C. S. VISHWANATH & CO.,
ADVOCATES

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Ref.

03.07.2025
Bangalore.

G

To,

M/s Sattva Resi Private Limited
Bangalore.

Sirs,

Sub:-	Legal scrutiny report regarding the title of M/s Anushka Constructions Private Limited rep by its Managing Director Sri.Avnash Amarlal rep by its GPA holder M/s Sattva Resi Private Limited rep by its authorised signatory Sri.Mahesh Khaitan in respect of a) converted land bearing Sy no.15/2 measuring 3 acres 16 guntas (excluding 2 guntas of kharab) [converted vide official memorandum dated 03.08.2001 bearing no.ALN SR (S) 27/2001-02 issued by the office of Deputy Commissioner, Bangalore District), b) Sy no.15/3 measuring 2 acres (earlier forming part of Sy no.15/2) [converted vide official memorandum dated 06.12.1969 bearing no.BDS.ALN SR3675 issued by the Deputy Commissioner, Bangalore District AND c) Sy no.16/1 measuring 1 acre 13 guntas (excluding 4 ½ guntas of kharab (converted vide official memorandum dated 06.01.2009 issued by the office of Deputy Commissioner, Bangalore District,) situated at Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, presently bearing BBMP katha no.292/40/Sy no/15/2/40, E-PID no.2349652721 within the revenue jurisdiction of Bruhat Bangalore Mahanagara Palike, in ward no.160, Bangalore
Total Extent :	6 acres 29 guntas

I DESCRIPTION OF PROPERTY :

Item-1

All that piece and parcel of portion of converted land bearing Sy no.15/2 measuring 2 acres (earlier forming part of Sy no.15/2) [converted vide official memorandum dated 06.12.1969 bearing no.BDS.ALN SR3675 issued by the Deputy Commissioner, Bangalore District] situated at Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, within the revenue jurisdiction of Bruhat Bangalore Mahanagara Palike, in ward no.160, Bangalore and bounded as follows :

On the East by	:	Sy no.15/1
West by	:	Sy no.17
North by	:	Bangalore Mysore Road
South by	:	Sy no.16 and part of Sy no.15/2

Item-2

All that piece and parcel of portion of converted land bearing Sy no.15/2 (converted vide official memorandum bearing no.ALN SR (S) 27/2001-02) situated at Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, within the revenue jurisdiction of Bruhat Bangalore Mahanagara Palike, in ward no.160, Bangalore measuring 3 acres 18 guntas and bounded as follows :

On the East by	:	Sy no.15/1
West by	:	Sy no.16
North by	:	Item no.1 (property belonging to the land owners)
South by	:	Vrushabhavathi Valley

Item-3

All that piece and parcel of portion of land bearing Sy no.16 (converted vide official memorandum dated 06.01.2009 issued by the office of Deputy Commissioner, Bangalore District,) situated at Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, within the revenue jurisdiction of Bruhat Bangalore Mahanagara Palike, in ward no.160, Bangalore measuring 1 acre 13 guntas and bounded as follows :

On the East by	:	Property of Sri.Thimmegowda
West by	:	Property of G-Corp Lotus Mall Private Limited
North by	:	Property of G-Corp Lotus Mall Private Limited
South by	:	Remaining portion of Sy no.16 belonging to the owner

Item-4

All that piece and parcel of portion of land bearing Sy no.16 (converted vide official memorandum dated 06.01.2009 issued by the office of Deputy Commissioner, Bangalore District,) situated at Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, within the revenue jurisdiction of Bruhat Bangalore Mahanagara Palike, in ward no.160, Bangalore measuring 1 acre 6.4 guntas and bounded as follows :

On the East by	:	Property of Sri.Thimmegowda
West by	:	Property of Sri.Chikkanna
North by	:	Property of Sri.Thimmegowda
South by	:	Remaining Portion Of Sy No.16 Belonging To Sri.Hanumanth and Smt.Narasamma

COMPOSITE PROPERTY

All that piece and parcel of a) converted land bearing Sy no.15/2 measuring 3 acres 16 guntas (excluding 2 guntas of kharab) [converted vide official memorandum dated 03.08.2001 bearing no.ALN SR (S) 27/2001-02 issued by the office of Deputy Commissioner, Bangalore District), b) Sy no.15/3 measuring 2 acres (earlier forming part of Sy no.15/2) [converted vide official memorandum dated 06.12.1969 bearing no.BDS.ALN SR3675 issued by the Deputy Commissioner, Bangalore District AND c) Sy no.16/1 measuring 1 acre 13 guntas (excluding 4 ½ guntas of kharab (converted vide official memorandum dated 06.01.2009 issued by the office of Deputy Commissioner, Bangalore District,) situated at Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, presently bearing BBMP katha no.292/40/Sy no/15/2/40, E-PID No.2439652721 within the revenue jurisdiction of Bruhat Bangalore Mahanagara Palike, in ward no.160, Bangalore totally measuring 6 acres 29 guntas and bounded as follows:

On the East by	:	Sy no.15/1
West by	:	Sy n.17, Sy no.16/2 and 16/3
North by	:	Bangalore Mysore Road
South by	:	Sy no.16/2 and Vrushabavathi Valley

II LIST OF DOCUMENTS SCRUTINISED (all photo-copies):

In respect of Sy no.15/2 & 15/3

1. RTC/s for the period 1969-70 to 1973-74, 1974-75 to 1978-79, 1989-90 to 1993-94, 1997-98 to 1999-2000, 2001-02, 2002-03, 2003-04, 2004-05, 2005-06, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 2019-2020, 2020-21, 2021-22, 2022-23, 2023-24, 2023-24, in respect of Sy no.15/2 Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, Bangalore issued by the office of Village Accountant/Tahsildar, Bangalore South Taluk, Bangalore
2. RTC/s for the period 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 2019-2020, 2020-21, 2021-22, 2022-23, 2023-24, 2023-24, in respect of Sy no.15/3, Kenchanahalli Village, Kengeri Hobli,

Bangalore South Taluk, Bangalore issued by the office of Village Accountant/Tahsildar, Bangalore South Taluk, Bangalore

