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To,
Sri. Athique Ahmmed
Proprietor of M/s. ATZ Properties,
Shivajinagar,
Bangalore.

Respected Sir/Madam,

Sub :- Opinion in respect of the property bearing old Sy.No.74 new Sy.No.74/2 measuring 22 Guntas and Sy.No. 75/2 measuring 25 Guntas total measuring 1 acre 07 Guntas, situated at Balagere Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru.

The Photocopies/Certified copies/Original of the following documents pertaining to the subject property, which is more fully described in the Schedule below, have been furnished to me for scrutiny of title.

I. DOCUMENTS SCRUTINIZED :-

4 1. 5 o.	Date of Document	Name of Document	Original Certified Photostat
Sy. No. 74/2 measuring 0-22 guntas			
1		Order in case No. HOA (s) 297/68-69, passed by the Assistant Commissioner, Bengaluru Sub-Division, Bengaluru, in respect of Sy.No.74 measuring 1 acre 7 guntas in favour of B. Subbaiah.	Certified
2		RTCs for the year 1967-68 to 2020-21 issued by the Thahsildar and Village Accountant, Bengalur East Taluk, Bangalore.	Photostat
3	07.02.1975	Sale Deed executed by B.Subbaiah and his children in favour in favour of D.Lakshmaiah Reddy, registered as document No.8467/74-75, Volume 1124, Pages 246 to 248, in Book-I, registered in the office of Sub-Registrar, Bangalore South Taluk in respect of Sy.No.74, measuring 1 Acre 07 Guntas.	Photostat
4		Mutation Register bearing No.02/80-81, in the name of D.Lakshmaiah Reddy issued by the	Photostat

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		Thasildar, Bengaluru East Taluk.	
5	15.07.1976	No Due certificate issued by the Panathur Agricultural Seva Sahakar Bank, in favour D.Lakshmaiah Reddy in respect of Sy.No.74.	Photostat
6		Family tree of Dasappa, issued by the Village Accountant, Panaturu Revenue Circle, Varthur Hobli, Bengaluru East Taluk.	Photostat
7	22.07.1982	Unregistered Partition deed entered by D.Lakshmaiah Reddy and D. Venkataswama Reddy, legal heirs of Sri.Dasappa, in respect of Sy.No.74 and other family properties.	Photostat
8	17.10.1992	Sale Deed executed by D.Lakshmaiah Reddy in favour of V. Venkatesh Reddy, registered as document No.3687/92-93, Volume 3627, Pages 40 to 44, in Book-I, registered in the office of Sub-Registrar, Bangalore South Taluk, in respect of Sy.No.74, measuring 22 Guntas.	Original
9		Mutation Register bearing No. 9/92-93, in the name of V. Venkatesh Reddy issued by the Taluk Sirasthedar, Bengaluru East Taluk, K.R. Puram.	Certified
10	30.03.2003	No Due certificate issued by the Panathur Agricultural Seva Sahakar Bank, in favour D.Lakshmaiah Reddy in respect of Sy.No.74.	Photostat
11		Atlas utar, issued by the Assistant Director of Land Records, Bengaluru Sub-Division, Bengaluru, in respect of Re-Sy.No.74/1,2,3, of Balagere Village.	Photostat
12		RR Balabagada Nakalu issued by the Assistant Director of Land Records, Bengaluru Sub-Division, Bengaluru, in respect of Sy.No.74/2 measuring 23 Guntas of Balagere Village reflecting the name of V. Venkatesh Reddy.	Certified
13		Akarband issued by the Assistant Director of Land Records, Bengaluru Sub-Division, Bengaluru, in respect of Sy.No.74/2 measuring 22 and 1 gunta Karab.	Certified
14		Mutation Register No.T5/12-13, in the name of V. Venkatesh Reddy, in respect of Sy.No.74/2, (old Sy.No.74) measuring 22 Guntas.	Original
15		Survey Sketch, issued by the taluk Land Surveyor and Thasildar, Bengaluru East Taluk, K. R. Pura in respect of Sy.No.74/2	Certified

