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**TITLE REPORT DATED 22.01.2024**  
**PROPERTY II**  
**MUNICIPAL NO. 54 (PID No.73-50-54)**

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 **TATVALEGAL**  
Bangalore  
Advocates  
*[Restricted and Confidential]*



**TITLE REPORT****A. Description of Property:**

The objective of this due diligence exercise is to investigate title to the Property (*defined hereinafter*) described in Part E of this title Report ("the **Report**") based on review of the documents furnished to us, description whereof is given in Part D of this Report.

**B. Scope of Limitation:**

The scope of our review and of this Report is subject to the following limitations:

- (i) While performing the review, we have assumed the (a) genuineness of all signatures, (b) accuracy and correctness of all information / representations provided / made to us, including the facts that are mentioned in agreements, executed copies of documents and government records, (c) authenticity of copies of all documents submitted to us as originals, (d) conformity of the copies or extracts submitted to us with the originals thereof, (e) correctness of all information provided to us in respect of the litigations in respect of the Property including the fact that no appeals or revisions have been filed in respect of the relevant suits / litigations and (f) compliance with all legal requirements by the parties concerned with the Property.
- (ii) We have only examined issues pertaining to the ownership of the Property and have not examined issues pertaining to (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Property; (b) business, regulatory and financial issues of the present or previous owners of the Property; and (c) other matters that do not directly affect the ownership of the Property.
- (iii) For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report.
- (iv) We have assumed that there are no outstanding / dues payable by the present / previous owners of the Property to any government / statutory authority (including any tax / cess dues) or local body and that the Property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws.



- (v) Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Property, as analyzed by us from the information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report.

**C. Confidentiality:**

The contents of this Report are confidential. Neither this Report nor any of its contents may be disclosed to any person other than to the professional advisers, officers and employees of **Suruchi Properties Private Limited** who are directly involved in the proposed transaction relating to the Property. We accept no responsibility to any person other than to **Suruchi Properties Private Limited** in relation to the contents of this Report.

**D. Documents Examined:**

We have been provided with and have examined the photocopies of the documents listed in Annexure – A to this Report for the purpose of carrying out title due diligence on the Property

**E. Description of Property:**

All that piece and parcel of the immovable property being the land originally bearing Municipal No. 54 (PID No.73-50-54) measuring 21780 square feet, comprised in the earlier land bearing Survey No. 146/1 situated at Ward No. 73, Muniyallappa Garden, Kodihalli, Bengaluru, now forming part of the amalgamated Municipal No. 64 (PID No. 73-63-64), New Ward No. 113, Kodihalli, Bengaluru, hereinafter referred to as “Property II”.  
*(Boundaries cannot be ascertained from the documents provided)*

**F. Findings Based On Documents Examined:**

**I. Title:**

1. On perusal of the documents furnished to us, we note that, the land bearing Municipal No. 54 measuring 21,780 square feet situated at Ward No. 73, Muniyallappa Garden, Kodihalli, Bengaluru is part of the land bearing Survey No. 146/1 measuring 1 Acre situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk.
2. We note that, Kodihalli was an Inam Village. On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 coming into force in respect of the lands situated at Kayam (Gurha



Kodihalli Village vide its Notification dated 15.09.1956, all the lands situated at Kodihalli Village vested with the Government of Karnataka (Document No. 1).