3. Mutation register bearing MR no.6/2009-10 issued by office of Village Accountant, Bangalore South Taluk, Bangalore.
4. Mutation register bearing MR no.T4/2023-24.
5. Mutation register bearing MR no.1/1988-89 issued by office of Tahsildar, Bangalore South Taluk, Bangalore
6. Mutation register bearing MR no.1/1983-84 issued by the office of Tahsildar, Bangalore South Taluk, Bangalore.
7. Absolute Sale deed dated 08.05.1968 executed by Sri.T.S.Sithram S/o Sri.Sanjeevappa in favour of Sri.Anthony Da Costa S/o Late Dr.C.F.Da Costa, registered as doc no.678/1968-69, in Book-I, Volume-704, entered in pages 36 to 42, at the office of Sub-Registrar, Bangalore South Taluk, Bangalore.
8. Official memorandum dated 06.12.1969 bearing no.ALN(S) SR 3675 issued by the office of Deputy Commissioner, Bangalore District, Bangalore regarding conversion of 2 acres of Sy no.16 Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, Bangalore from agriculture to non-agricultural purpose.
9. Certified copy of Sale deed dated 17.03.1971 executed by Sri.Anthony Da Costa, S/o Late Dr.C.F.Da Costa in favour of Smt.Joy Mathews, W/o Dr.Cherukara Thomas Mathews, registered as doc no.5863/1970-71, in Book-I, Volume-862, entered in pages 99 to 103, at the office of Sub-Registrar, Bangalore South Taluk, Bangalore.
10. Indenture of Sale dated 17.03.1971 executed by Sri.Anthony Da Costa, S/o Late Dr.C.F.Da Costa in favour of Smt.Joy Mathews, W/o Dr.Cherukara Thomas Mathews, registered as doc no.5864/1970-71, in Book-I, Volume-860, entered in pages 106 to 110, at the office of Sub-Registrar, Bangalore South Taluk, Bangalore.
11. Sale deed dated 07.10.1988 executed by Smt.Joy Mathews, W/o Dr.Cherukara Thomas Mathews in favour of Sri.M.Thimme Gowda, S/o Late Sri.Muthe Gowda registered as doc no.8173/1988-89, in Book-I, Volume-2772, entered in pages 131 to 138, at the office of Sub-Registrar, Bangalore South Taluk, Bangalore.
12. Sale deed dated 26.12.1979 executed by Smt.Joy Mathews W/o Dr.C.J.Mathew in favour of Suresh Trust rep by its Trustee Sri.M.Thimme Gowda, registered as doc no.5113/1979-80, in Book-I, Volume-1408, entered in pages 243 to 246, at the office of Sub-Registrar, Bangalore South Taluk, Bangalore.
13. Absolute Sale deed dated 09.10.2009 executed by Sri.M.Timmegowda S/o Sri.Muthe Gowda in favour of M/s G –Corp Lotus Mall Pvt. Ltd., rep by its Managing Director Sri.T.Sharath Gowda, registered as doc no.1688/2009-10, in Book-I, stored in C.D. no.RRND23, at the office of Senior Sub-Registrar, Rajarajeshwarinagar, Bangalore.
14. Absolute Sale deed dated 14.10.2009 executed by Suresh Trust rep by its Trustee Sri.M.Timme Gowda together with Sri.M.Thimme Gowda & his family members Smt.Savithramma, Sri.Suresh Kumar, Smt.Sunita Kumari, Sri.Prasanna Kumar and Smt.Vinutha Kumari in favour of M/s G –Corp Lotus Mall Pvt. Ltd., rep by its

Managing Director Sri.T.Sharath Gowda, registered as doc no.1739/2009-10, in Book-I, stored in C.D. no.RRND24, at the office of Senior Sub-Registrar, Rajarajeshwarinagar, Bangalore.

15. resolution of meeting called on 03.08.2009 of M/s Suresh Trust giving consent for sale of property at Item-I in favour of M/s G –Corp Lotus Mall Pvt. Ltd.,
16. Trust deed dated 22.12.1976 executed by Sri.K.Nanda Kumar (as settler) in favour of Sri.Thimme Goda, Smt.Savithramma and Smt.Thimmamma registered as doc no.291/1978-79, in Book-IV, Volume-103, entered in page 32, at the office of Sub-Registrar, Gandhinagar, Bangalore.
17. Official memorandum dated 03.08.2001 bearing no.ALN(S) SR (S)27/2001-02 issued by the office of Deputy Commissioner, Bangalore District, Bangalore regarding conversion of 3 acres 18 guntas of Sy no.15/2 Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, Bangalore from agriculture to non-agricultural commercial purpose.
18. Katha endorsement dated 20.04.2023 issued by BBMP in favour of M/s Anushka Constructions Private Limited rep by its Director Sri.A Amarlal in respect of katha no.40/Sy no.15/2/40
19. Katha certificate dated 20.04.2023 issued by BBMP in favour of M/s Anushka Constructions Private Limited rep by its Director Sri.A Amarlal in respect of katha no. 40/Sy no.15/2/40
20. Katha extract dated 20.04.2023 issued by BBMP in favour of M/s Anushka Constructions Private Limited rep by its Director Sri.A Amarlal in respect of katha no. 40/Sy no.15/2/40
21. Endorsement dated 05.02.2024 bearing no.RK/CR/27-59149/2023 issued by the office of Tahsildar, Bangalore South Taluk, Bangalore.
22. Copy of original tippani.
23. Copy of hissa book extract
24. Copy of sketch.
25. Copy of Hissa Mojini
26. Copy of settlement akarbandh.
27. Encumbrance certificates :
    a) Dated 10.01.2024 for the period 01.04.1950 to 14.02.1957 (Sy no.15/2- measuring 5 acres 18 guntas).
    b) Dated 23.01.2024 for the period 01.04.1957 to 31.03.1965 (Sy no.15/2- measuring 5 acres 18 guntas).
    c) Dated 20.01.2024 for the period 01.04.1970 to 31.03.1975 depicting the entries of Sale deeds dated 17.03.1971 (doc nos.5863 & 5864).
    d) Dated 20.01.2024 for the period 01.04.1975 to 31.03.1980 depicting the entry of sale deed dated 26.12.1979 (doc no.5113).
    e) Dated 20.01.2024 for the period 01.04.1981 to 31.05.1989 depicting the entry of Sale deed dated 07.10.1988 (doc no.8173).
    f) Dated 05.01.2024 for the period 01.06.1989 to 31.03.2004.
    g) Dated 29.12.2005 for the period 01.04.1958 to 31.05.1989 depicting the entry of sale deed dated 26.12.1979 (doc no.5113) – 2 acres

h) Dated 02.05.2023 for the period 01.04.1963 to 31.05.1989 depicting the entries of sale deeds dated 01.04.1963 (doc no.571) and 07.10.1988 (doc no.8173)
i) Dated 19.02.2013 for the period 01.04.1989 to 31.05.1989 – 2 acres
j) Dated 27.12.2008 for the period 01.04.1989 to 31.03.2004 – 3 acres 18 guntas
k) Dated 27.12.2008 for the period 01.04.2004 to 25.12.2008 – 3 acres 18 guntas
l) Dated 04.06.2009 for the period 25.12.2008 to 03.06.2009– 3 acres 18 guntas
m) Dated 08.02.2013 for the period 03.09.2012 to 08.02.2013 – 3 acres 18 guntas
n) Dated 27.12.2008 for the period 01.06.1989 to 31.03.2004 – 7500 Sq. Mtrs.,
o) Dated 27.12.2008 for the period 01.04.2004 to 25.12.2008 – 2 acres
p) Dated 04.06.2009 for the period 25.12.2008 to 03.06.2009 – 2 acres
q) Dated 09.01.2013 for the period 01.04.2009 to 09.01.2013 depicting the entry of sale deed dated 15.10.2009 (doc no.1739) – 2 acres
r) Dated 08.02.2013 for the period 03.09.2012 to 08.02.2013 – acres
s) Dated 04.05.2016 for the period 01.02.2012 to 31.03.2013 depicting the entry of MOTD dated 20.02.2013 (doc no.12062)
t) Dated 26.04.2013 for the period 01.04.2004 to 25.04.2023 depicting the entry of entries of sale certificate dated 28.03.2023 (doc no.13793), MOTD dated 20.02.2013 (doc no.12062), sale deed dated 15.10.2009 (doc no.1739), Sale deed dated 09.10.2009 (doc no.1688).

