



Jayanth Pattanshetti Associates L.L.P.
ADVOCATES

Partner

Jayanth M. Pattanshetti

Date: 19/02/2025

M/s. BCV Developers Private Limited,
29th Floor, World Trade Center,
Bangalore Gateway Campus,
Malleshwaram-Rajajinagar,
Bangalore – 560 055.

Sirs,

Sub: Scrutiny and Title Report with respect to residentially converted land being portion of Survey No. 37/2, measuring 9 acres 3 guntas (converted vide Official Memorandum dated in No. ALNDSR: 90/2003-04 issued by the Deputy Commissioner, Bengaluru Rural District, Bengaluru) situated at Rayasandra Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District, now within the revenue jurisdiction of Bettakote Village Panchayat and assessed to taxes under E-Katha No. 150300201400120120, Property No. 266/1 272/7 175/4/1.

Ref: Title Report dated 30/04/2008

I had furnished the above referred Title Report with regard to the Subject Property. The certification with regard to the marketable, right, title and interest of the owner was subject to production and scrutiny of certain documents mentioned therein. In furtherance to the additional document sought for in the above-referred Title Report, we are furnished with the documents mentioned here below:

Sl. No.	Date of execution/ issue	Description of Documents
1.	19-03-2015	Relinquishment Deed executed by M/s. BCV Developers Private Limited, M/s. BCV Estates Private Limited and M/s. C.V. Proprietors (Bengaluru) Private Limited, represented by its Authorized Signatory, Sri. Amar Mysore in favour of the Member Secretary, Bengaluru International Airport Area Planning Authority, Devanahalli registered vide Document No. DNH-1-11280/2014-15 of Book I, stored in C.D No. DNHD534 in the office of the Sub-Registrar, Devanahalli.
2.	31-03-2015	Modified Work Order BIAAPA/TP2/DP/41/2011-12/4670 issued by the Member Secretary, Town and Country Planning, Bangalore International Airport Area Planning Authority, Devanahalli.





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Sl. No.	Date of execution/ issue	Description of Documents
3.	-	Development Plan in No. BIAAPA: STRRPA/TP/DP/05/2022-23 and Site Plan approved by the Member Secretary, Town and Country Planning, Bangalore International Airport Area Planning Authority, Devanahalli.
4.	04-12-2015	No objection Certificate in No. AGM (TP)/S-6/Vol-45/2015-16/11 issued by the Chief General Manager (TP) Telecom, KTK Circle, Bengaluru, Bharat Sanchar Nigam Limited.
5.	08-05-2012	Letter in No. SEIAA: 22:CON: 2011 issued by The Member Secretary, State Level Environment Impact Assessment Authority, Karnataka.
6.	27-12-2012	No Objection Certificate in No. CEBRAZ/SEO/AEE-2/F-18 (C)/12-13/8182-87 issued by the Chief Engineer (Electrical), Bengaluru Rural Area Zone, Bengaluru Electricity Supply Company Limited.
7.	15-06-2022	No Objection Certificate in No. GBC (1) 064/2022 issued by the Director General of Police and Director General, Karnataka Fire & Emergency Services.
8.	03-03-2021	Certificate issued by the General Manager (ATM), Airports Authority of India.
9.	16-03-2012	Letter in No. PCB/76/CNP/11/H1388 issued by The Senior Environmental Officer, Karnataka State Pollution Control Board.
10.	18-02-2025	Search Report of M/s. BCV Developers Private Limited conducted by Sarvotham P, Company Secretary, For ASR & Co.
11.	19-02-2025	Certificate of M/s. BCV Developers Private Limited issued by R. Srinivasan, Chartered Accountants, For M/s T Ramachandran & Co.
12.	-	R.T.C.'s for the period 2008-09 to 2024-25 issued by the Village Accountant, Devanahalli Taluk.
13.	25-01-2016	E-Katha Certificate and E- Katha Extract in No. 150300201400120120 issued by the Development Officer, Bettakote Village Panchayath, Devanahalli Taluk.
14.	04-09-2024	Tax paid receipt for the period 2024-25 issued by the Panchayath Development Officer, Bettakote Village Panchayat.





Sl. No.	Date of execution/ issue	Description of Documents
15.	15-02-2018	Encumbrance Certificate in SA No. 24009/2017-18 for the period 01-04-2004 to 14-02-2018 issued by the Sub-Registrar, Devanahalli.
16.	19-02-2025	Encumbrance Certificate in SA No. 326676/2024-25 for the period 01-01-2018 to 18-02-2025 issued by the Sub-Registrar, Devanahalli.

