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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,

Re: Title clearance certificate with respect to all those pieces and parcels of land admeasuring 89,738.29 sq. mtrs. (22 Acres and 7 Gunthas) comprising of (i) Survey No. 16/1/5 (part) (described as Survey No. 16/1/3/A as per the online 7/12 extract), (ii) Survey No. 16/1 (part) (described as Survey No. 16/1/A as per the online 7/12 extract), (a portion admeasuring 48,490 sq. mtrs. forming part of (i) and (ii) has now been assigned CTS Nos. 1550/B, 1550/D and 1653), (iii) Survey No. 17, (iv) Survey No. 18, and (v) Survey No. 218 of Village Shahad, Taluka Kalyan, District Thane (collectively referred to as "the said Land").

1. We have investigated the title of the said Land more particularly described hereinbelow on the request of Century Textiles & Industries Limited ("CTIL") and have perused the documents listed hereinbelow:

(1) Description of the said Land:

All those pieces and parcels of land admeasuring 89,738.29 sq. mtrs. (22 Acres and 7 Gunthas) comprising of (i) Survey No. 16/1/5 (part) (described as Survey No. 16/1/3/A as per the online 7/12 extract) admeasuring 0 Hectare 42 Ares, hereinafter referred to as "said Property No. 1", (ii) Survey No. 16/1 (part) (described as Survey No. 16/1/A as per the online 7/12 extract) admeasuring 4 Hectares 87.12 Ares, hereinafter referred to as "said Property No. 2", (a portion admeasuring 48,490 sq. mtrs. forming part of (i) and (ii) has now been assigned CTS Nos. 1550/B, 1550/D and 1653), (iii) Survey No. 17 admeasuring 1 Hectare 62.90 Ares, hereinafter referred to as "said Property No. 3", (iv) Survey No. 18 admeasuring 1 Hectare 43.70 Ares, hereinafter referred to as "said Property No. 4", and (v) Survey No. 218 admeasuring 0 Hectare 60.70 Ares, hereinafter referred to as "said Property No. 5" of Village Shahad, Taluka Kalyan, District Thane. The said Property Nos. 1, 2, 3, 4 and 5 are hereinafter collectively referred to as "said Land".

(2) The documents of allotment / purchase of the said Land perused by us:

- a. Copy of Sale Deed dated 23 October 1964 bearing registration No. KLN-2032 of 1964 executed between Shri Gulamali Gulam Hussain Maulvi and The Century Spinning and Manufacturing Co. Ltd., Proprietors of Century Rayon, in respect of portion admeasuring upto 1 Acre and 2 Gunthas out of land bearing Survey No. 16.

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- b. Original Sale Deed dated 10 February 1972 bearing registration No. KLN-216/1972 (new no. KLN-104/1976) executed between Shri Gulam Ahmed Gulam Ali Maulvi, Shri Abdul Razak Gulam Ali Maulvi, Smt. Khatijabibi Abdul Vahab Farid, Smt. Shajahan Begum Gulam Akbar Phangari, Mehrunnissa Abdul Mohasin Arab, Nazninbegum Hissamudin Fakhri, Rashidabegum Jainuddin Maulvi, and Century Chemicals (Props: The Century Spinning and Manufacturing Co. Ltd.) in respect of land bearing Survey No. 16, Hissa No. 1 admeasuring 12 Acres and 2 Gunthas.
- c. Original Sale Deed dated 14 October 1981 alongwith copy of registration receipt bearing Registration No. K.L.N. 1002 of 1983 executed between Shri Gulam Ahmed Gulam Ali Maulvi, Shri Abdul Razak Gulam Ali Maulvi, Smt. Shajahan Begum Gulam Akbar Phangari, Mehrunnissa Abdul Mohasin Arab, Nazninbegum Hissamudin Fakhri, Rashidabegum Jainuddin Maulvi, and Century Chemicals (Props: The Century Spinning and Manufacturing Co. Ltd.) in respect of the land bearing Survey Nos. 17, 18 and 218, totally admeasuring 9 Acres and 3 Gunthas.
- d. Original Development Agreement dated 3 April 2019 registered with the office of Sub-Registrar of Assurances at Kalyan – 1 under serial number 6126/2019 on 30 May 2019 and executed between CTIL and Birla Estates Pvt. Ltd.
- e. Original General Power of Attorney dated 3 April 2019, registered with the office of Sub-Registrar of Assurances at Kalyan – 1 under Serial number 6127 of 2019 and executed by CTIL in favour of Birla Estates Pvt. Ltd.
- f. Other documents as listed out in Section I of Annexure “A” hereto.
- (3) Ruled Card issued on 7 May 2018 for land bearing CTS Nos. 1550/B, 1550/D and 1653 reflects the name of “M/s. Century Rayon (a Division of Century Textiles Industries Limited)” (in Marathi) since 2 May 2018. Also, the online 7/12 extracts in respect of land bearing Survey No. 16/1/A, 16/1/A/3, 17, 18 and 218 reflect the name of “M/s. Century Rayon (a Division of Century Textiles and Industries Limited)” (in Marathi).
- (4) Search Reports for the said Land issued are as under:
- a. Search Report dated 10 May 2019 issued by Mr. Harish D. Mashelkar, Search Clerk, who has conducted searches in respect of the said Land for the years for the years 1972 to 2019 in the concerned offices of Sub-Registrar of Assurances.
- b. Search Report dated 11 May 2021 issued by Mr. Vishal Chitnis, who has conducted searches in respect of the said Land for the period from 1 January 2019 to 10 May 2021 in the concerned offices of Sub-Registrar of Assurances.
- c. General Search Report dated 4 July 2019 (“**ROC Search Report**”) issued by M/s. Jaya Sharma & Associates, Practicing Company Secretaries, who has conducted online searches on the websites maintained by Ministry of Corporate Affairs (www.mca.gov.in) in order to identify any pending mortgages / charges created by CTIL on the said Land. We dealt with only those mortgages / charges pending as on the date of this Report.

2. On perusal of the above mentioned documents and all other relevant documents relating to the title to the said Land we are of the opinion that Century Textiles and Industries Limited is the owner of the said Land and its title to the said Land is clear and marketable and Birla Estates Private Limited is entitled to develop the same in terms of the Development Agreement read with General Power of Attorney both dated 3 April 2019, subject to what is stated in Annexure "A" and Annexure "A-1" (Encumbrances).
3. The report reflecting the flow of title of CTIL to the said Land and the steps undertaken for the investigation of such title is annexed herewith as Annexure "A". The encumbrances are listed out in Annexure "A-1". This Legal Title Report is at all times to be read in conjunction with what is stated in Annexure "A" and Annexure "A-1".

Dated this 25th day of June 2021.

For M/s. Hariani & Co.



Associate Partner

Encl.: Annexures.

