

SURENDRANATH BENARJY
B.Com., BL.,
ADVOCATE

To

M/s DISHAHABITAT SHELTERS LLP,
#437, Shree Opp. Government Hospital,
Varthur, Bengaluru Urban,
Karnataka - 560087.

Dear Sir

Sub: Scrutiny and title report with respect to Undeveloped Converted land bearing old Sy No. 77, New Sy No. 77/1 measuring 1 Acres 07 Guntas and 2Guntas Kharab = 1Acre 09 Guntas and New Sy No. 77/2 measuring 2Acres 01 Gunta situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

DESCRIPTION OF PROPERTY

ITEM -1

All that piece and parcel of the Converted land bearing old Sy No. 77, New Sy No. 77/1 measuring 1 Acres 07 Guntas + 2 Guntas Kharab = 1Acre 09 Guntas (Converted from agricultural to non- agricultural residential purpose vide. B.Dis ALN (P) SR (KH) 65/2007-08 dated 21-11-2008 issued by the Special Deputy Commissioner, Bangalore) situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore bounded on the:

East by : Land bearing Survey No. 78.
West by : Land bearing Survey No. 77/2.
North by : Road,
South by : land bearing SyNo. 16.

ITEM -2

All that piece and parcel of the residentially Converted land bearing old Sy No. 77, New Sy No. 77/2 measuring 2 Acres 01 Guntas (Converted for non-agricultural residential purpose vide. B.Dis ALN (P) SR (KH) 66/2007-08 dated 02-12-2008 issued by the Special Deputy Commissioner, Bangalore) situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore bounded on the:

East by : Property bearing Survey No. 77/1.
West by : Property bearing Survey No. 76.
North by : Road,
South by : Property bearing Survey No. 16.

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PHOTOCOPIES OF THE DOCUMENTS PROVIDED FOR SCRUTINY:

1. Village Map of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore .
2. Tippani, Pakka Book, Re-Survey in respect of land bearing Old Sy No. 77, New Sy No. 77/1, New Sy No. 77/2 situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore
3. Record of Rights and Tenancy crops Register Extract for the period 1966-67 to 1970-71 issued by the Taluk Shirastedhar for land bearing Sy No: 77, measuring 4Acres 1Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.
4. Record of Rights and Tenancy crops Register Extract for the period 1971-72 to 1975-76 issued by the Taluk Shirastedhar for land bearing Sy No: 77, measuring 4Acres 1Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.
5. Record of Rights and Tenancy crops Register Extract for the period 1976-77 to 1981-82 issued by the Taluk Shirastedhar for land bearing Sy No: 77, measuring 4Acres 1Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.
6. Record of Rights and Tenancy crops Register Extract for the period 1982-83 to 1987-88 issued by the Taluk Shirastedhar for land bearing Sy No: 77, measuring 4Acres 1Gunta - 3 Guntas Kharab = 3Acres 38 Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.
7. Record of Rights and Tenancy crops Register Extract for the period 1988-89 to 1993-94 issued by the Taluk Shirastedhar for land bearing Sy No: 77, measuring 4Acres 1Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.
8. Record of Rights and Tenancy crops Register Extract for the period 1994-95 to 1997-98 issued by the Shirastedhar for land bearing Sy No: 77, measuring 4Acres 1Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.
9. Record of Rights and Tenancy crops Register Extract for the period 1999-2000 to 2001-02 issued by the Shirastedhar for land bearing Sy No: 77/1 measuring 2Acres 2Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

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10. Computerized Record of Rights and Tenancy crops Register Extract for the period 2002-03 to 2007-08 and 2009-10 to 2023-24 issued by the Tahasildar office, for land bearing Sy No: 77/1 measuring 2Acres 2 Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

11. Record of Rights and Tenancy crops Register Extract for the period 1999-2000 to 2000-01 issued by the Shirastedhar for land bearing Sy No: 77/2 measuring 2Acres 01 Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

12. Record of Rights and Tenancy crops Register Extract for the period 2001-02 issued by the Shirastedhar for land bearing Sy No: 77/2 measuring 2Acres 01 Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

13. Computerized Record of Rights and Tenancy crops Register Extract for the period 2002-03 to 2007-08 and 2009-10 to 2023-24 issued by the Tahasildar office, for land bearing Sy No: 77/2 measuring 2Acres 1 Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

14. Endorsement bearing No. RK:CR/942/10-11 dated 8-10-2010 issued by Taluk Shirastedhar, K.R.Puram, Bangalore stating that MR No.13/1966-67 and IHC 1/1977-78 in respect of land bearing Sy No.77/1 is not available. Hence could not issue the same.