Discussion

As discussed in the above referred Title Report, the Owner i.e., M/s BCV Developers Private Limited to develop the Subject Property and other survey numbers, all situated at Rayasandra Village and Devanahalli Village.

By the Deed of Relinquishment dated 18-03-2015, the M/s. BCV Developers Private Limited relinquished all their right, title, interest and claim with respect to (a) Parks and open space, measuring 81182.37 square meters, (b) civic amenities, measuring 20286.94 square meters and (c) proposed road, measuring 58760.22 square meters, measuring in total 160229.53 square meters in favour of the Member Secretary, Bengaluru International Airport Areas Planning Authority, Devanahalli. The said Deed of Relinquishment is registered vide Document No. DNH-1-11280/2014-15 of Book I, stored in C.D No. DNHD534 in the office of the Sub-Registrar, Devanahalli and a copy of the same could be evidenced from **Document No. 01**.

Upon relinquishment of the park/open spaces, civic amenities and road areas as mentioned above, the Member Secretary, Bengaluru International Airport Area Planning Authority, Devanahalli vide Modified Work Order dated 31-03-2015 in No. BIAAPA/TP2/DP/41/2011-12/4670 has issued the developmental plan on certain terms and conditions mentioned therein. The copy of the said Work Order could be evidenced from **Document No. 02**.

The Member Secretary, Town and Country Planning, Satellite Town Ring Road Planning Authority, Bengaluru, vide Modified Development Plan dated 05-07-2022 in No. STRRPA/TP/DP/05/2022-23 and Site Plan permitted to construct residential





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apartment building on the Subject Property and other properties. The copies of the said Development Plan and Site Plan could be evidenced from **Document No. 03**.

The Chief General Manager, Telecom, KTK Circle, Bengaluru, Bharat Sanchar Nigam Limited vide the Certificate dated 04-12-2015 in No. AGM (TP)/S-6/Vol-45/2015-16/11 have granted no objection for construction of the building on the Subject Property and other properties. The copy of the Certificate could be evidenced from **Document No. 04**.

The Member Secretary, State Level Environment Impact Assessment Authority, Karnataka, vide the Letter dated 08-05-2012 in No. SEIAA: 22:CON: 2011 have accorded environment clearance subject to strict compliance of the terms and conditions. The copy of the said Letter dated 08-05-2012 could be evidenced from **Document No. 05**.

The Chief Engineer (Electrical), Bengaluru Rural Area Zone, Bengaluru Electricity Supply Company Limited vide the Certificate dated 27-12-2012 in No. CEBRAZ/SEO/AEE-2/F-18 (C)/12-13/8182-87 have granted no objection to construct the residential and commercial building on the Subject Property and other properties. The copy of the Certificate dated 27-12-2017 could be evidenced from **Document No. 06**.

The Director General of Police and Director General, Karnataka Fire & Emergency Services vide the Certificate dated 15-06-2022 in No. GBC (1) 064/2022 have granted no objection for the construction of high-rise residential building with 2 towers on the Subject Property. The copy of the Certificate could be evidenced from **Document No. 07**.

The General Manager (ATM), Airports Authority of India vide the Certificate dated 03-03-2021 has permitted to elevate the building construction on the Subject Property up to 951.34 meters on certain terms and conditions. The copy of the Certificate dated 03-03-2021 could be evidenced from **Document No. 08**.

The Senior Environmental Officer, Karnataka State Pollution Control Board vide Letter dated 16-03-2012 in No. PCB/76/CNP/11/H1388 have given consent for





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establishment to develop integrated township and commercial complex comprising of residential villas on the Subject Property and other properties on certain conditions. The copy of the said Letter could be evidenced from **Document No. 09**.

The Search Report of M/s BCV Developers Private Limited dated 18-02-2025 conducted by Sarvotham P, Company Secretary with regard to online search conducted on the web portal at MCA, states that on perusal of the same, there is no intimation of charges created on the Subject Property as on 18-02-2025. The copy of the said Search Report dated 18-02-2025 could be evidenced from **Document No. 10**.

R. Srinivasan, Charted Accountants by the Certificate dated 19-02-2025 has certified that M/s. BCV Developers Private Limited has not created any mortgages, encumbrance, liens or charges created or any statutory dues pending with respect to the Subject Property. The copy of the said Certificate dated 19-02-2025 of M/s BCV Developers Private Limited could be evidenced from **Document No. 11**.

The R.T.C.'s for the period 2008-09 to 2024-25 with respect to Survey No. 37/2, reflected the total extent of land as 14 acres 20 guntas with 31 guntas of karab land. For the period 2008-09 to 2024-25, the name of Smt. Kala Shankar is entered as owner and cultivator in column Nos. 9 and 12, respectively. The said R.T.C.'s could be evidenced from **Document No. 12**.

