar, Bengaluru, and registered as Document No. BSG-1-08012-2022-23, in Book-I, stored in C.D. No. BSGD-1352, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru;	Original
38.	Lease Termination dated 31.12.2015 entered into between (i) M/s. Hinduja Trading Company, represented by its Partner Mrs. Veena R. Hinduja, wife of Mr. Rajendra Hinduja; (ii) M/s. The Unique Creations; and (iii) M/s. Gokaldas Exports Limited & M/s. Gokaldas India, <i>inter alia</i> in respect of the property bearing Municipal No. 1, situated at C.K.C. Garden Bengaluru (<i>Unregistered document</i>);	Photocopy
39.	Copy of the Enquiry Register – City Survey issued in respect of the property bearing Municipal No. 1, CTS No. 407, reflecting Mrs. Zareen Taj, as the holder in respect of the property;	Photocopy
40.	Copy of the extract of P.T. Sheet bearing PTS. No. 438, CTS No. 407;	Photocopy
41.	Encumbrance Certificate issued by the Office of the Sub-Registrar, Basavanagudi (Chamarajpete), in respect of the property bearing Site No. 10, situated at 1 st Main Road, C.K.C. Garden, Bengaluru, for the period: 01.04.1970 to 31.03.1971;	Original

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SL. NO.	PARTICULARS OF DOCUMENTS EXAMINED	REMARKS
42.	Encumbrance Certificate issued by the Office of the Sub-Registrar, Basavanagudi (Chamarajpete), in respect of the property bearing Survey Nos. 18, 18/1, and 19; and Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Bengaluru, for the period: 01.04.1970 to 31.03.2004;	Original
43.	Encumbrance Certificate issued by the Office of the Sub-Registrar, Gandhinagar, in respect of the Property bearing Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Bengaluru, for the period covering: 01.04.2004 to 01.01.2017;	Original
44.	Encumbrance Certificates issued by the Office of the Sub-Registrar, Basavanagudi (Chamarajpete), in respect of the Property bearing Municipal No. 1, situated at 1 st Main Road, C.K.C. Garden, Bengaluru, for the period covering: (i) 01.04.2004 to 04.11.2022; (ii) 17.01.2023 (<i>for a day</i>); and (iii) 01.04.2022 to 02.05.2024; and	Original
45.	Public Notice dated 09.10.2022 issued by Dua Associates, Advocates and Solicitors, in the daily newspapers, namely, The New Indian Express and Kannada Prabha, calling for any claims, right, title and/or interest in respect of the Property.	Original

COMMENTS BASED ON THE DOCUMENTS EXAMINED:

Upon review of the aforesaid documents pertaining to the Property, we observe as follows:

Devolution of title:

1. The Property, i.e., the land measuring an extent of 4,864.65 square feet, presently bearing Municipal No. 1, earlier comprised in Site No. 10 formed in and upon the lands bearing Survey Nos. 18, 18/1, 19 and 21 of Agrahara Thimmasandra Village.
2. It transpires that originally the land bearing Site No. 10 was owned and held by one Mr. C.K. Chikka Hanumanthappa, son of Late Mr. Kempasettiappa. The said



Mr. C.K. Chikka Hanumanthappa died intestate on 02.10.1959 and thereafter, his children, namely, (i) Mr. C.H. Keerthi Sundar; (ii) Mr. C.H. Lokanath; (iii) Mr. C.H. Narayan; (iv) Mr. C.H. Choodanath; (v) Mr. C.H. Chandrashekar; (vi) Mrs. Rajeshwari; (vii) Mrs. Jayalakshmi; and (viii) Mrs. Kathyayini, had entered into family partition, under a Partition Deed dated 04.05.1970, registered on 20.05.1970, as Document No. 382/1970-71, in Book-I, Volume No. 841, at Pages 96 to 103, in the Office of the Sub-Registrar Basavanagudi, Bengaluru (**Document No. 1**). In terms of the said Partition Deed dated 04.05.1970, a portion of the land measuring East to West – 105 feet; and North to South on the Eastern side – 51 feet 4 inches and on the Western side – 41 feet 4 inches, admeasuring about 4,864.65 square feet comprised in Site No. 10, was allotted to the share of Mr. C.H. Narayan, son of Late Mr. C.K. Chikka Hanumanthappa.

