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Writers' Name: *C.R. Muralidharan / Vinuth Gowda / Brijesh Yadav*

Strictly Confidential

Date: October 18, 2023

M/s. GURU PUNVAANI PROPERTIES
No. 14, 9th Avenue, 1st Floor, 3rd Cross,
NS Iyengar Road, Seshadripuram,
Bengaluru - 560 020.

Kind Attention: Mr. Sanjay Kumar Baid, Partner.

REPORT ON TITLE TO THE PROPERTY

DESCRIPTION OF THE PROPERTY:

All that piece and parcel of immovable property being land converted for non-agricultural residential purposes, measuring an extent of 25,495.195 square meters (or 6 Acres 12 Guntas), bearing e-Khatha No. 152900402003400562, Old Khatha No. 82/1, within the limits of Manchanayakanahalli Gram Panchayat, comprised in Survey No. 29/2, situated at Bheemenahalli Village, Bidadi Hobli, Ramanagara Taluk, Ramanagara District, and bounded as follows:

On the East by : Village Road;
On the West by : Land bearing Survey No. 29/1;
On the North by : Road; and
On the South by : 40 feet road formed in Survey No. 31 (forming part of the layout developed by M/s. Universal - Lasya Estates, on adjacent survey numbers of Bheemenahalli Village which has been relinquished to BMICAPA).

The aforementioned immovable property is hereinafter referred to as the "Property".



LIST OF DOCUMENTS EXAMINED:

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

Sl. No.	Particulars of Documents	Remarks
1.	Order dated 02.02.1960 in Case bearing No. 4/1959-60, passed by the Special Deputy Commissioner, for Abolition of Inams, Bengaluru, registering the occupancy rights <i>inter alia</i> in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, in the name of Mr. Veerachikkaiah, under the provisions of Section 5 of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954;	Certified copy
2.	Endorsement dated 05.06.2023 bearing Reference No. RKL/CR/57/2023-24 issued by the Tahsildar, Ramanagara Taluk, Ramanagara District, stating that the extract of Form-VIII in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, is mutilated and the same is not available;	Original
3.	Genealogical Tree of Mr. Eerachikkaiah, issued by the Village Accountant, Shyanamangala Circle, Bidadi Hobli, Ramanagara Taluk (<i>date of issue is not visible</i>);	Original
4.	Affidavit dated 02.09.2016, sworn by Mr. Krishnappa, son of Mr. Narasimaiah to the Genealogical Tree of his late grandfather, namely, Mr. Eerachikkaiah;	Photocopy
5.	Copy of Death Certificate of Mr. Ramanna (also known as Ramaiah), son of Mr. Chikka Hanumaiah, issued by the Village Accountant, Shyanamangala Circle, Bidadi Hobli, Ramanagara Taluk;	Notarised copy
6.	Extract of the Entry bearing LHC No. 1/1993-94 made in the Register of Inheritance Cases, reflecting the mutation of Khatha in respect of the land measuring an extent of 6 Acres 12 Guntas comprised	Original

Sl. No.	Particulars of Documents	Remarks
	in Survey No. 29/2 of Bheemenahalli Village, in the names of: (i) Mr. Chikka Hanumaiah; and (ii) Mr. Narasimaiah, both being sons of Late Mr. Eerachikkaiah;	
7.	Sale Deed dated 26.08.2004 executed by: (i) Mr. Chikka Hanumaiah, son of Late Mr. Heerachikkaiah; (ii) Mr. Narasimaiah, son of Late Mr. Heerachikkaiah; and (iii) Mr. Narasimhamurthy, son of Late Mr. Heerachikkaiah; (iv) Mrs. Gowramma, wife of Late Mr. Ramaiah (<i>daughter in law of Mr. Chikka Hanumaiah</i>); (v) Mr. Shivanna, son of Mr. Chikka Hanumaiah; (vi) Mr. Nagaraju, son of Mr. Narasimaiah; (vii) Mr. Veerachikkanna, son of Mr. Chikka Hanumaiah; and (viii) Mr. Krishnappa, son of Mr. Narasimaiah, in favour of: (i) Mr. B. Nawaz Khan, son of Late Mr. Azeez Khan; and (ii) Mr. Jameel Ahmed Khan, son of Mr. B. Nawaz Khan, in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, and registered as Document No. RMN-1-01683-2004-05, in Book-I, stored in C.D. No. RMND-13, in the Office of the Sub-Registrar, Ramanagara;	Original
8.	Extract of the Entry bearing M.R. No. 4/2004-05 made in the Mutation Register, reflecting the mutation of Khatha in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, in the names of: (i) Mr. B. Nawaz Khan, son of Late Mr. Azeez Khan; and (ii) Mr. Jameel Ahmed Khan, son of Mr. B. Nawaz Khan;	Certified copy
9.	Official Memorandum dated 04.05.2005 bearing Reference No. B.DS.ALN:SR/65-2004-05, issued by the Assistant Commissioner, Ramanagara Sub-Division, Ramanagara, according permission for conversion of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, from agricultural purposes to	Original

Sl. No.	Particulars of Documents	Remarks
	non-agricultural residential purposes, under the provision of Section 95 of the Karnataka Land Revenue Act, 1964;	
10.	Copies of the following documents in relation to the conversion of land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, from agricultural use to non-agricultural residential use: a) Demand Notice dated 18.02.2005 bearing Reference No. ALN:SR:65/2004-05, issued by the Assistant Commissioner, Ramanagara Sub-Division, Ramanagara, demanding the payment of conversion fine; b) Report dated 11.1.2005 bearing Reference No. ALN.CR.94:2004-05, prepared by the Tahsildar, Ramanagara Taluk; c) Challan dated 21.02.2005 evidencing the payment of conversion fine; d) Sketch prepared for the purpose of conversion of the land; and e) Extract of the Entry bearing M.R. No. T1/2018-19 made in the Mutation Register, reflecting the conversion of land.	Certified copies
11.	Sale Deed dated 01.02.2006 executed by: (1) Mr. B. Nawaz Khan, son of Late Mr. Azeez Khan; and (2) Mr. Jameel Ahmed Khan, son of Mr. B. Nawaz Khan, in favour of M/s. Universal - Lasya Estates, represented by its Managing Partners: (i) Mr. N. Ramesh; and (ii) Mr. K.S. Raghavendra Naik, in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, and registered as Document No. RMN-1-04269-2005-06, in Book-I, stored in C.D. No. RMND-27, in the Office of the Sub-Registrar, Ramanagara;	Original
12.	Extract of the Entry bearing M.R. No. 112/2005-06 made in the Mutation Register, reflecting the mutation of Khatha in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey	Original

Sl. No.	Particulars of Documents	Remarks
	No. 29/2 of Bheemenahalli Village, in the name of M/s. Universal - Lasya Estates, represented by its Managing Partners; (i) Mr. N. Ramesh; and (ii) Mr. K.S. Raghavendra Naik;	
13.	Order dated 25.08.2010 bearing Reference No. BMICPA/23/CLU/Bheemenahalli/18/2010-11, issued by the Member Secretary and Additional Director, Town and Country Planning, B.M.I.C.A.P.A, Bengaluru, according permission for change of land use in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, from 'Agricultural Zone' to 'Residential Zone', under the provision of Section 14A(1) of the Karnataka Town and Country Panning Act, 1961;	Photocopy
14.	Demand Notice dated 18.08.2010 bearing Reference No. BMICPA/23/CLU/Bheemenahalli/18/2010-11, issued by the Member Secretary and Additional Director, Town and Country Planning, B.M.I.C.A.P.A, Bengaluru, demanding the payment of charges towards change of land use;	Photocopy
15.	Partnership Deed dated 08.11.2004 entered into between (i) Mr. K.S. Raghavendra Naik, son of Mr. Singappa Naik; and (ii) Mr. N. Ramesh, son of Late Mr. Ningegowda, constituting themselves into a partnership firm, under the name and style of "M/s. Universal - Lasya Estates";	Photocopy
16.	Form-C (Acknowledgement of Registration of Firms) dated 02.09.2010, issued by the Registrar of Firms, Jayanagar, Bengaluru, evidencing the registration of the partnership firm namely, M/s. Universal - Lasya Estates, with a Registration No. JNR/387/2010-11;	Photocopy
17.	Common Hypothecation Agreement dated 01.03.2012, executed by Ratanchand Jewellers Limited, in favour of Canara Bank, in respect of the	Certified copy