The Subject Property is assessed to taxes by the Development Officer, Bettakote Village Panchayath, Devanahalli Taluk and the katha of the Subject Property and other properties is registered in the name of M/s BCV Developers Private Limited. The copies of the said E- Khatha Certificate and E- Katha Extract issued by the Development Officer, Bettakote Village Panchayath, Devanahalli Taluk could be evidenced from **Document No. 13**.

The property tax for the period 2024-25 with respect to the property bearing E-Katha No. 150300201400120120 is paid to the Panchayath Development Officer, Bettakote Village Panchayat, in the name of BCV Developers Private Limited. The copy of the said Property tax paid receipt could be evidenced from **Document No. 14**.

On perusal of the Encumbrance Certificate (i) for the period 01-04-2004 to 14-02-2018 and (ii) for the period 01-01-2018 to 18-02-2025 with respect to the Subject Property,





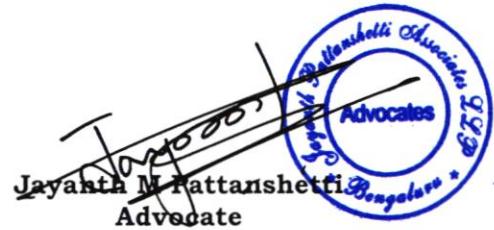
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it is observed that there is an entry pertaining to the Agreement of Sale dated 27-12-2007 entered between M/s. Classic Valmark (represented by its authorized signatories Sri. D.M. Poornesh and Rathan B. Lath) and M/s. Brigade Enterprises Limited. The copy of the said Encumbrance Certificate could be evidenced from **Document No. 15 and 16**. The other entries appearing in the said Encumbrance Certificates do not pertain to the Subject Property.

It is advised to get the residential project being developed on the Subject Property and other properties to be registered under the provisions of the Real Estate (Regulation and Development) Act, 2016 and the Rules framed thereunder.

Further to the above referred title report M/s BCV Developers Private Limited is the owner of the residentially converted land being portion of Survey No. 37/2, measuring 9 acres 3 guntas (converted vide Official Memorandum dated in No. ALNSR: 90/2003-04 issued by the Deputy Commissioner, Bengaluru Rural District, Bengaluru) , situated at Rayasandra Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District, now within the revenue jurisdiction of Bettakote Village Panchayat and assessed to taxes under E-Katha No. 150300201400120120, Property No. 266/1 272/7 175/4/1.



Converted
3712

TITLE REPORT

Housing No. 37/2

Jayanth M. Pattanshetti
ADVOCATE

102, Ground Floor,
"Rams Infantry Manor",
No. 70, Infantry Road,
Bangalore - 560 001.
Phone : 25593195, 41238516
9980530355
Fax : 25550291
e-mail : pattan@airtelbroadband.in

Ref:JMP/SN-RVK/65/07

30th April 2008

To

M/s. Brigade Enterprises Private Limited,
Hulkul Brigade Center,
No. 82, Lavelle Road,
Bangalore – 560 001.

Sir/s,

Sub: Scrutiny and title report with respect to residentially converted land bearing survey No.37/2, measuring 9 acres 03 guntas, situated at Rayasandra Village, Kasaba Hobli, Devanahalli Taluk, Bangalore District.

DESCRIPTION OF PROPERTY

ALL THAT PIECE AND PARCEL residentially converted land bearing survey No.37/2, measuring 9 acres 03 guntas (out of 14 acres 20 gunas), situated at Rayasandra Village, Kasaba Hobli, Devanahalli Taluk, Bangalore District and bounded on the:

East by: Land bearing survey No. 36
West by: Remaining portion of land bearing same survey No. 37/2
North by: Land bearing survey No. 38
South by: Land bearing survey No. 34

The photocopies of the below mentioned documents are produced for scrutiny and verification of marketable right, title, and interest of the owners to the subject property:

Sl. No.	Date of Execution / Issue	Description of the Document
1.	23-05-2004	Index of Lands issued by the Tahsildar, Devanahalli Taluk.
2.	23-05-2007	Record of Rights issued by the Tahsildar, Devanahalli Taluk.
3.	18-03-1949	Certified copy of the Sale Deed executed by P Suryanarayana Shastry in favor of B.R. Suryanarayana Rao, registered as document No.1683/1948-49 of Book I, in the office of the Sub-Registrar, Devanahalli.