15. Mutation Register extract M.R. No. 6/1985-86 in respect of land bearing Sy. No: 77 measuring 4Acres 1Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

16. Mutation Register extract M.R. No. 8/1992-93 in respect of land bearing Sy. No: 77 measuring 4Acres 1Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

17. Mutation Register extract M.R. No. 10/1997-98 in respect of land bearing Sy. No: 77 measuring 4Acres 1Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

18. Mutation Register extract M.R. No. 2/2000-01 in respect of land bearing Sy. No: 77/1 measuring 4Acres 1Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

19. Mutation Register extract M.R. No.7/2001-02 in respect of land bearing Sy. No: 77/1 measuring 4Acres 1Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

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20. Mutation Register extract M.R. No. 23/2002-03 in respect of land bearing Sy. No: 77/1 measuring 0.30 Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.
21. Mutation Register extract M.R. No. 31/2008-09 in respect of land bearing Sy. No: 77/1 measuring 0.29 Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.
22. Mutation Register extract M.R. No. 32/2008-09 in respect of land bearing Sy. No: 77/1 measuring 1.09 Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.
23. Sale deed in respect of land bearing Sy No. 15 Block 3, measuring 4 Acres, of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore. executed by T.Venkatesappa in favour of S.P. Ahmad Saheb registered as Document No. 5400/59-60 dated 04-03-1960 before the sub-Registrar, South Taluk, Bangalore.
24. Sale deed in respect of land bearing Sy No. 15 Block 3, measuring 4 Acres, of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore. executed by S.P. Ahmad Saheb in favour of Chikkaveerappa Reddy registered as Document No. 2775/63-64 dated 02-09-1963 before the sub-Registrar, South Taluk, Bangalore.
25. Panchayath Parikath /Family Partition dated 28-05-1992 in respect of Land bearing Sy.No. 77 measuring 4Acres situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore executed between Dodda Veerappa Reddy and Smt. Laxmamma W/o Late Chikkaveerappa Reddy under which land measuring 30 Guntas allotted to the share of Dodda Veerappa reddy under 'A' Schedule and land measuring 3Acres 10 Guntas allotted to the share of Smt. Laxmamma & others under 'B' Schedule.
26. Panchayath Parikath /Family Partition in respect of Land bearing Sy No. 77 measuring 3Acres 10 Guntas, situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore dated 30-05-1992 between Smt.Lakshamma and her childeren.

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27. Absolute Sale deed in respect of land bearing Sy No. 77/1 (Formerly forming a part of Sy No.77), measuring 1 Acre 10 Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore executed by Raghu Reddy in favour of Syed Ali registered as Document No. 1091/2000-2001 Dated 8-05-2000 before the sub-Registrar, Krishnarajapura, Bangalore.

28. Absolute Sale deed in respect of land bearing Sy No. 77/2 (Formerly forming a part of Sy No.77), measuring 2 Acres 01 Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore executed by Srinivas Uraf Sridhar Reddy in favour of Syed Ali registered as Document No. No. 6299/1999-2000 Dated 18-11-1999 before the sub-Registrar, Krishnarajapura, Bangalore.

29. Oral Gift - Hiba dated 10-01-2001 executed by Syed Ali in respect of land bearing Sy No. 77 measuring 3 Acre 10 Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore in favour of his sons 1.Naseer Humayun 2. Javeed Hroon and Daughter in Law 3. Mrs. Iffat Fatima.

30. Joint Development Agreement in respect of land bearing Sy No. 77/1 measuring 1Acre 09 Guntas and land bearing Sy No. 77/2 measuring 2Acres 01Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore executed by Mr. Nazeer Humayun 2) Mrs. Iffath Fatima 3) Mr. Javeed Haroon in favour of M/s Regency Property and Management Services Rep. by its Managing Partner Mr. Sameer A.Khan Registered as Document No. 5103/2012-13 Dated 27.12.2012 before the sub-Registrar, Shivajinagar, (Indiranagar) Bangalore.

31. General Power of Attorney in respect of land bearing Sy No. 77/1 measuring 1 Acre 09 Guntas and land bearing Sy No. 77/2 measuring 2Acres 01Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore executed by Mr. Nazeer Humayun 2) Mrs. Iffath Fatima 3) Mr. Javeed Haroon in favour of M/s Regency Property and Management Services Rep. by its Managing Partner Mr. Sameer A.Khan Registered as Document No. 825/2012-13 Dated 27.12.2012 before the sub-Registrar, Shivajinagar, (Indiranagar) Bangalore.

32. General Power of Attorney in respect of land bearing Sy No. 77/1 measuring 1Acre 09 Guntas and land bearing Sy No. 77/2 measuring 2Acres 01Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore

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East Taluk, Bangalore executed by Mr. Nazeer Humayun 2) Mrs. Iffath Fatima 3) Mr. Javeed Haroon in favour of M/s Regency Property and Management Services Rep. by its Managing Partner Mr. Sameer A.Khan Registered as Document No. 751/2018-19 Dated 13.03.2019 before the sub-Registrar, Shivajinagar, (Halsuru) Bangalore.