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16	25.08.2012	Endorsement bearing No. RK.CR/1359/12-13, for Non Availability of IL and RR, issued by the Tahsildar, Bengaluru East Taluk .	Photostat
17	25.09.2012	Endorsement bearing No. 868/12-13, for Nil tenancy certificate, issued by the Special Tahsildar, Bengaluru East Taluk.	Photostat
18	20.10.2012	Official Memorandum bearing No.ALN(EVH) SR 218/2012-13 issued by the Deputy Commissioner, Bangalore District in respect of the property bearing Sy.No.74/2 of Balagere Village.	Original
19	29.11.2012	Sale deed executed by V. Venkatesh Reddy in favour of Mohammad Azar Pasha, in respect of Sy.No.74/2, measuring 22 registered as document No. 9626/2012-13, stored in CD.No.BNSD248, registered in the Office of the Senior Sub-Registrar Banasavadi, Bangalore.	Original
20	21.01.2013	Improvement Charges paid Receipt	Original
21	18.02.2013	Special Notice issued by the Revenue Officer, Whitefield Zone, Bruhath Bengalurr Mahanagara Palike, Bengaluru.	Original
22	18.02.2013	Katha Certificate and Katha Extract issued by the Assistant Revenue Officer, Mahadevapura Zone, Bruhath Bengaluru Mahanagara Palike, Bengaluru.	Original
23	07.12.2020	No Tenancy Certificate bearing No.RD0038113134888 issued by Tahsildar, Bengaluru East Taluk.	Original
24	08.05.2017	Encumbrance Certificate bearing SA No. 3831/2017-18 for the period from 01.04.1959 to 31.03.1970 issued by the Senior Sub-Registrar, Bommanahalli.	Photostat
25	27.08.2012	Encumbrance Certificate bearing SA No. 22396/2012-13 for the period from 01.04.1970 to 31.03.2004 issued by the Senior Sub-Registrar, Bommanahalli.	Photostat
26	27.08.2012	Encumbrance Certificate bearing SA No. 8063/2012-13 for the period from 01.04.2004 to 26.08.2012 issued by the Senior Sub-Registrar, Varthur.	Original
27	19.09.2020	Endorsement bearing No. PTCL (B.E)CR:162/20-21 issued by the Assistant Commissioner,	Original

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		Bengaluru North Sub-Division, Bengaluru, in respect of Sy.No.74/2.	
28	05.12.2020	Encumbrance Certificate bearing SA No. 31065/2020-21 for the period from 01.04.2018 to 04.12.2020 issued by the Sub-Registrar, K.R. Puram, Bengaluru.	Original
Sy.No.75/2 measuring 0-25 guntas			
29	31.08.1929	Hissa Tippani, issued by Thasildar, Bengaluru East Taluk, in respect of Sy.No.75/2, of Balagere Village, reflecting in the name of Munishami Son of Erappa.	Photostat
30		Atlas copy reflecting in the name of Munishami Son of Erappa, as per Priliminary records in respect of Sy.No.75/2 of Balagere Village.	Photostat
31		RR Balabagada Nakalu, issued by the Thasildar, Bengaluru East Taluk, in respect of Sy.No.75/2 measuring 1 Acres 21 Guntas of Balagere Village reflecting the name of Munishami Son of Erappa.	Photostat
32		RTCs for the year 1967-68 to 2019-20 issued by the Thahsildar and Village Accountant, Bengalur East Taluk, Bangalore.	Photostat
33	14.12.1976	Sale Deed executed by Kamma Wife of Muniswamy in favour of Devappa, registered as document No.1960/76-77, Volume 1207, Pages 192 to 194, in Book-I, registered in the office of Sub-Registrar, Bangalore South Taluk in respect of Sy.No.75/2, measuring 1 Acre 16 Guntas.	Photostat
34		Mutation Register No.13/76-77, issued by the Taluk Sirastedar, Bengaluru East Taluk, K.R.Pura.	Photostat
35	18.12.1999	Death Certificate of Devappa, issued by Birth and Death Rigrstrar, Varthur Grama Panchayath, Bengaluru South Taluk.	Photostat
36	05.06.2012	Family Tree of Devappa, issued by Village Accountant, Varthur Hobli, Bengalur East Taluk.	Photostat
37		IHC No.2/99-2000, issued by the Taluk Sirastedar, Bengaluru East Taluk, K.R.Pura. in respect of Sy.No.75/2, measuring 1 Acre 16 Guntas of Balagere Village.	Certified
38		No Due certificate issued by the Panathur Agricultural Seva Sahakar Bank, in favour Lakshamma W/o Late Devappa in respect of	Photostat