In respect of Sy no.16.

1. RTC/s for the period 1969-70 to 1973-74, 1974-75 to 1978-79, 1989-90 to 1993-94, 1997-98 to 1999-2000, 2003-04, 2004-05, 2007-08, 2008-09, 2009-10, in respect of Sy no.16 and subsequent RTC/s for the period 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 2019-20, 2020-21, 2021-22, 2022-23, 2023-24, in respect of Sy no.16/1, 16/2 Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, Bangalore issued by the office of Village Accountant/Tahsildar, Bangalore South Taluk, Bangalore.
2. IHC register bearing No.2/2006-07 issued by office of Village Accountant, Bangalore South Taluk, Bangalore.
3. Mutation register bearing MR no.T1/2023-24
4. Copy of Record of Rights bearing no.85.
5. Official memorandum dated 06.01.2009 bearing no.ALN(S) SR (Ken)125/2007-08 issued by the office of Deputy Commissioner, Bangalore District, Bangalore regarding conversion of 1 acre 13 guntas of Sy no.16 Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, Bangalore from agriculture to non-agricultural industrial purpose.

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6. Absolute Sale deed dated 21.08.2009 executed by Sri.Hanumanth and others in favour of Sri.Timmegowda, registered as doc no.2081/2009-10, in Book-I, stored in C.D. no.RRND25, at the office of Sub-Registrar, Rajarajeshwarinagar, Bangalore – in respect of Sy no.16 measuring 6.15 guntas *(for reference purpose only).*
7. Absolute Sale deed dated 21.08.2009 executed by Sri.Hanumanth (S/o Late Sri.Mota), Smt.Gangamma (W/o Late Sri.Era @Erappa S/o Linga), Smt.Gangamma (W/o Late Sri.Chikka Hanumanthappa, S/o Late Sri.Mota), Smt.Anjanamma (W/o Sri.Anjanappa, S/o Lote Mota), Sri.Ramayya (S/o Late Sri.Mota), Sri.Hanumanth (S/o Sri.Linga) and Smt.Lakshmamma together with Sri.Krishnappa, Sri.Jayaram H, Sri.Balakrishna H, Smt.Jayamma, Sri.Lakshmana H, Smt.Pushpa K, Smt.Arasamma, Smt.Venkatalakshmi, Smt.Duggalakshmi, Sri.Muniraju, Sri.Rajanna, Sri.Shivanna, Sri.Chandrashekar, Smt.Shivamma, Smt.Nagamma, Smt.Rajeshwari, Sri.Hanumanthappa, Smt.Parvathamma, Sri.Krishnappa, Smt.Rajamma, Sri.Madhusudhan, Sri.Nagaraju, Sri.Punith Kumar, Smt.Rajeshwari, Sri.Ramakrishna, Sri.Chandranna, Sri.Venkatesh, Sri.Venkataramaiah, Sri.Ramanjanappa, Sri.Anand, Sri.Nagaraju, Sri.Gajendra, Sri.Shivaraju, Smt.Jayalakshmi, Smt.Nagamma, Sri.Hanumanthappa, Smt.Umadevi, Sri.Raju, Sri.Shiva, Sri.Ravi P, Sri.Srinivas A. Sri.Kiran Kumar, Sri.Ningappa, Smt.Jayamma and Sri.Madhukumar as consenting witnesses in favour of M/s G-Corp Lotus Mall Pvt. Ltd., rep by its Managing Director Sri.T.Sharath Gowda, registered as doc no.1146/2009-10, in Book-I, stored in C.D.No.RRND22, at the office of Senior Sub-Registrar, Rajarajeshwarinagar, Bangalore.
8. Absolute Sale deed dated 22.08.2009 executed by Smt.Narasamma (W/o Late Sri.Hanumanth @ Hanumanthappa) and her children Sri.Ningappa, Sri.Narayan @ Narayanappa & Sri.Nagaraju, Smt.Gouramma (W/o Late Sri.Rajashekar) together with Sri.Madhukumar & Smt.Jayamma as consenting witnesses in favour of M/s G-Corp Lotus Mall Pvt. Ltd., rep by its Managing Director Sri.T.Sharath Gowda, registered as doc no.1156/2009-10, in Book-I, stored in C.D.No.RRND22, at the office of Senior Sub-Registrar, Rajarajeshwarinagar, Bangalore.
9. Absolute Sale deed dated 22.08.2009 executed by Smt.Narasamma (W/o Late Sri.Hanumanth @ Hanumanthappa) and her children Sri.Ningappa, Sri.Narayan @ Narayanappa & Sri.Nagaraju, Smt.Gouramma (W/o Late Sri.Rajashekar) together with Sri.Madhukumar & Smt.Jayamma as consenting witnesses in favour of Sri.Timmegowda (S/o Sri.Muthe Gowda), registered as doc no.2083/2009-10, in Book-I, stored in C.D.No.RRND25, at the office of Senior Sub-Registrar, Rajarajeshwarinagar, Bangalore-in respect of Sy no.16 measuring 0.85 guntas (*for reference purpose only).*
10. Mutation register bearing No.7/2009-10 issued by office of Village Accountant, Bangalore South Taluk, Bangalore depicting the entry of Absolute Sale deed dated 22.08.2009 doc no.2083/2009-10 (*for reference purpose only).*