33. Supplementary agreement in respect of land bearing Sy No. 77/1 measuring 1Acre 09 Guntas and land bearing Sy No. 77/2 measuring 2Acres 01Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore executed by Mr. Nazeer Humayun 2) Mrs. Iffath Fatima 3) Mr. Javeed Haroon in favour of M/s Regency Property and Management Services Rep. by its Managing Partner Mr. Sameer A.Khan Registered as Document No. 6635/2018-19 Dated 13.03.2019 before the sub-Registrar, Shivajinagar, (Halsuru) Bangalore.

34. Cancellation of Joint Development Agreement and Supplementary Agreement in respect of land bearing Sy No. 76 measuring 1 Acre 10 Guntas and land bearing Sy No. 77/2 measuring 2Acres 01Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore executed between Mr. Mr. Nazeer Humayun 2) Mrs. Iffath Fatima 3) Mr. Javeed Haroon and M/s Regency Property & Management Services, Registered as Document No. 16672/2023-24 Dated 24-11-2023 before the sub-Registrar, Banaswadi Bangalore.

35. Revocation of Power of Attorney in respect of land bearing Sy No. 76 measuring 1 Acre 10 Guntas and land bearing Sy No. 77/2 measuring 2Acres 01Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore executed between Mr. Mr. Nazeer Humayun 2) Mrs. Iffath Fatima 3) Mr. Javeed Haroon and M/s Regency Property & Management Services, Registered as Document No. 915/2023-24 Dated 24-11-2023 before the sub-Registrar, Banaswadi Bangalore.

36. Deed of Confirmation in respect of land bearing Sy No. 77 measuring 4Acres 01Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore executed by 1) Smt. C.Prema 2) Sri.A.M.Umesh 3) A.M.Vinay 4) Smt. M.Puneetha in favour of 1) Mr. Naseer Humayun 2) Mrs. Iffath Fatima 3) Mr. Javeed Haroon Registered as Document No. 6627/2018-19 Dated 13.03.2019 before the sub-Registrar, Shivajinagar, (Halsuru) Bangalore.

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37. Oral Gift - Hiba dated 27-8-2020 executed between Mr. Nazeer Humayun 2) Mrs. Iffath Fatima 3) Mr. Javeed Haroon in respect of land bearing Sy No. 77 measuring 3 Acre 10 Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore under which the entire land was gifted by 1) Nazeer Humayun 2) Mr. Javeed Haroon to Mrs. Iffath Fatima.

38. Deed of confirmation registered as Doc. no: 3737/24-2 5 Dated 24-7-2024 executed by Mr. Mr. Nazeer Humayun and 2) Mr. Javeed Haroon declaring about the oral gift made by them in favour of Mrs. Iffath Fatima under Oral Gift Dated 27-8-2020

39. Family Tree of Nanjundappa issued by Rajaswa Niriksharu, Hebbala Circle, Bangalore North.

40. Joint Development Agreement in respect of land bearing Sy No. 77/1 measuring 1Acre 09 Guntas and Sy No. 77/2 measuring 02Acre 01 Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore executed by Mrs. Iffath Fatima W/o Nazeer Humayun in favour of M/s Dishahabitat Shelters LLP Represented by its Designated Partner Mr.Raja Sekhar Kamisetty Registered as Document No. 11401/2023-24 Dated 2.1.2024 before the sub-Registrar, Varthur, Bangalore.

41. General Power of Attorney in respect of land bearing Sy No. 77/1 measuring 1Acre 09 Guntas and Sy No. 77/2 measuring 02Acre 01 Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore executed by Mrs. Iffath Fatima W/o Nazeer Humayun in favour of M/s Dishahabitat Shelters LLP Rep. by its Designated Partners Mr. Raja Sekhar Kamisetty Registered as Document No. 548/23-24 Dated 2-1-2024 before the sub-Registrar, Shivajinagar, (Indiranagar) Bangalore.

42. Official Memorandum B Dis.ALN (P) SR (KH) 65/07-08 dated Dt. 21-11-2008 issued by the Deputy Commissioner converting Sy No. 77/1 measuring 1Acre 09 Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore from agricultural to non-agricultural residential purpose.

43. Official Memorandum B Dis.ALN(P) SR (KH) 66/07-08 dated Dt. 02-12-2008 issued by the Deputy Commissioner converting Sy No. 77/2 measuring 2Acres 01 Guntas of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore from agricultural to non-agricultural residential purpose.