Sl. No.	Particulars of Documents	Remarks
	land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village;	
18.	Notice to the Borrower dated 07.02.2013 bearing Reference No. OSB/RJL/2013 by the Canara Bank, Overseas Branch, Bengaluru, in favour of Ratanchand Jewellers Limited, issued under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, demanding to discharge the liabilities;	Certified copy
19.	Notice to the Mortgager dated 07.02.2013 bearing Reference No. OSB/RJL/2013 by the Canara Bank, Overseas Branch, Bengaluru, in favour of the M/s. Universal - Lasya, represented by its Partners: (i) Mr. N. Ramesh; and (ii) Mr. B.H. Krishnamurthy, issued under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, demanding to discharge the liabilities created in respect of the Property;	Certified copy
20.	Copy of the Possession Notice dated 13.04.2013, issued by the Canara Bank, Overseas Branch, Bengaluru, stating that the bank has undertaken the symbolic possession of the Property;	Certified copy
21.	Copy of the Order Sheet in Original Application bearing O.A. No. 732/2013 (DRC No. 9757) filed before the Debts Recovery Tribunal, Bengaluru;	Certified copy
22.	Sale Proclamation Notice dated 18.04.2017 in Form No. 22, under proceeding bearing TRC No. 335/2017 (DCP No. 9757), passed by the Recovery Officer-I, in Debts Recovery Tribunal-II, Bengaluru, with respect to sale of Property through e-auction on 29.05.2017;	Certified copy
23.	Sale Proclamation Notice dated 23.10.2017 in Form No. 22, under proceeding bearing TRC No. 335/2017	Certified copy

Sl. No.	Particulars of Documents	Remarks
	(DCP No. 9757), passed by the Recovery Officer-I, in Debts Recovery Tribunal-II, Bengaluru, with respect to sale of Property through e-auction on 30.11.2017;	
24.	Sale Proclamation Notice dated 19.12.2017, in Form No. 22, under proceeding bearing TRC No. 335/2017 (DCP No. 9757), passed by the Recovery Officer-I, in Debts Recovery Tribunal-II, Bengaluru, with respect to sale of Property through e-auction on 24.01.2018;	Certified copy
25.	Letter dated 31.01.2018 issued by the Recovery Officer-I, Debts Recovery Tribunal-II, Bengaluru, in proceedings bearing TRC/335/2017 in O.A. No. 732/2013, in the name of Mr. M.S. Jalendra, son of Late Mr. Subbe Gowda, declaring him as the successful bidder;	Certified copy
26.	Certificate of Sale of Immovable Property dated 27.02.2019 issued by the Recovery Officer-I, Debts Recovery Tribunal-II, Bengaluru, certifying the sale of land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, in the name of Mr. M.S. Jalendra, son of Late Mr. Subbe Gowda, represented by his Power of Attorney Holder, Mr. B.S. Jayanth Naga;	Certified copy
27.	Amended Certificate of Sale of Immovable Property dated 23.07.2020 issued by the Recovery Officer-I, Debts Recovery Tribunal-II, Bengaluru, in favour of Mr. M.S. Jalendra, son of Late Mr. Subbe Gowda, in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, and registered on 18.09.2020 as Document No. RMN-1-03401-2020-21, in Book-I, stored in C.D. No. RMND-807, in the Office of the Sub-Registrar, Ramanagara;	Original
28.	Sale Deed dated 18.09.2020 executed by Mr. M.S. Jalendra, son of Late Mr. Subbe Gowda, in favour of	Original

Sl. No.	Particulars of Documents	Remarks
	M/s. Bruhaspati Enterprises Private Limited, represented by its Director, Mr. Jayanth Naga B.S., in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, and registered as Document No. RMN-1-03415-2020-21, in Book-I, stored in C.D. No. RMND-807, in the Office of the Sub-Registrar, Ramanagara;	
29.	E-Khatha Certificate in Form - 11(B) dated 27.05.2022, issued by the Village Development Officer, Manchanayakanahalli Village Panchayat, in respect of the property bearing E-Khatha No. 152900402003400562 (Gram Panchayat Khatha No. 82/1), situated at Bheemenahalli Village, Bidadi Hobli, Ramanagara Taluk, Ramanagara District, in the name of M/s. Bruhaspati Enterprises Private Limited, represented by its Director, Mr. Jayanth Naga B.S.;	Computerized copy
30.	Copies of: (i) Memorandum of Association; and (ii) Articles of Association of the company, "Bruhaspati Enterprises Private Limited";	Original Book
31.	Certificate of Incorporation issued by the Registrar of Companies, Karnataka, evidencing the incorporation of the company, "Bruhaspati Enterprises Private Limited", on 25.11.2011, with the CIN - U70109KA2011PTC061361;	Original Book
32.	Certificate dated 17.06.2023 issued by ANKH & Associates, Chartered Accountants, certifying that the company, Bruhaspati Enterprises Private Limited, had not mortgaged the Property to any persons (including Banks, Financial Institutions and Private Lenders);	Photocopy
33.	Sale Deed dated 07.07.2023 executed by Bruhaspati Enterprises Private Limited, represented by its Director, Mr. Mr. Jayanth Naga B.S., in favour of M/s. Bhaiya Enterprises LLP, represented by its	Original

Sl. No.	Particulars of Documents	Remarks
	Designated Partner, Mr. Omprakash Bhaiya, in respect of the land converted for non-agricultural residential purposes measuring an extent of 25,495.195 square meters (or 6 Acres 12 Guntas), bearing e-Khatha No. 152900402003400562, Old Khatha No. 82/1, within the limits of Manchanayakanahalli Gram Panchayat, comprised in Survey No. 29/2, situated at Bheemenahalli Village viz., the Property, and registered as Document No. RMN-1-03302-2023-24, in Book-I, in the Office of the Sub-Registrar, Ramanagara;	
34.	Joint Development Agreement dated 27.09.2023 entered into between M/s. Bhaiya Enterprises LLP, represented by its Designated Partner, Mr. Omprakash Bhaiya (<i>as Owner</i>), and M/s. Guru Punvaanii Properties, represented by its Partner, Mr. Sanjar Kumar Baid (<i>as Developer</i>), in respect of the land converted for non-agricultural residential purposes measuring an extent of 25,495.195 square meters (or 6 Acres 12 Guntas), bearing E-Khatha No. 152900402003400562, Old Khatha No. 82/1, within the limits of Manchanayakanahalli Gram Panchayat, comprised in Survey No. 29/2, situated at Bheemenahalli Village viz., the Property, and registered on 29.09.2023, as Document No. RMN-1-05785-2023-24, in Book-I, in the Office of the Sub-Registrar, Ramanagara;	Original
35.	General Power of Attorney dated 27.09.2023 executed by M/s. Bhaiya Enterprises LLP, represented by its Designated Partner, Mr. Omprakash Bhaiya, in favour of M/s. Guru Punvaanii Properties, represented by its Partner, Mr. Sanjar Kumar Baid, appointing them as their Power of Attorney Holder, in respect of the land converted for non-agricultural residential purposes measuring an extent of 25,495.195 square meters (or 6 Acres 12 Guntas), bearing E-Khatha No. 152900402003400562, Old Khatha No. 82/1, within the limits of Manchanayakanahalli Gram Panchayat,	Original