Sl. No.	Date of Execution / Issue	Description of the Document
4.	05-02-1951	Certified copy of the Sale Deed executed by B.R. Suryanarayana Rao in favor of P Suryanarayana Shastry, registered as document No.2267/51-52 of Book I, in the office of the Sub-Registrar, Devanahalli.
5.	29-09-2003	Hissa Tippany issued by the Inspector, Taluk Land Survey Office, Devanahalli.
6.	29-09-2003	R.R.Pakka Book (Balabagada Nakalu) issued by the Inspector, Taluk Land Survey Office, Devanahalli.
7.	21-06-1971	Sale Deed executed by B.R. Suryanarayana Rao in favor of Premnath Kak and Somavathi Kak, registered vide document No.826 of Book I, in the office of Sub-Registrar, Devanahalli
8.	12-03-1979	Sale Deed executed by Permanth Kak and Somavathi Kak in favour of D.M. Shankar registered vide document in No.2380/78-79 of Book I, Volume 1236, in the office of Sub-Registrar, Devanahalli.
9.	29-06-1996	Mutation Register in No. 12/78-79, issued by the Tahsildar, Devanahalli Taluk.
10.	25-06-1981	Certified copy of Memorandum of Deposit of Title Deeds executed by D.M.Shankar and others in favour of State Bank of India registered vide document No.455/81-82 of Book I, in the office of Sub- Registrar, Devanahalli.
11.	30-10-1993	Discharge certificate issued by the State Bank of Mysore, Devanahalli.
12.	20-01-2003	Gift Deed executed by D.M.Shankar in favour of Mrs. Kala Shankar registered vide document No.2054/02-03 of Book I, Volume 1962, at pages 13 to 19, in the office of Sub- Registrar, Devanahalli.
13.	05-05-2003	Mutation Register in No. 3/2002-03, issued by the Village Accountant, Devanahalli Taluk, Bangalore Rural District.
14.	20-01-2003	General Power of Attorney executed by Mrs. Kala Shankar in favour of D.M. Shankar registered vide document in No. 34 of Book IV, Volume 62, at pages 162 to 166 in the office of Sub- Registrar, Devanahalli.
15.	28-04-2004	Official Memorandum in No. ALN (Dev) SR 90/2003-04, issued by the Deputy Commissioner, Bangalore Rural District, Bangalore.
16.	10-03-2008	MR 25/2004-05 issued by the Village Accountant, Computer Centre, Taluk Office, Devanahalli Taluk
17.		Tax Assessment Register extract for the period 2007-08, issued by the Secretary, Betta Koti Village Panchayath, Devanahalli Taluk
18.		Tax demand register extract for the period 2007-08, issued by the



Sl. No.	Date of Execution / Issue	Description of the Document
		Secretary, Betta Koti Village Panchayath, Devanahalli Taluk
✓19.	28-09-2005	Partnership Deed of M/s. DEVAGIRI FARMS, executed by Smt. Kala Shankar, Smt. Anitha Purnesh, Smt. Saraswathamma, Smt. Tejraj Gulecha and Smt. Sharada Babulal Latha, registered with the Registrar of Firms, Bangalore, vide Registrartion No. 42/05-06.
✓20.	28-11-2005	Form C, issued by the Registrar of Firms, Bangalore Rural District, Bangalore
✓21.	15-03-2007	Supplement Deed executed by Smt. Kala Shankar, Smt. Anitha Purnesh, Smt. Saraswathamma, Smt. Tejraj Gulecha and Smt. Sharada Babulal Latha.
✓22.	19-11-2007	Form II
✓23.	03-01-2008	Form D issued by the Registrar of Firms, Bangalore Rural District, Bangalore
✓24.	21-03-2007	(Reconstituted) Deed of Partnership executed by Smt. Kala Shankar, Smt. Anitha Purnesh, Smt. Saraswathamma, Smt. Tejraj Gulecha, Smt. Sharada Babulal Latha, Sri. D M Purnesh, N Venugopala Reddy and Sri. D M Shankar.
✓25.	16-01-2008	Form D issued by the Registrar of Firms, Bangalore Rural District, Bangalore
✓26.	21-01-2008	Form A in CA No.14/07-08, issued by the Deputy Commissioner of Stamps, (Registrar of Firms, Bangalore Rural District, Bangalore)
✓27.		Tax Assessment Register extract for the period 2007-08, issued by the Secretary, Betta Koti Village Panchayath, Devanahalli Taluk
✓28.		Tax demand register extract for the period 2007-08, issued by the Secretary, Betta Koti Village Panchayath, Devanahalli Taluk
✓29.	26-12-2007	Memorandum of Agreement entered into between M/s. Classic Valmark (and all its Partners) and M/s. Brigade Enterprises Limited
✓30.	27-12-2007	Agreement of Sale entered into by M/s. Classic Valmark with M/s. Brigade Enterprises Limited, registered vide document No.5693/07-08, of Book I, stored in CD No.145, in the office of the Sub-Registrar, Devanahalli
✓31.	31-03-2008	Certifcate issued by Sri. N.K.Madhusudhan, Partner of Badari, Madhusudhan and Srinivasan, Chartered Accountants.
✓32.	01-04-2008	Certificate of Incorporation of BCV Developers Private Limited, issued by the Registrar of Companies, Karnataka
✓33.	25-03-2008	Memorandum of Association of BCV Developers Private Limited



