

interest in/ over the said Property in favour of the Mortgagee therein, as a security for repayment of the Mortgage Debt (*as defined therein*), on term and conditions contained therein.

21. By and under an Indenture of Mortgage for Creation of Additional Security dated 20<sup>th</sup> March 2023 executed between the Ekta Realtors, therein referred to as the 'Mortgagor' of One Part and JM Financial Credit Solutions Limited therein referred to as the 'Lender' or 'Mortgagee' of the Other Part and registered with the Sub-Registrar of Assurances under Serial No. BDR-18/4865 of 2023, the Mortgagor therein created further mortgage, on its right, title and interest in/ over the said Property in favour of the Mortgagee therein, as a security for repayment of the Mortgage Debt (*as defined therein*), on term and conditions contained therein.

**B. PROPERTY REGISTER CARD:**

In the Property Register Card dated 6<sup>th</sup> March 2023 the name of Ekta Realtors is reflected as the Owners.

**C. SEARCHES:**

We have caused searches to be conducted in the Office of the Sub – Registrar of Assurances at Bombay from 13<sup>th</sup> June, 2022 until 13<sup>th</sup> April, 2023 by Ashish Javeri, Search Clerk. Upon perusal of the Search Report, we have not come across any adverse entries affecting the said Property, except the mortgages stated aforesaid.

We have also caused searches to be conducted in the Office of the Registrar of Firms, Mumbai for the Ekta Realtors in respect of the said Property and have been provided with the report dated 13<sup>th</sup> April, 2023 issued by Jaya Sharma & Associates, Practicing Company Secretaries, for physical searches carried out by them in the office of the Registrar of Firms (Mumbai).

**D. LITIGATION:**

We have not caused any Litigation Search on the Ekta Realtors and the said Property.

**E. PUBLIC NOTICE:**



We have issued Public Notice on 07<sup>th</sup> July 2022 in Navshakti (Marathi) and Times of India (English), Mumbai Edition, inviting claims and objections from the public with respect of the said Property. We have not received any claims from the public notice.

**F. INSPECTION OF ORIGINAL DOCUMENT/S:**

We have not taken inspection of the originals of the said Documents and Records listed out in **Annexure 'A'** annexed hereto.

**G. CONCLUSION**

Subject to the mortgages and what is stated herein, we are of the opinion that Ekta Realtors is the owner of the said Property and its title to the said Property, is clear and marketable.

**H. GENERAL:**

1. The contents hereof are solely based upon our perusal of the Documents and Records provided to us as mentioned above and we have no obligation to update the contents hereof with any information or replies or documents received by us beyond the date of this document.
2. We have been informed that no notice/s has / have been issued to or served upon or received by it from the government or any other local body or authority with respect to the said Property or any portion of it, including with respect to the acquisition, requisition, reservation or setback of the said Property or any portion of it. Save as disclosed in this document. We have assumed the genuineness of these assertions and have not independently verified the same.
3. This document is restricted to the flow of title in relation to the said Property.
4. We have not independently validated the taxes/cess/duties/charges payable in respect of the said Property and our comments in regard to these are based solely on the documents provided to us.



5. We have through our search clerks, conducted online searches in the office of the Sub-Registrar of Assurances and Registrar of Firms in whose jurisdiction the said Property is situated.
6. We are not certifying the boundaries of the said Land.
7. We are not authorized or qualified to express an opinion relating to plan permissions, approvals, sanctions or development potential of the said Property and we are not commenting on and/or certifying the compliance thereof.
8. We are not qualified to express our opinion on physical identification of the said Property.
9. We have not independently carried out any searches (including negative searches) in the Hon'ble High Court of Mumbai or any other courts, registries or offices of any authorities in respect of any pending litigation connected to the said Property.
10. We have assumed:
  - a. The legal capacity of all natural persons, genuineness of all signatures, authenticity of all documents submitted to us as certified or photocopies or scanned copies or electronic copies.
  - b. The persons executing documents have the necessary authority to execute them.
  - c. That wherever any minors' rights are involved, these have been dealt with by their right/natural guardian for legal necessity and have not been challenged by such minors upon their attaining majority.
  - d. That all amounts required to be paid to owners under sale deeds/development agreements or any other document/s have been paid.
  - e. That there have been no amendments or changes to the documents examined by us.

- f. That unless, stated otherwise herein, all prior documents have been adequately stamped and duly registered.
- g. The photocopies or scanned copies or electronic copies provided to us are accurate, correct and otherwise genuine photocopies or scanned copies or electronic copies of the originals.
- h. The accuracy and completeness of all factual representations made in the documents.
- i. That all of the information (including documents) supplied to us was when given, and remains true, complete, accurate and not misleading.
- j. We have relied upon information relating to lineage, if applicable on the basis of title deeds, revenue records and information provided to us.
- k. 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.
- l. This document has been provided at the request of the client to whom it is addressed.

Dated this 10<sup>th</sup> May, 2023.

For Lexicon Law Partners,

  
Partner

Encl : as above.