ANNEXURE "A"

SECTION I

(List of additional documents perused)

- a. Copy of Order dated 10 October 1964 issued by Assistant Collector of Thana Division permitting M/s. Century Rayon granting permission to purchase portion admeasuring upto 1 Acre and 2 Gunthas out of land bearing Survey No. 16 for non-agricultural and industrial purpose.
- b. Copy of Order dated 26 May 1971 bearing No. TNC/SR/49/71 issued by Sub-Divisional Officer of Thana Division under Section 63 of Bombay Tenancy and Agricultural Land Act ("BTAL Act") granting permission to M/s. Century Chemicals to purchase land bearing Survey No. 16, Hissa No. 1 admeasuring 12 Acres and 2 Gunthas for non-agricultural and industrial purpose.
- c. Copy of Order dated 14 September 1981 bearing No. TNC/SR/56/78 issued by Sub-Divisional Officer of Thana Division under Section 63 of Bombay Tenancy and Agricultural Land Act, 1948 granting permission to Abdul Razak Gulam Ali Maulvi to sell the land bearing Survey No. 17, 18 and 218 totally admeasuring 9 Acres and 3 Gunthas to Century Spinning and Manufacturing Company Limited.
- d. Copy of 7/12 extract for the year 2000 to 2016 in respect of land bearing Survey No. 16/1(part).
- e. Copy of 7/12 extract for the year 2000 to 2016 in respect of land bearing Survey No. 16/1/5 (part).
- f. Copy of 7/12 extract for the year 2013 to 2016 in respect of land bearing Survey No. 17.
- g. Copy of 7/12 extract for the year 2013 to 2016 in respect of land bearing Survey No. 18.
- h. Copy of 7/12 extract for the year 2013 to 2015 in respect of land bearing Survey No. 218.
- i. Copy of Mutation Entries -
 - (i) In respect of land bearing Survey No. 16 (1) part – 439, 804, 1331.
 - (ii) In respect of land bearing Survey No. 16/1/5 part – 439, 669, 1331.
 - (iii) In respect of land bearing Survey No. 17 – 22, 320, 516, 517, 552, 1092, 1331.
 - (iv) In respect of land bearing Survey No. 18 – 122, 320, 516, 517, 552, 1092, 1331.
 - (v) In respect of land bearing Survey No. 218 – 439, 1092, 1331.

- j. Copies of Certificates dated 25 June 2012 and 4 January 2015 issued by Talathi, Shahad.
- k. Copies of Letters dated 2 November 2017 and 3 November 2017 issued by Tahsildar, Kalyan.
- l. Copy of Tenancy proceedings No.32-G/Shahad/1964 filed before Additional Tahsildar and Agricultural Land Tribunal ("ALT"), alongwith copy of Judgment and Order dated 6 May 1964 passed therein.
- m. Copy of Tenancy Appeal bearing No.4 of 2000 filed before Sub-Divisional Officer, Thane, alongwith copy of Order dated 22 May 2003 passed therein.
- n. Copy of Appeal bearing No. 32 of 2000 filed before Sub-Divisional Officer, Thane, alongwith copy of Order dated 22 May 2003.
- o. Copy of RTS Appeal No. bearing No. 18/2007 filed before Additional Collector, Thane, alongwith copy of Order dated 28 January 2013 passed therein.
- p. Copy of Property Register Cards / Ruled Cards for CTS Nos. 1550/B, 1550/D and 1653.
- q. Copy of the Board Resolution dated 12 May 2017 passed by Century Textiles and Industries Ltd.
- r. Copy of Deed of Mortgage dated 22 November 2019 registered with the office of Sub-Registrar of assurances at KLN - 4 under serial number 14724 of 2019 executed between Century Textiles and Industries Limited, therein referred to as the 'Mortgagor' of the One Part and HDFC Bank Ltd.
- s. Original Search Report dated 10 May 2019 issued by H.D. Mashelkar, Search Clerk, in respect of the said Land.
- t. Copy of Search Report dated 11 May 2021 issued by Mr. Vishal Chitnis, Search Clerk, in respect of the said Land.
- u. Copy of General ROC Search Report dated 4 July 2019 of CTIL issued by Jaya Sharma & Associates.
- v. Copy of Index of Charges available on the website of Ministry of Corporate Affairs (www.mca.gov.in/) as on 2 June 2021.
- w. Copy of Writ Petition bearing No. 6523 of 2019 dated 2 May 2019 filed in the Hon'ble Bombay High Court by one Bholenath Undrya Kashelkar (Petitioner) against (i) Vishwanath Anant Phadke (Respondent No. 1), (ii) Gulam Ahmad Gulam Ali Maulavi (Respondent No. 2), (iii) Abdul Rajak Gulam Ali Maulavi (Respondent No. 3), (iv) Shehjan Begum Gulam Akbar Fungari (Respondent No. 4), (v) Maistisl Abdul Mohsin Arab (Respondent No. 5), (vi) Najneen Begum Hissamuddin Fuki (Respondent No. 6), (vii) Rashidabegum Jainuddin Maulavi (Respondent No. 7), (viii) Century Chemicals (Respondent No. 8), (ix) Sanjay Vasant Jogalekar (Respondent No. 9), (x) Prabhakar (Kiran) Krishnaji Jogalekar

Mr

(Respondent No. 10) and (xi) Nayana Krishnaji Jogalekar (Respondent No. 11) and the Order dated 10 December 2019 passed therein by the Hon'ble Bombay High Court.

- x. Copy of Order dated 15 March 2018 passed by Dy. Superintendent, Land Record Kalyan.
- y. Copy of the Board Resolution dated 12 December 2017 passed by Century Textiles and Industries Ltd. and a Letter dated 21 December 2018 effecting the change of name from Birla Estates to Century Estates w.e.f. 21 December 2018.
- z. Copy of Certificate dated 5 April 2019 issued by Creations, Architects & Interior Designers, in respect of the said Land.
- aa. Copy of Letter dated 28 April 2021 addressed by M/s. Dangi & Associates, Chartered Accountants, to DSK Legal.
- bb. Copies of Property Tax Bill dated 6 May 2020 pertaining to the said Land bearing Property No. A01019853700 and receipt dated 18 January 2021 reflecting the payment thereof.
- cc. Copies of two Orders dated 9 July 2018 and 20 February 2019 passed by the Office of Tahsildar and Executive Magistrate, Kalyan, pertaining to determination of non-agricultural assessment tax on account of change of use of the said Land and the corresponding Challans reflecting the payments thereof.
- dd. Copies of online 7/12 extracts in respect of land bearing Survey Nos. 16/1/A/3, 16/1/A, 17, 18 and 218.
- ee. Copy of Lease Deed dated 30 May 2019 registered with the office of Sub-Registrar of Assurances, at Serial No. KLN-1/6136/2019, executed by CTIL (through its Division Century Estates) represented by its Power of Attorney holder Birla Estates Private Limited, in favour of Maharashtra State Electricity Distribution Company Limited in respect of a portion of land admeasuring 45 meters from and out of land bearing CTS No. 1653.
- ff. Copy of Affidavit cum Bond dated 31 August 2018 executed by CTIL, through its authorized signatory, Mr. K.T. Jithendran.
- gg. Copy of Letter dated 28 May 2021 addressed by CTIL to us.