3. One Mr. Bobanna Reddy (son of Mr. Kenchappa) along with this nephew Master Narayana Reddy (son of Mr. Kuarappa) applied for the re-grant of the land bearing Survey No. 146/1. We note the Order dated 15.06.1958 passed in the Case No. 149 of 1957-58 by the Special Deputy Commissioner of Inam Abolitions, Bengaluru whereunder Mr. Bobbanna Reddy and Master Narayana Reddy were registered as Kadim tenant in respect of the said land (Document No. 2). The aforementioned order does not specify any restrictions with respect to the transferability of the said land.
4. Extract of Register VIII (*Inam Register*) maintained in respect of Kodihalli Village reflects Mr. Bobbanna Reddy and Master Narayana Reddy as the joint holders and occupants of the land bearing Survey No. 146/1 measuring 1 Acre situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk (Document No. 3).
5. Record of Rights, Tenancy and Crop Inspection ("RTCs") issued in respect of the land bearing Survey No. 146/1 measuring 1 Acre situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1969-70 to 1975-76 reflect the name of Mr. K. Bobbanna Reddy and Mr. Narayana Reddy as holders thereof (Document No. 4).
6. From the Release Deed dated 21.08.1970 (detailed below), it appears that Mr. Bobbanna Reddy and his elder brother Late Mr. Kuntanna alias Muninagappa (father of Mr. Narayana Reddy) constituted a joint family and the properties constituted their joint family properties. We further note from the Release Deed dated 21.08.1970 that Mr. Bobbanna Reddy had demised prior to the year 1970.
7. Mr. Narayana Reddy (son of Late Mr. Kuntanna @ Muninagappa) along with his mother Mrs. Kandamma (wife of Late Mr. Kuntanna @ Muninagappa) and sisters Mrs. Nallayamma and Mrs. Chinnamma (daughters of Late Mr. Kuntanna @ Muninagappa) executed a Release Deed dated 21.08.1970 in favour of Mr. Annaiah Reddy (son of Late Mr. Bobbanna Reddy) (Document No. 5). The said Release Deed appears to be in the nature of partition, wherein family members of Late Mr. Kuntanna @ Muninagappa have identified the 10 properties of the joint family properties (Late Mr. Bobbanna Reddy & Late Mr. Kuntanna @ Muninagappa) over which they have retained interest and they have stated that they do not have any right, title and interest with respect to the other properties (including Property II) and that the same would belong to the family of Late Mr. Bobbanna Reddy (i.e., father of Mr. Annaiah Reddy). Under the said Release Deed dated 21.08.1970:
  - (a) the family members of Late Mr. Kuntanna @ Muninagappa have retained 20 guntas out of the total extent of 1 acre in Survey No. 146/1 situated at Kodihalli Village; and



- (b) have released their rights, title and interests over the remaining extent of 20 guntas in the land bearing Survey No. 146/1 (i.e., Property II) in favour of Mr. Annaiah Reddy (son of Late Mr. Bobbanna Reddy).
8. Mrs. Muniyamma (daughter of Late Mr. Bobbanna Reddy) executed a Release Deed dated 26.02.1970 in favour of Mrs. Devamma (wife of Late Mr. Bobbanna Reddy) and Mr. Annaiah Reddy (son of Late Mr. Bobbanna Reddy), releasing all her rights, claims and interests in respect of all the properties (including the land bearing Survey No. 146/1) acquired by Late Mr. Bobbanna Reddy in lieu of the allotments of various other properties as specified therein in favour of Mrs. Muniyamma (Document No. 6)
9. We have been provided with the Genealogical Tree of Mr. Bobbanna Reddy reflecting the names of his family members viz.. (Document No. 7)
- a. Late Mrs. Kunnamma, Late Mrs. Chinnakamma, Late Mrs. Devamma (all wives of Late Mr. Bobbanna Reddy);
  - b. Mrs. Muniyamma (daughter of Late Mr. Bobbanna Reddy);
  - c. Late Mr. Annaiah Reddy (son of Late Mr. Bobbanna Reddy), Mrs. Bamma (wife of Late Mr. Annaiah Reddy);
    - (i) Mrs. A. Saraswathamma, Mrs. Uma, Mrs. Shantha, Mrs. Prema (daughters of Late Mr. Annaiah Reddy);
    - (ii) Mr. Jayarama Reddy (son of Late Mr. Annaiah Reddy), Mrs. Padma (wife of Mr. Jayarama Reddy), Mr. Shivakumar, Mrs. Gayathri and Mrs. Greetha (children of Mr. Jayarama Reddy);
    - (iii) Late Mr. Narayan Reddy (son of Late Mr. Annaiah Reddy), Mrs. Leelavathi (wife of Late Mr. Narayan Reddy), Mrs. Rajalakshmi and Mrs. Monisha (daughters of Late Mr. Narayana Reddy);
    - (iv) Mr. A. Srinivas Reddy (son of Late Mr. Annaiah Reddy);
    - (v) Mr. Venkatesh (son of Late Mr. Annaiah Reddy)
10. Record of Rights, Tenancy and Crop Inspection ("RTCs") issued in respect of Survey No.146/1 measuring 1 Acre of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1971-72 to 1986-87, reflects the names of Mr. K. Bobbanna Reddy for an extent of 20 Guntas and Mr. Annaiah (son of Mr. Bolappa) for an extent of 20 Guntas as the holders thereof. Further, the RTCs for the years 1992-93 to 1996-97 reflects the names of Mr. K. Bobbanna Reddy for an extent of 20 Guntas and Mrs. Akkamma (wife of Mr. Annaiah and daughter in law of Late Mr. Bolappa) for an extent of 20 Guntas to be the owners thereof.
11. It appears that, the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB"), Bengaluru and as per the khata registers maintained by the HASB, new HASB Khata numbers were allotted to all the land parcels including Sy. No.146/1 (HASB Khata). The HASB Khata numbers allotted to the portion allotted Mr.