ANNEXURE – A

DOCUMENTS AND RECORDS

1. Certified copy of Indenture dated 28<sup>th</sup> July 1942 executed by and between the Manekji Hormusji Gazdar therein referred to as the 'Vendor' of One Part and Mrs. Roshan A. Hiranandani therein referred to as the 'Purchaser' of the Other Part and registered with the Sub-Registrar at Bandra under Serial No. BND/1322/1942;
2. Photocopy of Indenture dated 04<sup>th</sup> August 1943 executed by and between Roshan A. Hiranandani therein referred to as the 'Vendor' of One Part and Lala Ramchand Kesholal Khanna therein referred to as the 'Purchaser' of the Other Part and registered with the Sub-Registrar of Bombay under Serial No. BOM/4193/1943;
3. Photocopy of Indenture dated 29<sup>th</sup> August 1959 made and entered into between Mr. Lala Ramchand Kesholal Khanna, therein referred to as the Vendor of the First Part, Budhsingh Mithasingh, therein referred to as the Confirming Party of the Second Part and Mr. Avatarsingh Mithasingh therein referred to as the Purchaser of the Third Part and registered with the office of the Sub-Registrar of Assurances under Serial No. BOM/6313/1959;
4. Photocopy of Sanctioned Plan issued by Municipal Corporation of Greater Mumbai on 27<sup>th</sup> June 1961 bearing reference no. GB/5761/A;
5. Photocopy of Last Will and Testament dated 13<sup>th</sup> May 2006 of Avtarsingh Mithasingh;
6. Photocopy of Consent Terms dated 27<sup>th</sup> July 2016 filed in Testamentary Suit No.70 of 2014;
7. Photocopy of Order dated 27<sup>th</sup> July 2016 passed by the High Court of Judicature at Bombay in Testamentary Suit No. 70 of 2014 in Testamentary Petition No. 1760 of 2013;
8. Photocopy of Probate dated 15<sup>th</sup> October 2016 granted by High Court of Judicature at Bombay in Testamentary Petition No. 1760 of 2013;

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9. Photocopy of Letter of Administration dated 1<sup>st</sup> October 2020 granted in Testamentary and Intestate Jurisdiction Petition No. 2954 of 2019 in favour of (i) Mrs. Simerjit Kaur Anand, (ii) Mr. Charanjitsingh Anand and (iii) Ms. Sahiba Kaur Anand;
10. Photocopy of Amended Schedule of Assets of Letter of Administration dated 1<sup>st</sup> October 2020;
11. Photocopy of Order dated 28<sup>th</sup> December 2021 bearing reference no. GABA/3A/NBGWARD/3466 passed by the Collector, Mumbai Suburban District;
12. Photocopy of Order dated 08<sup>th</sup> July 2022 was passed by the Hon'ble High Court of Bombay in Interim Application No. 11757 of 2022;
13. Photocopy of Deed of Transfer / Transfer Deed dated 21<sup>st</sup> October 2022 executed by and between (i) Mrs. Simerjit Kaur Anand (ii) Mr. Charanjitsingh Anand and (iii) Ms. Sahiba Kaur Anand, all in their capacity as the Administrators of the estate of Late Ranjitsingh Anand therein referred to as the Transferors of the One Part and (i) Mrs. Simerjit Kaur Anand (ii) Mr. Charanjitsingh Anand and (iii) Ms. Sahiba Kaur Anand, all in their individual capacity therein referred to as the Transferees of the Other Part and registered with the office of the Sub-Registrar of Assurances under Serial No. BDR9 – 15393 of 2022.
14. Photocopy of Deed of Conveyance dated 29<sup>th</sup> December 2022 executed by and between (i) Inderpal Singh Anand, (ii) Prehalad Singh Anand, (iii) Simerjit Kaur Ranjit Singh Anand, (iv) Charanjit Singh Ranjit Singh Anand and (v) Sahiba Kaur Ranjit Singh Anand therein referred to as the 'Vendors' of the First Part, (i) Gurdev Kaur Sethi and (ii) Joginder Kaur Chandhok therein referred to as the 'Confirming Parties' of the Second Part and Ekta Realtors therein referred to as the 'Purchaser' of the Third Part and registered with the Sub-Registrar of Assurances under Serial No. BDR-15/17441 of 2022.
15. Photocopy of Deed of Conveyance, vide an Irrevocable Power of Attorney dated 29<sup>th</sup> December 2022 registered with the Sub-Registrar of Assurances under Serial No. BDR-15/ 17442 of 2022.



16. Photocopy of Indenture of Mortgage dated 1<sup>st</sup> February 2023 executed by and between the Ekta Realtors herein, therein referred to as the 'Borrower' or 'Mortgagor' of One Part and JM Financial Properties and Holdings Limited therein referred to as the 'Lender' or 'Mortgagee' of the Other Part and registered with the Sub-Registrar of Assurances under Serial No. BDR-15/1902 of 2023.
17. Photocopy of Indenture of Mortgage for Creation of Additional Security dated 20<sup>th</sup> March 2023 executed by and between the Ekta Realtors herein, therein referred to as the 'Mortgagor' of One Part and JM Financial Credit Solutions Limited therein referred to as the 'Lender' or 'Mortgagee' of the Other Part and registered with the Sub-Registrar of Assurances under Serial No. BDR-18/4865 of 2023.

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