3. Thereafter, (i) Mr. C.H. Keerthi Sundar; (ii) Mr. C.H. Lokanath; (iii) Mr. C.H. Narayan; (iv) Mr. C.H. Choodanath; (v) Mr. C.H. Chandrashekar; (vi) Mrs. Rajeshwari; (vii) Mrs. Jayalakshmi; and (viii) Mrs. Kathyayini (all being children of Late Mr. C.K. Chikka Hanumanthappa), had entered into a Rectification of Partition Deed dated 03.09.1976, and registered as Document No. 653/1976-77, in Book-I, Volume No. 1078, at Pages 79 to 81, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru (**Document No. 2**). In terms of which, the name of the village was rectified as Agrahara Thimmasandra Village, instead of Akki Thimmanahalli Village, and incorporating reference to the land bearing Survey Nos. 18, 18/1, 19 and 21 of Agrahara Thimmasandra Village, in the Schedule to the Partition Deed dated 04.05.1970, registered as Document No. 382/1970-71, in Book-I, Volume No. 841, at Pages 96 to 103, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru.
4. It is noted from the recitals of the Sale Deed dated 04.05.1989 (*discussed herein below*), that the said portion of the land measuring an extent of 4,864.65 square feet comprised in Site No. 10, situated at Agrahara Thimmasandra, held by the aforesaid Mr. C.H. Narayan, son of Late Mr. C.K. Chikka Hanumanthappa, was assigned with the Municipal No. 1.
5. Thereafter, the aforementioned Mr. C.H. Narayan, son of Late Mr. C.K. Chikka Hanumanthappa, had sold the property bearing Municipal No. 1, situated at 1st Main Road, C.K.C. Garden, measuring East to West - 105 feet; and North to South on the Eastern side – 51 feet 4 inches and on the Western side – 41 feet 4 inches, admeasuring about 4,500 square feet, together with a shed having a built-up area of about 3,000 square feet thereon, to and in favour of Mrs. Zareen Taj, wife of Mr. Syed Jalal Akbar, under the Sale Deed dated 04.05.1989, and registered as Document No. 389/1989-90, in Book-I, Volume No. 1578, at Pages 204 to 212, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru (**Document No. 3**). *It is observed that the total extent of the land is erroneously mentioned as 4,500 square feet instead of the correct extent of land i.e., 4,864.65*

square feet. The said discrepancy appears to be a typo error and the same will not impact the title to the Property

6. Thereafter, the aforesaid (i) Mrs. Zareen Taj, wife of Mr. Syed Jalal Akbar; and (ii) M/s. Hinduja Trading Company, entered into an Agreement for Sale dated 01.06.1992, in respect of the property bearing Municipal No. 1 (formed in and upon Site No. 10), situated at 1st Main Road, C.K.C. Garden, Bengaluru, measuring East to West - 105 feet; and North to South on the Eastern side – 51 feet 4 inches and on the Western side – 41 feet 4 inches, in all approximately admeasuring about 4,864.65 square feet, together with a shed measuring about 150 square feet (**Document No. 4**). *It is noted that the aforementioned Agreement for Sale is not registered. The aforesaid Mrs. Zareen Taj had subsequently conveyed the Property in favour of M/s. Hinduja Trading Company under the registered Sale Deed. Hence, the non-registration of the Agreement for Sale dated 01.06.1992 does not impact the title to the Property that is the subject matter of this Report.*
7. Subsequently, the aforesaid Mrs. Zareen Taj, wife of Mr. Syed Jalal Akbar, had sold and conveyed the property bearing Municipal No. 1 (formed in and upon Site No. 10), situated at 1st Main Road, C.K.C. Garden, Bengaluru, measuring East to West - 105 feet; and North to South on the Eastern side – 51 Feet 4 inches and on the Western side – 41 feet 4 inches, admeasuring about 4,864.65 square feet, together with a shed measuring about 150 square feet thereon, to and in favour of M/s. Hinduja Trading Company, under the Sale Deed dated 24.09.1992, registered as Document No. 1824/1992-93, in Book-I, Volume No. 1785, at Pages 190 to 197, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru (**Document No. 5**). In this regard, we have also been provided with the No Objection Certificate bearing Reference No. AA/Bng/6(63)8/1992-93, dated 14.08.1992, issued by the Assistant Commissioner of Income Tax, Bengaluru, for the sale and purchase of the property bearing Municipal Nos. 1, 2 and 2/1, situated at 1st Main Road, C.K.C. Garden, Bengaluru (**Document No. 6**).
8. Thereafter, M/s. Hinduja Trading Company, represented by its Partner, Mrs. Nalini D. Hinduja, had agreed to sell and convey the Property measuring East to West: 105 feet; North to South on the Eastern side: 51 feet 4 inches, and on the Western side: 41 feet 4 inches, totally admeasuring an extent of 4,864.65 square feet, bearing Municipal No. 1, situated at 1st Main Road, C.K.C. Garden, Sudhama Nagar, Bengaluru, to and in favour of Emerald Haven Realty Limited, represented by its Head Legal Mr. M.S. Srinivasa Narayanan, under the Agreement for Sale dated 25.09.2022, registered on 29.09.2022, as Document No. BSG-1-05313-2022-23, in Book-I, stored in C.D. No. BSGD-1292, in the Office of the Sub-Registrar, Basavanagudi (**Document No. 7**).