Sl. No.	Particulars of Documents	Remarks
	comprised in Survey No. 29/2, situated at Bheemenahalli Village viz., the Property, and registered on 29.09.2023, as Document No. RMN-4-00334-2023-24, in Book-IV, in the Office of the Sub-Registrar, Ramanagara;	
36.	Endorsement bearing dated 08.03.2018 Reference No. R.K.L/CR/985/2017-18, issued by the Tahsildar, Ramanagara Taluk, Ramanagara, stating that the extracts of the Index of Lands and Record of Rights in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, are mutilated and the same are not available;	Original
37.	Extracts of the Record of Rights, Tenancy and Crop Inspection Certificates ("RTCs"/ "Pahani") issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, for the years: 1971-72 to 1973-74; 1975-76 to 1996-97; and 2001-02 to 2022-23;	1971-72 to 1979-80 (Certified copy); 1980-81 to 1986-87 (Photocopy); 1987-88 to 1996-97 (Certified copy); 2001-02 to 2009-10 (Original); 2010-11 to 2022-23 (Computerised).
38.	Endorsement dated 01.06.2023 bearing Reference No. RKL/CR/49/2023-24, issued by the Tahsildar, Ramanagara Taluk, Ramanagara, stating that the Record of Rights, Tenancy and Crop Inspection	Photocopy

Sl. No.	Particulars of Documents	Remarks
	Certificates ("RTCs"/ "Pahani") issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, for the years: 1968-69 to 1970-71; and 1997-1998 to 2000-01, are mutilated and the same are not available;	
39.	Endorsement dated 07.12.2018 bearing Reference No. R.K.L/CR/351/2018-19 issued by the Tahsildar, Ramanagara Taluk, Ramanagara, stating that the Record of Rights Tenancy and Crop Inspection Certificates ("RTCs"/ "Pahani") issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, for the years: 1996 to 2000, are mutilated and the same are not available;	Original
40.	Copy of Village Map of Bheemenahalli Village;	Online copy
41.	Copy of Karda Nakal issued in respect of the land comprised in Survey No. 29 of Bheemenahalli Village;	Certified copy
42.	Copy of Moola Tippani issued in respect of the land comprised in Survey No. 29 of Bheemenahalli Village;	Certified copy
43.	Copy of Hissa Survey Tippani evidencing the subdivision of the land comprised in Survey No. 29 of Bheemenahalli Village, into new Survey Nos. 29/1 and 29/2;	Certified copy
44.	Copy of R.R. Pakka Book evidencing the subdivision of the land comprised in Survey No. 29 of Bheemenahalli Village, into new Survey Nos. 29/1 and 29/2;	Certified copy
45.	Copy of Patta book issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village;	Original

Sl. No.	Particulars of Documents	Remarks
46.	Extract of the Karnataka Revision Settlement Akarbandh issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village;	Certified copy
47.	Tax Paid Receipts issued by the Manchanayakanahalli Village Panchayat, evidencing the payment of property taxes, in respect of the Property, for the years: 2001-02; 2005-06 to 2011-12; 2016-17	Originals
48.	Tax Paid Receipt issued by the Panchayat Development Officer, Manchanayakanahalli Gram Panchayat, in respect of the property bearing the property bearing PID No. 152900402003400562, situated at Bheemenahalli Village (i.e., the Property), evidencing the payment of property taxes, for the year, 2023-24;	Computerized copy
49.	Endorsement dated 24.06.2004 bearing Reference No. LAQ(1)/C.R.60/2003-04, issued by the Special Deputy Commissioner, Bengaluru, confirming that the land comprised in Survey No. 29/2 of Bheemenahalli Village, is not covered by the proposed acquisition for the Bengaluru Mysore Infrastructure Corridor Project;	Original
50.	Endorsement dated 08.03.2018 bearing Reference No. RD0038963071674, issued by the Tahsildar, Ramanagara Taluk, Ramanagara District, confirming that there are no tenancy applications made in Form 7 under the provision of Section 48A and in Form 7A under the provision of Section 77A of the Karnataka Land Reforms Act, 1961, with respect to the Property;	Original
51.	Endorsement dated 14.03.2018 bearing Reference No. L.R.F(79A&B)CR/425/2017-18, issued by the Assistant Commissioner, Ramanagara Taluk, Ramanagara, confirming that no proceedings have been initiated/ pending under the provisions of	Original

Sl. No.	Particulars of Documents	Remarks
	Section 79-A & 79-B of the Karnataka Land Reforms Act, 1961, with respect to the Property;	
52.	Endorsement dated 12.03.2018 bearing Reference No. LNDCR/13/2017-18, issued by the Tahsildar, Ramanagara Taluk, Ramanagara, confirming that there are no proceedings initiated/ pending under of the provisions of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978, with respect to the Property;	Original
53.	Encumbrance Certificates issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, for the following period: (i) 01.04.1957 to 25.05.2004; (ii) 01.04.2004 to 07.03.2020 (<i>faulty</i>); (iii) 01.04.2019 to 22.09.2020; and (iv) 01.04.2020 to 18.05.2023; and	Originals
54.	Public Notice dated 27.05.2023 issued by Dua Associates, Advocates and Solicitors, in the daily newspapers, namely, The Times of India and Vijaya Karnataka, calling for any claims, right, title and/or interest in respect of the Property.	-

COMMENTS BASED ON THE DOCUMENTS EXAMINED:

Upon review of the aforesaid documents pertaining to the Property, it is observed as follows:

1. It is noted that by virtue of the Notification bearing Reference No. RD3 MIN58 dated 13.01.1959, published in the Karnataka Gazette, issued under the provisions of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 ("**Inams Act**"), all rights, title and interest vesting in the Inamdar in respect of Bheemenahalli Village, including the lands situated therein, had ceased and the same vested absolutely with the State Government, free from all encumbrances. In terms of the provisions of the Inams Act, the Inamdar is entitled to be registered as an occupant in respect of all lands which he was holding immediately before the date of vesting.