SECTION II
(Flow of title)

On perusal of the original, photocopy, scanned copy or electronic copy, as the case may be, of documents mentioned/set out in Clause 1(2) of the Legal Title Report and Section I of this Annexure "A", the responses given by Century Textiles & Industries Limited ("CTIL") to our requisitions from time to time, and the Letter dated 28 May 2021 addressed by CTIL to us, we observe as follows:

1. **In respect of land bearing Survey No. 16/1/5 (part) corresponding with Survey No. 16/1/A/3 as per the online 7/12 extract ("said Property No. 1")**
 - (i) From Mutation Entry No. 439 dated 8 May 1946, it appears that Vinayak Ganesh Vaidya was the owner of the land bearing Survey No 16. The said Vinayak Ganesh Vaidya alongwith others sold, transferred and conveyed the land bearing Survey No.16 and certain other properties to Gulamali Gulam Hussain Maulvi vide Sale Deed dated 4 March 1946. We have not been provided with a copy of the Sale Deed dated 4 March 1946.
 - (ii) By an order dated 10 October 1964, the Assistant Collector of Thana Division, granted permission under Section 63 of Bombay Tenancy and Agricultural Land Act, 1948 read with Rule 25 of the Bombay Tenancy and Agricultural Land Rules 1956 to Century Rayon, a Division of Century Spinning and Manufacturing Company Limited, (hereinafter referred to as "**Century Rayon**") for purchasing the land admeasuring 1 Acre and 2 Gunthas out of Survey No. 16 for non-agricultural and Industrial purpose with a condition that (1) the land should be used for non-agricultural and Industrial purpose only within one year from the date of the order, (2) the land should not be disposed of in any manner without prior permission of the Collector, (3) the purchaser should obtain N.A. permission from the Competent Authority before the land is used for non-agricultural purpose.
 - (iii) By and under a Deed of Sale dated 23 October 1964 bearing registration No. KLN 2032 of 1964 Gulamali Gulam Hussain Maulvi therein referred to as the Vendor conveyed and transferred two plots admeasuring 32 Gunthas and 10 Gunthas forming part of Survey No. 16 aggregating 1 Acre and 2 Gunthas in favour of Century Spinning and Manufacturing Company Limited (Proprietors of Century Rayon) therein referred to as the Purchaser for consideration mentioned therein. Pursuant to the aforesaid sale deed dated 23 October 1964, the name of The Century Spinning and Manufacturing Company Limited was mutated in 7/12 extract of land bearing Survey No. 16/1/5 (part) vide Mutation Entry No. 669 dated 8 June 1965. It appears on perusal of 7/12 extract for the period 2000 to 2016 that the land bearing Survey No.16 (part) admeasuring 1 Acre and 2 Gunthas purchased as aforesaid has been renumbered as Survey No.16, Hissa No.1/5 (part), i.e. said Property No.1.
 - (iv) From Mutation Entry No. 1331 dated 15 January 2013, it appears that pursuant to an application made for change of name from Century Spinning and Manufacturing Company Limited to Century Rayon (a Division of Century Textiles and Industries Limited) in the record of rights in respect of said Property No.1 alongwith other properties owned by it, the name of Century Rayon (a Division of Century Textiles and Industries Limited) accordingly has been recorded in place of Century Spinning and Manufacturing Company Limited.

- (v) It appears that the description of land bearing Survey No. 16/1/5 (part) was changed to Survey No. 16/1/A/3 as per the online 7/12 extract. However, no Mutation Entry has been reflected on the said online 7/12 extract through which such change was effected.

2. **In respect of land bearing Survey No. 16/1 (part) corresponding with Survey No. 16/1/A as per the online 7/12 extract ("said Property No.2")**

- (i) From Mutation Entry No. 439 dated 8 May 1946, it appears that Vinayak Ganesh Vaidya was the owner of the land bearing Survey No 16. The said Vinayak Ganesh Vaidya alongwith others sold, transferred and conveyed the land bearing Survey No. 16 and certain other properties to Gulamali Gulam Hussain Maulvi vide Sale Deed dated 4 March 1946. We have not been provided with a copy of the Sale Deed dated 4 March 1946.
- (ii) On perusal of Sale Deed dated 10 February 1972 bearing registration No. KLN-216/1972, it appears that Gulamali Gulam Hussain Maulvi the erstwhile owner had agreed to sell vide Agreement for Sale dated 1st March 1967, to Century Chemicals (Props: The Century Spinning and Manufacturing Co. Ltd, Bombay) land bearing Survey No. 16, Hissa No. 1 admeasuring 12 Acres and 2 Gunthas for the consideration mentioned therein. We have not been provided with a copy of the Agreement for Sale dated 1 March 1967.
- (iii) On perusal of the Sale Deed dated 10 February 1972, it further appears that Gulamali Gulam Hussain Maulvi, the erstwhile owner, expired on 3 August 1968 at Kalyan leaving behind (1) Shri Gulam Ahmed Gulam Ali Maulvi, (2) Shri Abdul Razak Gulam Ali Maulvi, (3) Smt. Khatijabibi Abdul Vahab Farid, (4) Smt. Shajahan Begum Gulam Akbar Phangari, (5) Mehrunnissa Abdul Mohasin Arab, (6) Nazninbegum Hissamudin Fakih, and (7) Rashidabegum Jainuddin Maulvi as his legal heirs and representatives in accordance with the law by which he was governed at the time of his demise. Accordingly, the aforesaid legal heirs became entitled to land bearing Survey No. 16/1 (part). We have not been provided with mutation entry recording the death of Gulamali Gulam Hussain Maulvi to verify the same.
- (iv) By an Order dated 26 May 1971 bearing No. TNC/SR/49/71 the Sub-Divisional Officer of Thana Division granted permission under Section 63 of Bombay Tenancy and Agricultural Land Act, 1948 read with Rule 36 of the Bombay Tenancy and Agricultural Land Rules 1956 to Abdul Razak Gulam Ali Maulvi to sell the land bearing Survey No. 16, Hissa No. 1 (part) admeasuring 12 Acres and 2 Gunthas to M/s. Century Chemicals with a condition that (1) the land should be used for non-agricultural and Industrial purpose only within one year from the date of taking over the possession or within such time as may be extended by the Sub-Divisional Officer, (2) the land should not be disposed of in any manner without prior permission of the Collector, Thane (3) the purchaser should obtain N.A. permission from the Competent Authority before the land is used for Non-Agricultural Purpose.
- (v) By and under a Sale Deed dated 10 February 1972 bearing registration No. KLN-216/1972, executed between (1) Shri Gulam Ahmed Gulam Ali Maulvi, (2) Shri Abdul Razak Gulam Ali Maulvi, (3) Smt. Khatijabibi Abdul Vahab Farid, (4) Smt. Shajahan Begum Gulam Akbar Phangari, (5) Mehrunnissa Abdul Mohasin Arab, (6) Nazninbegum Hissamudin Fakih, and (7) Rashidabegum Jainuddin Maulvi therein referred to as the Vendors and Century Chemicals (Props: The Century Spinning and Manufacturing Co. Ltd., Bombay) therein referred to as the

Purchasers, the Vendors therein transferred and conveyed the land bearing Survey No. 16, Hissa No. 1 (part) admeasuring 12 Acres and 2 Gunthas to the Purchasers for the consideration mentioned therein. It further appears from aforesaid Sale Deed dated 10 February 1972 that the Sub Registrar had recorded an endorsement about receipt of Income tax certificate and the document was accordingly renumbered under registration No. KLN-104/1976 on 22 January 1976. Pursuant to aforesaid Sale Deed dated 10 February 1972, the name of Century Chemicals (Props: The Century Spinning and Manufacturing Co. Ltd., Bombay) was recorded vide Mutation Entry No.804 dated 9 August 1972 as the Purchaser in the record of rights of said Survey No. 16, Hissa No. 1.