Annaiah Reddy (son of Late Mr. Bobbanna Reddy) (which was inherited by his wife Balamma) in Sy. No. 146/1 is as follows: i) No.146/1A measuring 4961.25 Sq. Ft., ii) No.146/1B measuring 5325 Sq. Ft., iii) No.146/1C measuring 5852 Sq. Ft., and iv) No. 146/1D measuring 5852 Sq. Ft. (together measuring about 21,990.25 square feet, which is about 20.19 Guntas), as evidenced by the extract of Assessment List for the building and land for the years 1988-89 issued by HIASB for the land bearing HIASB Khata Nos. 146/1A, 146/1B, 146/1C and 146/1D which reflects the owner to be Mrs. Balamma thereof (Document Nos. 8 & 9).

12. Thereafter, said Mrs. Balamma (wife of Late Mr. B. Annaiah Reddy) together with her children, Mr. A. Srinivasa Reddy, Mr. Venkatesha Reddy, Mrs. Saraswathi, Mrs. Uma, Mrs. Shanta, Mrs. Prema and grandson Mr. Shiva Kumar conveyed the land bearing No.146/1A measuring 4961.25 Sq. Ft., No.146/1B measuring 5325 Sq. Ft., No.146/1C measuring 5852 Sq. Ft., and No. 146/1D measuring 5852 Sq. Ft. (together measuring about 21,990 square feet, which is about 20.19 guntas) all situated at Kodihalli Village, Varthur Hobli in favour of Medical Relief Society of South Kanara under different four Sale Deeds all dated 29.09.2000 (Document Nos. 10 to 13).

**Observation:** It is pertinent to be noted that by virtue of the Release Deed dated 21.08.1970, the legal heirs of Late Mr. B. Annaiah Reddy (son of Mr. Bobbanna Reddy) would acquire title only in respect of 20 Guntas which is equivalent to 21780 Sq. Ft., However, legal heirs of late Mr. B. Annaiah Reddy have transferred an extent of 21,990 Sq. Ft., in favour of Medical Relief Society of South Kanara under different four Sale Deeds all dated 29.09.2000 (i.e., 210 Sq.Ft., in excess). Consequently, Medical Relief Society of South Kanara would acquire title only in respect of 21780 Sq. Ft., and not 21990 Sq. Ft., of land.

**Observation:** We note that, Mrs. Padma (wife of Late Mr. Jayarama Reddy, and daughter in law of Late Mr. Annaiah Reddy) and her two daughters Ms. Gayathri and Ms. Geetha; Mrs. Leelavathi (wife of Late Mr. Narayana Reddy and daughter in law of Late Mr. Annaiah Reddy) and her children Ms. Rajalakshmi and Ms. Monisha have not joined in the execution of the aforementioned 4 Sale Deeds dated 29.09.2000 conveying the land bearing Survey No. 146/1 and their interests in the land have not been conveyed.

In this regard, Suruchi Properties Private Limited ("Suruchi") has informed us that Mrs. Leelavathi has filed a suit for partition with respect to the other properties of Late Mr. Annaiah Reddy which is presently pending. Suruchi is contesting the said suit at present and that Suruchi would look to settle the dispute with Mrs. Leelavathi. At the time of settling the said dispute with Mrs. Leelavathi, Suruchi would obtain a registered Confirmation Deed from all the family members of Late Mr. Annaiah Reddy who had not joined in the execution of the Sale Deeds dated 29.09.2000.