9. Subsequently, M/s. Hinduja Trading Company, represented by its Partners, (i) Mrs. Janaki M. Hinduja, wife of Mr. Madanlal J. Hinduja; (ii) Mrs. Veena R. Hinduja, wife of Mr. Rajendra J. Hinduja; (iii) Mrs. Nalini D. Hinduja, wife of Mr. Dinesh T. Hinduja; and (iv) Mr. Vivek M. Hinduja, son of Mr. Madanlal J. Hinduja, had sold and conveyed *inter alia* the land measuring East to West: 105 feet; North to South on the Eastern side: 51 feet 4 inches, and on the Western side: 41 feet 4 inches, totally admeasuring an extent of 4,864.65 square feet, bearing Municipal No. 1, situated at 1st Main Road, C.K.C. Garden, Sudhama Nagar, Bengaluru, to and in favour of Emerald Haven Realty Limited, represented by its Chief Financial Officer, Mr. P. Vishal Anand, under the Sale Deed dated 23.11.2022, registered as Document No. BSG-1-06960-2022-23, in Book-I, stored in C.D. No. BSGD-1330, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru (**Document No. 8**).
10. It is noted that for the presentation of the aforesaid Sale Deed dated 23.11.2022 before the Sub-Registrar for registration, Mrs. Janaki M. Hinduja was represented through her son and Special Power of Attorney Holder, Mr. Vivek M. Hinduja. In this regard, we have been provided with a copy of the Special Power of Attorney dated 22.11.2022, executed by Mrs. Janaki M. Hinduja, in favour of Mr. Vivek M. Hinduja, and registered as Document No. MLS-4-00362-2022-23, in Book-IV, stored in C.D. No. MLSD-1122, in the Office of the Sub-Registrar, Gandhinagar (Mallechwaram), Bengaluru (**Document No. 9**).
11. In the aforesaid manner, Emerald Haven Realty Limited acquired the ownership in respect of the immovable property being commercial land, measuring East to West: 105 feet; North to South on the Eastern side: 51 feet 4 inches, and on the Western side: 41 feet 4 inches, totally admeasuring an extent of 4,864.65 square feet, together with a shed measuring about 150 square feet thereon, bearing Municipal No. 1, PID No. 48-38-1, situated at 1st Main Road, C.K.C. Garden, Sudhama Nagar, Bengaluru – 560 027.

Khatha and Municipal Records:

12. It transpires that the Assistant Revenue Officer, Chamarajpete Sub-Division, Bengaluru Mahanagara Palike, Bengaluru, had sanctioned amalgamation of Khatha of the Property bearing Municipal No. 2 measuring an extent of 5,069 square feet; and Municipal No. 2/1 measuring an extent of 4,582.81 square feet with the Khatha of the property bearing Municipal No. 1 measuring an extent of 4,864.65 square feet, vide Special Notice bearing Reference No. DA(C)44/KTR/38/1993-94/MTR/156/1993-94 dated 21.01.1994 (**Document No. 10**). Subsequently, the said amalgamation of the properties was cancelled and accordingly the Assistant Revenue Officer, Chamarajpete Sub-Division, Bengaluru Mahanagara Palike had sanctioned bifurcation of property bearing Municipal No. 1 into Municipal Nos. 1, 2 and 2/1, vide Special Notice bearing

Reference No. RD/44/PR/72/1993-94/MT/37/1994-95 dated 27.05.1994
(*Document No. 11*).

