

# **M.L. CHATURVEDI**

**B.A., LL.M.**

**ADVOCATE, HIGH COURT**

1-B/1205, Dheeraj Enclave Towers, Behind Annex Mall, Western Express Highway, Borivali (E), Mumbai – 400 066  
Tel : 32685684 • Email ID : ml\_chaturvedi@yahoo.co.in

## **TITLE CERTIFICATE** **TO WHOMSOEVER IT MAY CONCERN**

1. By virtue of an Indenture of Conveyance executed on 22<sup>nd</sup> March 1963 by and between DHANJISHA R. JAVERI AND HILLA BURJORJI MEHTA of the One Part, RUPCHAND HAJARMAL, TARACHAND KRISHNAJI, KESARIMAL KRISHNAJI, BHIKAMCHAND OKAJI, VARDICHAND UDECHAND AND UMEDMAL HAJARIMAL of the Second Part and ANILINE DYESTUFFS & PHARMACEUTICAL PRIVATE LIMITED of the Third Part which was registered with Sub-Registrar of Thane vide Serial No. 230 dated 26<sup>th</sup> July 1963, the said Dhanjisha R. Javeri and Others sold transferred and conveyed to Aniline Dyestuffs & Pharmaceutical Private Limited the land bearing survey No. 163 Hissa No. 9 (part) of village Kavesar District Thane admeasuring 12 Gunthas and Survey No. 165 Hissa No. 1 (part) admeasuring 8.4 Gunthas in aggregate 20.4 Gunthas equivalent to 2040 sq.mts more particularly described in the First Schedule hereunder written.
2. By an Indenture of Conveyance executed on 26<sup>th</sup> April 1963 by and between Poonamchand Nathaji & Company, a partnership firm, through its Partners HAJARIMAL POONAMCHAND AND CHHAGANLAL BHABHUTMAL of the first part, PUKHRAJ HAJARIMAL of the second part, SURFACTANT PRIVATE LIMITED of the third part and ANILINE DYESTUFFS & PHARMACEUTICAL PRIVATE LIMITED of the Fourth Part which was registered with Sub-Registrar of Thane vide Serial No. 327 dated 26<sup>th</sup> April 1963, the said Poonamchand Nathaji & Company sold transferred and conveyed to Aniline Dyestuffs & Pharmaceutical Private Limited the land bearing Survey No. 166 Hissa No. 11(part), 15 (part), 22(part) and 4 of village Kavesar District Thane in aggregate admeasuring 31 Gunthas equivalent to 3100 sq.mts more particularly described in the Second Schedule hereunder written.
3. By an Indenture of Conveyance executed on 30<sup>th</sup> August 1963 by and between MANIJEH ARDESHIR DOCTOR, SOHRAB ARDESHIR HAKIM AND SILLOO DHUNNISHAW MISTRI of the First Part, MINOO PIROJSHA VAZIFDAR of the Second Part, SURFACTANT PRIVATE LIMITED of the Third Part and ANILINE DYESTUFFS & PHARMACEUTICAL PRIVATE LIMITED of the Fourth Part,

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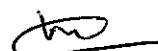
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registered with Sub-Registrar of Thane vide Registration No. 1083 dated 21<sup>st</sup> Dec 1963, the said Manijeh Ardeshir Doctor & Others sold transferred and conveyed to Aniline Dyestuffs & Pharmaceutical Private Limited the land bearing Survey No. 166 Hissa No. 7 & 9(part) admeasuring 4 acres and 18 Gunthas equivalent to 17800 sq.mts more particularly described in the Third Schedule hereunder written.

4. By an Indenture of Conveyance executed on 11<sup>th</sup> June 1964 by and between ATRARAM NARAYAN SHINGE of the One Part and ANILINE DYESTUFFS & PHARMACEUTICAL PRIVATE LIMITED of the Other Part, registered with Sub-Registrar of Thane vide Registration No. THN/806/1/18 of 1964 dated 11<sup>th</sup> June 1964, the said Atraram Narayan Shinge sold transferred and conveyed to Aniline Dyestuffs & Pharmaceutical Private Limited the land bearing Survey No. 166 Hissa No. 8 and Hissa No. 10(part) of Village Kavesar District Thane admeasuring 1 acre and 16.5 Gunthas equivalent to 5650 sq.mts more particularly described in the Fourth Schedule hereunder written.
5. By an Indenture of Conveyance executed on 7<sup>th</sup> July 1964 by and between GOPINATH NATHU SHINGE of the One Part and ANILINE DYESTUFFS & PHARMACEUTICAL PRIVATE LIMITED of the Other Part, registered with Sub-Registrar of Thane vide Registration No. THN/912/1/8 of 1964 dated 7<sup>th</sup> July 1964. The said Gopinath Nathu Shinge sold transferred and conveyed to Aniline Dyestuffs & Pharmaceutical Private Limited the land bearing Survey No. 166 Hissa No. 5 of Village Kavesar, District Thane admeasuring 21 Gunthas equivalent to 2100 sq.mts more particularly described in the Fifth Schedule hereunder written.
6. By a Deed of Exchange executed on 13<sup>th</sup> July 1965 by and between THE ANILINE DYESTUFFS & PHARMACEUTICAL PRIVATE LIMITED of the One Part and ABDUL RAZAK JUSUFBHAI ALLANA, PROPRIETOR OF SIRAZ SOAP FACTORY, registered with Sub-Registrar of Thane vide Registration No. THN/794/1/20 dated 11<sup>th</sup> August 1965, the said Aniline Dyestuffs & Pharmaceutical Private Limited and Abdul Razak Jusufbhai Alina, Proprietor of Siraz Soap Factory exchanged their respective lands and by virtue of the said Deed of Exchange the land bearing Survey No. 163 Hissa No. 5(part), 6(part), 7(part) and 8(part) of Village Kavesar, District Thane admeasuring 27.04 Gunthas equivalent to 2704 sq.mts more particularly described in the Sixth Schedule hereunder written.