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44. Orders of Deputy Commissioner BDS.AL(E)) SR (KP) 66/07-08 dated 24-12-2008 rectifying the name of Iffath Fathima in the conversion order

45. Endorsement issued by the Deputy Commissioner, Bengaluru North, Bengaluru No: PTCL/CR/415/2011-12 dated 15-06-2011 stating that the provisions of PTCL Act are not applicable for land bearing Sy No. 77/1 measuring 1 Acre 39Guntas and Sy No. 77/2 measuring 2Acres 1 Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore

46. Endorsement issued by the Deputy Commissioner, Bengaluru North, Bengaluru No: PTCL/CR/527/2023-24 dated 03-11-2023 stating that the provisions of PTCL Act are not applicable for land bearing Sy No. 77/2 measuring 2Acres 1 Gunta of Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore

47. Nil Tenancy Endorsement No: RD0038115408907 dated 7-11-2023 issued by the Tahsildar, that no application under form 2,7,7,A was filed in respect of land bearing Sy No. 77/1 measuring 1Acre 39 situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk,

48. Nil Tenancy Endorsement No: RD0038115408908 dated 7-11-2023 issued by the Tahsildar, that no application under form 2,7,7,A was filed in respect of land bearing Sy No. 77/2 measuring 2Acres 01 Gunta situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk,

49. BBMP Special Notice 591/2010-11 Dated 27-01-2011 issued by Joint Director, Mahadevapura Circle, BBMP for clubbed khatha in the joint names of 1) Mr. Nazeer Humayun 2) Mr. Javeed Haroon , 3) Mrs. Firdose Fatima in respect of land bearing Sy No. 77/1 and Sy No. 77/2 totally measuring 3Acres 10 situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk,

50. B.B.M.P. Khata Certificate KTR/165/2009-10 and Assessment Register for the period 2012-13 and 2013-14 in respect of converted land bearing Sy. No. 77/1 and 77/2 measuring 3Acre 10 Guntas

51. BBMP Khatha Certificate KTR 337/24-25 Dated 26-7-2024 and Assessment Register for the period 2024-25 in respect of land bearing Sy No. 77/1 and Sy No.77/2 measuring 3Acres 10 guntas.

52. Tax paid Receipt for the year -20023-2024.

53. Paper publication issued in Kannada Prabha and the New Indian Express dated 11-11-2023

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54. Encumbrance Certificate for land bearing Sy No. 15/3 for the period 15-02-1957 to 31-05-1989 issued by Sub Registrar, Bommanahalli , Bengaluru.

55. Encumbrance Certificate for land bearing old Sy No. 15 New SyNo. 77/1 Katha No. 63 for the period 1-06-1989 to 19-04-2000 issued by Sub Registrar, K.R.Puram, Bengaluru.

56. Encumbrance Certificate for land bearing SyNo. 77/1 for the period 16-09-1999 to 31-03-2004 issued by Sub Registrar, K.R.Puram, Bengaluru.

57. Encumbrance Certificate for land bearing SyNo. 77/1 for the period 1-04-2004 to 23-11-2023 issued by Sub Registrar, Banaswadi Bengaluru.

58. Orders of the Court dated 16-12-2021 in OS No. 1611/2012.

POSITION REGARDING TITLE:

Land bearing Sy No.77 old Sy No :15 measuring 3Acres 38 guntas situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore, originally belongs to Ramaiah who sold the property to Venkateshappa. The said Venkateshappa under a sale Deed registered as Document No. 5400/1959-60 Dated 03-03-1960 sold the said property to Ahmed Saheb.

It is evident from the records that Chikka Veerappa Reddy S/o Nanjappa acquired Land bearing Sy No.77 old Sy No :15 measuring 3Acres 38 guntas from Ahmed Saheb under Sale Deed registered as Document No. 2775 dated 2-9-1963. It is evident from the survey Record original pakka book that Sy No.77 is part of old Survey number 15. Hence in all the above sale deeds old Survey Number : 15 was mentioned.

It appears from the records that mutation entries were also passed in the name of the said Chikka Veerappa Reddy S/o Nanjappa vide MR No. 13/1966-67. The said mutation was not available for scrutiny and Taluk Shirestedhar vide its endorsement RR CR.942/2010-11 dated 8-10-2010 stated that the said Mutation is not available and not able to give the copy of the said MR.

I have examined RTC for the period 1966-67 to 1970-71, 1971-72 to 1975-76 and 1976-77 to 1981-82 which reflects the name of Ramaiah as katedhar and Chikka Veerappa Reddy as Anubhavdhar at Column 12(2) of RTC (ie., Ramaiah was the previous owner who sold the property to Venkateshappa and it appears from the records that mutation entries were directly passed in the name of Chikka Veerappa Reddy).



It appears from the Records that after the death of Chikka Veerappa Reddy Mutation entries were passed in the name of Lakshamma W/o Late Chikka Veerappa Reddy Vide MR 6/1985-86. I have examined the said mutation record MR 6/1985-86 which clearly shows that Chikka Veerappa Reddy died 10 years back leaving behind his wife Lakshamma and Children 1) Nanjappa Reddy 2) Ammayamma 3) Raghu Reddy 4) Baby and 5) Srinivas as his legal heirs. At the request of the family members khatha was made in the name of Lakshamma W/o Chikka Veerappa Reddy.