13. We have been provided with Khatha Endorsement bearing Reference No. DA(C)44/KTR/60/1992-93 dated 22.02.1993, issued by the Assistant Revenue Officer, Bengaluru Mahanagara Palike, in respect of the Property bearing Municipal No. 1, situated at 1st Main Road, C.K.C. Garden (*Document No. 12*). In terms which, the Khatha in respect of the Property was registered in the name of M/s. Hinduja Trading Company.
14. We have been provided with copies of (i) Khatha Certificate bearing Reference No. BMP/REV/2015-16/KC/971905; (ii) Khatha Extract bearing Reference No. BMP/REV/2015-16/KE/1062222, both dated 20.07.2015, issued by the Assistant Revenue Officer, Bruhat Bengaluru Mahanagara Palike, in respect of the Property bearing Municipal No. 1, PID No. 48-38-1, situated at 1st Main Road, C.K.C. Garden, is issued in the name of M/s. Hinduja Trading Company, represented by its Partner Mrs. Veena R. Hinduja (*Document Nos. 13 and 14 respectively*).
15. We have been provided with copies of (i) Khatha Certificate bearing Reference No. BMP/REV/2019-20/KC/1400385; (ii) Khatha Extract bearing Reference No. BMP/REV/2019-20/KE/1528410, both dated 30.12.2019, issued by the Assistant Revenue Officer, Bruhat Bengaluru Mahanagara Palike, in respect of the Property bearing Municipal No. 1, PID No. 48-38-1, situated at 1st Main Road, C.K.C. Garden, is issued in the name of M/s. Hinduja Trading Company (*Document Nos. 15 and 16 respectively*). It is further noted from the said documents that the Property comprises a land area of 4,864.65 square feet.
16. We have been provided with a copy of the Khatha Endorsement dated 29.10.2022, issued by the Bruhat Bengaluru Mahanagara Palike, in respect of the Property (*Document No. 17*). In terms of the same, the Khatha in respect of the Property is issued in the name of the partnership firm, M/s. Hinduja Trading Company. It is further noted from the said document that the Property comprises a land area of 4,864.65 square feet.
17. We have been provided with a copy of the Khatha Endorsement dated 30.12.2022, issued by the Assistant Revenue Officer, Bruhat Bengaluru Mahanagara Palike, Bengaluru, in respect of the Property bearing Municipal No. 1, situated at 1st Main Road, C.K.C. Garden, Sudhama Nagar, in the name of Emerald Haven Realty Limited (*Document No. 18*).
18. We have been provided with a copy of the Endorsement bearing Reference No. ARO.K.G.N/KTR/178/2022-23 dated 30.12.2022, issued by the Assistant Revenue Officer, Kempegowda Nagar, Sub-Division, Bruhat Bengaluru Mahanagara Palike, Bengaluru, in respect of the Property bearing Municipal No.

- 1, situated at 1st Main Road, C.K.C. Garden, Sudhama Nagar, in the name of Emerald Haven Realty Limited (**Document No. 19**).
19. The Property has presently been amalgamated with and formed part of a larger extent of land measuring 51,056 square feet, bearing Municipal No. 70, PID No. 48-50-70, situated at Sudhama Nagar, Mission Road, Bengaluru. In this regard, we have been provided with copies of: (i) Amalgamation Deed dated 17.01.2023 executed by Emerald Haven Realty Limited, and registered as Document No. BSG-1-08744-2022-23, in Book-I, stored in C.D. No. BSGD-1373, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru (**Document No. 20**); and (ii) Special Notice bearing Reference No. DA/W-118/KTR/210/2022-23/MTR/24/2022-23 dated 04.03.2023, issued by the Assistant Revenue Officer, Kempegowda Nagar Sub-Division, Bruhat Bengaluru Mahanagara Palike, Bengaluru, amalgamating the Khatha of the properties viz., (i) Municipal No. 1 measuring an extent of 4,864.65 square feet (i.e., Property); (ii) Municipal No. 2 measuring an extent of 5,069 square feet; (iii) Municipal No. 2/1 measuring an extent of 4,582.81 square feet; and (iv) Municipal No. 9 measuring an extent of 1,375 square feet, situated at 1st Main Road, C.K.C. Garden, Bengaluru; and (i) Municipal No. 70 measuring an extent of 20,906 square feet; (ii) Municipal No. 71 measuring an extent of 5,520 square feet; (iii) Municipal No. 72 measuring an extent of 5,520 square feet; (iv) Municipal No. 73 measuring an extent of 1,610 square feet; (v) Municipal No. 74 measuring an extent of 805 square feet; and (vi) Municipal No. 75 measuring an extent of 805 square feet, situated at Mission Road, Bengaluru, totally admeasuring an extent of 51,056 square feet, and assigning with the single Municipal No. 70 situated at Mission Road, Bengaluru (**Document No. 21**). Further, we have also been provided with an Endorsement bearing Reference No. ARO.K.G.N/KTR/174/2022-23 dated 04.03.2023, issued by the Assistant Revenue Officer, Kempegowda Nagar, Sub-Division, Bruhat Bengaluru Mahanagara Palike, Bengaluru, confirming that the Khatha in respect of the property bearing Municipal No. 70, PID No. 48-50-70 situated at Mission Road, Bengaluru measuring an extent of 51,056 square feet, in the name of Emerald Haven Realty Limited (**Document No. 22**).