13. Said Medical Relief Society of South Canara later agreed to sell the land bearing HASB Khata Nos. 146/1A, B, C & D which was allotted with the Municipal No. 54 measuring 21990 Sq. Ft., situated at Muniyellappa Garden, Kodihalli, Airport Ward No.73, Bengaluru in favour of Mr. P. Dayananda Pai under an Agreement of Sale dated 09.03.2004 (Document No. 14). The said Mr. P. Dayananda Pai further assigned the rights to Suruchi Properties Pvt. Ltd., by way of a Nomination Agreement dated 09.03.2004 (Document No. 15).
14. Subsequently, when the lands situated at Kodihalli Village including Sy. No.146/1 appears to have come within the administrative jurisdiction of the then Bangalore Mahanagara Palike now Bruhat Bengaluru Mahanagara Palike and were assessed for tax by the Bangalore Mahanagara Palike. In this regard we note the Receipt bearing No. 53211 dated 16.01.2006 issued by the Bangalore Mahanagara Palike evidencing the payment of betterment charges in respect of the land bearing HASB Khata Nos. 146/1A to 146/1D admeasuring 21,990 square feet at the rate of Rs. 100 per square yard by Medical Relief Society of South Kanara (Document No. 16).
15. We note the Special Notice bearing No. Ward/73/K/1852/2004-05 dated 17.01.2006 issued by the Bangalore Mahanagara Palike which evidences that land bearing HASB Khata Nos. 146/1A, 146/1B, 146/1C and 146/1D measuring 21,990 square feet has been allotted with Municipal No. 54 in the records of Bangalore Mahanagara Palike (Document No. 17). It is further noted that the Special Notice also reflects the assessment of the property tax in respect of the said property and also shows the estimate of the tax payable in respect thereof for the years 1994-95, 1996-97 to 2005-06.
16. We have been provided with and we note the Khata Extract and Khata Certificate dated 10.11.2009 issued by the Bruhat Bengaluru Mahanagara Palike ("BBMP") certifies that the land bearing Municipal No. 54 measuring 21,990 square feet situated at Ward No. 73, Kodihalli, Bengaluru stands in the name of Medical Relief Society of South Kanara in their records (Document No. 18).
- Observation:** It has been represented that the said Medical Relief Society of South Canara started paying property tax to the office of the BBMP as per the tax assessed. We have been also informed that at the time of assessment made by the office of Bangalore Mahanagara Palike they had physically measured the property and based on the physical measurement the assessment was fixed for the actual area on ground and khata has been issued in respect of extent. It is pertinent to note that Medical Relief Society of South Canara would acquire title only in respect of 21780 Sq. Ft., and not 21990 Sq. Ft., of land in the erstwhile Sy. No.146/1.
17. Subsequently, Suruchi Properties Pvt. Ltd., has sought for the specific performance of Agreement of Sale and Nomination Agreement both dated 09.03.2004 referred to in paragraph 13 above, before the Arbitral Tribunal which consisted of sole Arbitrator against

Medical Relief Society of South Canara and Mr. Dayanand Pai. The said Tribunal passed an Award on 30.11.2007 (the said Award was registered on 14.03.2008) directing Suruchi Properties Pvt. Ltd., to pay the due amounts to Medical Relief Society of South Canara and Mr. P. Dayananda Pai. Further said Tribunal also ordered 'directed Medical Relief Society of South Canara and Mr. P. Dayananda Pai to transfer the land bearing HASB Khata No. 146/1A, B, C & D was allotted with the Municipal No. 54 measuring 21940 Sq. Ft., situated at Muniyellappa Garden, Kodihalli, Airport Ward No.73, Bengaluru to Suruchi Properties Pvt. Ltd., in terms of the Award (Document No. 19). We note that pursuant to the Award, the parties have not executed a separate conveyance deed. However, the Award dated 30.11.2007 has been registered along with the subsequent Minutes of the Meeting dated 28.02.2008 recorded by the Arbitrator which records (a) passing of consideration from Suruchi Properties Private Limited to Medical Relief Society of South Canara, (b) delivery of physical possession and handing over of the original documents by Medical Relief Society of South Canara and Mr. Dayanand Pai in favor of Suruchi Properties Private Limited. In this regard, we note that the Arbitrator (acting on behalf of the claimant and the respondents) presented the Award for registration before the jurisdictional sub-registrar and the jurisdictional sub registrar has treated the same as an instrument of conveyance and has levied duty likewise. We note that the instrument has been released by the jurisdictional sub-registrar after completing all the registration formalities (Document No. 54).