11. Official memorandum dated 06.01.2009 bearing no.ALN(S) SR (KEN)125/2007-08 issued by the office of Deputy Commissioner, Bangalore District, Bangalore regarding conversion of 1 acre 13 guntas including 3 guntas of 'A' Kharab land in Sy no.16 Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, Bangalore from agriculture to non-agricultural purpose.
12. Special notice dated 18.01.2013 issued by BBMP.
13. Katha endorsement dated 20.04.2023 issued by BBMP in favour of M/s Anushka Constructions Private Limited rep by its Director Sri.A Amarlal in respect of katha no.41/Sy no.16/41
14. Katha certificate dated 20.04.2023 issued by BBMP in favour of M/s Anushka Constructions Private Limited rep by its Director Sri.A Amarlal in respect of katha no.41/Sy no.16/41
15. Katha extract dated 20.04.2023 issued by BBMP in favour of M/s Anushka Constructions Private Limited rep by its Director Sri.A Amarlal in respect of katha no.41/Sy no.16/41
16. Endorsement dated 19.07.2023 bearing no.RK/CR/126/2023-24 issued by the office of Tahsildar, Bangalore South Taluk, Bangalore.
17. Land conversion sketch.
18. Land survey sketch for Sy no.16 by Smt.Gangamma, Smt.Narasamma and Sri.Hanumanth.
19. Copy of Hissa Mojini
20. Copy of sketch issued by the Tahsildar, Bangalore South Taluk, Bangalore
21. Encumbrance certificates :
    a) Dated 10.01.2024 for the period 01.04.1950 to 14.02.1957 (1 acre 13 guntas).
    b) Dated 20.01.2024 for the period 01.04.1957 to 31.03.1967 (1 acre 13 guntas)
    c) Dated 20.01.2024 for the period 01.04.1967 to 31.03.1977 (1 acre 13 guntas)
    d) Dated 30.06.2023 for the period 15.02.1957 to 31.05.1989 (1 acre 20 guntas)
    e) Dated 05.07.2023 for the period 01.06.1989 to 31.03.2004
    f) Dated 03.05.2007 for the period 01.06.1989 to 31.03.2004 (1 acre 20 guntas)
    g) Dated 06.04.2010 for the period 01.04.2004 to 05.04.2010 (1 acre 20 guntas)
    h) Dated 05.01.2024 for the period 01.06.1980 to 31.03.2004 (1 acre 13 guntas)
    i) Dated 08.02.2013 for the period 03.09.2012 to 08.02.2013 (1 acre 13 guntas)
    j) Dated 04.05.2016 for the period 01.02.2012 to 31.03.2013 depicting the entry of MOTD dated 20.02.2013 (doc no.12062)
    k) Dated 19.02.2013 for the period 01.04.2004 to 19.02.2023 depicting the entries of sale deed dated 22.08.2009 (doc no.2083), dated 22.08.2009 (doc no.1156), 21.08.2009 (doc no.2081) & 21.08.2009 (doc no.1146).
    l) Dated 09.01.2013 for the period 01.04.2009 to 09.01.2013 depicting the entries of sale deed dated 22.08.2009 (doc no.2083), dated 22.08.2009 (doc no.1156), 21.08.2009 (doc no.2081) & 21.08.2009 (doc no.1146).
    m) Dated 28.03.2023 for the period 28.03.2023 to 28.03.2023 depicting the entry of sale certificate dated 28.03.2013 (doc no.13793)

Common documents :

1. Report along with ADLR sketch annexed dated 12.09.2023 bearing no.Bu.S.Ni/C.R./Ithare: 143/2023-24 issued by the office of Asst. Director for Land Records, Bangalore South Taluk, Bangalore.
2. Order dated 28.08.2023 bearing no.RRTSKCR32/23-24 passed by the Asst. Commissioner, Bangalore South Sub-division, Bangalore
3. Memorandum of Agreement evidencing deposit of title deeds dated 20.02.2013 executed by M/s G-Corp Lotus Mall private Limited rep by its Director and authorised signatory Sri.Sharath Gowda in favour of Axis Bank Ltd., registered as doc no.12062/2012-13, in Book-I, stored in C.D. no.KEND518, at the office of Senior Sub-Registrar, Jayanagar (Kengeri), Bangalore.
4. Term loan agreement entered into between M/s Lotus Shopping Centre Pvt. Ltd., of the one part and M/s Axis Bank Ltd., of the other part.
5. Deed of guarantee dated 20.02.2013 executed by M/s G-Corp Lotus Mall private Limited rep by its Director and authorised signatory Sri.Sharath Gowda in favour of Axis Bank Ltd.,
6. Letter for credit sanction dated 11.06.2019 given by Axis Bank to M/s G-Corp Lotus Mall private Limited
7. Letter dated 09.03.2021 given by Axis Bank to M/s G-Corp Lotus Mall Private Limited and M/s Lotus Three Developments Limited with regard to issue of sale notice to the published in 'The New Indian Express' and 'Samyuktha Karnataka'
8. Letter dated 09.03.2021 given by Axis Bank to M/s G-Corp Lotus Mall Private Limited and M/s Lotus Three Developments Limited informing to make bank due/s on or before e-auction on 31.08.2021
9. Order dated 16.03.2023 passed by the High Court of Karnataka, Bangalore in Writ Petition no.15632 of 2021.
10. Order dated 04.08.2021 passed by the Debt Recovery Tribunal-1, Karnataka, Bangalore in S.A. no.199/2021.
11. Order dated 16.11.2021 passed by the Debt Recovery Tribunal-1, Karnataka, Bangalore in S.A. no.332/2021.
12. Order dated 01.09.2021 passed by the Debt Recovery Tribunal-1, Karnataka, Bangalore in S.A. no.226/2021.
13. Order delivered on 26.05.2022 passed by the National Company Law Tribunal, Bangalore Bench in I.A. nos.149, 181, 272, 378/2021, 47 & 48/2022 in C.P. (IB) No.66/BB/2017 in the matter of M/s Axis Bank Ltd., vs. M/s Lotus Shopping Centres Pvt. Ltd., in respect of Item no.13
14. Order dated 09.11.2023 passed by the Debt Recovery Tribunal-1, Karnataka, Chennai in S.A. no.7/2023.
15. Order dated 18.06.2019 passed by the National Company Law Tribunal, Bangaluru Bench in I.A. no.245 of 2019 in C.P.(IB) No.66/BB/2017 U/s 33 (1)(a)of IBC, 2016 in the matter of M/s Axis Bank Ltd., Vs M/s Lotus Shopping Centre Pvt. Ltd.,

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16. Order dated 29.09.2021 passed before the Debt Recovery Tribunal, Karnataka at Bangalore in S.A. no.280/2021
17. Special Power of Attorney dated 12.07.2021 executed by Sri.Avnash Amarlal S/o Sri.Assardas Amarlal in favour of Sri.S.R.Srinivas S/o Sri.Ramachandra Murthy S, registered as doc no.69/2021-22, in Book-IV, stored in C.D. no.SHRD748, at the office of Sub-Registrar, Jayanagar (Shanthinagar), Bangalore.
18. Memorandum of agreement evidencing deposit of title deeds dated 20.02.2013 executed by M/s G-Corp Lotus Mall Private Limited rep by its Director and authorised signatory Sri.Sharath Gowda in favour of Axis Bank Ltd., registered as doc no.12062/2012-13, in Book-I, stored in C.D. no.KEND518, at the office of Senior Sub-Registrar, Jayanagar (Kengeri), Bangalore.
19. Sale certificate dated 28.03.2023 executed by Axis Bank Ltd., on behalf of M/s G-corp Lotus Mall Private Limited in favour of M/s Anushka Constructions Private Limited, registered as doc no.13793/2022-23, in Book-I, stored in C.D. no.BMHD1886, at the office of Senior Sub-Registrar, Bommanahalli, Bangalore.
20. Letter for delivery of possession of secured assets dated 28.03.2023 given by Axis Bank Ltd., to M/s Anushka Constructions Private Limited
21. Joint Development Agreement dated 22.12.2023 entered into between M/s Anushka Constructions Private Limited rep by its Managing Director Sri.Avnash Amarlal of the one part and M/s Sattva Resi Private Limited rep by its authorised signatory Sri.Mahesh Khaitan of the other part, registered as doc no.12997/2023-24, in Book-I, at the office of Senior Sub-Registrar, Jayanagar (Bommanahalli), Bangalore Urban District.
22. General Power of Attorney dated 22.12.2023 executed by M/s Anushka Constructions Private Limited rep by its Managing Director Sri.Avnash Amarlal in favour of M/s Sattva Resi Private Limited rep by its authorised signatory Sri.Mahesh Khaitan, registered as doc no.734/2023-24, in Book-IV, at the office of Senior Sub-Registrar, Jayanagar (Bommanahalli), Bangalore Urban District
23. Katha certificate dated 13.05.2024 issued by the office of Bruhat Bangalore Mahanagara Palike in favour of M/s Anushka Constructions Private Limited
24. Katha extract dated 13.05.2024 issued by the office of Bruhat Bangalore Mahanagara Palike in favour of M/s Anushka Constructions Private Limited
25. E-katha certificate in Form A (Rule-11)dated 04.06.2025 all issued by the office of Bruhat Bangalore Mahanagara Palike in favour of M/s Anushka Constructions Private Limited
26. Plan sanction letter dated 29.05.2025 bearing L.P. No.1080/2025-26 issued by BDA
27. Copy of sanction plan dated 29.05.2025 bearing L.P. No.1080/2025-26 issued by BDA
28. Encumbrance certificates:
    a) Dated 13.06.2025 for the period 01.04.2004 to 10.06.2025 depicting the entry of JDA dated 22.12.2023 (doc no.12997)
    b) Dated 13.06.2025 for the period 01.04.2004 to 10.06.2025 depicting the entries of sale certificate dated 28.03.2023 (doc no.13793), DTD dated