Property Taxes:

20. We have been provided with the copies of (i) Tax paid receipts issued by the Assistant Revenue Officer, Bengaluru Mahanagara Palike, evidencing the payment of Property taxes, in respect of the property bearing Municipal No. 1 for the years: 1992-93 to 1995-96; 1997-98; 1999-2000 to 2002-03; and 2006-07 to 2009-10 (**Document No. 23**); and (ii) Tax paid receipts issued by the Bruhat Bengaluru Mahanagara Palike, evidencing the payment of property taxes, in respect of the Property bearing PID No. 48-38-1, for the years: 2011-12; 2013-14; and 2016-17 to 2022-23 (**Document No. 24**).

21. We have been provided with a copy of the Tax paid receipt issued by the Bruhat Bengaluru Mahanagara Palike, Revenue department, evidencing the payment of property taxes, in respect of the Property bearing PID No. 48-50-70, for the year: 2023-24 (**Document No. 25**).

We have not been provided with the copies of Tax paid receipts issued by the Bruhat Bengaluru Mahanagara Palike, evidencing the payment of property taxes, in respect of the Property for the years: 2012-13; and 2014-15 to 2015-16 for our examination. It is however noted that the property taxes in respect of the Property have been paid for the last 8 (eight) years and that there are no property taxes due and payable in respect of the Property as of the present assessment year.

Documents pertaining to the Partnership Firm:

22. The aforesaid (i) Mrs. Dayavanthi Bai J. Hinduja, wife of Mr. Jhamandas H. Hinduja; (ii) Mrs. Janaki M. Hinduja, wife of Mr. Madanlal J. Hinduja; (iii) Mrs. Veena R. Hinduja, wife of Mr. Rajendran J. Hinduja; and (iv) Mrs. Nalini D. Hinduja, wife of Mr. Dinesh J. Hinduja, had constituted themselves into a partnership firm, under the name and style of "M/s. Hinduja Trading Company", under the Partnership Deed dated 23.02.1979 (**Document No. 26**). It is noted that the partners of the said partnership firm had entered into a fresh Partnership Deed dated 01.04.1992, constituting themselves into a partnership firm, under the name and style of "M/s. Hinduja Trading Company" (**Document No. 27**). It is noted that the said Partnership Deed dated 01.04.1992 also refers to another Partnership Deed dated 10.07.1982. However, we have not been provided with a copy of the said Partnership Deed dated 10.07.1982 for our examination. The absence of the said document does not impact on the title to the Property that is the subject matter of this Report.
23. It transpires that the said partnership firm, M/s. Hinduja Trading Company was registered under the provisions of the Indian Partnership Act, 1932, vide Registration No. 1271/1993-94 on 02.11.1993, with the Registrar of Firms, Gandhinagar, Bengaluru. In this regard, we have also been provided with the Form C (Acknowledgement of Registration of Firms), dated 02.11.1993, issued by the Registrar of Firms, Gandhinagar, Bengaluru, evidencing the registration of the partnership firm, M/s. Hinduja Trading Company, with Registration No. 1271/1993-94 (**Document No. 28**).
24. It transpires that the partnership firm, M/s. Hinduja Trading Company was reconstituted under Deeds of Reconstitution of Partnership dated 01.04.2014 and 05.09.2015 (**Document Nos. 29 and 30, respectively**), whereunder, one of the Partner, Mrs. Dayavanthi J. Hinduja, wife of Mr. Jhamandas H. Hinduja, had retired from the said partnership firm with effect from 01.04.2015. It is further noted that the said retiring partner, Mrs. Dayavanthi J. Hinduja, wife of Mr.