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7. By an Indenture of Conveyance executed on 13<sup>th</sup> July 1965 by and between SHAIKH ALLI SHAIKH MOHAMED WADEKAR of the first part, MARIAMBIBI of the Second Part, SHESHMAL SARICHAND & MALTANMAL ANOPCHAND of the Third Part and SURFACTANT PRIVATE LIMITED of the Fourth Part, ABDUL RAJAZ JUSUFBHAI ALLANA PROPRIETOR OF SIRAZ SOAP FACTORY and MOHAMED HUSSEIN JUSUFBHAI ALLANA of the Fifth Part and ANILINE DYESTUFFS & PHARMACEUTICAL PRIVATE LIMITED of the Sixth Part, registered with Sub-Registrar of Thane vide Registration No. THN/795/1/16 of 1965 dated 11<sup>th</sup> August 1965, the said Shaikh Alli Shaikh Mohamed Wadekar sold transferred and conveyed to Aniline Dyestuffs & Pharmaceutical Private Limited the land bearing Survey No. 166 Hissa No. 6(part), 12(part), 13(part), 14(part), 24(part), 30(part) and Survey NO. 167 of Village Kavesar, District Thane admeasuring 2 acres 18.12 Gunthas equivalent to 9812 sq.mts more particularly described in the Seventh Schedule hereunder written.
8. By an Indenture of Conveyance executed on 6<sup>th</sup> August 1965 by and between SURFACTANT PRIVATE LIMITED of the One Part and ANILINE DYESTUFFS & PHARMACEUTICAL PRIVATE LIMITED of the Other Part, registered with Sub-Registrar of Thane vide Registration No. THN/917/1/9/1965 dated 21<sup>th</sup> August 1965, the said Surfactant Private Limited sold transferred and conveyed to Aniline Dyestuffs & Pharmaceutical Private Limited the land bearing Survey No. 163 Hissa No. 9(part), Survey No. 165 Hissa 1(part) & 2(part), Survey No. 166 Hissa No. 9(part), 10(part), 11(part), 15(part), 16(part) and 22(part) of Village Kavesar, District Thane admeasuring 1 acre 30 Gunthas equivalent to 7000 sq.mts more particularly described in the Eighth Schedule hereunder written.
9. I have observed that formerly the said land was agricultural land and it was subsequently converted into non-agricultural and the said ANILINE DYESTUFFS & PHARMACEUTICAL PRIVATE LIMITED started Industrial activities on the said land.
10. By an Indenture of Mortgage executed on 4<sup>th</sup> November 1980 by and between ANILINE DYESTUFFS & PHARMACEUTICAL PRIVATE LIMITED of the First Part and THE MAHARASHTRA STATE FINANCIAL CORPORATION LIMITED



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4

of the Second Part, registered with Sub-Registrar of Bombay under Srl.No. R/2367/80 of Book No. I and IV dated 4<sup>th</sup> November 1980, the said Aniline Dyestuffs & Pharmaceutical Private Limited mortgaged land bearing Survey No. 163 Hissa No. 9 & 5, Survey No. 165 Hissa 1 & 2, Survey No. 166 Hissa No. 6 to 16 and Survey No. 166 Hissa No. 22, 24, 30 and Survey No. 167 of Village Kavesar, District Thane. The said Aniline Dyestuffs & Pharmaceutical Private Limited have produced before me a No Due Certificate issued by The Maharashtra State Financial Corporation Limited dated 22<sup>nd</sup> April 1991 from which it is clear that the liability of The Maharashtra State Financial Corporation Limited has been discharged by Aniline Dyestuffs & Pharmaceutical Private Limited.