18. Suruchi Properties Pvt. Ltd. has executed and registered a Development Agreement dated 03.02.2011 with Salarpuria Realtors Private Limited to develop the land bearing various municipal numbers totally admeasuring 4,23,867 square feet (which includes land bearing Municipal No. 54) situated at Kodihalli, Ward No. 73, Airport Road, Bengaluru on the terms and conditions set out therein (Document No. 20) Suruchi has executed and registered a General Power of Attorney dated 04.02.2011 authorising and appointing the developer, Salarpuria Realtors Private Limited as its attorney in respect of lands admeasuring 4,27,867 square feet to do various acts, deeds and things in the connection with the development of the lands in the manner as specified therein (Document No. 21). The power of attorney also entitles the attorney to raise and borrow loan or financial assistance by creating the equitable mortgage on security of the developer's share of receivables together with the undivided share right title and interest and ownership in the land.

## 11. Revenue Records and Endorsements

19. We have been provided with Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura, to the effect that the RTCs issued in respect of the land bearing Survey No. 146/1 for the years 1969 to 1970 and 1997 to 2001 are not available and hence cannot be provided (Document No. 22).



20. We have been furnished with a map of Kodihalli Village which shows the location of the land bearing Survey No. 146 in the said village (Document No. 23).
21. Tippany issued in respect of land bearing Survey No. 146/1 of Kodihalli Village shows the shape and boundaries of the land (Document No. 24).
22. The Revision Settlement Akarbandh issued in respect of the land bearing Survey No. 146/1 confirms the total extent of the said land bearing to be 1 Acre (Document No. 25).
23. The Tahasildar, Bengaluru East Taluk, Bengaluru has issued an Endorsement dated 18.04.2005 to the effect that no applications have been filed in respect of the land bearing Survey No. 146/1 situated at Kodihalli Village under Sections 48(1) in Form 7, 7a of the Karnataka Land Reforms Act, 1961 (Document No. 26).
24. The Assistant Commissioner's Office, Bengaluru North Taluk, has issued endorsement dated 17.02.2012 to the effect that, as per the records maintained in the said office, no proceedings have been filed in respect of the land bearing Survey No. 146/1 situated at Kodihalli Village under Sections 79(A) & 79(B) of the Karnataka Land Reforms Act, 1961 (Document No. 27).
25. We have not been furnished with an endorsement issued by the jurisdictional Assistant Commissioner stating that the Property II does not come under the purview of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 and no proceedings have been filed / pending / disposed off in respect of the Property II under the provisions of the said enactment. It has been represented that no applications have been filed under the provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of Property II and in this regard Suruchi Properties Private Limited have not received any notice or intimation with respect to the same.

### III. Khata and Tax Receipts:

26. We have been provided with Khata Certificate and Khata Extract dated 14.10.2011 issued by BBMP certifying that the land bearing Municipal No. 54 admeasuring about 21990 square feet situated at Ward No. 73, Kodihalli, Muniyellappa Garden, Kodihalli, Bengaluru stands in the name of Suruchi Properties Private Limited in the register of BBMP (Document No. 28).

**Observation:** In view of our observation made above, Suruchi would have title to an extent of 21780 square feet in Municipal No. 54. The BBMP Khata in respect of Municipal No. 54 will have to be rectified to reflect the correct extent for which Suruchi has title and is in possession of.



In this regard, it is pertinent to note from the special notice issued by the BBMP (detailed below) that various land parcels owned and possessed by Suruchi in Kodihalli Village (including the lands on which Suruchi has development rights, which is presently owned by Mrs. Sharadamma) bearing different municipal numbers (which constitute the Project Lands) have been amalgamated and single composite number (i.e., 73-63-64) measuring an aggregate extent of 3,54,306 square feet and all the remaining municipal numbers earlier assigned to the amalgamated land parcels and their standalone assessment shall be deleted from the revenue records to be maintained by BBMP (**Deleted Municipal Numbers**). The demand notice is silent on the assignment of a new number to the land parcels owned by third parties who were owners of a portion of land bearing one of the Deleted Municipal Numbers which was not acquired by Suruchi.