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		Sy.No.75/2.	
39	26.04.2007	Mutation Register No. 45/2006-07, issued by the Viilage Accountant, Varthur Hobli.	Original
40	28.08.2007	General Power of Attorney executed by Lakshamma, Shobha, Chandraleela, Komala amd Prathima in favour of Narayana Gowda, registered as document No.142/07-08, in Book IV, stored in CD No.VRTD10, in the office of the Senior Sub-Registrar, Varthur.	Photostat
41		Survey Sketch, issued by the Taluk land Surveyor, Bengaluru east Taluk, K R Pura.	Photostat
42	15.07.2011	Official Memorandum bearing No.ALN(EVH) SR 329/2011-12 issued by the Deputy Commissioner, Bangalore District in respect of the property bearing Sy.No.75/2 of Balagere Village.	Photostat
43	02.08.2011	Mutation Register No.6/11-12, issued by Village Accountant, Varthur Hobli, in respect of Sy.No.75/2, of Balagere village, reflects the conversion of the said land vide Official Memorandum dated 15/7/2011, bearing No.ALN(EVH)SR329/11-12.	Photostat
44	10.05.2012	Endorsement bearing No. PTCL.CR/363/2012-13, issued by the Assistant Commissioner, stating that no claims are filed under the PTCL Act.	Photostat
45	10.05.2012	Endorsement bearing No.LRF (B.E)253 , issued by the Assistant Commissioner, for clearance under section 79 A and B of KLR Act.	Photostat
46	07.12.2020	Nil Tenancy issued by the Thasildar, stating that no claim are field under section 7A of KLR Act.	Original
47	17.12.2012	Registered partition deed entered by Lakshamma and other family members of late Devappa registered as document No.4820/2012-13, stored in CD.No.VRTD172, registered in the Office of the Senior Sub-Registrar Varthur, Bangalore.	Certified
48	28.03.2013	Gift deed executed by Narayan Gowda in favour of his wife Chandraprabha, registered as document No.15330/2012-13, stored in CD.No.BNSD272, registered in the Office of Senior Sub-Registrar, Banasavadi, Bangalore.	Original
49	24.04.2013	Office Memorandum for change of Khatha in	Original

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		favour of Chandraprabha by assigning Khata No. 352/12, in respect of Sy.No.75/2, measuring 25 Guntas of Balagere Village.	
50	29.05.2013	Khatha certificate and khatha Extract issued by the Assistant Revenue Officer, Mahadevapura Zone, Bruhath Bengaluru Mahangara Palike, Bengaluru, in the name of Chandraprabha.	Original
51	21.08.2020	The Endorsement issued by the Tahsildar Grade II, Bengaluru East Taluk, K R Puram for non availability of Index of Land.	Photostat
52	09.12.2020	No Due certificate issued by the Panathur Agricultural Seva Sahakar Bank, in favour Chandraprabha W/o Narayana Gowda in respect of Sy.No.75/2 measuring 25 guntas.	Original
53		Akarbandh issued by the Thasildar Bengaluru East Taluk, K R Pura in respect of Sy.No.75/2, measuring 1 Acre 16 Guntas +5 Guntas Karab.	Certified
54	28.08.2012	Encumbrance Certificate bearing SA No. 6838/2012-13 for the period from 01.04.1940 to 14.02.1957 issued by the Senior Sub-Registrar, Peenya, Bengaluru	Photostat
55	24.05.2012	Encumbrance Certificate bearing SA No. 7714/2012-13 for the period from 15.02.1957 to 31.03.1970 issued by the Senior Sub-Registrar, Bommanahalli, Bengaluru	Photostat
56	07.12.2020	Encumbrance Certificate bearing SA No. 23811/220-21 for the period from 01.04.1970 to 31.03.1975 issued by the Senior Sub-Registrar, Bommanahalli, Bengaluru	Original
57	15.05.2012	Encumbrance Certificate bearing SA No. 6365/2012-13 for the period from 01.04.1975 to 31.03.2004 issued by the Senior Sub-Registrar, Bommanahalli, Bengaluru.	Photostat
58	14.05.2012	Encumbrance Certificate bearing SA No.6363/2012-13 for the period from 01.04.2004 to 10.03.2012 issued by the Senior Sub-Registrar, Bommanahalli, Bengaluru.	Photostat
59	13.11.2018	Encumbrance Certificate bearing SA No.9633/2018-19 for the period from 01.04.2009 to 12.11.2018 issued by the Senior Sub-Registrar, Gandhinagara (Ganganagara), Bengaluru.	Photostat