I have examined RTC for the period 1982-83 to 1987-88 which reflects the name of Lakshamma at column 9 and 12(2) of RTC as kathedar and Anubhavdhar. It appears from the records that after the death of Chikka Veerappa Reddy there was a partition in the Joint Family consisting of DoddaVeerappa Reddy brother of Chikka Veerappa Reddy and Smt. Lakshamma W/o Chikka Veerappa Reddy and C. Nanjappa Reddy, C.Raghu, C.Sridhar on 28-5-1992.

Under the Deed of Memorandum of Partition dated 28-5-1992 it was stated that as per oral Partition among the members of the Joint family before the Panchayathdars dated 4-3-1974 the properties were partitioned and accordingly all the properties in 'A' Schedule were allotted to the share of Dodda Veerappa Reddy and all the properties in the 'B' Schedule were allotted to the share of Lakshamma W/o Chikka Veerappa Reddy and their children.

It was evident from the records that under the above said Memorandum of Partition dated 28-5-1992 land bearing Sy No. 77 measuring 3Acres 10 Guntas out of 4Acres was allotted to the share of Lakshamma and her children and land bearing Sy No.77 measuring 30 Guntas was allotted to the share of Dodda Veerappa Reddy thus land measuring 3 Acres 10 guntas was acquired by Lakshamma and others. The above said Memorandum of Palupatti dated 28-05-1992 was signed by Smt. Jayamma W/o Dodda Veerappa Reddy and Prema, Baby, Ammaiah daughter of Chikka Veerappa Reddy.

It is evident from the records that Smt.Lakshamma and her Children and Prema (Daughter of Late Ammayamma and Chikka Veerappa Reddy) Partitioned the joint family properties which was reduced into writing as Family Arrangement (Panchayath Palupatti) on 30-05-1992 and as per the oral partition land measuring 1 Acre 10 guntas out of 3Acres 10 guntas was allotted to the share of Raghu Reddy and land measuring 2Acres out of 3Acres 10 Guntas in SyNo. 77 was allotted to Sridhar and Nanjappa Reddy was given land measuring 2Acres 25 Guntas in Sy No. 10 and accordingly

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mutation were also passed in their names vide MR 8/92-93. Thus Raghu Reddy acquired 1Acre 10 guntas in Sy No.77.

I have examined RTC for the period 1988-89 to 1993-94 which reflects the names of Raghu Reddy and Srinivas Urf Sridhar Reddy as Katedhar and Anubhavdhar in respect of 3Acre 10 guntas. RTC for the period 1994-95 to 1997-98 also reflects the names of Raghu Reddy as katedhar and anubhavdhar in respect of 1Acre 10 guntas and Sridhar Reddy in respect of 2 Acres.

Mr. Srinivas Urf Sridhar Reddy S/o Chikka Veerappa Reddy acquired 2Acre 1 gunta in Sy No.77 under oral partition (Vide MR 8/92-93) and the said Mr.Srinivas Urf Sridhar Reddy sold the said land to Mr. Syed Ali under sale deed registered as document No. 6299/1999-2000 dated 18-11-1999. Mr. Raghu Reddy S/o Chikka Veerappa Reddy sold land measuring 1Acre 10 guntas under a Sale Deed Document No. 1091/2000-2001 dated 08-05-2000.

It is evident from the records that the above said Syed Ali applied for mutation of Records in his name in respect of 1Acre 10 guntas and 2Acre 1Gunta in SyNo.77. It appears from the records that the above said land in Sy No.77 measuring 1 Acre 10 Guntas belongs to Syed Ali and 30 Guntas belongs to Jayamma W/o Dodda Veerappa Reddy was phoded and Sy No. 77/1 was assigned to the said land and land measuring 2Acre 1 gunta belongs to Syed Ali was assigned with New Sy No.77/2.

RTC in respect of land bearing Sy No. 77/1 measuring 1Acre 10 Guntas for the period of 1999-2000 to 2000-01 and land bearing Sy No.77/2 measuring 2Acre 1Guntas for the period 1999-2000 to 2000-01 reflects the names of Syed Ali as Khatedar and Anubhavdar.

It is evident from the records that the above said Syed Ali under oral gift conveyed the property totally measuring 3 Acres 11 guntas (ie., Land bearing SyNo. 77/1 measuring 1Acre 10 Guntas and Sy.No. 77/2 measuring 2Acre 01 Gunta) to his two sons Nazeer Humayun and Javeed Haroon and daughter in law Iffath Fathima W/o Nazeer Humayun jointly and the said oral gift was reduced into writing under a document dated 10-1-2001. The said document named as oral Gift /Hiba was signed by his wife Saleemunissa Begum as witness. Thus, land measuring 1Acre 9 guntas in Sy No.77/1 and 2 acres 1 Gunta in Sy No.77/2 was acquired by Nazeer Humayun, Javeed Haroon and Iffath Fathima jointly and got converted land from agricultural to non agricultural residential purpose vide Orders of



Deputy Commissioner official Memorandum ALN (P)SR(KH)65/07-08 dated 21-11-2008 and Official Memorandum ALN(P)SR/(KH)66/07-08 Dated 02-12-2008.