- (vi) From Mutation Entry No. 1331 dated 15 January 2013, it appears that pursuant to an application made for change of name from Century Spinning and Manufacturing Company Limited to Century Rayon (A Division of Century Textiles and Industries Limited) in the record of rights in respect of said Property No. 2 alongwith other properties owned by it, the name of Century Rayon (a Division of Century Textiles and Industries Limited) accordingly was recorded in place of Century Chemicals (Props: Century Spinning and Manufacturing Company Limited).
- (vii) Though in the year 1980 the City Survey Scheme under Sections 122 and 126 of Maharashtra Land Revenue Code 1966 with respect to said Property No. 1 and said Property No. 2 was implemented, the Property Register Cards / Ruled Cards of the said Property No. 2 were not available. The Superintendent, Land Records, Kalyan vide order dated 28 September 2017 had directed reverification and inquiry with respect to said Property No. 1 and Property No. 2. Thereafter, Dy. Superintendent, Land Record Kalyan vide Order dated 15 March 2018 issued the Property Register Cards / Ruled Cards of all that piece and parcel of land admeasuring 48,490 sq. mtrs. bearing CTS No. 1550/B admeasuring 1910 sq. mtrs., CTS No. 1550/D admeasuring 960 sq. mtrs. and CTS No. 1653 admeasuring 45620 sq. mtrs. (hereinafter referred to as the "**said Portion**"). The said Portion forms a part of the said Property No. 1 and said Property No. 2. Accordingly, the name of Century Rayon (a Division of Century Textiles Industries Limited) appears in the Property Register Cards / Ruled Cards of the said Portion.
- (viii) It appears that the description of land bearing Survey No. 16/1 (part) was changed to Survey No. 16/1/A as per the online 7/12 extract. However, no Mutation Entry has been reflected on the said online 7/12 extract through which such change was effected.

3. **Survey Nos. 17, 18 and 218 (Property 3, 4 and 5 respectively)**

- (i) It appears that in the year 1939 or prior thereto the land bearing Survey No.17 ("**said Property No. 3**") and land bearing Survey No.18 ("**said Property No. 4**") was owned by Sakharam Ganesh Phadke. It appears that thereafter Sakharam Ganesh Phadke sold the said Property Nos. 3 and 4 to Govind Ganesh Joglekar in the year 1939. The reference of the same is derived from partially illegible Mutation Entry No.320, which appears to have been recorded in the year 1939.
- (ii) From Mutation Entry No. 439 dated 8 May 1946, it appears that Vinayak Ganesh Vaidya was the owner of the land admeasuring bearing Survey No 218 ("**said Property No. 5**"). The said Vinayak Ganesh Vaidya alongwith others sold, transferred and conveyed the land bearing Survey No. 218 and certain other properties to Gulamali Gulam Hussain Maulvi vide Sale Deed dated 4 March 1946. We have not been provided with a copy of the Sale Deed dated 4 March 1946.

- (iii) From Mutation Entry No.516 dated 10 October 1952, it appears that Govind Ganesh Joglekar expired on 17 November 1949 leaving behind sons - (i) Vinayak Govind Joglekar, (ii) Vasant Govind Joglekar, and (iii) Krishnaji Govind Joglekar, and the name of Vinayak Govind Joglekar was recorded as Karta of Hindu Undivided Family in respect of said Property Nos.3 and 4.
- (iv) From Mutation Entry No. 517 dated 10 October 1952, it appears that as per Order bearing No. RTS-WS-432 dated 23 September 1952, and pursuant to statements made by (i) Vinayak Govind Joglekar for self, (ii) Vasant Govind Joglekar, and (iii) Krishnaji Govind Joglekar, the name of Yashodabai Sakharam Phadke was recorded in record of rights of said Property Nos. 3 and 4. A copy of aforesaid order is not made available for perusal.
- (v) From Mutation Entry No. 22 dated 9 October 1953, it appears that Pandu Undrya Kashelkar was cultivating the said Property Nos. 3 and 4 and accordingly his name was recorded as a protected tenant as per provisions of Bombay Tenancy and Agricultural Land Act, 1948 ("BTAL Act").
- (vi) From Mutation Entry No.552 dated 17 October 1957, it appears that the possession of said Property Nos. 3 and 4 was taken by landlady Yashodabai Sakharam Phadke from the tenant Pandu Undrya Kashelkar and the name of Pandu Undrya Kashelkar was deleted from the revenue records of said Property Nos. 3 and 4 pursuant to an Order dated 4 October 1957 passed in Tenancy Case No.825/1957. It appears that the name of Pandu Undrya Kashelkar was deleted on account of default in payment of rent in furtherance of Order dated 4 October 1957 passed in Tenancy Case No.825/1957. We have not been provided the copies of said Order dated 4 October 1957. The reference of the same is derived from the copy of Order dated 6 May 1964 passed by Additional Tahsildar and ALT in Tenancy proceedings No.32-G/Shahad/1964. As per letter dated 2 November 2017 and 3 November 2017 issued by Tahsildar, Kalyan, the Mutation Entry register containing Mutation Entry No. 552 available with Talathi, Shahad is not legible.
- (vii) On perusal of Order dated 6 May 1964 passed by The Additional Mamlatdar and Agricultural Land Tribunal, Kalyan ("ALT") in Tenancy proceedings No.32-G/Shahad/1964, it appears that an application under Section 32-G of Bombay Tenancy and Agricultural Land Act, 1948 ("BTAL Act") was filed in the year 1964 by Undrya Pandu Kashelkar (who was legal heir of erstwhile tenant Pandu Undrya Kashelkar), for determination of purchase price in respect of said Property Nos.3 and 4, and that the same was disposed off, thereby dropping the said proceedings under Section of 32-G of BTAL.
- (viii) Yashodabai Sakharam Phadke sold the said Property Nos.3 and 4 to Gulamali Gulam Hussain Maulvi in the year 1966. The said transaction in respect of said Property Nos.3 and 4 was recorded vide Mutation Entry No. 712 in the record of rights. The copy of Mutation Entry No. 712 is not available for perusal. As per certificate dated 04 January 2015 issued by Talathi of Village Shahad, the original Mutation Entry register including Mutation Entry No. 712 has been destroyed in the flood of 25 and 26 July 2005 and therefore extract of same cannot be provided. The reference of the same is derived from Order dated 22 May 2003 passed in Tenancy Appeal No. 4 of 2000 passed by Sub Divisional Officer, Thane as mentioned in Paragraph 3(xiv) below.