20.02.2023 (doc no.12062), sale deed dated 15.10.2009 (doc no.1739), sale deed dated 09.10.2009 (doc no.1688), sale deed dated 22.08.2009 (doc no.1156), sale deed dated 22.08.2009 (doc no.2083), sale deed dated 21.08.2009 (doc no.2081),

III SOURCE OF TITLE :

On perusal of documents produced for scrutiny, it is noticed that land bearing Sy no.15/2 measuring 5 acres 18 guntas situated at Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, Bangalore was owned by one Sri.Anthony Da Costa S/o Late Dr.C.F.Da Costa, he having acquired the same from the predecessor-in-title Sri.T.S.Sithram S/o Sri.Sanjeevappa under an Absolute Sale deed dated 08.05.1968 (doc no.678/1968-69).

The said Sri.Anthony Da Costa, S/o Late Dr.C.F.Da Costa sold a portion of Sy no.15/2 measuring 2 acres in favour of Smt.Joy Mathews, W/o Dr.Cherukara Thomas Mathews by virtue of a Sale deed dated 17.03.1971 (doc no.5863/1970-71). Later on, Smt.Joy Mathews W/o Dr.C.J.Mathew sold a portion of building property bearing Sy no.15/2 measuring 2 acres /7500 Sq. Mtrs., in favour of Suresh Trust rep by its Trustee Sri.M.Thimme Gowda under a Sale deed dated 26.12.1979 (doc no.5113/1979-80). The sale transaction finds mention in the mutation register bearing MR no.1/1983-84 issued by the office of Tahsildar, Bangalore South Taluk, Bangalore.

The land bearing Sy no.15 measuring 2 acres was converted from agriculture to non-agricultural purpose vide Official memorandum dated 06.12.1969 bearing no.ALN(S) SR 3675 issued by the office of Deputy Commissioner, Bangalore District, Bangalore.

Subsequently, Suresh Trust rep by its Trustee Sri.M.Timme Gowda together with Sri.M.Thimme Gowda & his family members Smt.Savithramma, Sri.Suresh Kumar, Smt.Sunita Kumari, Sri.Prasanna Kumar and Smt.Vinutha Kumari for a valuable consideration, sold and conveyed a portion of aforementioned land in Sy no.15/2 measuring 2 acres (i.e., the property at Item-I) in favour of M/s G –Corp Lotus Mall Pvt. Ltd., rep by its Managing Director Sri.T.Sharath Gowda in terms of an Absolute Sale deed dated 14.10.2009 (doc no.1739/2009-10). Further, we have been provided with a copy of resolution of meeting called on 03.08.2009 of M/s Suresh Trust giving consent for sale of property at Item-I in favour of M/s G –Corp Lotus Mall Pvt. Ltd.,

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The copy of Trust deed dated 22.12.1976 (doc no.291/1978-79) executed by Sri.K.Nanda Kumar (as settler) in favour of Sri.Thimme Goda, Smt.Savithramma and Smt.Thimmamma forming a trust in the name and style of M/s Suresh Trust is produced.

Similarly, Sri.Anthony Da Costa, S/o Late Dr.C.F.Da Costa also sold the remaining portion of land bearing Sy no.15/2 measuring 3 acres 18 guntas (i.e., the property at Item-2) in favour of Smt.Joy Mathews, Dr.Cherukara Thomas Mathews under an Indenture of Sale dated 17.03.1971 (doc no.5864/1970-71). In turn, Smt.Joy Mathews, W/o Dr.Cherukara Thomas Mathews sold land bearing Sy no.15/2 measuring 3 acres 18 guntas (i.e., the property at Item-2) in favour of Sri.M.Thimme Gowda S/o Late Sri.Muthe Gowda in terms of a Sale deed dated 07.10.1988 (doc no.8173/1988-89). The factum of sale is reflected in the Mutation register bearing MR no.1/1988-89 issued by office of Tahsildar, Bangalore South Taluk, Bangalore

The land in Sy no.15/2 measuring 3 acres 18 guntas was converted from agriculture to non-agricultural commercial purpose vide Official memorandum dated 03.08.2001 bearing no.ALN(S) SR (S)27/2001-02 issued by the office of Deputy Commissioner, Bangalore District, Bangalore.

Based on the tatkal phodi order bearing no.143/2009 dated 06.11.2009 passed by the Tahsildar, the land bearing Sy no.15/2 measuring 5 acres 18 guntas was phodied as Sy no.15/2 to an extent of 3 acres 11 guntas and Sy no.15/3 measuring 2 acres in the name of Sri.M.Thimmegowda vide Mutation register bearing MR no.6/2009-10 issued by office of Village Accountant, Bangalore South Taluk, Bangalore.

Subsequently, Sri.M.Timmegowda S/o Sri.Muthe Gowda, for a valuable consideration the land in Sy no.15/2 measuring 3 acres 18 guntas (property at Item-2) in favour of M/s G –Corp Lotus Mall Pvt. Ltd., rep by its Managing Director Sri.T.Sharath Gowda in terms of an Absolute Sale deed dated 09.10.2009 (doc no.1688/2009-10).

M/s G-Corp Lotus Mall Private Limited rep by its Director and authorised signatory Sri.Sharath Gowda mortgaged land bearing Sy no.15/2 measuring 2 acres and 3 acres 18 guntas and Sy no.16 measuring 6.6 guntas and 1 acre 6.4 guntas in favour of Axis Bank Ltd., vide Memorandum of agreement evidencing deposit of title deeds dated 20.02.2013 (doc no.12062/2012-13)

Upon the failure to repay the loan, Axis Bank Ltd., on behalf of M/s G-corp Lotus Mall Private Limited executed a Sale certificate dated 28.03.2023 (doc no.13793/2022-23) in favour of M/s Anushka Constructions Private Limited in respect of Sy no.15/2 measuring 2 acres + 3 acres 18 guntas and Sy no.16 measuring 6.6 guntas + 1 acre 6.4 guntas of Kenchanahalli Village. The details of DRT proceedings and orders passed thereon are deliberated in the subsequent paragraphs under the caption 'common documents'

Pursuant to the order dated 28.08.2023 bearing no.RRTSKCR32/23-24 passed by the Asst. Commissioner, Bangalore South Sub-division, Bangalore for transfer of katha in respect of Sy no.15/2 measuring 3 acres 11 guntas, 15/3 measuring 2 acres and 16/1 measuring 1 acre 10 guntas, the katha in respect of Sy no.15/3 measuring 2 acres from transferred from the name of Sri.M.Thimmegowda to the name of M/s Anushka Constructions Private Limited vide Mutation register bearing MR no.T4/2023-24.