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60	05.12.2020	Encumbrance Certificate bearing SA No.31063/20-21 for the period from 01.04.2018 to 04.12.2020 issued by the Sub-Registrar, K.R. Pura, Bengaluru.	Original
Common Documents			
61	28.03.2013	Unregistered Partnership deed entered by Mohamad Azar Pasha and Smt. Chandraprabha in respect of Sy.No.74/2 measuring 22 Guntas and Sy.No.75/2 measuring 25 Guntas of Balagere Village.	Original
62		Acknowledgement of Registration of Firms, in the name of Kushal Properties, issued by the Registrar of Firms	Original
63	28.03.2013	Joint Development Agreement executed by M/s. Kushal Properties, represented by its partners Mohamad Azar Pasha and Smt. Chandraprabha, in favour of M/s ATZ Properties, registered as document No. BNS-1-15331/2012-13, stored in CD.No.BNSD272, registered in the Office of the Senior Sub-Registrar Banasavadi, Bangalore.	Original
64	28.03.2013	General Power of Attorney executed by M/s. Kushal Properties, represented by its partners Mohamad Azar Pasha and Smt. Chandraprabha, in favour of M/s ATZ Properties, registered as document No. BNS-4-598/2012-13, stored in CD.No.BNSD272, registered in the Office of the Senior Sub-Registrar Banasavadi, Bangalore.	Original
65	01.06.2013	Deed of Amalgamation entered by Mohamad Azar Pasha and Smt. Chandraprabha represented by her GPA Holder Mr. Athique Ahmed, registered as document No. BNS-1-2442/2013-14, stored in CD.No.BNSD277, registered in the Office of the Senior Sub-Registrar Banasavadi, Bangalore.	Original
66	07.06.2013	Official Memorandum for Amalgamation of Khatha, by assigning Municipal No. 350/10, in respect of Sy.No.74/2 measuring 22 Guntas and Sy.No.75/2 measuring 25 Guntas, issued by Deputy Commissioner, Bruhath Bengaluru Mahanagara Palike.	Photostat
67	12.06.2013	Khatha certificate and khatha Extract issued by the Assistant Revenue Officer in the name of Mohamad Azar Pasha Smt. Chandraprabha.	Original
68	07.06.2016	Order No.LND(PU)CR130/14-15, for shifting of	Original

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		Kaludari, in Sy.No.74/2 and Sy.No.75/2 situated at Balagere Village, Varthur Hobli, Bangalore.,, issued by the Deputy Commissioner, Bengaluru District.	
69	23.02.2018	Improvement Charges paid receipt.	Photostat
70	02.12.2020	Tax paid Receipt for the year 2020-21	Photostat
71	12.02.2018	No objection certificate, issued by BSNL office.	Original
72	15.03.2018	No objection certificate, issued by BESCO office.	Original
73	03.04.2018	No objection certificate, issued by Airports Authority of India.	Photostat
74	04.04.2018	No objection certificate, issued by KSPCB office.	Original
75	13.04.2018	No objection certificate, issued by Office of the Director General of Police.	Original
76	04.12.2018	No objection certificate, issued by Chief Engineer (M), BWSSB.	Original
77	02.12.2020	Relinquishment Deed executed by Mohammed Azar Pasha represented by his GPA Holder Athique Ahmed, Proprietor of ATZ Properties, in favour of The Commissioner, Bruhath Bengaluru mahanagara Palike, registered as Document No.BNS-1-11546/2020-21, stored in CD.No.BNSD1161, registered in the office of the sub-Registrar, Banasavadi, Bengaluru.	Photostat
78	15.12.2020	Licence Copy bearing No. L.P/0311/17-18, issued by the Joint Director of Town Planning (North), BBMP, Bengaluru.	Original
79	05.12.2020	Encumbrance Certificate bearing SA No.31063/20-21 for the period from 01.04.2018 to 04.12.2020 issued by the Sub-Registrar, K.R. Pura, Bengaluru.	Photostat