Sl. No.	Date of Execution / Issue	Description of the Document
✓/34.	25-03-2008	Articles of Association of BCV Developers Private Limited
✓35.	-	Tax Assessment Register extract for the period 2008-09, issued by the Secretary, Betta Koti Village Panchayath, Devanahalli Taluk
✓36.	-	Tax demand register extract for the period 2008-09, issued by the Secretary, Betta Koti Village Panchayath, Devanahalli Taluk
37.	-	R.T.C.'s for the period 1968-69 to 2003-04 and from 2005-06 to 2007-08, issued the Tahsildar / Village Accountant, Devanahalli Taluk, Bangalore Rural District.
✗38.		Akarband of survey No.37
39.	29-09-2003	Atlas issued by the Inspector, Taluk Land Survey Office, Devanahalli Taluk
✗40.	-	Village Map of Rayasandra.
41.	17-10-2007	Endorsement in No.465/2007-08, issued by the Tahsildar, Devanahalli Taluk.
42.	17-10-2007	Endorsement in No.465/2007-08, issued by the Tahsildar, Devanahalli Taluk.
✗43.	30-06-2007	Endorsement in No.LRF (De) (End.): 294/06-07, issued by the Assistant Commissioner, Doddaballapura Sub-Division, Bangalore
44.	02-05-2007	Public Notice issued in the 'Times of India' with respect to the subject property.
✗45.	27-09-2007	Endorsement in No. KHB: LAQ: 125:07-08 issued by the Special Land Acquisition Officer, Karnataka Housing Board, Bangalore.
✗46.	20-09-2007	Endorsement in No. KIADB: KeKa: VG: 8174: 2007-08 issued by the Special Deputy Commissioner, Karnataka Industrial Areas Development Board, Bangalore.
47.	15-06-2007	Encumbrance Certificate in S A. No. 3571/07-08, for the period 01-04-1970 to 31-03-1978, issued by the Sub-Registrar, Devanahalli.
48.	07-02-2002	Encumbrance Certificate in S A. No. 2949/01-02 for the period 01-04-1978 to 31-01-2002, issued by the Sub-Registrar, Devanahalli
49.	30-09-2003	Encumbrance Certificates in S A. No. 2178/03-04, for the period 01-04-1998 to 24-09-2003, issued by the Sub-Registrar, Devanahalli.
50.	27-07-2007	Encumbrance Certificates in S A. No. 6181/07-08, for the period 01-04-2002 to 20-07-2007, issued by the Sub-Registrar, Devanahalli.
51.	28-04-2008	Encumbrance Certificates in S A. No. 1115/08-09, for the period 01-04-2007 to 20-04-2008 issued by the Sub-Registrar, Devanahalli.



TITLE OF M/s. BCV DEVELOPERS PRIVATE LIMITED

On perusal of the above documents, and the Index of Lands and Records of Rights, it is observed that the previously agricultural land bearing survey No. 37, measuring 19 acres 02 guntas (and 31 guntas of karab land), situated at Rayasandra Village, Kasaba Hobli, Devanahalli Taluk, Bangalore District was originally 'Government Pada' land and that vide DSO No.301/49-50, 445/51-52 and AD 9/47-48, the same was granted under auction to one P Suryanarayana Shastry. The name of P Suryanarayana Shastry was entered in the Records of Rights in RR No.153. The said Index of Lands and Records of Rights could be evidenced from **Document No.1 and 2**.

The said P Suryanarayana Shastry subsequently sold the said land in favor of B.R.Suryanarayana Rao, by virtue of a Sale Deed dated 18-03-1949, registered as document No.1683/1948-49 of Book I, in the office of the Sub-Registrar, Devanahalli. The said Sale Deed could be evidenced from **Document No.3**.

Sri. B.R. Suryanarayana Rao, subsequently sold the eastern portion of the said land measuring 6 acres 14 guntas, in favor of P Suryanarayana Shastry by virtue of a Sale Deed dated 05-02-1951, and retained the remaining portion (i.e. 12 acres 28 guntas). The said Sale Deed is registered as document No.2267/51-52 of Book I, in the office of the Sub-Registrar, Devanahalli and the same could be evidenced from **Document No.4**.