2. It transpires that, upon an application filed by Mr. Veerachikkaiah, the Special Deputy Commissioner for Abolition of Inams, Bengaluru, vide Order dated 02.02.1960 in Case bearing No. 4/1959-60, had registered Mr. Veerachikkaiah as the occupant in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, under the provisions of Section 5 of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 (*Document No. 1*). *We have not been provided with the copy of Endorsement issued by the Office of the Special Deputy Commissioner, for Abolition of Inams, Bengaluru, in Case bearing Reference No. 4/1959-60, issued by the Special Deputy Commissioner, for Abolition of Inams, Bengaluru. It is represented that the same is not available.*
3. We have not been provided with the copy of Form-VIII issued by the Office of the Special Deputy Commissioner, for Abolition of Inams, Bengaluru, in Case bearing Reference No. 4/1959-60, issued by the Special Deputy Commissioner, for Abolition of Inams, Bengaluru. In this regard, we have been provided with an Endorsement dated 05.06.2023 bearing Reference No. RKL/CR/57/2023-24, issued by the Tahsildar, Ramanagara Taluk, Ramanagara District, stating that the extract of Form-VIII reflecting the grant of occupancy rights in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, is mutilated and the same is not available (*Document No. 2*).
4. It transpires that the aforesaid grantee, Mr. Veerachikkaiah (also known as Eerachikkaiah and Heerachikkaiah), died intestate leaving behind his legal heirs to inherit all his immovable properties. *We have, however, not been provided with the Death Certificate of Mr. Veerachikkaiah. It is represented that the same is not available.*
5. We have been provided with the copy of Genealogical Tree of Mr. Eerachikkaiah, issued by the Village Accountant, Shyanamangala Circle, Ramanagara Taluk (*Document No. 3*). It is noted from the same as follows:-
 - a) Mr. Eerachikkaiah had 3 (three) sons, namely: (i) Mr. Chikka Hanumaiah; (ii) Mr. Narasimaiah; and (iii) Mr. Narasimhamurthy;
 - b) The said Mr. Chikka Hanumaiah had 3 (three) sons, namely: (i) Mr. Ramaiah (*since deceased*); (ii) Mr. Veerachikkana; and (iii) Mr. Shivanna. The aforesaid Mr. Ramaiah married Mrs. Gowramma; and



- c) The aforesaid Mr. Narasimaiah had 2 (two) sons, namely: (i) Mr. Nagaraju; and (ii) Mr. Krishnappa.

It is noted that the aforesaid Genealogical Tree does not reflect the names of all the legal heirs of Mr. Eerachikkaiah.

Further, it is noted that Mr. Narasimhamurthy is incorrectly referred to as the son of Mr. Eerachikkaiah instead of correct reference 'Mr. Chikka Hanumaiah'; and that Mr. Veerachikkanna is incorrectly referred to as the son of Mr. Chikka Hanumaiah instead of correct reference 'Mr. Narasimaiah'.

In this regard, we have been provided with an Affidavit dated 02.09.2016, sworn by Mr. Krishnappa (son of Mr. Narasimaiah) to the Genealogical Tree of his late grandfather, namely, Mr. Eerachikkaiah (Document No. 4). However, the first page of the said Affidavit is missing in the copy made available for our review. The details of the legal heirs of Mr. Eerachikkaiah as reflected in the said Affidavit have been set out below at Paragraph No. 6.

6. It is noted from the abovementioned Affidavit dated 02.09.2016, sworn by Mr. Krishnappa, son of Mr. Narasimaiah to the Genealogical Tree of his late grandfather, namely, Mr. Eerachikkaiah, that:
- a) Mr. Eerachikkaiah (*since deceased*) married Mrs. Narasamma (*since deceased*), and they had 2 (two) children, namely: (i) Mr. Chikka Hanumaiah; and (ii) Mr. Narasimaiah;
- b) The said Mr. Chikka Hanumaiah (*since deceased*), son of Mr. Eerachikkaiah, married Mrs. Muninarasamma (*since deceased*), and they had 6 (six) children, namely: (i) Mr. Ramaiah (*since deceased*); (ii) Mrs. Lakshmiddevamma; (iii) Mr. Narasimhamurthy; (iv) Mrs. Narasamma; (v) Mr. Shivanna; and (vi) Mrs. Yashodamma;
- (i) The aforesaid Mr. Ramaiah, son of Mr. Chikka Hanumaiah (*since deceased*), married Mrs. Gowamma, and they had 3 (three) children, namely: (a) Mr. Raju; (b) Ms. Savitha; and (c) Mr. Nagesh;
- (ii) The aforesaid Mr. Narasimhamurthy, son of Mr. Chikka Hanumaiah, married Mrs. Gowamma, and they had 3 (three)

children, namely: (a) Mr. Madesh; (b) Ms. Nagalakshmi; and (c) Mr. Chandrashekar; and

(iii) The aforesaid Mr. Shivanna, son of Mr. Chikka Hanumaiah, married Mrs. Padma, and they had 2 (two) children, namely: (a) Mr. Nagendra; and (b) Ms. Rudresh.

c) The said Mr. Narasimaiah, son of Mr. Eerachikkaiah, married Mrs. Lakshamma, and they 4 (four) children, namely: (i) Mrs. Gowramma; (ii) Mr. Nagaraju; (iii) Mr. Eerachikkanna; and (iv) Mr. Krishnappa;

(i) The aforesaid Mr. Nagaraju, son of Mr. Chikka Narasimaiah, married Mrs. Anitha, and they had 2 (two) children, namely: (a) Mr. Shivashankar; and (b) Ms. Nagarathna;

(ii) The aforesaid Mr. Eerachikkanna, son of Mr. Chikka Narasimaiah, married Mrs. Savithamma, and they had 2 (two) children, namely: (a) Mr. Brahmendra; and (b) Ms. Nagamani; and

(iii) The aforesaid Mr. Krishnappa, son of Mr. Chikka Narasimaiah, married Mrs. P.B. Manjula, and they had 2 (two) children, namely: (a) Mr. Vishnu; and (b) Ms. Annapoorna.

7. We have been provided with the copy of Death Certificate of Mr. Ramanna (also known as Ramaiah), son of Mr. Chikka Hanumaiah, issued by the Village Accountant, Shyanamangala Circle, Ramanagara Taluk, evidencing the date of his death as 15.08.1993 (*Document No. 5*).

8. Pursuant to the death of aforementioned Mr. Eerachikkaiah, the Khatha in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, was mutated to stand in the names of his sons, namely: (i) Mr. Chikka Hanumaiah; and (ii) Mr. Narasimaiah, vide Entry bearing I.H.C No. 1/1993-94 made in the Register of Inheritance Cases (*Document No. 6*).

It is also noted that the abovementioned extract of the Entry bearing I.H.C No. 1/1993-94 made in the Register of Inheritance Cases states that, the aforesaid Mr. Eerachikkaiah, had 2 (two) sons, namely: (i) Mr. Chikka Hanumaiah; and (ii) Mr. Narasimatah.

9. It is noted that, though the Khatha in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village stood in the names of: (i) Mr. Chikka Hanumaiah; and (ii) Mr. Narasimaiah, the legal heirs of Late Mr. Eerachikkaiah had treated the said land as their joint family property.
10. Thereafter, (i) Mr. Chikka Hanumaiah, son of Late Mr. Heerachikkaiah; (ii) Mr. Narasimaiah, son of Late Mr. Heerachikkaiah; and (iii) Mr. Narasimhamurthy, son of Late Mr. Heerachikkaiah; (iv) Mrs. Gowramma, wife of Late Mr. Ramaiah (*daughter in law of Mr. Chikka Hanumaiah*); (v) Mr. Shivanna, son of Mr. Chikka Hanumaiah; (vi) Mr. Nagaraju, son of Mr. Narasimaiah; (vii) Mr. Veerachikkanna, son of Mr. Chikka Hanumaiah; and (viii) Mr. Krishnappa, son of Mr. Narasimaiah, had sold and conveyed the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, to and in favour of: (i) Mr. B. Nawaz Khan, son of Late Mr. Azeez Khan; and (ii) Mr. Jameel Ahmed Khan, son of Mr. B. Nawaz Khan, under the Sale Deed dated 26.08.2004, registered as Document No. RMN-1-01683-2004-05, in Book-I, stored in C.D. No. RMND-13, in the Office of the Sub-Registrar, Ramanagara (*Document No. 7*). Pursuant thereto, the Khatha in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, was mutated to stand in the names of aforesaid: (i) Mr. B. Nawaz Khan; and (ii) Mr. Jameel Ahmed Khan, vide Entry bearing M.R. No. 4/2004-05 made in the Mutation Register (*Document No. 8*).