II. Complete or full description of the immovable property.

SCHEDULE PROPERTY

Item No. I

All that piece and parcel of residential converted land bearing old Sy. No.74 New Sy.No.74/2 measuring 22 guntas (Converted Vide Official Memorandum dated 20.10.2012, bearing No.ALN (EVH)SR218/12-13, issued by the Deputy Commissioner, Bangalore District), situated at

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Balagere Village, Varthur Hobli, Bengaluru East Taluk, Bangalore District, and bounded on the:

East by : Land bearing Sy.No.74/1;
West by : Land bearing Sy.No.74/3;
North by : Road;
South by : Item No.II of the Schedule Property;

Item No. II

All that piece and parcel of portion of the residential converted land bearing Sy.No.75/2 measuring 25 guntas (Converted Vide Official Memorandum dated 15.07.2011, bearing No.ALN (EVH)SR329/11-12, issued by the Deputy Commissioner, Bangalore District), situated at Balagere Village, Varthur Hobli, Bengaluru East Taluk, Bangalore District, and bounded on the:

East by : Portion of Sy.No.75/2;
West by : Private Property;
North by : Item No.I of the Schedule Property;
South by : Private Property.

III. SOURCE OF TITLE :-

Sy.No.74/2

The immovable property bearing Sy.No.74 measuring 1 Acre 7 Guntas situated at Balagere Village, Varthur Hobli Bengaluru East Taluk, Originally belongs to B. Subbaiah he had acquired by re-granted in Case No. HOA (s) 297/68-69, the same order passed by the Assistant Commissioner, Bengaluru Sub-Division, Bengaluru.

Subsequently, B.Subbaiah and his children have sold the property bearing Sy.No.74 measuring 1 Acre 7 Guntas, in favour of D. Lakshmaiah Reddy in terms of registered Sale Deed dated 7/02/1975, registered as document No.8467/74-75, Volume 1124, Pages 246 to 248, in Book-I, registered in the office of Sub-Registrar, Bangalore South Taluk Pursuant to the above sale deed, the revenue record was mutated in the name of D.Lakshmaiah Reddy vide Mutation Register No.02/80-81 and the R.T.Cs disclose the ownership and possession of that property.

No Due certificate issued by the Panathur Agricultural Seva Sahakar Bank, in favour D.Lakshmaiah Reddy in respect of Sy.No.74, for clearance of Loan.

The Village Accountant, Panaturu Revenue Circle, Varthur Hobli, Bengaluru East Taluk issued Family tree of Dasappa disclose the legal heirs of Dasappa.

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Later on, D.Lakshmaiah Reddy and D. Venkataswama Reddy, legal heirs of Dasappa have entered in unregistered partition deed dated 23.11.1992 in respect of Sy.No.74 along with other family properties, as per partition Sy.No.74 has been allotted to the share of D.Lakshmaiah Reddy.

Further, the above said D. Lakshmaiah Reddy has sold the property measuring 22 guntas in Sy.No.74/2 in favour of V. Venkatesh Reddy in terms of sale Deed dated 23.11.1992 registered as document No..3687/92-93, Volume 3627, Pages 40 to 44, in Book-I, registered in the office of Sub-Registrar, Bangalore South Taluk, pursuant to the above said sale Deed dated 23.11.1992 the revenue record was mutated in the name of V. Venkatesh Reddy vide Mutation Register No.09/92-93 and the R.T.Cs disclose the ownership and possession of that property.

No Due certificate dated 30.03.2003 issued by the Panathur Agricultural Seva Sahakar Bank, in favour V. Venkatesh Reddy in respect of Sy.No.74/2 for clearance of Loan.

The Assistant Director of Land Records, Bengaluru Sub-Division, Bengaluru, in respect of Re-Sy.No.74/1,2,3, of Balagere Village, has issued Atlas Utar, R R Balabagada Nakalu and Akarband and the Taluk Land Surveyor and Thasildar, Bengaluru East Taluk, K. R. Pura has issued the Survey Sketch in respect of the above said property which disclose the measurement and shape of Sy.No.74/2.

The Tahsildar, Bengaluru East Taluk has issued endorsement dated 25.08.2012 for Non-Available of Index of Land and Record of Rights to the Sy.No.74/2 of Balagere Village.

The two Endorsements dated 25.08.2012, and 08.05.2017 issued by Tahsildar, Bengaluru East Taluk, Bangalore District confirms that, there is no Tenancy application field under 7, 7A of Karnataka Land Reforms Act in respect of the above said property and another Endorsements dated 19.09.2020 issued by Assistant Commissioner, Bangalore North Sub-Division, Bangalore, confirms that, there is no application field under PTCL act.