There was a Typographical error in the conversion order ALN(P)SR(KH)66/07-08 in which Iffath Fathima name was wrongly mentioned as Firdose Fathima and subsequently Deputy Commissioner Vide BDiS AL(E)SR(KH)/66/07-08 dated 24-02-2008 rectified the same.

I have examined RTC in respect of Sy No.77/1 for the period 2002-03 to 2023-24 which reflects the name of Nazeer Humayun, Javeed Haroon and Iffath Fathima jointly in respect of 1Acre 9 Guntas and RTC in respect of Sy No. 77/2 measuring 2acres 01 Guntas for the period 2002-03 to 2023-24 reflects the name of Nazeer Humayun, Javeed Haroon and Iffath Fathima jointly.

The above said owners Nazeer Humayun, Javeed Haroon and Iffath Fathima entered into Joint development Agreement registered as document No. 5103/2012-13 dated 27-12-2012 with M/s Regency Property and Management Services a partnership firm represented by its Managing Partner Mr. Sameer A.Khan to develop the converted land bearing Sy No. 77/1 measuring 1Acre 9 guntas and Sy No.77/2 measuring 2Acres 1 gunta situated at Kyalasanahalali Village, K.R.Puram Hobli, Bangalore East Taluk, the said owners also executed General Power of Attorney registered as document No. 825/2012-13 dated 27-12-2012 authorizing the developer M/s Regency Property and Management Services to develop the said land and to sell developers share of super built up area along with undivided interest in the land. The owners also executed another General Power of attorney registered as document No. 751/2018-19 dated 13-3-2019.

The above said Joint Development Agreement registered as document No. 5103/12-13 dated 27-12-2012 and the supplementary agreement dated 13-05-2019 both were cancelled under a cancellation deed registered as document No. 16672/23-24 dated 24-11-2023.

As per

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The General Power of Attorney registered as document No. 825/2012-13 dated 27-12-2012 and General Power of Attorney document No. 751/2018-19 dated 13-03-2019 both were revoked under a Revocation deed registered as document No. 915/2023-24 dated 24-11-2023 thus the property became a free hold property.

It is observed during my scrutiny that Prema daughter of Late Chikkaveerappa Reddy and Late Ammaiah (1st wife of Chikka Veerappa Reddy) filed a suit OS No. 1611/2012 and the parties filed a Joint Memo seeking deletion of land bearing Sy No. 77 measuring 4 Acres from the suit Schedule property and also to delete the names of Defendants 17: Smt. Iffath Fathima, 18 : Nazeer Humayun and 19 : Javeed Haroon, as per the Orders of the court dated 16-12-2021. The above said Prema along with her children executed Confirmation deed registered as Document No. 6627/18-19 confirming the rights of Nazeer Humayun, Iffath Fathima, and Javeed Haroon for the land bearing Sy No. 77 and Sy No. 77/2 totally measuring 4Acres 1 Gunta.

It is evident from the records that the above said Owners 1) Mr. Nazeer Humayun, 2) Mrs.Iffath Fathima 3) Mr.Javeed Haroon applied for BBMP Khatha in respect of the land bearing Sy No. 77/1 measuring 1Acre 9 Guntas and Sy No. 77/2 measuring 2acres 01 Gunta situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk obtained an amalgamated khatha in respect of the said land totally measuring 3Acres 10 guntas and paid taxes in respect of the said property. It is observed during scrutiny that name of Iffath Fathima was wrongly mentioned as Smt. Firdous Fathima in the Joint Katha and subsequently Khatha was corrected.

It is evident from the records that Mr. Nazeer Humayun and Mr.Javeed Haroon by Oral Gift /Hiba conveyed their share of land in Sy No. 77/1 measuring 1Acre 09 Guntas and Sy No. 77/2 measuring 2Acres 01 Gunta to Mrs. Iffath Fathima dated 30-05-2020 and was put in possession of the said property. The above said Hibba / Oral Gift was reduced into writing on 27-08-2020 and subsequently Mr. Nazeer Humayun and Mr. Javeed Haroon executed a Deed of Confirmatin registered as Document No. 3737/2024-25 Dated 20-07-2004 confirming the Oral Gift Dated 30-05-2020 and 27-08-2020. Thus, Iffath Fathima acquired rights in land bearing Sy No.77/1 measuring 1Acre 09 Guntas and Sy No..77/2 measuring 2Acres 01 Guntas situated a Kyalasanahalli village, K.R.Puram Hobli, Bangalore.