- (ix) Gulamali Gulam Hussain Maulvi expired on 3 August 1968 at Kalyan leaving behind (1) Shri Gulam Ahmed Gulam Ali Maulvi, (2) Shri Abdul Razak Gulam Ali Maulvi, (3) Smt. Khatijabibi Abdul Vahab Farid, (4) Smt. Shajahan Begum Gulam Akbar Phangari, (5) Mehrunnissa Abdul Mohasin Arab, (6) Nazninbegum Hissamudin Fakhri, and (7) Rashidabegum Jainuddin Maulvi, and whose names appear to have been recorded vide Mutation Entry No. 781 in the record of rights of said Property Nos. 3 and 4. The copy of Mutation Entry No. 781 is not available for perusal to ascertain the details of legal heirs. As per certificate dated 04 January 2015 issued by Talathi of Village Shahad, the original Mutation Entry register including Mutation Entry No. 781 has been destroyed in the flood of 25 and 26 July 2005 and therefore extract of same cannot be provided. The reference of the same is derived from copy of Sale Deed dated 10 February 1972.
- (x) On perusal of Sale Deed dated 14 October 1981, it appears that vide an Agreement for Sale dated 10 February 1972 registered under serial No. KLN-217/1972, (1) Shri Gulam Ahmed Gulam Ali Maulvi, (2) Shri Abdul Razak Gulam Ali Maulvi, (3) Smt. Shajahan Begum Gulam Akbar Phangari, (4) Mehrunnissa Abdul Mohasin Arab, (5) Nazninbegum Hissamudin Fakhri, (6) Rashidabegum Jainuddin Maulvi, Vendors therein had agreed to sell to Century Chemicals (Props: The Century Spinning and Manufacturing Co. Ltd., Bombay) the said Property Nos. 3, 4 and 5, having total area admeasuring 9 Acres and 3 Gunthas for the consideration mentioned therein. We have not been provided with the copy of the Agreement for Sale dated 10 February 1972 for perusal.
- (xi) By an Order dated 14 September 1981 bearing No. TNC/SR/56/78 the Sub-Divisional Officer of Thana Division granted permission under Section 63 of Bombay Tenancy and Agricultural Land Act, 1948 read with Rule 36 of the Bombay Tenancy and Agricultural Land Rules 1956, to Abdul Razak Gulam Ali Maulvi to sell the said Property No. 3 admeasuring 4 Acre 1 Guntha, the said Property No. 4 admeasuring 3 Acre 22 Gunthas and the said Property No. 5 admeasuring 1 Acre 20 Gunthas, total area admeasuring 9 Acres and 3 Gunthas to the Century Spinning and Manufacturing Company Limited with a condition that (1) the land should be used for discharge of effluents only, (2) The Company should not construct any structure on the land, (3) Company to obtain prior permission from the Water Pollution Board before starting the use of land, (4) the land should not be disposed of without prior permission of the Collector, Thane, (5) the land should be used for discharge of effluents within one year from the date of taking over the possession or within such time as may be extended by the Sub-Divisional Officer.
- (xii) By and under a Sale Deed dated 14 October 1981 bearing registration No. 1594 dated 14 October 1981, executed by (1) Shri Gulam Ahmed Gulam Ali Maulvi, (2) Shri Abdul Razak Gulam Ali Maulvi, (3) Smt. Shajahan Begum Gulam Akbar Phangari, (4) Mehrunnissa Abdul Mohasin Arab, (5) Nazninbegum Hissamudin Fakhri, (6) Rashidabegum Jainuddin Maulvi, therein referred to as the Vendors in favour of Century Chemicals (Props: The Century Spinning and Manufacturing Co. Ltd., Bombay) therein referred to as the Purchasers, transferred and conveyed the said Property No. 3 admeasuring 4 Acre 1 Guntha, the said Property No. 4 admeasuring 3 Acre 22 Gunthas and the said Property No. 5 admeasuring 1 Acre 20 Gunthas, total area admeasuring 9 Acres and 3 Gunthas. It further appears from aforesaid Sale Deed dated 14 October 1981 that the Sub Registrar had recorded an endorsement that Income tax certificate under section 230 A of Income Tax Act, 1961 etc. are received and the document accordingly was renumbered with registration No. bearing KLN-1002 on 28 April 1983. Pursuant to aforesaid Sale Deed dated 14 October 1981, the name of The Century Spinning

and Manufacturing Company Limited was mutated in the 7/12 extract of said Property Nos. 3, 4 and 5 vide Mutation Entry No. 1092 dated 21 December 1991.

- (xiii) On perusal of aforesaid Sale Deed dated 14 October 1981, it appears that Khatijabibi Abdul Vahab Farid who was one of the legal heirs of deceased Gulamali Gulam Hussain Maulvi as per Sale Deed dated 10 February 1972 in respect of said Property No. 2, was not joined as a Vendor to the Sale Deed dated 14 October 1981.
- (xiv) It appears that Undrya Pandu Kashelkar had filed Tenancy Appeal No. 4 of 2000 before Sub Divisional Officer, Thane challenging the Order dated 6 May 1964 passed by Tahsildar and ALT in Tenancy Case No. 32-G/Shahad. The said appeal filed was dismissed by Sub Divisional Officer, Thane vide its Order dated 22 May 2003.
- (xv) It appears that Undrya Pandu Kashelkar had also filed RTS Revision Appeal No. 32 of 2000 before Sub Divisional Officer, Thane challenging the Mutation Entry No. 552. The said appeal was dismissed by Sub Divisional Officer, Thane vide its Order dated 22 May 2003.
- (xvi) Bholenath Undra Kashelkar, legal heir of Undrya Pandu Kashelkar thereafter filed RTS Appeal No. 18 of 2007 before Additional Collector, Thane challenging the order dated 22 May 2003 passed by Sub Divisional Officer, Thane in RTS Revision Appeal No. 32 of 2000. The Hon'ble Additional Collector vide his Order dated 28 January 2013 dismissed the appeal and confirmed the order dated 22 May 2003 passed in RTS Revision/Appeal No. 32/2000 as well as confirmed Mutation Entry No. 552.
- (xvii) From Mutation Entry No. 1331 dated 15 January 2013, it appears that pursuant to an application made for change of name from Century Spinning and Manufacturing Company Limited to Century Textiles and Industries Limited in the record of rights in respect of said Property Nos. 3, 4 and 5 alongwith other properties owned by it, the name of Century Rayon (a Division of Century Textiles and Industries Limited) accordingly was recorded in place of Century Spinning and Manufacturing Company Limited.