The Deputy Commissioner, Bangalore District, Bangalore has issued an Official Memorandum (Conversion Certificate) bearing No.ALN(EVH).SR.218/2012-13 dated 20.10.2012 converting the property measuring 22 guntas in Sy.No.74/2 converting from agriculture to non agriculture residential purpose, which are mentioned in Item No.I of the SCHEDULE PROPERTY.

Further, the V. Venkatesh Reddy has sold the property measuring 22 guntas in Sy.No.74/2 in favour of Mohammad Azar Pasha in terms of sale Deed dated 29.11.2012 registered as document No. 9626/2012-13, stored in CD.No.BNSD248, registered in the Office of the

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Senior Sub-Registrar Banasavadi, Bangalore, pursuant to the above said sale Deed the revenue record was mutated in the name of Mohammad Azar Pasha. And the said Mohammad Azar Pasha on 21.01.2013 has paid Improvement Charges to the Bruhath Bengaluru Mahanagara Palike, Bengaluru.

Now the Schedule Property, which is now included within the Administrative jurisdiction of the Bruhat Bangalore Mahanagara Palike, Bangalore and the Assistant Revenue Officer, Bruhat Bangalore Mahanagara Palike, Mahadevapura Zone, Bangalore, has transferred the above said Property, in the name of Mohammad Azar Pasha and also issued the Khata Certificate and Katha Extract dated 18.02.2013. Tax is paid in respect of above said Property to BBMP, Bengaluru.

The Encumbrance Certificate covering the period from 01.04.1959 to 01.04.2018 with regard to the Item Nos.1 of the schedule property discloses the transactions referred to above and it does not discloses any encumbrance.

Sy.No.75/2

The immovable property bearing Sy.No.75/2 measuring 25 Guntas situated at Balagere Village, Varthur Hobli Bengaluru East Taluk, Originally Munishami is the owner as could be seen in the Hissa tippani dated 31.08.1929, issued by Thasildar, Bengaluru East Taluk. Further after demise of Munishami above said land was inherited to his wife Kamma as legal heir, thereafter the Kamma was became as a owner of the said property.

Later on, the said Kamma wife of Munishami has sold the property bearing Sy.No.75/2 measuring 1 acre 16 guntas in favour of Devappa, vide registered sale deed dated 14.12.1976 registered as document No.1960/76-77, Volume 1207, Pages 192 to 194, in Book-I, registered in the office of Sub-Registrar, Bangalore South Taluk. Pursuant to the above sale deed, the revenue record was mutated in the name of Devappa vide Mutation Register No.13/76-77.

Further, said Devappa died on 18.12.1999, leaving behind him, his wife Lakshamma and children to succeed to the above said land, Death Certificate of Devappa, issued by Birth and Death Registrar, Varthur Grama Panchayath, Bengaluru South Taluk. Pursuant to the death of Devappa the revenue records was transferred to his wife Lakshamma vide IHC.No.02/99.

The Village Accountant, Varthur Hobli, Bengalur East Taluk. issued Family tree of Devappa disclose the legal hairs of Devappa.

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No Due certificate issued by the Panathur Agricultural Seva Sahakar Bank, in favour Lakshamma in respect of Sy.No.75/2.

The Lakshamma, Shobha, Chandraleela, Komala and Prathima have executed general Power of Attorney dated 28.08.2007 in favour of Narayana Gowda, registered as document No.142/07-08, in Book IV, stored in CD No.VRTD10, in the office of the Senior Sub-Registrar, Varthur, In respect of Sy.No,75/2 measuring 1 acre 16 guntas.

The Taluk Land Surveyor and Thasildar, Bengaluru East Taluk, K. R. Pura have issued the Survey Sketch and Akarband in respect of the above said property which disclose the measurement and shape of Sy.No.75/2.

The Deputy Commissioner, Bangalore District, Bangalore has issued an Official Memorandum (Conversion Certificate) bearing No.ALN(EVH).SR.329/2011-12 dated 15.07.2011 converting the property measuring 25 guntas in Sy.No.75/2 converting from agriculture to non agriculture residential purpose, which are mentioned in Item No.II of the SCHEDULE PROPERTY. Pursuant to the order the details of Conversion has been entered into revenue record vide Mutation Register No.6/11-12.