27. We have been provided with 3 Receipts dated 21.02.1995 issued by HASB evidencing the payment of property tax in respect of the land bearing HASB Khata Nos. 146/1B to 146/1D situated at Kodihalli Village for the year 1994-95 by Mrs. Balamma (Document No. 29).
28. We also note the Receipt bearing Nos. (a) 239053 dated 20.01.2006 evidencing payment of property tax in respect of the land bearing Municipal No. 54 for the second half of 1994-95 to 2005-06 and (b) 640033 dated 01.03.2007 evidencing payment of property tax in respect of the land bearing Municipal No. 54 for the year 2006-07 by Medical Relief Society of South Kanara (Document Nos. 30 & 31).
29. Receipt bearing No. 22233000121 dated 10.08.2022 issued by BBMP Revenue Department evidencing payment of property tax in respect of the land bearing Municipal No. 54 for the year 2022-23 (Document No. 32).
30. It is noted that Suruchi appears to have made an application to the BBMP for the amalgamation of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot on the basis of the Modified Work Order dated 27.12.2021 sanctioned by the BDA referred to hereinafter and the B Kharah Realignment Order bearing No. LND (E) CR/226/2017-18 dated 05.03.2019 passed by the Deputy Commissioner, Bengaluru District.
31. We have been provided with a Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by Assistant Revenue Officer, Jeevanbhima Nagar Sub-Division, BBMP, wherein based on the documents submitted by Suruchi, BBMP has amalgamated the khata of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot admeasuring 3,54,506 square feet and assigned it with Municipal No. 73-63-64 standing in the name of

Siruchi and Mrs. Sharadamma, on certain terms and conditions morefully set out therein (Document No. 32A). The Special Notice further records that:

- (a) the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli shall stand cancelled in the records of BBMP.
- (b) The amalgamated single plot has been assessed for annual tax of Rs. 2,14,279.00 with effect from 01.10.2023.

**Observation:** We have not seen the Khata Certificate and Khata Extract issued by the BBMP in respect of the amalgamated Municipal No. 64 admeasuring 3,54,506 square feet situated at Ward No. 113, Narayanappa Garden, Kodihalli pursuant to the above mentioned Special Notice dated 17.01.2024. We have also not seen the B Kharab Realignment Order referred to above.

32. As per the assessment of Municipal No. 73-63-64 for tax set out in the Special Notice dated 17.01.2024 referred to above, we have been provided with the Receipt bearing No. 21243908653 dated 17.01.2024 issued by the BBMP Revenue Department which evidences the payment of property taxes for the land bearing Municipal No. 73-63-64 for the year 2023-24 (Document No. 32B).

#### IV. Acquisitions and Approvals:

33. The Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru has issued an Endorsement dated 16.01.2013 to the effect that *inter alia* land bearing Survey No. 146/1 of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru is not notified for acquisition for any of its project as on the date of the issue of the said Endorsement (Document No. 33).
34. The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru has issued an Endorsement dated 23.01.2013 stating that *inter alia* land bearing Survey No. 146/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru has not been acquired or notified for acquisition for any of projects of Karnataka Industrial Areas Housing Board as on the date of issue of the said endorsement (Document No. 34).
35. The Special Land Acquisition Officer, National Highway Authority of India has issued an Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 stating that no survey numbers in Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru falls



under the jurisdiction of National Highway Authority of India hence no acquisition has been effected (Document No. 35).