4. **Common devolution of the said Land:**

- (i) By a Board Resolution passed at a meeting of the Board of Directors of the Century Textiles and Industries Ltd. dated 12 May 2017, the Board resolved that the said Land admeasuring 89,738.29 sq. mtrs i.e., 22 Acres and 7 Gunthas (comprising of the said Property No. 1, said Property No. 2, said Property No. 3, said Property No. 4 and said Property No. 5) be transferred from Century Rayon Division to the Birla Estates Division of Century Textiles and Industries Limited for development of land.
- (ii) By a Board Resolution passed at a meeting of the Board of Directors of the Century Textiles and Industries Ltd. dated 12 December 2017, the Board resolved that the name of the "Birla Estates" Division of Century Textiles and Industries Ltd. be changed to "Century Estates" Division of Century Textiles and Industries Ltd., with effect from 1 April 2018 or such other extended date as may be decided by the CEO of the aforesaid Division. Vide a letter dated 21 December 2018, CEO of Birla Estates Division has given effect to the change of name from Birla Estates to Century Estates with effect from 21 December 2018.

- (iii) By and under an Affidavit cum Bond dated 31 August 2018, CTIL (represented by its authorized signatory, Mr. K.T. Jithendran) *inter alia* declared that there are no subsisting actions and orders pertaining to the Urban Land (Ceiling and Regulation) Act, 1976 with respect to the said Land.
- (iv) By and under a Development Agreement dated 3 April 2019 ("**said Development Agreement**"), registered with the office of Sub-Registrar of Assurances at Kalyan – 1 under serial number 6126 of 2019 on 30 May 2019 and executed between Century Textiles and Industries Limited, therein referred to as 'CTIL' or the 'Owner' of the First Party and Birla Estates Private Limited, therein referred to as 'BEPL' or the 'Developer' of the Second Party, CTIL granted exclusive development rights in respect to the said Land in favour of Birla Estates Private Limited ("**BEPL**") for the consideration and on the terms and conditions as are more specifically mentioned therein. We have been informed that the said Development Agreement and the said GPOA (defined below) is valid and subsisting.
- (v) By and under a General Power of Attorney dated 3 April 2019, registered with the office of Sub-Registrar of Assurances at Kalyan – 1 under serial number 6127 of 2019 ("**said GPOA**") and executed by Century Textiles and Industries Limited, therein referred to as the 'Owner' in favour of Birla Estates Private Limited, therein referred to as the 'Developer', CTIL irrevocably nominated, constituted and appointed BEPL at its attorney and granted certain powers to BEPL with respect to the said Land and in pursuance of the said Development Agreement as are more specifically stated therein.
- (vi) By and under a Lease Deed dated 30 May 2019 registered with the office of Sub-Registrar of Assurances, at Serial No. KLN-1/6136/2019, CTIL (through its Division Century Estates) represented by its Power of Attorney holder Birla Estates Private Limited, CTIL granted lease in respect of a portion of land admeasuring 45 meters from and out of land bearing CTS No. 1653 in favour of Maharashtra State Electricity Distribution Company Limited for the period of 99 years commencing from the date of registration of the said Lease Deed, i.e. 30 May 2019, on the terms and conditions stated therein.
- (vii) By and under a Deed of Mortgage dated 22 November 2019 registered with the office of Sub-Registrar of assurances at KLN - 4 under serial number 14724 of 2019 executed between Century Textiles and Industries Limited, therein referred to as the 'Mortgagor' of the One Part and HDFC Bank Ltd., therein referred to as HDFC, therein collectively referred to as the Mortgagee/Lender/Bank of the Other Part, CTIL mortgaged in favour of the Mortgagee therein, as and by way of security for the loan of Rs. 200,00,00,000/- (Rupees Two Hundred Crore Only) availed of from the Mortgagee therein, all those pieces and parcels of land admeasuring 56,082.20 sq. mtrs. out of the total area admeasuring 85,220 sq. mtrs., excluding (i) an area admeasuring 22,279.80 sq. mtrs. to be handed over to KDMC, (ii) an area admeasuring 2095 sq. mtrs. which is not in possession, (iii) an area admeasuring 4763 sq. mtrs. under road as evidenced by Approval Plan dated 29 October 2018 and an Architect's Certificate dated 5 April 2019, land bearing (i) CTS No. 1550/B admeasuring 1910 sq. mtrs. CTS No. 1550/D admeasuring 960 sq. mtrs., CTS No. 1653 admeasuring 45620 sq. mtrs., forming part of Survey No. 16, Hissa No. 1A admeasuring 4 Hectare 87.48 Ares and Survey No. 16, Hissa No. 1/A/3 admeasuring 0 Hectare 42 Ares, (ii) Survey No. 17 admeasuring 1 Hectare 62.90 Ares, (iii) Survey No. 18 admeasuring 1 Hectare 43.70 Ares, (iv) Survey No. 218 admeasuring 0 Hectare 60.70 Ares, situated at Village Shahad,

Taluka Kalyan, Registration Sub-District Kalyan, District Thane together with all the buildings and structures under development and first and exclusive charge on all the current assets of CTIL's Birla Vanya/ Kalyan Project, on the terms and conditions as are more specifically mentioned therein. We observe that the Schedule to the aforesaid Deed of Mortgage erroneously describes (i) Survey No. 17 as admeasuring 1 Hectare 62.30 Ares and (ii) Survey No. 218 as admeasuring 0 Hectare 62.90 Ares.

- (viii) We have been provided with copies of Property Tax Bill dated 6 May 2020 pertaining to the said Land bearing Property No. A01019853700 and receipt dated 18 January 2021 reflecting the payment thereof.
- (ix) We have been provided with copies of two Orders dated 9 July 2018 and 20 February 2019 passed by the Office of Tahsildar and Executive Magistrate, Kalyan, pertaining to determination of non-agricultural assessment tax on account of change of use of the said Land and the corresponding Challans reflecting the payments thereof.
- (x) A portion out of the said Land is under certain reservations and the balance area available for development is approximately 22,765.02 square meters. In pursuance of the Development Agreement, the Developer is in the process of carrying out development on such available portion out of the said Land in a phase-wise manner. Out of these phases, the Developer has commenced construction of Phase I comprising of Tower Nos. A, B, F and G and has sold various Flats therein to various Flat-Purchasers. The Developer intends to commence construction of Phase II comprising of Towers C, D and E. These seven towers will have a common plinth and podiums and parking levels. The Developer also intends to implement Phase III of development of the said Land which will comprise of certain additional floors on Towers A, B, F and G.

**SECTION III
(Searches)**

1. **Searches in the records of Sub-Registrar of Assurances:**

We have caused search of the Index-II registers in respect of the said Land maintained with the concerned offices of Sub-Registrar of Assurances at Kalyan through (i) Search Clerk Mr. Harish D. Mashelkar for the years 1972 to 1 May 2019, who has furnished to us Search Report dated 10 May 2019 and (ii) Search Clerk Mr. Vishal Chitnis for the period from 1 January 2019 to 10 May 2021, who has furnished to us his Search Report dated 11 May 2021. During search Mr. Harish D. Mashelkar and Mr. Vishal Chitnis found that the records maintained with the office of Sub-Registrar of Assurances at Kalyan for certain years are torn / fully torn or not available, the particulars of such years have been recorded in the aforesaid Search Report dated 10 May 2019 and Search Report dated 11 May 2021.