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It is evident from the records that the above said Owner Mrs. Iffath Fathima entered into Joint Development Agreement with M/s Dishahabitat Shelters represented by its designated partner Mr. Raja Sekhar Kamisetty registered as document No. 11401/23-24 dated 2-1-2024 to develop land bearing Sy No.77/1 measuring 1acre 9 guntas along with land bearing Sy No.77/2 measuring 2Acre 1guntas both are situated at Kyalasanahalli village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

The above said owner also executed GPA registered as document No548/2023-24 dated 7-1-2024 in favor of M/s Dishahabitat Shelters LLP authorizing the developers to develop the said property by constructing an apartment building and to sell 70% of developers share of super built up area along with undivided interest in the land. The owners also authorized the developer to enter into an agreement in respect of owner's share of 30 % super built up area also.

The Village map, Tippani and Akarbandh shows the location and extent of land bearing Sy No.77/1 measuring 1 Acre 9 guntas and land bearing Sy No.77/2 measuring 2acres 1 gunta which are adjacent properties both constitute one single plot with common boundary.

Endorsement issued by Deputy Commissioner vide PTCL/CR/415/2011-12 Dated 15-4-2004 show that the provisions of PTCL Act are not applicable for the land bearing Sy.No. 77/1 measuring 1 Acres 39 guntas and Land bearing Sy No.77/2 measuring 2Acre 01 Gunta situated at Kyalasanahalli village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore.

Nil Tenancy Endorsement RD 0038115408907 dated 7-11-2023 and RD 0038115408908 dated 7-11-2023 issued by Tahasildar that no application under form 2,7,7A was filed in respect of land bearing Sy.No. 77/1 measuring 1 Acres 09 guntas and Land bearing Sy No.77/2 measuring 2Acre 01 Gunta.

ENCUMBRANCES:

Encumbrance Certificate in respect of land bearing Sy No. 15 measuring 4Acres for the period 15-02-1957 to 31-05-1989 reflects the sale deed doc. no:5400/1959-60 under which Ahmad saheb acquired titles and sale deed

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doc. no:2775/1963-64 under which Chikka Veerappa Reddy acquired titles and except that there were no encumbrances in respect of the said property for that period.

Encumbrance Certificate in respect of land bearing Sy No. 15 measuring 4Acres for the period 1-6-1989 to 19-4-2000 shows that there were no encumbrance for the said property for the said period..

Encumbrance Certificate in respect of land bearing Sy No. 77/1 for the period 16-9-1999 to 31-3-2004 reflects the sale deed doc. no:1091/2000-01 executed by C.Raghu Reddy in favour of Syed Ali (land measuring 1Acre 10guntas) and Sale deed doc. no:15148/2002-03 executed by Jayamma in favour of Javeed Haroon (land measuring 30guntas) and except that there were no encumbrances in respect of the said property for that period.

Encumbrance Certificate for the period 1-4-2004 to 2311-2023 in respect of land bearing Sy No. 77/1 shows that there were no encumbrances for the said property for the said period.

I Suggest the Developers to obtain Fresh EC in respect of Sy No. 77/1 measuring 1Acre 09 Guntas and Sy No. 77/2 measuring 2Acres 01 Gunta from 01-04-2000 to till date reflecting all entries.

EVIDENCE OF POSSESSION:

It is evident from the records that Land bearing Sy No. 77 measuring 3Acre 38 Guntas and 3 Guntas Kharab situated at Kyalasanahalli Village, K.R.Puram Hobli, Bangalore East Taluk, originally belongs to Chikka Veerappa Reddy who acquired the same under a Sale Deed registered as Document. No :2775/1963-64.

It appears from the records that after the death of Chikka Veerappa Reddy there was a partition in the Joint Family consisting of DoddaVeerappa Reddy brother of Chikka Veerappa Reddy and Smt. Lakshamma W/o Chikka Veerappa Reddy and C. Nanjappa Reddy, C.Raghu, C.Sridhar on 28-5-1992. Under the Deed of Memorandum of it was stated that as per oral

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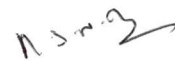
Partition among the members of the Joint family before the Panchayathdars dated 4-3-1974 the properties were partitioned and accordingly all the properties in 'A' Schedule were allotted to the share of Dodda Veerappa Reddy and all the properties in the 'B' Schedule were allotted to the share of Lakshmamma W/o Chikka Veerappa Reddy and their children.

It was evident from the records that under the above said Memorandum of Partition dated 28-5-1992 land bearing Sy No. 77 measuring 3Acres 10 Guntas out of 4Acres land bearing Sy No. 77 was allotted to the share of Smt. Lakshmamma W/o Chikka Veerappa Reddy and her children and land bearing Sy No.77 measuring 30 Guntas was allotted to the share of Dodda Veerappa Reddy thus land measuring 3 Acres 10 guntas was acquired by Lakshmamma and others.

Under the oral partition dated 30-5-1992 among the Joint Family members land measuring 1 Acre 10 guntas out of 3Acres 10 guntas was allotted to the share of Raghu Reddy and land measuring 2Acres out of 3Acres 10 Guntas in SyNo. 77 was allotted to Sridhar and Nanjappa Reddy was given land measuring 2Acres 25 Guntas in Sy No. 10 and accordingly mutation were also passed in their names vide MR 8/92-93.