#### V. Land Conversion and Land Usage

36. We have not been furnished with the Official Memorandum issued by the office of Deputy Commissioner, Bengaluru District, whereunder the Property II was converted for non agricultural purposes. We have been informed that, no conversion has been obtained under the provisions of Law. However, please note, the Section 95 (2) of the Karnataka Land Revenue Act, 1964, specifically states that, regardless of what is stated in any other law, if an occupant seeks to divert the usage of an agricultural land, then such occupant will have to obtain permission from the office of the Deputy Commissioner.
37. It is represented to us, that, the Kodihalli Village (comprising of Property II) came to be administered by Hindustan Aeronautics Sanitary Board ("HASB"). HASB acting as the Special Board / Town or City Municipal Council, distinct and independent from the bangalore district board and panchayats of Kodihalli has assessed these properties as non-agricultural properties and issued fresh khata numbers to the properties under its administration. Subsequently when it was found that HASB was acting without any statutory mandate, the Bruhat Bangalore Mahanagara Palike took over the administration of the properties which were being administered by the HASB. The Bruhat Bangalore Mahanagara Palike, did not nullify the actions taken by HASB (including issuing khata to unconverted lands) and they carried forward the same by issuing new municipal numbers to such unconverted lands.
38. In this regard, representatives of Suruchi Properties Private Limited have furnished a copy of an unreported division bench Judgement dated 14.06.2012 of the High Court of Karnataka passed in W.A. 17361-17363/2011 which has held that 'there is no necessity to obtain conversion from agricultural to non-agricultural, if the area comes within the town municipal council limits and the town municipal council has collected the developmental charges and is treating the property as a municipal property'. Representatives of Suruchi Properties Private Limited have represented that the BBMP is relying on the aforesaid division bench Judgement to approve plans in respect of unconverted properties falling within the jurisdiction of BBMP, for which khata has been issued by BBMP. It has been further represented to us that, the Judgement dated 14.06.2012 of the division bench in the High Court of Karnataka has not been challenged or overruled as on date.
39. As per the Revised Master Plan 2015 of Bengaluru (*Approved by the Government of Karnataka vide the G.O. No. 1101/340 BEM AA SE 2004 dated 25.6.2007*) ("RMP-2015"), the Land is classified as residential (main) use.



40. We have been provided with and we note the Work Order bearing No. BDA/Nayasa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority ("BDA") along with sanctioned residential development plan to Suruchi with respect to the sanction of the proposed residential development proposed to be undertaken in the land bearing Survey Nos. 143/2,143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148,149, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (Document No. 36). In terms thereof, we note the Relinquishment Deed dated 29.05.2019 executed by Suruchi Properties Private Limited in favour of BDA relinquishing an extent of 4,407 square meters (i.e., about 47,419.3 square feet) for park and open spaces in the land bearing 143/2,143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148,149, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) of Kodihalli Village (Document No. 37).
41. It appears that there were some modifications in connection with the proposed residential development and accordingly Suruchi has applied for and obtained a Modified Work Order dated 27.12.2021 from the BDA and in terms thereof, BDA has sanctioned the modified residential development plan proposed to be undertaken by Suruchi in the land bearing Survey Nos. 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 08 Acres 5.35 Guntas (excluding 21 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk ("Project Lands") on the terms and conditions set out thereunder (Document No. 38). Some of the terms and conditions on which the sanction have been granted are as follows:
- (a) The developmental activities are to be undertaken in terms of the sanctioned development plan and the same shall not be changed without the prior permission of BDA.
  - (b) The area reserved for parks and buffer zone shall be used for the purposes for which they have been reserved and shall not be used for any other purposes.
  - (c) Sanction of the building plans will have to be obtained from BDA.
  - (d) The sanction provided by BDA shall be automatically cancelled if it is found that the applicant has misrepresented with respect to the ownership of the properties.
  - (e) 10% of the residential units shall be reserved for economically weaker section and low-income group.
  - (f) Sewage treatment plant is required to be installed to ensure that untreated water is not released from the properties.
42. In connection with the above, we note the Rectification of Relinquishment Deed dated 17.07.2021 executed by Suruchi in favour of BDA whereunder the earlier area relinquished

in favour of BDA was cancelled and Suruchi has relinquished an area of 3322 square meters in the properties for park and open spaces (Document No. 39).