2. **ROC Searches:**

- (i) We have perused an online general ROC Search Report dated 4 July 2019 of CTIL ("said ROC Report") issued by Jaya Sharma & Associates. We have also perused the Index of Charges available on the website of Ministry of Corporate Affairs (www.mca.gov.in/) as on 2 June 2021.
- (ii) Presently, the mortgage created by CTIL in favour of HDFC Bank Limited on the said Land vide Deed of Mortgage registered on 22 November 2019 with the office of Sub-Registrar of assurances at KLN - 4 under serial number 14724 of 2019 is pending.
- (iii) For the purpose of this Legal Title Report, we have dealt with only those mortgages / charges created on the said Land which are pending as on the date of this Report. We have perused the Letter dated 28 April 2021 addressed by M/s. Dangi & Associates, Chartered Accountants, to DSK Legal. From the said Letter dated 28 April 2021, it appears that save and except the mortgage created in favour of HDFC Bank Limited as stated above, there are no mortgages created by CTIL in respect of the said Land.

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SECTION IV (Litigation)

1. Undrya Pandu Kashelkar (who was legal heir of the erstwhile tenant Pandu Undrya Kashelkar), claiming to be a protected tenant, filed an application under Section 32-G of Bombay Tenancy and Agricultural Land Act, 1948 ("BTAL Act") for determination of purchase price in respect of said Property Nos. 3 and 4. The said application was numbered Tenancy Case No. 32-G/Shahad and was disposed of vide an Order dated 6 May 1964 passed by the Additional Mamlatdar and Agricultural Land Tribunal, Kalyan, thereby dropping the said proceedings under Section of 32-G of BTAL Act.
2. Undrya Pandu Kashelkar challenged the aforesaid the Order dated 6 May 1964 by filing a Tenancy Appeal No. 4 of 2000 before Sub-Divisional Officer, Thane, which was dismissed by Sub-Divisional Officer, Thane vide its Order dated 22 May 2003. In the said Order dated 22 May 2003, the Sub-Divisional Officer, Thane, confirmed the aforesaid Order dated 6 May 1964 passed by the Additional Mamlatdar and Agricultural Land Tribunal, Kalyan, and observed that the tenancy rights of the predecessor of Undrya Pandu Kashelkar had validly come to an end in the year 1957 itself and that the Appellant had not furnished any proof of him or his predecessor being a tenant in respect of the Property Nos. 3 and 4.
3. In the intervening period, Undrya Pandu Kashelkar had also filed RTS Revision Appeal No. 32 of 2000 before Sub-Divisional Officer, Thane, challenging the Mutation Entry No. 552 through which the name of Pandu Undrya Kashelkar was deleted from the revenue records of said Property Nos. 3 and 4 as a protected tenant. The said appeal was dismissed by Sub-Divisional Officer, Thane vide its Order dated 22 May 2003.
4. Bholenath Undra Kashelkar, legal heir of Undrya Pandu Kashelkar thereafter filed RTS Appeal No. 18 of 2007 before Additional Collector, Thane, challenging the Order dated 22 May 2003 passed by Sub-Divisional Officer, Thane in RTS Revision Appeal No. 32 of 2000. The Hon'ble Additional Collector, Thane vide his Order dated 28 January 2013 dismissed the appeal and confirmed the Order dated 22 May 2003 passed in RTS Revision/Appeal No.32/2000 as well as confirmed Mutation Entry No.552. We have been informed by CTIL that to the best of their knowledge, the said Order dated 28 January 2013 passed by the Hon'ble Additional Collector, Thane, has not been challenged by Bholenath Undra Kashelkar till date.
5. Bholenath Undrya Kashelkar and others (claiming to be the legal heirs of Undrya Pandu Kashelkar) filed a Revision Application bearing No. 86 of 2017 before the Ld. Maharashtra Revenue Tribunal, Mumbai, challenging the aforesaid Order dated 22 May 2003 passed in Tenancy Appeal No. 4 of 2000. The said Revision Application bearing No. 86 of 2017 was dismissed by the Ld. Member, Maharashtra Revenue Tribunal, Mumbai vide an Order dated 30 October 2018.
6. Pursuant thereto, Bholenath Undrya Kashelkar filed Writ Petition No. 6523 of 2019 before the Hon'ble Bombay High Court against (i) Vishwanath Anant Phadke (Respondent No. 1), (ii) Gulam Ahmad Gulam Ali Maulavi (Respondent No. 2), (iii) Abdul Rajak Gulam Ali Maulavi (Respondent No. 3), (iv) Shehjan Begum Gulam Akbar Fungari (Respondent No. 4), (v) Maistisl Abdul Mohsin Arab (Respondent No. 5), (vi) Najneen Begum Hissamuddin Fuki (Respondent No. 6), (vii) Rashidabegum Jainuddin Maulavi (Respondent No. 7), (viii) Century Chemicals

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(Respondent No. 8), (ix) Sanjay Vasant Jogalekar (Respondent No.9), (x) Prabhakar (Kiran) Krishnaji Jogalekar (Respondent No. 10), and (xi) Nayana Krishnaji Jogalekar (Respondent No. 11) challenging the aforesaid Order dated 30 October 2018 passed in RTS Revision No. 86 of 2017 and the Order dated 22 May 2003 passed in Tenancy Appeal No. 4 of 2000.

7. By an Order dated 10 December 2019, the Hon'ble Bombay High Court granted liberty to the Petitioner to amend the Writ Petition by adding the necessary authorities of State of Maharashtra. In the said Order dated 10 December 2019, the Hon'ble Bombay High Court held that no interim relief is called for at that stage considering the subsequent development that has taken place regarding ownership and possession of the land in question.
8. The aforesaid Writ Petition No. 6523 of 2019 is pending. No orders adverse to the title of CTIL to Property Nos. 3 and 4 have been passed in the said Writ Petition till date.
9. We have been informed by CTIL that to the best of their knowledge, save and except the aforesaid Writ Petition No. 6523 of 2019, there are no other litigations and/or proceedings pending in respect of the said Land or any part/s thereof.

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**SECTION V
(Public Notice)**

We had issued a Public Notice dated 28 February 2017 in two newspapers (1) Navshakti (Marathi language) and (2) Free Press Journal (English language) investigating title of Century Rayon (a division of Century Textiles & Industries Limited) to the said Land. However, we have not received any Notice and/or Letters and/or any written correspondence claiming any right, title and interest in the said Land in response to the said Public Notice. No public notice has been issued subsequently.