It is observed from the abovementioned Sale Deed dated 26.08.2004 that the sons of Late Mr. Ramaiah, namely: (a) Mr. Narasimharaju (also known as Raju); and (b) Mr. Nagesh, have signed the said Sale Deed dated 26.08.2004 as witnesses.

Further, it is noted that Mr. Narasimhamurthy is incorrectly referred to as the son of Mr. Eerachikkaiah instead of correct reference 'Mr. Chikka Hanumaiah'; and that Mr. Veerachikkanna is incorrectly referred to as the son of Mr. Chikka Hanumaiah instead of correct reference 'Mr. Narasimaiah'.

It is noted that, certain female members of the family of Late Mr. Eerachikkaiah, namely: (i) Mrs. Lakshmiddevamma; (ii) Mrs. Narasamma; (iii) Mrs. Yashodamma (persons referred to Serial Nos. (i) to (iii) being daughters of Mr. Chikka Hanumaiah); (iv) Ms. Savitha, daughter of Late Mr. Ramaiah; and (v) Mrs. Gowramma, daughter of

Mr. Narasimaiah, have not joined in the execution of the said Sale Deed dated 26.08.2004.

It is to be noted that the sale and disposition of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village under the Sale Deed dated 26.08.2004, will not be affected or invalidated as per the proviso to Section 6(1) of the Hindu Succession Act, 1956 as amended by the Hindu Succession (Amendment) Act, 2005, which provides as follows: "Provided that nothing contained in this sub-section shall affect or invalidate any disposition or alienation including any partition or testamentary disposition of property which had taken place before the 20th day of December 2004."

11. Thereafter, upon an application filed by: (i) Mr. B. Nawaz Khan, son of Late Mr. Azeez Khan; and (ii) Mr. Jameel Ahmed Khan, son of Mr. B. Nawaz Khan, the Assistant Commissioner, Ramanagara Sub-Division, Ramanagara, vide Official Memorandum dated 04.05.2005 bearing Reference No. B.DS.ALN:SR/65-2004-05, had accorded permission for conversion of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, from agricultural purposes to non-agricultural residential purposes (**Document No. 9**).
12. In relation to the aforesaid conversion of the land, we have been provided with copies of the following documents (**Document No. 10**, collectively):
 - a) Demand Notice dated 18.02.2005 bearing Reference No. ALN:SR:65/2004-05, issued by the Assistant Commissioner, Ramanagara Sub-Division, Ramanagara, demanding the payment of conversion fine;
 - b) Report dated 11.1.2005 bearing Reference No. ALN.CR.94:2004-05, prepared by the Tahsildar, Ramanagara Taluk;
 - c) Challan dated 21.02.2005 evidencing the payment of conversion fine;
 - d) Sketch prepared for the purpose of conversion of the land; and
 - e) Extract of the Entry bearing M.R. No. T1/2018-19 made in the Mutation Register reflecting the conversion of land.

It is noted from the abovementioned Official Memorandum dated 04.05.2005 bearing Reference No. B.DS.ALN:SR/65-2004-05, that the boundaries are mentioned as per the survey records.



13. Thereafter, (1) Mr. B. Nawaz Khan, son of Late Mr. Azeez Khan; and (2) Mr. Jameel Ahmed Khan, son of Mr. B. Nawaz Khan, had sold and conveyed the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, to and in favour of M/s. Universal - Lasya Estates, represented by its Managing Partners: (i) Mr. N. Ramesh; and (ii) Mr. K.S. Raghavendra Naik, under the Sale Deed dated 01.02.2006, registered as Document No. RMN-1-04269-2005-06, in Book-I, stored in C.D. No. RMND-27, in the Office of the Sub-Registrar, Ramanagara (*Document No. 11*). Pursuant thereto, the Khatha in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, was mutated to stand in the name of M/s. Universal - Lasya Estates, represented by its Managing Partners: (i) Mr. N. Ramesh; and (ii) Mr. K.S. Raghavendra Naik, vide Entry bearing M.R. No. 112/2005-06 made in the Mutation Register (*Document No. 12*).
14. It transpires that, vide Order dated 25.08.2010 bearing Reference No. BMICPA/23/CLU/Bheemenahalli/18/2010-11, the Member Secretary and Additional Director, Town and Country Planning, B.M.I.C.A.P.A, Bengaluru, had accorded the permission for change of land use in respect of the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, from 'Agricultural Zone' to 'Residential Zone', under the provision of Section 14A of the Karnataka Town and Country Planning Act, 1961 (*Document No. 13*). In this regard, we have also been provided with the copy of the Demand Notice dated 18.08.2010 bearing Reference No. BMICPA/23/CLU/Bheemenahalli/ 18/2010-11, issued by the Member Secretary and Additional Director, Town and Country Planning, B.M.I.C.A.P.A, Bengaluru, demanding the payment of charges towards change of land use (*Document No. 14*).
15. We have been provided with copies of: (i) Partnership Deed dated 08.11.2004 entered into between (a) Mr. K.S. Raghavendra Naik, son of Mr. Singappa Naik; and (b) Mr. N. Ramesh, son of Late Mr. Ningegowda, constituting themselves into a partnership firm, under the name and style of "M/s. Universal - Lasya Estates"; and (ii) Form-C (Acknowledgement of Registration of Firms) dated 02.09.2010, issued by the Registrar of Firms, Jayanagar, Bengaluru, evidencing the registration of the Partnership Firm, namely, M/s. Universal - Lasya Estates, with a Registration No. JNR/387/2010-11 (*Document Nos. 15 and 16, respectively*).



Proceedings before Debts Recovery Tribunal ('DRT'):

16. It transpires that M/s. Universal - Lasya Estates had created a charge on the Property, in favour of Canara Bank, Overseas Branch, Bengaluru, as collateral security for the loan facilities availed by Ratanchand Jewellers Limited, as per Sanction bearing Reference No. OSB/RATANCHAND/2012 dated 03.02.2012, pursuant to the Common Hypothecation Agreement dated 01.03.2012 (**Document No. 17**).
17. Thereafter, Ratanchand Jewellers Limited, failed to repay the loan amount borrowed by them and interest thereon. Thereupon, the Canara Bank, Overseas Branch, classified the credit availed by Ratanchand Jewellers Limited as the Non-Performing Asset (NPA) on 24.01.2013, and has issued the following notices:
 - (a) Notice to the Borrower dated 07.02.2013 bearing Reference No. OSB/RJL/2013, by the Canara Bank, Overseas Branch, Bengaluru, in the name of Ratanchand Jewellers Limited, under the provisions of Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the "SARFAESI Act"), demanding to discharge the liabilities (**Document No. 18**).
 - (b) Notice to the Mortgager dated 07.02.2013 bearing Reference No. OSB/RJL/2013, by the Canara Bank, Overseas Branch, Bengaluru, in the name of M/s. Universal - Lasya Estates, represented by its Partners, namely: (i) Mr. N. Ramesh; and (ii) Mr. B.H. Krishnamurthy, under the provisions of Section 13(2) of the SARFAESI Act, demanding to discharge the liabilities created in respect of the Property (**Document No. 19**).
18. Thereafter, the Canara Bank had issued the Possession Notice dated 13.04.2013, stating that the Bank, exercising the powers conferred on them under the provisions of Section 13(4) of the SARFAESI Act, read with Rule 8 and 9 of the Security Interest (Enforcement) Rules, 2002, had undertaken the symbolic possession of the Property mortgaged as collateral security by M/s. Universal - Lasya Estates, due to non-payment of liabilities by Ratanchand Jewellers Limited (**Document No. 20**).
19. We have been provided with the copy of Order Sheet in Original Application bearing O.A. No. 732/2013 filed before the Debts Recovery Tribunal, Bengaluru. It is *inter alia* gathered from the same that, Canara Bank Overseas Branch, Bengaluru, had filed an Original Application bearing O.A. No. 732/2013, before the Debts Recovery Tribunal-I,