It is further observed that on 05-06-1951, a survey was conducted and on the date of survey, though B R Suryanarayana Rao retained only 12 acres 28 guntas, he was found to be in possession and enjoyment of 13 acres 29 guntas of cultivable land and Suryanarayana Shastry was in possession of the remaining portion of survey No.37. The survey No.37 has been phoded and the portion in possession of B R Suryanarayana Rao was assigned survey No.37/2 and the entire 31 guntas of karab land has been apportioned to 37/2. Further the name of said B R Suryanarayana Rao was entered in the RR pakka book with respect to the said extent. The Hissa Tippany issued in this regard and the RR pakka book balabhada nakalu could be evidenced from **Document Nos. 5 and 6**.

The said land now bearing survey No.37/2, measuring 13 acres 29 guntas (and 31 guntas of karab land) shall be hereinafter referred to as the 'Composite Property'.

B.R. Suryanarayana Rao by virtue of a Sale Deed dated 21-06-1971 sold the Composite property in favor of Premnath Kak and Somavathi Kak. The said Sale Deed is registered



vide document No.826 of Book I, in the office of Sub-Registrar, Devanahalli and the same could be evidenced from **Document No.7**.

Permanth Kak and Somavathi Kak in turn sold the Composite property by virtue of a Sale Deed dated 12-03-1979 in favour of D.M.Shankar. The said Sale Deed is registered vide document No. 2380/78-79 of Book I, in the office of Sub-Registrar, Devanahalli and the same could be evidenced from **Document No. 8**.

Subsequently, the katha/ mutation of the Composite property has been transferred / registered in the name of D.M. Shankar in accordance with the aforementioned Sale Deed dated 12-03-1979 in the Mutation Registers in serial No. 12/78-79. The said Mutation Register extract in No. 12/78-79 could be evidenced from **Document No. 9**.

D M Shankar and others mortgaged the Composite property along with other properties in favour of State Bank of Mysore, Devanahalli, by virtue of Mortgage Deed dated 25-06-1981, registered vide document No. 455/81/82 of Book I, in the office of Sub-Registrar, Devanahalli. Subsequently they have discharged the said mortgage and accordingly the said Bank had executed a separate Discharge Certificate dated 30-10-1993, in favour of said D M Shankar and others. The said aforesaid Mortgage Deed dated 25-06-1981 and the Discharge Certificate could be evidenced from **Document Nos.10 and 11**.

D.M.Shankar further gifted the Composite property to his wife Smt. Kala Shankar, by virtue of a Gift Deed dated 20-01-2003 registered vide document No. 2054/2002-03 of Book I, in the office of Sub-Registrar, Devanahalli and the same could be evidenced from **Document No. 12**. Smt. Kala Shnakar has accepted the said gift and subsequently, the katha/ mutation of the Composite property has been transferred / registered in her name in the Mutation Register in serial No. 3/2002-03, in accordance with the aforementioned Gift Deed. The said Mutation Register extract in No. 3/2002-03 could be evidenced from **Document No. 13**.

Smt. Kala Shankar has executed a General Power of Attorney, dated 20-01-2003 in favor of her husband D.M.Shankar, empowering him to manage the Composite property including the power to alienate the same. The said Power of Attorney is registered vide document No. 34/2002-03 of Book IV in the office of Sub- Registrar, Devanahalli and the same could be evidenced from **Document No. 14**.

Smt. Kala Shankar made an application to the Deputy Commissioner for conversion of the Composite property, from agricultural to non-agricultural/residential use. The Deputy Commissioner, Bangalore Rural District, Bangalore, vide Official Memorandum dated 28-04-2004, has regularised the 31 guntas of karab land and consequently converted the



Composite property measuring 14 acres 20 guntas from agricultural to non-agricultural/residential use. The said Official Memorandum dated 28-04-2004 could be evidenced from **Document No.15**.

The said conversion has been recorded in the mutation register in serial No.25/2004-05. The said MR 25/2004-05 issued by the Village Accountant, could be evidenced from **Document No.16**.

Subsequent to the conversion the Composite Property has been reassessed for taxes by the Betta Koti Village Panchayath, Devanahalli Taluk. The Tax assessment register extract and the Tax demand register extract for the period 2007-08 issued in this regard could be evidenced from **Document Nos. 17 and 18**.