The office of BBMP issued katha endorsement katha certificate and katha extract all dated 20.04.2023 in favour of M/s Anushka Constructions Pvt. Ltd., rep by its Director Sri.A.Amarlal vide katha endorsement, in respect of property bearing katha no.40/Sy. No.15/240 measuring 3 acres 18 guntas (150282 Sq. Ft.,).

The office of Tahsildar, Bangalore South Taluk, Bangalore has issued an endorsement dated 05.02.2024 bearing no.RK/CR/27-59149/2023 confirming non-availability of records for issue of IHC register bearing no.34/1981-82 and mutation registers bearing MR no.1 & 2/1970-71 in respect of Sy no.15/2 of Kenchanahalli Village.

The copy of Hissa Mojini depicts the name of Sri.M.Thimmegowda as Hissadar in respect of Sy no.15/2 measuring 3 acres 18 guntas including 7 guntas of kharab land.

Encumbrance certificate/s produced for scrutiny discloses the entries of following registered transactions :

Sl. No.	Period of E.C.	Nature & Nomenclature
1	Dated 20.01.2024 for the period 01.04.1970 to 31.03.1975	depicting the entries of Sale deeds dated 17.03.1971 (doc nos.5863 & 5864).

2	Dated 20.01.2024 for the period 01.04.1975 to 31.03.1980	depicting the entry of sale deed dated 26.12.1979 (doc no.5113).
3	Dated 20.01.2024 for the period 01.04.1981 to 31.05.1989	depicting the entry of Sale deed dated 07.10.1988 (doc no.8173).
4	Dated 29.12.2005 for the period 01.04.1958 to 31.05.1989	depicting the entry of sale deed dated 26.12.1979 (doc no.5113) – 2 acres
5.	Dated 02.05.2023 for the period 01.04.1963 to 31.05.1989	depicting the entries of sale deeds dated 01.04.1963 (doc no.571) and 07.10.1988 (doc no.8173)
6.	Dated 09.01.2013 for the period 01.04.2009 to 09.01.2013	depicting the entry of sale deed dated 15.10.2009 (doc no.1739) – 2 acres
7.	Dated 04.05.2016 for the period 01.02.2012 to 31.03.2013	depicting the entry of MOTD dated 20.02.2013 (doc no.12062)
8.	Dated 26.04.2013 for the period 01.04.2004 to 25.04.2023	depicting the entry of entries of sale certificate dated 28.03.2023 (doc no.13793), MOTD dated 20.02.2013 (doc no.12062), sale deed dated 15.10.2009 (doc no.1739), Sale deed dated 09.10.2009 (doc no.1688).

In respect of Sy no.16.

Whereas land bearing no.16 measuring 1 acre 20 guntas situated at Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, Bangalore was granted as Thoti sarkari Inamathi to Sri.Era alias Erappa (S/o Sri.Linga), Sri.Hanumanth (S/o Sri.Eralinga) and Sri.Hanumantha (S/o Sri.Mota) by the Tahsildar, South Taluk, Bangalore vide an order dated 24.08.1982 bearing no.HOACR 17/1982-83 as evidenced from RTC/s for the period 1989-90 to 1993-94, 1997-98 to 1999-2000, 2003-04, 2004-05, issued by the office of Village Accountant/Tahsildar, Bangalore South Taluk, Bangalore AND Copy of Record of Rights bearing no.85.

The office of Tahsildar, Bangalore South Taluk, Bangalore has issued an Endorsement dated 19.07.2023 bearing no.RK/CR/126/2023-24 confirming non-availability of records for issue of Order bearing no.HOA/CR/17/82-83 in respect of Sy no.16 owing to indexing and cataloging.

It is recited that Sri.Era alias Erappa (S/o Sri.Linga), Sri.Hanumanth (S/o Sri.Eralinga) and Sri.Hanumantha (S/o Sri.Mota) entered into a family arrangement/s with their family members Sri.Chikka Hanumanthappa, Sri.Anjanappa, Sri.Ramayya, Sri.Hanumanth and Sri.Poojappa and in terms of the same, each party to partition was entitled to 1/8th share in the aforementioned land.

After the demises of Sri.Era alias Erappa and Sri.Hanumantha, the katha for the said land in Sy no.16 measuring 1 acre 20 guntas was transferred to the names of Sri.Hanumantha (S/o Sri.Mota), Smt.Gangamma (W/o Sri.Era alias Erappa) and Smt.Narasamma (W/o Sri.Hanumantha) vide IHC register bearing No.2/2006-07 issued by office of Village Accountant, Bangalore South Taluk, Bangalore.

The office of Asst. Commissioner, Bangalore South Division, Bangalore issued an endorsement dated 16.10.2007 bearing no.HOA.CR.28/2007-08 confirming that permission for sale of land is not required as per government letter dated 05.10.2001 bearing no.R.D.91NM99.

Subsequently, Sri.Hanumanth (S/o Late Sri.Mota), Smt.Gangamma (W/o Late Sri.Era @Erappa S/o Linga), Smt.Gangamma (W/o Late Sri.Chikka Hanumanthappa, S/o Late Sri.Mota), Smt.Anjanamma (W/o Sri.Anjanappa, S/o Lote Mota), Sri.Ramayya (S/o Late Sri.Mota), Sri.Hanumanth (S/o Sri.Linga) and Smt.Lakshmamma together with their family members Sri.Krishnappa, Sri.Jayaram H, Sri.Balakrishna H, Smt.Jayamma, Sri.Lakshmana H, Smt.Pushpa K, Smt.Arasamma, Smt.Venkatalakshmi, Smt.Duggalakshmi, Sri.Muniraju, Sri.Rajanna, Sri.Shivanna, Sri.Chandrashekar, Smt.Shivamma, Smt.Nagamma, Smt.Rajeshwari, Sri.Hanumanthappa, Smt.Parvathamma, Sri.Krishnappa, Smt.Rajamma, Sri.Madhusudhan, Sri.Nagaraju, Sri.Punith Kumar, Smt.Rajeshwari, Sri.Ramakrishna, Sri.Chandranna, Sri.Venkatesh, Sri.Venkataramaiah, Sri.Ramanjanappa, Sri.Anand, Sri.Nagaraju, Sri.Gajendra, Sri.Shivaraju, Smt.Jayalakshmi, Smt.Nagamma, Sri.Hanumanthappa, Smt.Umadevi, Sri.Raju, Sri.Shiva, Sri.Ravi P, Sri.Srinivas A. Sri.Kiran Kumar, Sri.Ningappa, Smt.Jayamma and Sri.Madhukumar as consenting witnesses, for a valuable sale consideration, sold and conveyed portion of aforesaid land in Sy no.16 measuring 1 acre 6.4 guntas in favour of M/s G-Corp Lotus Mall Pvt. Ltd., rep by its Managing Director Sri.T.Sharath Gowda by virtue of an Absolute Sale deed dated 21.08.2009 and registered as doc no.1146/2009-10, at the office of Senior Sub-Registrar, Rajarajeshwarinagar, Bangalore.