- Jhamandas H. Hinduja, in lieu of monetary consideration in a sum of Rs. 60,68,776.70/- agreed to be paid to her by the continuing partners, had assigned all her share and interest, including her share in the properties of the said partnership firm in favour of the continuing partners, to hold in equal shares or such shares as may be mutually agreed upon by the continuing partners.
25. Thereafter, the continuing partners of the partnership firm, M/s. Hinduja Trading Company, had entered into a Deed of Addendum to Reconstitution of Partnership dated 23.06.2017, in terms of which a new Clause had been inserted, which provides for the right of the partners to nominate any other person, being related to him/ her as spouse, son or daughter or any other person to succeed, in the event of death of such partner or upon such partner becoming unanticipated, and thereupon for the other partners to admit such nominee as a partner to fully succeed to the partnership interest of the deceased partner or otherwise unanticipated partner (**Document No. 31**).
26. Thereafter, in terms of the Deed of Reconstitution dated 18.09.2020, Mr. Vivek M. Hinduja, son of Mr. Madanlal J. Hinduja was admitted as one of the Partners of the partnership firm, M/s. Hinduja Trading Company (**Document No. 32**).
27. We have been provided with the following documents in respect of the partnership firm, M/s. Hinduja Trading Company:
- (i) Form D (Memorandum of acknowledging the receipt of documents) bearing Filing No. 120/2015-16 dated 29.08.2015, issued by the Registrar of Firms, Basavanagudi, Bengaluru, in relation to the change of address of the partnership firm, M/s. Hinduja Trading Company, as follows: No. 222/14, Gokaldas Chambers, 5th Main, Bellary Road, Sadashivanagar, Bengaluru – 560 080 (**Document No. 33**);
- (ii) Form D (Memorandum of acknowledging the receipt of documents) bearing Filing No. 305/2015-16 dated 25.01.2016, issued by the Registrar of Firms, Gandhinagar, Bengaluru, in relation to the Reconstitution of the partnership firm, M/s. Hinduja Trading Company (**Document No. 34**);
- (iii) Form D (Memorandum of acknowledging the receipt of documents) bearing Filing No. 141/2020-21 dated 29.09.2020, issued by the Registrar of Firms, Gandhinagar, Bengaluru, in relation to the Reconstitution of the partnership firm, M/s. Hinduja Trading Company (**Document No. 35**); and
- (iv) Extract of Form A (Register of Partnership Firms) dated 07.10.2020, in respect of the partnership firm, M/s. Hinduja Trading Company, issued by the Registrar of Firms, Gandhinagar, Bengaluru, reflecting the issue of Form D (Memorandum of acknowledging the receipt of documents) from

time to time as aforesaid (**Document No. 36**). It is further gathered from the said extract of Form A that as on the date 07.10.2020, the following are the Partners of the said partnership firm, M/s. Hinduja Trading Company:

- (1) Mrs. Janaki M. Hinduja, wife of Mr. Madanlal J. Hinduja;
- (2) Mrs. Veena R. Hinduja, wife of Mr. Rajendran J. Hinduja;
- (3) Mrs. Nalini D. Hinduja, wife of Mr. Dinesh J. Hinduja; and
- (4) Mr. Vivek M. Hinduja, son of Mr. Madanlal J. Hinduja.

Mortgage:

28. It is noted that Emerald Haven Realty Limited, represented by its Head Legal, Mr. M.S. Srinivasa Narayanan, had created a charge by way of mortgage *inter alia* in respect of the land measuring East to West: 105 feet; North to South on the Eastern side: 51 feet 4 inches, and on the Western side: 41 feet 4 inches, totally admeasuring an extent of 4,864.65 square feet, bearing Municipal No. 1, situated at 1st Main Road, C.K.C. Garden, Sudhama Nagar, Bengaluru, in favour of Aditya Birla Finance Limited, under the Mortgage Deed dated 21.12.2022, registered as Document No. BSG-1-08012-2022-23, in Book-I, stored in C.D. No. BSGD-1352, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru (**Document No. 37**).