Smt.Kala Shankar, along with Smt. Anitha Purnesh, Smt. Saraswathamma, Smt.Tejraj Gulecha and Smt. Sharada Babulal Latha has formed a Partnership firm under the name and style 'M/s. DEVAGIRI FARMS'. A Partnership Deed dated 28-09-2005 was executed in this regard. The same has been registered with the Registrar of Firms vide Registration No. 42/05-06 and the Registrar of Firms have issued Form C in this regard. Smt. Anitha Purnesh brought the eastern portion of the Composite Property measuring 9 acres 03 guntas (which is hereinafter referred to as the 'Subject Property'), into the said Firm as her share towards the capital contribution to the firm. Thus the Subject Property has become the absolute property of the Firm. The said Form C and the Partnership Deed dated 28-09-2005 could be evidenced from **Document Nos.19 and 20**.

Subsequently the Partners of Devagiri Farms have changed the name of the said Firm as 'CLASSIC VALMARK' and executed a Supplement Deed dated 15-03-2007 in this regard. The said change in name of the Firm has been duly intimated to the Registrar of Firms, Bangalore in Form II. Accordingly the Registrar of Firms have recorded the said change of name and have issued 'Form D' dated 03-01-2008 to that effect. The said Supplementary Deed, Form II and the Form D could be evidenced from **Document Nos.21 to 23**.

Further three more persons namely Sri. D M Purnesh, Sri. N Venugopala Reddy and Sri.D.M.Shankar were inducted into the said Firm. Accordingly all the eight partners have now executed a (Reconstituted) Deed of Partnership dated 21-03-2007. The reconstitutuion of the Firm has been duly intimated to the Registrar of Firms in Form V and the Registrar of Firms have recorded the said reconstitution of Firm and have issued



'Form D' dated 16-01-2008 to that effect. The said Deed of Partnership dated 21-03-2007 and the Form D could be evidenced from **Document Nos.24 and 25**.

The extract issued by the Registrar of Firms in Form A, confirms the change of name and the change in constitution of the said Firm. The said Form A could be evidenced from **Document No.26**.

Further the khata of the subject property has been registered / transferred in the name of M/s. Classic Valmark by the Secretary, Betta Koti Village Panchayath, Devanahalli Taluk. Accordingly a fresh Tax assessment register extract and Tax demand register extract were issued in the name of M/s. Classic Valmark and the same could be evidenced from **Document Nos. 27 and 28**.

M/s. Classic Valmark (and all its Partners) initially entered into a Memorandum of Understanding dated 15-02-2007 and subsequently entered into a fresh Memorandum of Agreement dated 26-12-2007 with M/s. Brigade Enterprises Limited (BEL) for the joint development of the Subject Property, along with various adjacent lands (hereinafter together referred to as the 'MOA Schedule Lands'), on certain terms and conditions. One of the conditions of the said MOA dated 26-12-2007 is that M/s. Classic Valmark shall be registered as a Company (on or before 05-04-2008) and that the said BEL shall be given 50% of shares in the said Company, subject to BEL paying money value equivalent to 50% of the MOA Schedule lands. Further BEL shall become 50% undivided owners of the MOA Schedule lands and M/s. Classic Valmark shall retain the balance 50% undivided ownership of the MOA Schedule lands. In the event BEL pays less than the said 50% amount, then they shall be entitled for proportionate undivided ownership of the MOA Schedule lands. The said Memorandum of Agreement dated 26-12-2007 could be evidenced from **Document No.29**.

Further in view of the considerable amount paid by BEL to M/s. Classic Valmark under the aforesaid MOA, the parties have executed an Agreement of Sale dated 27-12-2007, with respect to the said MOA Schedule lands. The said Agreement of Sale is registered as document No.5693/07-08, of Book I in the office of the Sub-Registrar, Devanahalli and the same could be evidenced from **Document No.30**.

Sri. N.K.Madhusudhan, Partner of Badari, Madhusudhan and Srinivasan, Chartered Accountants, the Auditor of M/s. Classic Valmark, vide Certificate dated 31-03-2008 has certified that there are no encumbrances or charges created by the Firm on the subject property. The said Certificate could be evidenced from **Document No.31**



Subsequently in accordance with the terms of the aforesaid MOA, M/s. Classic Valmark has been registered / Incorporated as a Company limited by shares, under the provisions of Part IX of the Companies Act, 1956 in the name of 'M/s. BCV Developers Private Limited' (for brief BCV), and that all the assets of M/s. Classic Valmark including the MOA Schedule lands were transferred to the said BCV. The Certificate of Incorporation dated 01-04-2008, Articles of Association and Memorandum of Association of M/s. BCV Developers Private Limited, could be evidenced from **Document Nos. 32 to 34**

In pursuance to transfer of Subject Property to M/s. BCV Developers Private Limited, the khata of the subject property has been registered / transferred in the name of the said company. The Tax Assessment Register extract and Tax Demand Register extract for the period 2008-09 issued in the name of said M/s. BCV Developers Private Limited could be evidenced from **Document Nos. 35 and 36**

The party has produced the R.T.C.'s (Records of Rights, Tenancy and Crops), for the period 1968-69 to 2003-04 and from 2005-06 to 2007-08. On its perusal, it is observed that the land bearing survey No.37/2 in all measures 13 acres 29 guntas and 31 guntas of karab.