The Endorsements dated 10.05.2012 issued by Assistant Commissioner, Bangalore North Sub-Division, Bangalore, confirms that, there is no application field under 79 (A) (B) of Karnataka Land Reforms Act in respect of above said Schedule A Property and an other Endorsements dated 10.05.2012 issued by Assistant Commissioner, Bangalore North Sub-Division, Bangalore, confirms that, there is no application field under PTCL act.

Endorsements dated 07.12.2020 issued by Thasildar, Bangalore East Taluk, confirms that, there is no application field under 7A of Karnataka Land Reforms Act in respect of above said and another endorsement dated 21.08.2020 issued by Thasildar Grade - II, Bengaluru East Taluk stating non availability of Index of land.

Further, the said Lakshamma Shobha, Chandraleela, Komala, Prathima and Narayanagowda have entered into registered partition deed dated 17.12.2012 registered as Document No.4820/2012-13, stored in CD.No.VRTD172, registered in the Office of the Senior Sub-Registrar Varthur, Bangalore, in respect of Sy.No.75/2 alongwith other family properties, in that partition deed the property bearing Sy.No.75/2 measuring 1 acre 16 guntas has been allotted to the share of Narayanagowda S/o Devappa.

Further, Narayanagowda has executed registered Gift Deed in respect of property measuring 25 guntas in Sy.No.75/2 in favour of his wife Smt.Chandraprabha, vide registered Gift Deed dated 28.03.2013 registered

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as document No.15330/2012-13, stored in CD.No.BNSD272, registered in the Office of Senior Sub-Registrar, Banasavadi, Bangalore. Pursuant to the Gift Deed the Deputy Commissioner BBMP has issued Office Memorandum dated 24.04.2013, for transfer of Khatha in the name of Smt. Chandraprabha by assigning new Khata No. 352/12/1, in respect of property measuring 25 Guntas in Sy. No.75/2 of Balagere Village. Subsequently the Assistant Revenue Officer, Mahadevapura Zone, Bruhat Bengaluru Mahanagara Palike, Bengaluru, has issued Katha Certificate and Katha Extract dated 29.05.2013 in the name of Chandraprabha.

The Encumbrance Certificate covering the period from 01.04.1940 to 04.12.2020 with regard to the Item Nos.II of the schedule property discloses the transactions referred to above and it does not discloses any encumbrance.

Common Documents in respect of Sy.No.74/2 measuring 22 guntas and Sy.No.75/2 measuring 25 guntas.

The Mr.Mohamad Azar Pasha and Smt. Chandraprabha have entered into Partner Ship Deed dated 28.03.2013 by contributed their respective properties Sy.No.74/2 measuring 22 Guntas and Sy.No.75/2 measuring 25 Guntas of Balagere Village for the purpose of carrying business in real estate and property development under the name and style of "KUSHAL PROPERTIES" and The Registrar of Firms, has issued Acknowledgement of Registration of Firms bearing No. SJN-F1313/2012-13, in the name of Kushal Properties.

Further, M/s. Kushal Properties, represented by its partners Mr.Mohamad Azar Pasha and Smt. Chandraprabha, entered into Joint Development Agreement with M/s ATZ Properties for development of the property measuring 22 Guntas in Sy.No.74/2 and measuring 25 Guntas in Sy.No.75/2, which is morefully described in the schedule above and hereinafter referred to as Item No.I and II in 'Schedule Property' vide Joint Development Agreement dated 28.03.2013, registered as document No. BNS-1-15331/2012-13, stored in CD.No.BNSD272, registered in the Office of the Senior Sub-Registrar Banasavadi, Bangalore. As per the Development Agreement the owners are retaining 18 % of the undivided share in the land and are entitled for 18 % of the super built up area in the form of apartments and remaining 82 % undivided share land and super built up area in the schedule property has been allotted to the share of Developers. On the same day the said Mr. Mohamad Azar Pasha and Smt. Chandraprabha have executed General Power of Attorney in favour of M/s. ATZ Properties, Bangalore, No. BNS 4-598/2012-13, stored in CD.No.BNSD272, registered in the Office of the Senior Sub-Registrar Banasavadi, Bangalore, inter alia authorized them to sell and execute sale deeds in respect of 82 % of the undivided share in the schedule property along with the built up areas in favour of prospective purchasers.