Thus, Raghu Reddy acquired 1Acres 10 guntas in Sy No.77 and sold the said property to Mr. Syed Ali under a sale deed registered as document No.1091/2000-01 dated 8-5-2000. Mr. Srinivas Urf Sridhar Reddy S/o Chikka Veerappa Reddy who acquired 2Acres 1 gunta in Sy No.77 sold the said land to Mr. Syed Ali under sale deed registered as document No. 6299/1999-2000 dated 18-11-1999. Thus, the property was in possession and enjoyment of Late Chikka Veerappa Reddy family for more than 30 years and they sold the same to Mr. Syed Ali.

The above said Syed Ali under oral gift conveyed the property totally measuring 3 Acres 11 guntas (ie., Land bearing SyNo. 77/1 measuring 1Acre 10 Guntas and Sy No. 77/2 measuring 2Acres 01 Gunta) to his two sons Nazeer Humayun and Javeed Haroon and daughter in law Iffath Fathima W/o Nazeer Humayun jointly and the said oral gift was reduced



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into writing under a document dated 10-1-2001. The said document named as oral Gift /Hiba was signed by his wife Saleemunissa Begum as witness. Thus, land measuring 1Acre 9 guntas in Sy No.77/1 and 2 acres 1 Gunta in Sy No.77/2 was acquired by Nazeer Humayun, Javeed Haroon and Iffath Fathima jointly and got converted land from agricultural to non agricultural residential purpose.

Mr. Nazeer Humayun and Mr.Javeed Haroon by Oral Gift /Hiba converted the share of land in Sy No. 77/1 measuring 1Acre 09 Guntas and Sy No. 77/2 measuring 2Acres 01 Gunta to Mrs. Iffath Fathima dated 30-05-2020 and was put in possession of the said property. The above said Hibba / Oral Gift was reduced into writing on 27-08-2020 and subsequently Mr. Nazeer Humayun and Mr. Javeed Haroon executed a Deed of Confirmatin registered as Document No. 3737/2024-25 Dated 20-07-2004 confirming the Oral Gift Dated 30-05-2020 and 27-08-2020. Thus, Iffath Fathima acquired rights in land bearing Sy No.77/1 measuring 1Acre 09 Guntas and Sy No..77/2 measuring 2Acres 01 Guntas situated a Kyalasanahalli village, K.R.Puram Hobli, Bangalore and are in possession and enjoyment of the said property for more than 20 years and entered into Joint Development Agreement with M/s Dishahabitat Shelters registered as document No. 11401/23-24 dated 2-1-2024 to develop the said property.

DISCLAIMERS

This Report was prepared basing on the photo copies provided by client in respect of converted land bearing Sy No. 77/1 measuring 1Acre 09 Guntas and Sy No. 77/2 measuring 2Acres 01 Gunta situated at Kyalasanahalli village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore exclusively for the use of the Client only and it is not to be provided to or relied upon by, nor is any responsibility, duty or liability accepted to, any third party without our prior written consent.

We disclaim all and any liability and responsibility and shall not be liable or responsible in any manner nor entertain any claim in respect of any cost, charges, loss, penalty or damage etc., resulting from or incurred or suffered by any unauthorized person using our Report in any unauthorized manner or basing any action on it notwithstanding the cautions and limitations stated herein and at the appropriate places in the Report. We relied upon

the statements made by our clients and the information provided by them and we must also make it clear that we will not accept any responsibility or liability to the Client for any information obtained under disclaimer of responsibility for which we were not able to obtain independent verification.

This Report has been prepared pursuant to a diligence exercise carried out basing on the photo copies of the documents provided by clients. No personal verification or Independent verification was done by us with any Government office authority in respect of the correctness of the photo copies provided by clients or correctness of the documents or statements made by our clients. As instructed, the scope of our assignment does not extend to updating the report for events and circumstances occurring after the date of Report.

PRELIMINARY OPINION :

On perusal of the above documents I am of the opinion that Mrs. Iffath Fathima acquired good and marketable titles in respect of converted land bearing Sy No. 77/1 measuring 1Acre 09 Guntas and Sy No. 77/2 measuring 2Acres 01 Guntas situated at Kyalasanahalli village, K.R.Puram Hobli, Bangalore East Taluk, Bangalore and by virtue of Joint Development Agreement registered as document No. 11401/23-24 dated 2-1-2024 and General Power of Attorney registered as Document No. 548/23-24 Dated 2-1-2024 M/s Disha Habitat Shelters LLP acquired rights to develop the said property along with other properties by constructing apartment building and to sell Developers share of super built up area along with undivided interest in the land.

Date: 05-10-2024

Place: Bangalore


(R. S. N. Benarjy)**Advocate**