From 1968-69 to 1972-73, in column No.9 and 12, the name of B R S Rao is entered as owner / kathedar and cultivator in lieu of B R S Rao; from 1973-74 to 1978-79, the name of P K Kaula is entered as owner/kathedar and cultivator in lieu of B R S Rao; from 1979-80 to 2001-02, the name of D M Shankar is entered as owner/kathedar and cultivator in lieu of Kaula; and from 2002-03 to 2007-08 the name of Kala Shankar is entered as owner/kathedar and cultivator. The said R.T.C.'s could be evidenced from **Document No. 37**.

The total extent of land as per the Akarband is 14 acres 20 guntas (i.e. 13 acres 29 guntas of cultivatable land and 31 guntas of 'B' karab land). Further the extent mentioned in the Akarband confirms the extent mentioned in the R.T.C.'s of survey No.37/2. The copy of the Akarband produced could be evidenced from **Document No.38**.

The Hissa Tippany (described supra) and Atlas with respect to survey No. 37 confirms the shape and location of the Composite property with the Village Map of Rayasandra. The said Atlas and Village Map could be evidenced from **Document Nos.39 and 40**.

The Tahsildar, Devanahalli Taluk, vide two separate Endorsements both dated 17-10-2007 has certified that there are no tenancy applications has been made or pending with respect to the Composite property under Section 48A and / or 77A of the Karnataka Land Reforms Act, 1961 and the same could be evidenced from **Document Nos.41 and 42**.



The Assistant Commissioner vide an Endorsement dated 30-06-2007 has certified that there are no proceedings initiated or pending with respect to the Composite property under Sections 79A and 79B of the Karnataka Land Reforms Act, 1961 and the same could be evidenced from **Document No. 43**

Further a Public Notice in the 'Times of India' dated 02-05-2007, was issued calling on the general public for objections if any, with respect to the subject property. As on date no objections have been received and a copy of the said Public Notice could be evidenced from **Document No.44**.

The Special Land Acquisition Officer, Karnataka Housing Board vide his Endorsement dated 27-09-2007 in No. KHB: LAQ: 125/07-08 has certified that the subject property has not been acquired for any of its developmental purposes. The said Endorsement dated 27-09-2007 issued by the Special Land Acquisition Officer, Karnataka Housing Board could be evidenced from **Document No.45**

The Special Land Acquisition Officer, Karnataka Industrial Area Development Board vide his Endorsement dated 20-09-2007 in No. KIADB: KEK: VG: 8174 has certified that the subject property has not been acquired for any of its developmental purposes. The said Endorsement dated 20-09-2007 issued by the Land Acquisition Officer, Karnataka Industrial Area Development Board could be evidenced from **Document No. 46**.

The Encumbrance Certificates produced with respect to the subject property is for the cumulative period extending from 01-04-1970 to 20-04-2008. In the said Encumbrance Certificates the following six entries are found:

- a) Sale Deed executed by B.R. Suryanarayana Rao in favour of Premanth Kak and Somavathi Kak.
- b) Sale Deed executed by Premanth Kak and Somavathi Kak in favour of D.M. Shankar.
- c) Mortgage Deed executed by D.M. Shankar and others in favour of S.B.M., Devanahalli.
- d) Discharge Deed executed by S.B.M., Devanahalli in favour of D.M. Shankar and others.
- e) Gift Deed executed by D.M. Shankar in favour of Kala Shankar.
- f) Agreement of Sale entered into between M/s. Classic Valmark and M/s. Brigade Enterprises Limited

Apart from that there are no other entries found for having encumbered the subject property. Hence, it could be construed that there are no registered encumbrances on the subject property during the said period. The said Encumbrance Certificate could be evidenced from **Document No. 47 to 51**.



OPINION

On perusal of the above documents, I am of the opinion that M/s. BCV Developers Private Limited is the absolute owner of the residentially converted land bearing survey No. 37/2, measuring 9 acres 03 guntas, situated at Rayasandra Village, Kasaba Hobli, Devanahalli Taluk, Bangalore District, having valid marketable right, title and interest to the same. M/s. Brigade Enterprises Limited has interest over 9 acres 03 guntas of the Subject property in terms of the aforesaid MOA dated 26-12-2007 and Agreement of Sale dated 27-12-2007.




JAYANTH M. PATTANSHETTI
Advocate

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