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**SECTION VI
(Conclusion)**

In the circumstances, we are of the opinion that in view of and subject to what is mentioned herein (including the observations and qualifications herein) and specifically subject to (a) Deed of Mortgage dated on 22 November 2019 executed in favour of HDFC Bank Limited, (b) pending Writ Petition bearing No. 6523 of 2019, and (c) Lease Deed dated 30 May 2019 registered with the office of Sub-Registrar of Assurances, at Serial No. KLN-1/6136/2019, executed by CTIL (through its Division Century Estates) represented by its Power of Attorney holder Birla Estates Private Limited, in favour of Maharashtra State Electricity Distribution Company Limited in respect of a portion of land admeasuring 45 meters from and out of land bearing CTS No. 1653, Century Textiles and Industries Limited (through its division Century Estates) is the owner of the said Land and its title to the said Land is clear, marketable and free of any encumbrances, and Birla Estates Private Limited is entitled to develop the same in terms of Development Agreement read with General Power of Attorney both dated 3 April 2019.

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**SECTION VII
(Qualifications)**

1. **General:**

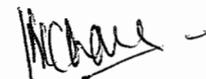
- (i) This Legal Title Report including Annexures "A" and "A-1" (collectively, "Report") merely certifies the matters expressly dealt with in the Report. The Report does not consider or certify any other questions not expressly answered therein.
- (ii) This Report is issued solely on the basis of the documents provided by CTIL as mentioned in this Report and we have no obligation to update this Report with any information or replies or documents received by us beyond this date.
- (iii) We are not qualified to and have not independently verified the area / boundaries of the said Land. We have referred to and retained the admeasurements in hectares, ares, acres, gunthas, square yards and square meters, as we have found them in various documents.
- (iv) We have not perused any plans or photocopies of plans (including as annexures to any documents) except as specifically mentioned in this Report.
- (v) For the purpose of this Report, we have assumed:
 - a) All of the information (including the documents) supplied to us was, when given, and remains, true, complete, and accurate and not misleading.
 - b) The legal capacity of all natural persons, genuineness of all signatures, authenticity of all documents submitted to us as certified or photocopies.
 - c) That the persons executing documents have the necessary authority to execute them.
 - d) That there have been no amendments or changes to the documents examined by us.
 - e) The accuracy and completeness of all the factual statements and representations made in the documents.
 - f) That all prior documents have been adequately stamped and duly registered.
 - g) Any statements in the documents, authorization or any certificates or confirmations relied upon by us for issuance of this Report is correct and otherwise genuine.
 - h) Each document binds the parties intended to be bound thereby.
 - i) Photocopies provided to us are accurate photocopies of originals.
- (vi) For the purpose of this Report, we have relied upon:
 - a) the said Letter dated 28 May 2021.
 - b) originals and/or photocopies of documents as provided to us.

- c) information relating to boundaries on the basis of the documents provided to us by you.
- d) information relating to lineage, if applicable on the basis of revenue records and information provided to us by you.
- (vii) For the purpose of issuing this Report, we have relied on the said Search Reports issued by Mr. Harish Mashelkar and Mr. Vishal Chitnis respectively, who have conducted independent searches / investigations in respect of the said Land at the office of the Registrar / Sub-Registrar of Assurances or online search facility available with the Department of Registration and Stamps of Government of Maharashtra as the case may be in the manner stated therein. We have not carried out any independent or subsequent searches of the registers or records maintained with the offices or websites of the Registrar / Sub-Registrar of Assurances or any other authorities.
- (viii) We have been informed by the search clerks that, for certain years, the records maintained by the offices of the Sub-Registrar of Assurances are torn and mutilated and certain Index II record have not been prepared / maintained properly etc. We therefore disclaim any responsibility for consequences which may arise on account of such non-availability of records or on account of the records being torn or mutilated or not having been maintained properly.
- (ix) For the purpose of issuing this Report, we have relied on the said ROC Search Report issued by Jaya Sharma & Associates, who has conducted independent searches / investigations for CTIL in respect of the said Land on the website of the Registrar of Companies. Unless otherwise stated herein, we have not carried out any subsequent or independent searches of the registers or records maintained with the offices or websites of the Registrar of Companies or any other authorities.
- (x) Save as otherwise specifically stated in this Report, (i) we have not issued any public notice to invite claims from the public at large in respect of title of KTIL to the said Land, (ii) we have not carried out any searches, and (iii) we have not inspected or reviewed the original documents in respect of the said Land.
- (xi) We are not certifying the boundaries of the said Land.
- (xii) We have not visited the site on which the said Land is situated. We are not qualified to express our opinion on physical identification of the said Land.
- (xiii) We do not express our opinion on matters related to actual physical use of the said Land.
- (xiv) We express no view about the user / reservations / FSI / developability of the said Land.
- (xv) We have not verified issues relating to reservation on the said Land or any portion thereof by Governmental Authorities.
- (xvi) We have not independently validated the taxes / cess / duties / charges payable in respect of the said Land and our comments with respect to these are based solely on the documents provided to us by CTIL.

- (xvii) We have not verified the market value of the said Land involved nor whether appropriate stamp duty has been paid on the various documents referred to herein nor do we express any opinion thereon.
- (xviii) We are not authorized or qualified to express an opinion relating to plan permissions, approvals, sanctions or development potential of the said Land and we are not commenting on the same nor are we certifying the compliance thereof.
- (xix) 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.
- (xx) This Report is limited to the matters pertaining to Indian Law (as on the date of this Report) alone and we express no opinion on laws of any other jurisdiction.
- (xxi) Even though this document is titled "Legal Title Report", it is in fact an opinion based on the documents we have reviewed.
2. This Report is addressed to MahaRERA, as required as per Circular No. 28/2021 dated 8 March 2021 issued by MahaRERA. This Report may not be disclosed, furnished, quoted or relied on by any person or entity other than CTIL for any purpose without our prior written consent. It may however be disclosed or furnished by CTIL 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.
3. We shall not be liable to any person, association of persons whether incorporated or not, authority, to whom this Report shall be disclosed and/or furnished or who shall rely on the same, and even otherwise for any aspect relating to the services provided in connection with the preparation and issuance of this Report. Further, in no event shall we be liable for any consequential, special, incidental or punitive loss, damage or expense, even if we have been advised of the possibility of such loss, damage or expense.

Dated this 25th day of June 2021.

For M/s. Hariani & Co.



Associate Partner

Annexure "A-1"
(Encumbrances*)

- (a) Deed of Mortgage dated 22 November 2019 registered with the office of Sub-Registrar of assurances at KLN - 4 under serial number 14724 of 2019 executed by Century Textiles and Industries Limited in favour of HDFC Bank Ltd.
- (b) Pending Writ Petition bearing No. 6523 of 2019 filed by Bholenath Undrya Kashelkar (Petitioner) against Vishwanath Anant Phadke and others in the Bombay High Court.
- (c) Lease Deed dated 30 May 2019 registered with the office of Sub-Registrar of Assurances, at Serial No. KLN-1/6136/2019, executed by CTIL (through its Division Century Estates) represented by its Power of Attorney holder Birla Estates Private Limited, in favour of Maharashtra State Electricity Distribution Company Limited in respect of a portion of land admeasuring 45 meters from and out of land bearing CTS No. 1653.

*For details of the aforesaid encumbrances and our other observations and qualifications as regards title to the said Land, please refer to the Legal Title Report and Annexure "A".

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