Lease:

29. It is noted that, M/s. Hinduja Trading Company, had executed a Lease Deed dated 01.04.2014 in favour of (i) M/s. The Unique Creations; (ii) M/s. Gokaldas Exports Limited; and (iii) M/s. Gokaldas India. Subsequently, the said lease was terminated under the Lease Termination Deed dated 31.12.2015 (**Document No. 38**). It is noted from the Encumbrance Certificates that the said Lease Deed dated 01.04.2014 is not registered and the same is an unregistered document.

In this regard, we have not been provided with the Lease Deed 01.04.2014 executed by M/s. Hinduja Trading Company in favour of (i) M/s. The Unique Creations; (ii) M/s. Gokaldas Exports Limited; and (iii) M/s. Gokaldas India, for our examination and comments. It is represented that the said document is not available. However, the same has no bearing on the title to the Property inasmuch as the said lease was terminated under the Lease Termination Deed dated 31.12.2015. Further, it is to be noted that as the Lease Deed dated 01.04.2014 is not the registered document, the registration of the subsequent Lease Termination Deed dated 31.12.2015 is not necessary. Hence, the non-registration of the Lease Termination Deed dated 31.12.2015 will not affect the proposed mortgage to be created in respect of the Property in favour of the lender.

City Survey Records:

30. We have been provided with copies of the (i) Enquiry Register – City Survey issued in respect of the property bearing Municipal No. 1, CTS No. 407, reflecting Mrs. Zareen Taj, as the holder in respect of the Property; and (ii) Extract of P.T. Sheet bearing PTS. No. 438, CTS No. 407 (**Document Nos. 39 and 40, respectively**). *It is noted that the said City Survey Records were prepared at the relevant time when the erstwhile owner, Mrs. Zareen Taj was holding the Property. It is to be noted that the said documents will not be updated from time to time in the name of the present owner and instead the present revenue records reflect the name of the present owner.*

Encumbrance Certificates:

31. We have been provided with the Encumbrance Certificate issued by the Office of the Sub-Registrar, Basavanagudi (Chamarajpete), in respect of the property bearing Site No. 10, situated at 1st Main Road, C.K.C. Garden, Bengaluru, for the period: 01.04.1970 to 31.03.1971 (**Document No. 41**). In terms of the same, Partition Deed dated 04.05.1970 entered into between Mr. Keerthi Sundar and others and registered on 20.05.1970, as Document No. 382/1970-71 is reflected.
32. We have been provided with the Encumbrance Certificate issued by the Office of the Sub-Registrar, Basavanagudi (Chamarajpete), in respect of the property bearing Survey Nos. 18, 18/1 and 19; and Municipal No. 1, situated at Bengaluru, for the period: 01.04.1970 to 31.03.2004 (**Document No. 42**). In terms of the same, following transactions are reflected:
- (a) Rectification of Partition Deed dated 03.09.1976 entered into between Mr. Keerthi Sundar, and others, and registered as Document No. 653/1976-77;
- (b) Sale Deed dated 04.05.1989 executed by Mr. C.H. Narayan, in favour of Mrs. Zareen Taj, and registered as Document No. 389/1989-90; and
- (c) Sale Deed dated 24.09.1992 executed by Mrs. Zareen Taj, in favour of M/s. Hinduja Trading Company, and registered as Document No. 1824/1992-93.
33. We have been provided with the Encumbrance Certificate issued by the Office of the Sub-Registrar, Gandhinagar, in respect of the property bearing Municipal No. 1 situated at 1st Main Road, C.K.C. Garden, Bengaluru, for the period: 01.04.2004 to 01.01.2017 (**Document No. 43**). In terms of the said Encumbrance Certificate there are no transactions reflected in respect of the Property.
34. We have been provided with the Encumbrance Certificates issued by the Office of the Sub-Registrar, Basavanagudi (Chamarajpete), in respect of the Property

bearing Municipal No. 1, situated at 1st Main Road, C.K.C. Garden, Bengaluru, for the period: (i) 01.04.2004 to 04.11.2022; (ii) 17.01.2023 (*for a day*); and (iii) 01.04.2022 to 02.05.2024 (*Document No. 44*). In terms of the same, following documents are reflected:

- (i) Agreement for Sale dated 29.09.2022 executed by M/s. Hinduja Trading Company, in favour of Emerald Haven Realty Limited, and registered as Document No. BSG-1-05313-2022-23, in Book-I, stored in C.D. No. BSGD-1292;
 - (ii) Sale Deed dated 23.11.2022 executed by M/s. Hinduja Trading Company, in favour of Emerald Haven Realty Limited, registered as Document No. BSG-1-06960-2022-23;
 - (iii) Mortgage Deed dated 21.12.2022 executed by Emerald Haven Realty Limited, in favour of Aditya Birla Finance Limited, registered as Document No. BSG-1-08012-2022-23, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru; and
 - (iv) Amalgamation Deed dated 17.01.2023 executed by Emerald Haven Realty Limited and registered as Document No. BSG-1-08744-2022-23, in Book-I, stored in C.D. No. BSGD-1373, in the Office of the Sub-Registrar, Basavanagudi.
35. As discussed above, we have been provided with the Encumbrance Certificates in respect of the Property for the period of 54 (fifty-four) years covering from 01.04.1970 to 02.05.2024. In terms of the same, other than the transactions discussed hereinabove, no other transactions are reflected which affects the title to the Property. Further, it is advisable to obtain Encumbrance Certificate in respect of the amalgamated Municipal No. 70, PID No. 48-50-70, situated at Sudhama Nagar, Mission Road, Bengaluru for the period: 01.01.2023 till date.

Minor's Interest:

36. It is noted from the examination of the documents that there is no minor's interest in the Property.

Land Ceiling:

37. It is noted that at the relevant time the Urban Land (Ceiling and Regulation) Act, 1976, was in force, the Property comprised of building/s and that there were no restrictions to hold the Property by the then landowners.



38. Further, it is to be noted that the Urban Land (Ceiling and Regulation) Act, 1976, was subsequently repealed by the Urban Land (Ceiling and Regulation) Repeal Act, 1999.

Zone/ Usage of Land:

39. It is noted that as per the Revised Master Plan – 2015 drawn up by the Bengaluru Development Authority (Reference: Map 1.07 – Chamarajpete), the Property is earmarked for Residential (Mixed) Zone.

Public Notice:

40. We had caused a Public Notice dated 09.10.2022 in the daily newspapers, namely, The New Indian Express and Kannada Prabha, calling for any claims, right, title and/or interest in respect of the Property (**Document No. 45**). We have not received any objections or claims pursuant to the said Public Notice dated 09.10.2022 as on date.

Verification of Original Documents:

41. We have undertaken scrutiny and verification of all original documents with respect to the Property. Our comments and remarks thereto are incorporated in the List of Documents Examined listed hereinabove.

DISCLAIMER:

This Report is provided on the basis of review and examination of the various documents of title and does not purport to certify the authenticity of such documents. This Report is subject to our comments stated herein above. This Report is limited to ascertaining the legal right, title and interest of the present owners based on the representations of the said owner/s.

For the purposes of this Report, we have assumed that the documents and deeds examined by us are genuine and authentic; that the existence, capacity and authority of each of the parties to enter into and perform their respective obligations under the said title documents is undisputable; and that there are no facts or circumstances in existence and no events have occurred which have rendered the title documents void or voidable or capable of being rescinded for any fraud or misrepresentation on the part of any party.



CONCLUSION:

On a review and analysis of the documents/ information furnished to us we are of the opinion that:

- (a) **EMERALD HAVEN REALTY LIMITED** [CIN: U45200TN2010PLC 075953], a company incorporated under The Companies Act, 1956, having its registered Office at Ispahani Centre, 4th Floor, Door Nos. 123 and 124, Nungambakkam High Road, Chennai – 600 034, Tamil Nadu, is vested with clear, valid and marketable title, in respect of the Property i.e., immovable property being commercial land, measuring East to West: 105 feet; North to South on the Eastern side: 51 feet 4 inches, and on the Western side: 41 feet 4 inches, totally admeasuring an extent of 4,864.65 square feet, bearing Municipal No. 1, PID No. 48-38-1, situated at 1st Main Road, C.K.C. Garden, Sudhama Nagar, Bengaluru – 560 027. The Property has presently been amalgamated with and formed part of a larger extent of land measuring 51,056 square feet, bearing Municipal No. 70, PID No. 48-50-70, situated at Mission Road, Sudhama Nagar, Bengaluru.
- (b) The Property has presently been mortgaged in favour of Aditya Birla Finance Limited, under the Mortgage Deed dated 21.12.2022, registered as Document No. BSG-1-08012-2022-23, in Book-I, stored in C.D. No. BSGD-1352, in the Office of the Sub-Registrar, Basavanagudi, Bengaluru.

U. Srinivas
DUA ASSOCIATES
Advocates & Solicitors
Bengaluru