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Subsequently, the Amalgamation Deed dated 01.06.2013 executed by and between Mr. Mohamad Azar Pasha and Smt. Chandraprabha represented by her GPA Holder Mr. Athique Ahmed, registered as document No. BNS-1-2442/2013-14, stored in CD.No.BNSD277, registered in the Office of the Senior Sub-Registrar Banasavadi, Bangalore, in respect of Sy.No.74/2 measuring 22 Guntas and Sy.No.75/2 measuring 25 Guntas, this deed intend to develop the composite schedule property as one compact block for their mutual benefit and consequently they intend to amalgamate the said properties and to get an amalgamate Katha in the name of above said parties **OR** as well in the name of M/s. Kushal Properties. Pursuant to the Amalgamation Deed dated 01.06.2013 the Deputy Commissioner BBMP has issued Office Memorandum dated 07.06.2013, for amalgamate of Khatha by assigning new Khata No. 350/10, in respect of property measuring 25 Guntas in Sy. No.75/2 and measuring 22 guntas in Sy.No.74/2 total measuring 1 acre 7 guntas. Subsequently the Deputy Commissioner, Mahadevapura Zone, Bruhat Bengaluru Mahanagara Palike, Bengaluru, has issued Amalgamated Katha Certificate and Katha Extract dated 12.06.2013, which reveals that khatha of the Schedule Properties transferred in the name of Mr. Mohamad Azar Pasha and Smt. Chandraprabha and they have paid tax in respect of Schedule Property for the year 2020-21, dated 02.12.2020.

Further, the Deputy Commissioner, Bengaluru urban District has issued an order No.LND(PU)CR130/14-15 on 07.06.2016, to shift the Kaludari from center of the property to border of the property.

The Mr. Mohammed Azar Pasha and Smt. Chandraprbha have paid the Improvement charges on 23.08.2018 to Bruhat Bengaluru Mahanagara Palike,

Subsequently, Mohammed Azar Pasha represented by his GPA Holder Athique Ahmed, Proprietor of ATZ Properties has released his rights, title and interest in respect of property measuring 144.98 Sq. Mtrs, out of Sy. Nos. 74/2 and 75/2 The Commissioner, Bruhat Bengaluru Mahanagara Palike, for road, under Relinquishment deed dated 02.12.2010, registered as Document No.BNS-1-11546/2020-21, stored in CD.No.BNSD1161, registered in the office of the sub-Registrar, Banasavadi, Bengaluru.

Thereafter, Mr. Mohammed Azar Pasha, Smt. Chandraprbha and M/s ATZ Properties represented by its proprietor Mr. Athique Ahmed obtained NOCs from various Govt. Authorities viz. BSNL, BESCOM, Airport, BWSSB, Director General of Police and Director General, Karnataka Fire and Emergency Services and Karnataka state Pollution Control Board on various dates, for construction of high rise residential building in schedule property.

After that, said Mr. Mohammed Azar Pasha, represented by his General Power of Attorney Holder Mr. Athique Ahmed, proprietor of M/s ATZ Properties obtained Sanctioned plan and License, bearing L.P No.0311/17-

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18, for construction of Basement, Ground and upper Nine floors on the schedule property, issued by the Joint Director of Town Planning (North), Bruhat Bangalore Mahanagara Palike, Bangalore dated 15.12.2020.

The Encumbrance Certificate for the period from 01.04.2018 to 04.12.2020 in respect of Item No. I and II of the Schedule Property discloses the transactions referred to above and it does not discloses any encumbrance.

IV. OPINION

On perusal of the documents referred above, observations made there in I am of the opinion that, Mr. Mohammed Azar Pasha and Smt. Chandraprbha are the sole and absolute owners of their respective property mentioned in the Schedule Property subject to the development rights given to M/s ATZ Properties represented by its proprietor Mr. Athique Ahmed, and they have clear and marketable title to the same. The purchaser would acquire the clear title to the apartment from Developer share, on execution of the registered sale deed in his name by Mr. Mohammed Azar Pasha and Smt. Chandraprbha, represented by their Power of Attorney Holder M/s ATZ Properties represented by its proprietor Mr. Athique Ahmed.

18th February, 2021

Ravi

**(A.RAVI)
ADVOCATE**

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