With regard to remaining 1/8th share in Sy no.16, Smt.Narasamma (W/o Late Sri.Hanumanth @ Hanumanthappa) and her children Sri.Ningappa, Sri.Narayan @

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Narayanappa & Sri.Nagaraju, Smt.Gouramma (W/o Late Sri.Rajashekar) together with Sri.Madhukumar & Smt.Jayamma as consenting witnesses, executed an Absolute Sale deed dated 22.08.2009 in favour of M/s G-Corp Lotus Mall Pvt. Ltd., rep by its Managing Director Sri.T.Sharath Gowda, registered as doc no.1156/2009-10, in Book-I, stored in C.D.No.RRND22, at the office of Senior Sub-Registrar, Rajarajeshwarinagar, Bangalore in respect of portion of land in Sy no.16 measuring 6.6 guntas.

The copy of Absolute Sale deed dated 21.08.2009 executed by Sri.Hanumanth and others in favour of Sri.Timmegowda (doc no.2081/2009-10)– in respect of Sy no.16 measuring 6.15 guntas is also given for reference.

M/s G-Corp Lotus Mall Private Limited rep by its Director and authorised signatory Sri.Sharath Gowda mortgaged land bearing Sy no.15/2 measuring 2 acres and 3 acres 18 guntas and Sy no.16 measuring 6.6 guntas and 1 acre 6.4 guntas in favour of Axis Bank Ltd., vide Memorandum of agreement evidencing deposit of title deeds dated 20.02.2013 (doc no.12062/2012-13)

Upon the failure to repay the loan, Axis Bank Ltd., on behalf of M/s G-corp Lotus Mall Private Limited executed a Sale certificate dated 28.03.2023 (doc no.13793/2022-23) in favour of M/s Anushka Constructions Private Limited in respect of Sy no.15/2 measuring 2 acres + 3 acres 18 guntas and Sy no.16 measuring 6.6 guntas + 1 acre 6.4 guntas of Kenchanahalli Village. The details of DRT proceedings and orders passed thereon area deliberated in the subsequent paragraphs.

The office of Bruhat Bangalore Mahanagara Palike issued a Special notice dated 18.01.2013 assigning new municipal no.16/41 in respect of Sy no.16 measuring 57717 Sq. Ft., (i.e., the property at item-3).

The land in Sy no.16 measuring 1 acre 13 guntas including 3 guntas of 'A' Kharab vide Official memorandum dated 06.01.2009 bearing no.ALN(S) SR (KEN)125/2007-08 issued by the office of Deputy Commissioner, Bangalore District, Bangalore.

The office of BBMP issued Katha endorsement, Katha certificate and Katha extract all dated 20.04.2023 in favour of M/s Anushka Constructions Private Limited rep by its

Director Sri.A Amarlal in respect of katha no.41/Sy no.16/41 measuring 1 acre 13 guntas or 57717 Sq. Ft.,

Based on order dated 28.08.2023 bearing no.RRTSCR32/23-24 passed by Asst. Commissioner, Bangalore, the katha for Sy no.16/1 measuring 1 acre 10 guntas was transferred from the name of Smt.Gangamma (W/o Late Sri.Era) to the name of M/s Anushka Constructions Private Limited vide Mutation register bearing MR no.T1/2023-24.

The copies of RTC/s for the period 1969-70 to 1973-74, 1974-75 to 1978-79, 1989-90 to 1993-94, 1997-98 to 1999-2000, 2003-04, 2004-05, 2007-08, 2008-09, 2009-10, in respect of Sy no.16 and subsequent RTC/s for the period 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 2019-20, 2020-21, 2021-22, 2022-23, 2023-24, in respect of Sy no.16/1, 16/2 Kenchanahalli Village, Kengeri Hobli, Bangalore South Taluk, Bangalore issued by the office of Village Accountant/Tahsildar, Bangalore South Taluk, Bangalore reflects the names of erstwhile owner/s as kathedars and occupants.

As per the copy of Hissa Mojini, the land in Sy no.16 was phodied as 16/1 measuring 1 acre 10 guntas excluding 7 ½ guntas karab and Sy no.16/2 measuring 3 guntas excluding ¾ guntas of kharab in the names of Smt.Gangamma, Smt.Narasamma and Sri.Hanumanth and Sy no.16/2 measuring 7 guntas excluding ¾ guntas of kharab in the name of Sri.M.Thimmegowda.

Encumbrance certificate/s produced for scrutiny discloses the entries of following registered transactions :

Sl. No.	Period of E.C.	Nature & Nomenclature
1	Dated 04.05.2016 for the period 01.02.2012 to 31.03.2013	depicting the entry of MOTD dated 20.02.2013 (doc no.12062)
2	Dated 19.02.2013 for the period 01.04.2004 to 19.02.2023	depicting the entries of sale deed dated 22.08.2009 (doc no.2083), dated 22.08.2009 (doc no.1156), 21.08.2009 (doc no.2081) & 21.08.2009 (doc no.1146).
3	Dated 09.01.2013 for the period 01.04.2009 to 09.01.2013	depicting the entries of sale deed dated 22.08.2009 (doc no.2083),

		dated 22.08.2009 (doc no.1156), 21.08.2009 (doc no.2081) & 21.08.2009 (doc no.1146).
4	Dated 28.03.2023 for the period 28.03.2023 to 28.03.2023	depicting the entry of sale certificate dated 28.03.2013 (doc no.13793)

Common documents :

The office of Asst. Director for Land Records, Bangalore South Taluk, Bangalore has issued Report along with ADLR sketch annexed dated 12.09.2023 bearing no.Bu.S.Ni/C.R./Ithare: 143/2023-24 confirming the details of subject lands as under :

a) Sy no.15/2 measuring 3 acres 18 guntas comprising of 3 acres 16 guntas of converted land and 2 guntas of kharab.
b) Sy no.15/3 measuring2 acres of converted land
c) Sy no.16/1 measuring 1 acre 17.5 guntas comprising of 1 acre 13 guntas of converted land and 4.5 guntas of kharab

M/s G-Corp Lotus Mall Private Limited rep by its Director and authorised signatory Sri.Sharath Gowda mortgaged land bearing Sy no.15/2 measuring 2 acres and 3 acres 18 guntas and Sy no.16 measuring 6.6 guntas and 1 acre 6.4 guntas in favour of Axis Bank Ltd., vide Memorandum of agreement evidencing deposit of title deeds dated 20.02.2013 (doc no.12062/2012-13)

Upon the failure to repay the loan, Axis Bank Ltd., initiated proceedings under SARFEASI Act. Thereafter, M/s G-Corp Lotus Mall Private Ltd., rep by its authorised signatory filed a petition under Articles 226 & 227 of Constitution of India Praying to quash the notice dated 10.08.2021 vide Annexure –P issued by Respondent no.1. Quash the notice dated 11.06.2019 issued by Respondent no.1 and etc., before the High Court of Karnataka at Bangalore in W.P. no.15632/2021 against M/s Axis Bank Ltd., M/s Lotus Shoppng Centers Private Limited and others for impleading applicant in I.A. no.4/2022. The Honb'e High Court vide order dated 16.03.2023 disposed the I.A. no.3/2022, seeking vacation of the interim stay, besides disposing of I.A no.1/2023 filed for petitioner on record seeking amendment and I.A. no.4/2020 as having become unnecessary in the light of the observations made in the course of the order.