Bengaluru, for the recovery of loan amounts due from Ratanchand Jewellers Limited. Thereafter, the Registrar, DRT, had issued a Recovery Certificate dated 23.05.2016 in O.A. No. 732/2013 between Canara Bank, M.G. Road, Bengaluru v/s Ratanchand Jewellers Limited, for execution for recovery as per the order of the Hon'ble Presiding Officer dated 27.01.2016. It is further noted that said Original Application bearing O.A. No. 732/2013 was later transferred before the Debts Recovery Tribunal-II, Bengaluru, vide T.R.C. No. 335/2017 (DCP No. 9747).

20. Thereafter, the Recovery Officer-I, Debts Recovery Tribunal-II, Bengaluru, vide Sale Proclamation Notice dated 18.04.2017 in Form No. 22, under proceeding bearing TRC No. 335/2017 (DCP No. 9757), issued an order for the sale of the Property then owned by M/s. Universal - Lasya Estates, through an e-auction sale on 29.05.2017, for a reserved price of Rs. 17,86,00,000/- (Rupees Seventeen Crores Eighty Six Lakhs Only) (**Document No. 22**).
21. Thereafter, the Recovery Officer-I, Debts Recovery Tribunal-II, Bengaluru, vide Sale Proclamation Notice dated 23.10.2017 in Form No. 22, under proceeding bearing TRC No. 335/2017 (DCP No. 9757), issued an order for sale of the Property then owned by M/s. Universal - Lasya Estates, through an e-auction sale on 30.11.2017, and had reduced the reserved price to Rs. 15,02,00,000/- (Rupees Fifteen Crores Two Lakhs Only) (**Document No. 23**).
22. Thereafter, the Recovery Officer-I, Debts Recovery Tribunal-II, Bengaluru, vide Sale Proclamation Notice dated 19.12.2017 in Form No. 22, under proceeding bearing TRC No. 335/2017 (DCP No. 9757), issued an order for the sale of the Property then owned by M/s. Universal - Lasya Estates, through an e-auction sale on 24.01.2018, and had further reduced the reserved price to Rs. 12,00,00,000/- (Rupees Twelve Crores Only) (**Document No. 24**).
23. It is noted that in the Recovery Proceedings bearing TRC/335/2017 in O.A. No. 732/2013, before the Debts Recovery Tribunal-II, Bengaluru, Mr. M.S. Jalendra, son of Late Mr. Subbe Gowda, was declared as the successful bidder in respect of the Property for the final bid amount of Rs. 12,10,10,000/- (Rupees Twelve Crores Ten Lakhs Ten Thousand Only) in the e-auction sale held on 24.01.2018. In this regard, we have been provided with the copy of Letter dated 31.01.2018 issued by the Recovery Officer-I, Debts Recovery Tribunal-II, Bengaluru, in TRC/335/2017 in O.A. No. 732/2013, in the name of Mr. M.S. Jalendra, son of Late Mr. Subbe Gowda, declaring him as the successful bidder (**Document No. 25**).

24. It is noted that the Recovery Officer-I, Debts Recovery Tribunal-II, Bengaluru, had issued a Certificate of Sale of Immovable Property dated 27.02.2019, in the name of Mr. M.S. Jalendra, son of Late Mr. Subbe Gowda, represented by his Power of Attorney Holder, Mr. B.S. Jayanth Naga, certifying the sale of land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, in the e-auction sale held on 24.01.2018, pursuant to the Recovery Proceedings bearing TRC/355/2017 in O.A. No. 732/2013, before the Debts Recovery Tribunal-II, Bengaluru (*Document No. 26*).

It is noted from the abovementioned Certificate of Sale of Immovable Property dated 27.02.2019 that the TRC number is erroneously reflected as 'TRC/355/2017', instead of the correct TRC number 'TRC/335/2017'. However, the same has been rectified under the Amended Certificate of Sale of Immovable Property dated 23.06.2020 (discussed herein below).

25. Pursuant thereto, the Recovery Officer-I, Debts Recovery Tribunal-II, Bengaluru, had issued an Amended Certificate of Sale of Immovable Property dated 23.07.2020, in the name of Mr. M.S. Jalendra, son of Late Mr. Subbe Gowda, rectifying the TRC number which was erroneously recorded as TRC/355/2017, instead of the correct TRC number i.e., 'TRC/335/2017', and registered the said Amended Certificate of Sale of Immovable Property dated 23.07.2020, as Document No. RMN-1-03401-2020-21, in Book-I, stored in C.D. No. RMND-807, in the Office of the Sub-Registrar, Ramanagara (*Document No. 27*).
26. Thereafter, the aforesaid Mr. M.S. Jalendra, son of Late Mr. Subbe Gowda, had sold and conveyed the land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village, to and in favour of M/s. Bruhaspati Enterprises Private Limited, represented by its Director, Mr. Jayanth Naga B.S., under the Sale Deed dated 18.09.2020, registered as Document No. RMN-1-03415-2020-21, in Book-I, stored in C.D. No. RMND-807, in the Office of the Sub-Registrar, Ramanagara (*Document No. 28*).
27. Thereafter, the aforesaid land measuring an extent of 6 Acres 12 Guntas comprised in Survey No. 29/2 of Bheemenahalli Village was assessed to residential taxes and was assigned with e-Khatha No. 152900402003400562 by the Mancharayakanahalli Village Panchayat. In this regard, we have been provided with the e-Khatha Certificate in Form – 11(B) dated 27.05.2022, issued by the Village Development Officer, Mancharayakanahalli Village Panchayat, in respect of the property bearing e-Khatha No. 152900402003400562 (Gram Panchayat Khatha No. 82/1), measuring an extent of 25,495.20 square meters (i.e., 6

Acres 12 Guntas) comprised in Survey No. 29/2, situated at Bheemenahalli Village, Bidadi Hobli, Ramanagara Taluk, Ramanagara District, standing in the name of M/s. Bruhaspati Enterprises Private Limited, represented by its Director, Mr. Jayanth Naga B.S. (**Document No. 29**).