11. By a certificate dated 12<sup>th</sup> December 2008 issued by the Deputy Registrar of Companies, Maharashtra, Mumbai, it is certified that the name of Aniline Dyestuffs & Pharmaceutical Private Limited has been now changed to Aniline Construction Company Private Limited and as such the correct name of the Company as on today is as mentioned above.
12. I have caused searches of the property made from the office of Sub-Registrar of Mumbai, and I have found that an Indenture of Mortgage was executed by the said Company Aniline Dyestuffs & Pharmaceutical Private Limited on 7<sup>th</sup> October 2008 in favour of Housing Development Finance Corporation Ltd (HDFC) whereby the Company has mortgaged the said property in favour of HDFC in view of the facility obtained by the said Company for meeting with the cost of construction of the project undertaken by the said company.
13. I have also perused the papers and documents mentioned above.
14. In the year 2014, the Company decided to issue upto 7700 shares secured optional fully convertible debentures carrying a face value of Rs. 1,00,000/- each having an aggregate amount of upto Rs. 77 crores and for that purpose, appointed IDBI Trusteeship Services Ltd as a Debenture Trustees. The Company accordingly, executed Debenture Trust Deed 15/05/2014 in favour of the said IDBI Trusteeship Services Ltd hereinafter referred to as 'Debenture Trustee', which Debenture Trust Deed was registered with Second Sub Registrar, Thane -7, vide Registration No. 3988/2714 dated 15/05/2014.

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5

15. The Company also repaid in full the mortgage amount to Housing Development Finance Corporation Ltd (HDFC) and in pursuance thereof, HDFC executed Deed of Reconveyance dated 18/10/2014 which was duly registered with Joint Sub-Registrar-2, Thane-4, vide Registration No. 5958/2014 dated 18/10/2014. As such, the Company has paid off its liability to HDFC Ltd.
16. By Supplemental Debenture Trust Deed dated 04/12/2014, the Company increased the amount of Debenture from Rs. 77 Crores to Rs. 125 Crores, which was registered with the Joint Sub-Registrar-7 vide Registration No. TNN7-9702/2014 dated 26/12/2014.

In view of the facts mentioned above, and papers and documents perused, I have found that the title of Aniline Construction Company Private Limited formerly known as Aniline Dyestuffs & Pharmaceutical Private Limited is clear and marketable subject to the IDBI Trust Deed created in favour of IDBI Debenture Trusteeship Services Ltd as as mentioned above.

## **THE SCHEDULE OF THE PROPERTY**

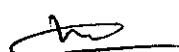
### **First Schedule**

All those pieces or parcels of agricultural lands situate at Village Kavesar in Thane District part of the lands and in the Registration District and Sub-District Thana, bearing Survey Nos. 163 Hissa No. 9(part) and CTS No. 165 Hissa No. 1(part), admeasuring 20.4 Gunthas equivalent to 2040 sq.mts.

### **Second Schedule**

All those pieces or parcels of agricultural land or ground situate at Village Kavesar in Thane District in the Registration Sub-District Thane District Thana bearing Survey No. 166 Hissa No. 11(part), 15(part), 22(part) and 4, admeasuring 31 Gunthas equivalent to 3100 sq.mts.

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6

## **Third Schedule**

All those pieces or parcels of agricultural lands situate at Village Kavesar in Thane District in the Registration Sub-District Thana, District Thana bearing Survey No. 166 Hissa No. 7 and 9(part), admeasuring 4 acres and 18 Gunthas equivalent to 17800 sq.mts.

## **Fourth Schedule**

All those pieces or parcels of agricultural lands situate at Village Kavesar in Thane District in the Registration Sub-District Thana District Thana bearing Survey No. 166 Hissa No. 8 and Hissa No. 10(part), admeasuring 1 acre and 16.5 Gunthas equivalent to 5650 sq.mts..

## **Fifth Schedule**

All those pieces or parcels of agricultural lands situate at Village Kavesar in Thane District in the Registration Sub-District Thana District Thana bearing Survey No. 166 Hissa No. 5 admeasuring 21 Gunthas equivalent to 2100 sq.mts

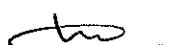
## **Sixth Schedule**

All those pieces or parcels of agricultural vacant land or ground situate lying and being at Village Kavesarin the Registration Sub-District of thana District Thana bearing Survey No. 163 Hissa No. 5(part), 6(part), 7(part) and 8(part), admeasuring 27.04 Gunthas equivalent to 2704 sq.mts.

## **Seventh Schedule**

All those pieces or parcels of agricultural land or ground situate lying and being at Village Kavesar District Thana in Registration Sub-District Thana bearing Survey No. 166 Hissa No. 6(part), 12(part), 13(part), 14(part), 24(part), 30(part) and Survey NO. 167 of Village Kavesar, District Thane admeasuring 2 acres 18.12 Gunthas equivalent to 9812 sq.mts.

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7

## **Eight Schedule**

All those pieces or parcels of agricultural land or ground situate at Village Kavesar in the Registration Sub-District Thane District Thana bearing Survey No. 163 Hissa No. 9(part), Survey No. 165 Hissa 1(part) & 2(part), Survey No. 166 Hissa No. 9(part), 10(part), 11(part), 15(part), 16(part) and 22(part) of admeasuring 1 acre 30 Gunthas equivalent to 7000 sq.mts

Dated 19<sup>th</sup> day of February 2016

  
**M. L. CHATURVEDI**  
**Advocate**