The appeal filed by M/s G-Corp Lotus Mall Private Limited against M/s Axis Bank Ltd., and M/s Lotus Shopping Centres Private Limited and M/s Lotus Shopping Centres Private Ltd., under Securitisation appeal under Section 17 of securitisation and reconstitution of financial assets and enfocement of security interest Act 2002 before in the Debt Recovery Tribunal, Karnataka, Bangalore in S.A. No.280/2021 came to be dismissed on 29.09.2021.

As per the Order dated 18.06.2019 passed by the National Company Law Tribunal, Bangaluru Bench in I.A. no.245 of 2019 in C.P.(IB) No.66/BB/2017 U/s 33 (1) (a)of IBC, 2016 in the matter of M/s Axis Bank Ltd., Vs M/s Lotus Shopping Centres Pvt. Ltd., it was concluded that there was a need for an order required for Corporate Debtor i.e., M/s Lotus Shopping Centres Private Limited to be liquidated in the manner as laid down in the I & B code 2016 and related regulations.

The SARFAESI application/s filed in S.A nos.199/2021, 332/2021, 226/2021 & 332/2021 before the Debts Recovery Tribunal Bangalore (DRT-I) by M/s G-Corp Lotus Mall Private Limited against Axis Bank Ltd., were dismissed as infrauctuous on 04.08.2021, 16.11.2021, 01.09.2021 & 16.11.2021 respectively.

Similarly, the SARFAESI application filed in S.A no.7/2023 before the Debts Recovery Tribunal Chennai (DRT-I) by M/s G-Corp Lotus Mall Private Limited against Axis Bank Ltd., was also dismissed on 09.11.2023.

Axis Bank Ltd., on behalf of M/s G-corp Lotus Mall Private Limited executed a Sale certificate dated 28.03.2023 (doc no.13793/2022-23) in favour of M/s Anushka Constructions Private Limited in respect of Sy no.15/2 measuring 2 acres + 3 acres 18 guntas and Sy no.16 measuring 6.6 guntas + 1 acre 6.4 guntas of Kenchanahalli Village.

Further, a Letter for delivery of possession of secured assets dated 28.03.2023 was also given by Axis Bank Ltd., to M/s Anushka Constructions Private Limited in confirmation of delivery of possession of Sy no.15/2 measuring 2 acres + 3 acres 18 guntas and Sy no.16 measuring 6.6 guntas + 1 acre 6.4 guntas of Kenchanahalli Village.

The owner M/s Anushka Constructions Private Limited rep by its Managing Director Sri.Avnash Amarlal has entered into a Joint Development Agreement dated 22.12.2023 (doc no.12997/2023-24) with M/s Sattva Resi Private Limited rep by its

authorised signatory Sri.Mahesh Khaitan for the beneficial development of Sy no.15/2 measuring 2 acres + 3 acres 18 guntas and Sy no.16 measuring 6.6 guntas + 1 acre 6.4 guntas of Kenchanahalli Village. The parties to the JDA have agreed to share the revenue in the ratio 33 % (to the land owner) : 67 % (to the builder).

In-furtherance to the JDA, M/s Anushka Constructions Private Limited rep by its Managing Director Sri.Avnash Amarlal executed a General Power of Attorney dated 22.12.2023 (doc no.734/2023-24) in favour of M/s Sattva Resi Private Limited rep by its authorised signatory Sri.Mahesh Khaitan empowering the attorney to do various acts, deeds and things with power of alienation.

The katha for the composite subject property stands in the name of M/s Anushka Constructions Private Limited vide Katha certificate and Katha extract dated 13.05.2024 AND E-katha certificate in Form A (Rule-11) dated 04.06.2025 all issued by the office of Bruhat Bangalore Mahanagara Palike.

The copies of plan sanction letter and sanction plan both dated 29.05.2025 bearing L.P. No.1080/2025-26 issued by BDA permits the residential development of land bearing Sy no.15/2 (P), 15/3 and 16/1 measuring 2 6 acres 15.50 guntas including 8 guntas of 'A' kharab land into multi-storied residential building are produced.

Encumbrance certificate/s produced for scrutiny discloses the entries of following registered transactions :

Sl. No.	Period of E.C.	Nature & Nomenclature
1.	Dated 13.06.2025 for the period 01.04.2004 to 10.06.2025	depicting the entry of JDA dated 22.12.2023 (doc no.12997)
2.	Dated 13.06.2025 for the period 01.04.2004 to 10.06.2025	depicting the entries of sale certificate dated 28.03.2023 (doc no.13793), DTD dated 20.02.2023 (doc no.12062), sale deed dated 15.10.2009 (doc no.1739), sale deed dated 09.10.2009 (doc no.1688), sale deed dated 22.08.2009 (doc no.1156), sale deed dated 22.08.2009 (doc no.2083), sale deed dated 21.08.2009 (doc no.2081),

IV EVIDENCE OF POSSESSION :

All the documents produced for the scrutiny evidence the possession of subject property in favour of M/s Anushka Constructions Private Limited rep by its Managing Director Sri.Avnash Amarlal rep by its GPA holder M/s Sattva Resi Private Limited rep by its authorised signatory Sri.Mahesh Khaitan

V OPINION:

On the basis of documents perused & information furnished, SUBJECT TO THE PRODUCTION OF RERA REGISTRATION CERTIFICATE FOR THE PROJECT, We are of the opinion that the title of M/s Anushka Constructions Private Limited rep by its Managing Director Sri.Avnash Amarlal rep by its GPA holder M/s Sattva Resi Private Limited rep by its authorised signatory Sri.Mahesh Khaitan in respect of subject property is legally valid, clear and marketable.

NOTE :

1. IT IS ADVISABLE TO VERIFY ALL THE ORIGINAL DOCUMENTS OF TITLE.
2. COPIES OF DOCUMENTS PERUSED HEREIN ARE BONA-FIDE BELIEVED TO BE GENUINE.
3. IN THE PROCESS OF LEGAL VERIFICATION OF DOCUMENTS, WE HAVE RELIED UPON THE VERACITY OF CONTENTS OF DOCUMENTS AND HAVE ASSUMED THE IDENTITY AND SIGNATURES OF THE PARTIES TO DEEDS AS AUTHENTIC.

All the documents referred to us are returned herewith.

Thanking you,

For C.S.Vishwanath & Co.,

Advocate.