28. We have been provided with the copies of: (i) Memorandum of Association; and (ii) Articles of Association of the company, "Bruhaspati Enterprises Private Limited" (**Document No. 30**). We have also been provided with the copy of the Certificate of Incorporation issued by the Registrar of Companies, Karnataka, evidencing the incorporation of the company, "Bruhaspati Enterprises Private Limited", on 25.11.2011, with the CIN - U70109KA2011PTC061361 (**Document No. 31**).
29. We have also been provided with the copy of the Certificate dated 17.06.2023 issued by ANKH & Associates, Chartered Accountants, certifying that the company, Bruhaspati Enterprises Private Limited, had not mortgaged the Property to any persons (including Banks, Financial Institutions and Private Lenders), pursuant to review of Audited Financial Statements, verification of documents filed with Ministry of Company Affairs (MCA Portal) and representations made by the aforesaid company (**Document No. 32**).
30. Pursuant thereto, Bruhaspati Enterprises Private Limited, represented by its Director, Mr. Mr. Jayanth Naga B.S., had sold and conveyed the land converted for non-agricultural residential purposes measuring an extent of 25,495.195 square meters (or 6 Acres 12 Guntas), bearing e-Khatha No. 152900402003400562, Old Khatha No. 82/1, within the limits of Manchanayakanahalli Gram Panchayat, comprised in Survey No. 29/2, situated at Bheemenahalli Village viz., the Property, to and in favour of M/s. Bhaiya Enterprises LLP, represented by its Designated Partner, Mr. Omprakash Bhaiya, under the Sale Deed dated 07.07.2023, registered as Document No. RMN-1-03302-2023-24, in Book-I, in the Office of the Sub-Registrar, Ramanagara (**Document No. 33**).
31. In the manner stated above, M/s. Bhaiya Enterprises LLP (LLPIN: AAN-1739), a Limited Liability Partnership, registered under the Limited Liability Partnership Act, 2008, having its registered office at No. 1/1-4 (Old No. 1/1-E), 7th Cross, Guddadahalli, Mysore Road, Bengaluru - 560 026, acquired the ownership in respect of the Property i.e., land converted for non-agricultural residential purposes measuring an extent of 25,495.195 square meters (or 6 Acres 12 Guntas), bearing e-Khatha No. 152900402003400562, Old Khatha No. 82/1, within the limits of

Manchanayakanahalli Gram Panchayat, comprised in Survey No. 29/2, situated at Bheemenahalli Village.

Joint Development:

32. It transpires that, M/s. Bhaiya Enterprises LLP, represented by its Designated Partner, Mr. Omprakash Bhaiya ('Owner'), has entered into an arrangement for development of the Property, with M/s. Guru Punvaanii Properties, represented by its Partner, Mr. Sanjar Kumar Baid ('Developer'), under the Joint Development Agreement dated 27.09.2023, registered on 29.09.2023, as Document No. RMN-1-05785-2023-24, in Book-I, in the Office of the Sub-Registrar, Ramanagara (**Document No. 34**). In terms of the said Joint Development Agreement dated 27.09.2023, M/s. Guru Punvaanii Properties, is entitled to develop the Property into residential layout at its cost ("Project"). It is noted that in terms of the said Joint Development Agreement dated 27.09.2023, upon completion of the Project, the Owner shall be entitled to 90% (ninety percent) of the saleable area in the Project ("Owner's Share"); and the Developer shall be entitled to the 10% (ten percent) of the saleable area in the Project ("Developer's Share").
33. In pursuance of the aforesaid Joint Development Agreement dated 27.09.2023, M/s. Bhaiya Enterprises LLP, represented by its Designated Partner, Mr. Omprakash Bhaiya, has also executed a General Power of Attorney dated 27.09.2023, in favour of M/s. Guru Punvaanii Properties, represented by its Partner, Mr. Sanjar Kumar Baid, registered on 29.09.2023, as Document No. RMN-4-00334-2023-24, in Book-IV, in the Office of the Sub-Registrar, Ramanagara (**Document No. 35**). In terms of the said General Power of Attorney dated 27.09.2023, M/s. Guru Punvaanii Properties, is authorized and empowered to undertake the Project in and upon the Property; and upon completion of the Project, to sell the plots/ units comprised in the Project forming part of the 10% (ten percent) of the saleable area Project i.e., the Developer's Share.

Revenue Records:

34. We have been provided with an Endorsement dated 08.03.2018 bearing Reference No. R.K.L/CR/985/2017-18, issued by the Tahsildar, Ramanagara Taluk, Ramanagara, stating that the Index of Lands and Record of Rights issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village are mutilated and the same are not available (**Document No. 36**).



35. We have been provided with the extracts of the Record of Rights, Tenancy and Crop Inspection Certificates ("RTCs"/ "Pahani") issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, for the years: 1971-72 to 1973-74; 1975-76 to 1996-97; and 2001-02 to 2022-23 (*Document No. 37*). It is noted from the same as follows:
- (i) For the years: 1971-72 to 1973-74; 1975-76 to 1979-80, (i) Mr. Erachikkaiah; and (ii) Mr. Chikka Hanumaiah, are reflected as the Khathedars, and (i) Mr. Chikka Hanuamaiah; and (ii) Mr. Narasimaiah, are reflected as the cultivators of the Property;
 - (ii) For the years: 1980-81 to 1986-87, Mr. Erachikkaiah is reflected as the Khathedar; and (i) Mr. Chikka Hanuamaiah; and (ii) Mr. Narasimaiah, are reflected as the cultivators of the Property;
 - (iii) For the years: 1987-88 to 1991-92, Mr. Erachikkaiah is reflected as the Khathedar; and (i) Mr. Chikka Hanuamaiah; (ii) Mr. Narasimaiah; and (iii) Mr. Erachikkaiah, are reflected as the cultivators of the Property;
 - (iv) For the years: 1992-93 to 1996-97; and 2001-02 to 2003-04, (i) Mr. Chikka Hanumanth; and (ii) Mr. Narsimha, are reflected as the Khathedars; and (i) Mr. Chikka Hanuamaiah; and (ii) Mr. Narasimaiah, are reflected as the cultivators of the Property; and
 - (v) For the years: 2004-05 to 2022-23, (i) Mr. B. Nawaz Khan; and (ii) Mr. Jamil Ahamad Khan, are reflected as the Khathedars and cultivators of the Property.
36. We have been provided with the Endorsement dated 01.06.2023 bearing Reference No. RKL/CR/49/2023-24, issued by the Tahsildar, Ramanagara Taluk, Ramanagara, stating that the Record of Rights, Tenancy and Crop Inspection Certificates ("RTCs"/ "Pahani") issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, for the years: 1968-69 to 1970-71; and 1997-1998 to 2000-01, are mutilated and the same are not available (*Document No. 38*).
37. We have been provided with an Endorsement dated 07.12.2018 bearing Reference No. R.K.L/CR/351/2018-19, issued by the Tahsildar, Ramanagara Taluk, Ramanagara, stating that the Record of Rights Tenancy and Crop Inspection Certificates ("RTCs"/ "Pahani") in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, for the years: 1996 to 2000, are mutilated and the same are not available (*Document No. 39*).

Survey Records:

38. We have been provided with the copy of the Village Map of Bheemenahalli Village (*Document No. 40*), indicating the location, shape and boundaries to the land comprised in Survey No. 29 of Bheemenahalli Village.
39. We have been provided with copies of: (i) Karda Nakal; and (ii) Moola Tippani, issued in respect of the land comprised in Survey No. 29 of Bheemenahalli Village (*Document Nos. 41 and 42, respectively*). It is noted from the same that the outline of Survey No. 29 of Bheemenahalli Village matches with the outline of the Village Map.
40. We have been provided with the copy of Hissa Survey Tippani issued in respect of the land comprised in Survey No. 29 of Bheemenahalli Village, evidencing the sub-division of the land comprised in Survey No. 29 of Bheemenahalli Village, into new Survey Nos. 29/1 and 29/2 (*Document No. 43*).
41. We have been provided with the copy of R.R. Pakka Book issued in respect of the land comprised in Survey No. 29 of Bheemenahalli Village, evidencing the sub-division of the land comprised in Survey No. 29 of Bheemenahalli Village, into new Survey Nos. 29/1 and 29/2 (*Document No. 44*).
42. We have been provided with the copy of Patta Book issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, standing in the name of erstwhile owners, namely: (i) Mr. B. Nawaz Khan, son of Late Mr. Azeez Khan; and (ii) Mr. Jameel Ahmed Khan, son of Mr. B. Nawaz Khan (*Document No. 45*).
43. We have been provided with the extract of the Karnataka Revision Settlement Akarbandh issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village (*Document No. 46*). It is noted from the same that Survey No. 29/2 of Bheemenahalli Village comprises of 6 Acres 12 Guntas of cultivable land and there being no Kharab land.

Property Tax and E-Khatha:

44. We have provided with the copies of Tax Paid Receipts issued by the Manchanayakanahalli Village Panchayat, in respect of the Property, evidencing the payment of property taxes for the years: 2001-02 to 2003-04; 2005-06 to 2011-12; and 2016-17 (*Document No. 47, collectively*).

45. We have been provided with the Tax Paid Receipt issued by the Panchayat Development Officer, Manchanayakanahalli Gram Panchayat, in respect of the property bearing PID No. 152900402003400562, situated at Bheemenahalli Village (i.e., the Property), evidencing the payment of property taxes, for the year, 2023-24 (**Document No. 48**). We have, however, not been provided with the Tax Paid Receipts issued in respect of the Property, for years: 2017-18 to 2022-23.

We have not been provided with the copy of latest e-Khatha, issued by the Village Development Officer, Manchanayakanahalli Village Panchayat, in respect of the Property, standing in the name of M/s. Bhaiya Enterprises LLP. It is advisable to obtain the same.

Endorsements:

46. We have been provided with an Endorsement dated 24.06.2004 bearing Reference No. LAQ(1)/C.R.60/2003-04, issued by the Special Deputy Commissioner, Bengaluru, confirming that the land comprised in Survey No. 29/2 of Bheemenahalli Village is not covered by the proposed acquisition for the Bengaluru Mysore Infrastructure Corridor Project (**Document No. 49**).
47. We have been provided with an Endorsement dated 08.03.2018 bearing Reference No. RD0038963071674, issued by the Tahsildar, Ramanagara Taluk, Ramanagara District, confirming that there are no tenancy applications made in Form 7 under the provision of Section 48A and in Form 7A under the provision of Section 77A of the Karnataka Land Reforms Act, 1961, with respect to the Property (**Document No. 50**).
48. We have been provided with an Endorsement dated 14.03.2018 bearing Reference No. L.R.F(79A&B)CR/425/2017-18, issued by the Assistant Commissioner, Ramanagara Taluk, Ramanagara, confirming that no proceedings have been initiated/ pending under Section 79-A & 79-B of the Karnataka Land Reforms Act, 1961, with respect to the Property (**Document No. 51**).
49. We have been provided with an Endorsement dated 12.03.2018 bearing Reference No. LNDCR/13/2017-18, issued by the Tahsildar, Ramanagara Taluk, Ramanagara, confirming that there are no proceedings initiated/ pending under the provisions of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978, with respect to the Property (**Document No. 52**).

It is advisable to obtain present endorsements to the effect that there are no acquisition proceedings initiated with respect to the Property as on date for any of the schemes from the following departments:

- (i) Karnataka Housing Board; and
- (ii) Karnataka Industrial Areas Development Board.

Encumbrance Certificates:

50. We have been provided with the Encumbrance Certificates issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, for the following period: (i) 01.04.1957 to 25.05.2004; (ii) 01.04.2004 to 07.03.2020 (*faulty*); (iii) 01.04.2019 to 22.09.2020; and (iv) 01.04.2020 to 18.05.2023 (**Document No. 53**). In terms of the same the following transactions are reflected:

- (i) Sale Deed dated 01.02.2006 executed by (i) Mr. B. Nawaz Khan and others, in favour of M/s. Universal - Lasya Estates, and registered as Document No. RMN-1-04269-2005-06;
- (ii) Certificate of Sale of Immovable Property dated 18.09.2020, and registered on 18.09.2020 as Document No. RMN-1-03401-2020-21; and
- (iii) Sale Deed dated 18.09.2020 executed by Mr. M. S. Jalendra, son of Late Mr. Subbegowda, in favour of Bruhaspati Enterprises Private Limited, and registered as Document No. RMN-1-03415-2020-21.

It is gathered from the Encumbrance Certificates for the period, 01.04.1957 to 25.05.2004 that the transaction/documents from the year, 01.04.1960 to 31.03.1970, are not available as the same are mutilated.

It is further noted that the Encumbrance Certificate issued in respect of the land comprised in Survey No. 29/2 of Bheemenahalli Village, for the period, 01.04.2004 to 07.03.2020 is faulty as it does not reflect the Sale Deed dated 26.08.2004. In this regard, it is advisable to obtain a fresh Encumbrance Certificate in respect of the said land, for the period 01.04.2004 to 07.03.2020.

It is advisable to obtain the Encumbrance Certificates in respect of the land bearing E-Khatha No. 152900402003400562, forming part of Survey No. 29/2 of Bheemenahalli Village, for the period, 01.04.2019 to till date.



Public Notice:

51. We had caused a Public Notice dated 27.05.2023 in the daily newspapers, namely, The Times of India and Vijaya Karnataka, calling for any claims, right, title and/or interest in respect of the Property (**Document No. 36**). We have not received any objections or claims pursuant to the said Public Notice dated 27.05.2023 as on date.

Verification of Original Documents:

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

DISCLAIMER:

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

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

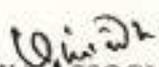
CONCLUSION:

On a review and analysis of the documents/ information furnished to us, and subject howsoever to our comments and recommendations stated hereinabove, we are of the considered opinion that:

- (a) **M/s. Bhaiya Enterprises LLP (LLPIN: AAN-1739)**, a Limited Liability Partnership, registered under the Limited Liability Partnership Act, 2008, having its registered office at No. 1/1-4 (Old No. 1/1-E), 7th Cross, Guddadahalli, Mysore Road, Bengaluru – 560 026, is currently the absolute owner vested with absolute rights of ownership, title and interest in the Property i.e., the land converted for non-agricultural residential purposes measuring an extent of 25,495.195 square meters (or 6 Acres 12 Guntas), bearing E-Khatha No. 152900402003400562, Old Khatha No. 82/1, within

the limits of Manchanayakanahalli Gram Panchayat, comprised in Survey No. 29/2, situated at Bheemenahalli Village.

- (b) In terms of the Joint Development Agreement dated 27.09.2023, registered as Document No. RMN-1-05785-2023-24, in Book-I, in the Office of the Sub-Registrar, Ramanagara, M/s. **Guru Punvaanii Properties**, having its address at No. 14, 9th Avenue, 1st Floor, 3rd Cross, NS Iyengar Road, Seshadripuram, Bengaluru – 560 020, is entitled to develop the Property into residential layout at its cost ("Project"). It is noted that in terms of the said Joint Development Agreement dated 27.09.2023, upon completion of the Project, the Owner shall be entitled to 90% (ninety percent) of the saleable area in the Project (i.e., Owner's Share); and the Developer shall be entitled to the 10% (ten percent) of the saleable area in the Project (i.e., Developer's Share).
- (c) In terms of the General Power of Attorney dated 27.09.2023, registered as Document No. RMN-4-00334-2023-24, in Book-IV, in the Office of the Sub-Registrar, Ramanagara, M/s. Guru Punvaanii Properties, is authorized and empowered to undertake the Project in and upon the Property; and upon completion of the Project, to sell the plots/ units comprised in the Project forming part of the 10% (ten percent) of the saleable area in the Project i.e., the Developer's Share.


DUA ASSOCIATES
Advocates & Solicitors
Bengaluru