**VI. Litigation:**

43. It is observed that, the land bearing Survey No. 146/1 was notified for acquisition for the formation of a Golf – Cum Hotel Resort, near Bengaluru Airport vide a Preliminary Notification dated 29.12.1981 and pursuant thereto Final Notification dated 16.04.1983 was also passed. It is noted that, said acquisitions was challenged by several owners in Writ Petitions i.e., Mr. Muniyappa (son of Mr. Muniyellappa) in WP No. 19812 of 1990, Mr. Muniyappa (son of Mr. Muni Yellappa) in WP No. 813 of 1990, Mr. Srinivas/Secnappa (son of Mr. Muni Yellappa) in WP No. 814 of 1990, Mr. Andiyappa (son of Mr. Dodda Pillappa) in WP No. 815 of 1990 and Mr. Muniyappa (son of Mr. Motappa) in WP No. 816 of 1990 before the Hon'ble High Court of Karnataka, Bengaluru. The Hon'ble High Court of Karnataka by its order dated 18.09.1991 in the said writ petitions 19812-816/1990 quashed the acquisition notifications and proceedings with regard to the land bearing Sy. No.146/1 and adjoining lands (Document Nos. 40 & 41).

44. We have been informed by Suruchi that apart from the above, there are no other litigations have been filed/pending/disposed off in respect of Property II.

**VII. Encumbrance / Charge:**

45. Encumbrance Certificates issued in respect of land bearing Survey No. 146/1 of Kodihalli Village for the period 14.02.1957 to 31.03.1970, 01.04.1969 to 31.03.1994, 01.04.1960 to 31.03.2004, 01.04.2004 to 07.12.2011, 08.02.2011 to 06.02.2023, 07.02.2013 to 03.06.2013, 01.06.2013 to 20.11.2013, 20.11.2013 to 09.07.2015 and 01.03.2016 to 23.04.2019 reflects Release Deed dated 21.08.1970 and Sale Deed dated 01.05.1972 referred to hereinabove (Document No. 42).

46. Encumbrance Certificates issued in respect of land bearing HASB Khata Nos. 146/1A, 1B, 1C & 1D of Kodihalli Village for the period 01.04.1988 to 31.03.2004 reflects the 4 Sale Deeds all dated 29.09.2000 referred to hereinabove (Document No. 43).

47. Encumbrance Certificates issued in respect of HASB Khata No. 146/1A of Kodihalli Village from 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2004 to 31.05.2005, 01.04.2005 to 08.12.2011, 08.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013, and 01.03.2016 to 23.04.2019 reflect the Sale Deed dated 29.09.2000 referred to hereinabove (Document No. 44).

48. Encumbrance Certificates issued in respect of HASB Khata No. 146/1B of Kodihalli Village from 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2004 to 31.03.2005,

- 01.04.2005 to 08.12.2011, 11.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013, and 01.03.2016 to 23.04.2019 reflect the Sale Deed dated 29.09.2000 referred to hereinabove (Document No. 45).
49. Encumbrance Certificates issued in respect of HASB Khata No. 146/1C of Kodihalli Village from 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 11.12.2011, 07.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013, 01.04.2005 to 08.12.2011, and 01.03.2016 to 23.04.2019 reflect the Sale Deed dated 29.09.2000 referred to hereinabove (Document No. 46).
50. Encumbrance Certificates issued in respect of HASB Khata No. 146/1D of Kodihalli Village from 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 11.12.2011, 07.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013 and 01.06.2016 to 23.04.2019 reflect the Sale Deed dated 29.09.2000 referred to hereinabove (Document No. 47).
51. Encumbrance Certificate issued in respect of Municipal No. 54 (PID No. 73-50-54) for the period 01.04.2004 to 06.01.2012, 06.01.2012 to 01.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 11.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023 reflects the Award dated 30.11.2007 (the said Award was registered on 14.03.2008), Joint Development Agreement dated 04.02.2011 (executed on 03.02.2011) referred to hereinabove and Deed of Mortgage dated 14.03.2011 executed by Suruchi Properties Pvt. Ltd and Others referred to hereinbelow (Document No. 48).
52. Encumbrance Certificate issued in respect of the land bearing Municipal No. 56 (HASB Khata Nos. 146/1A to 146/1D) in the land bearing Survey No. 146/1 of Kodihalli for the period 01.04.2004 to 28.12.2023 reflect only the Memorandum of Entry dated 21.02.2019 referred to hereinbelow and does not reflect any other transactions carried out in respect of Property II for the above-mentioned period (Document No. 48A).
- We have not seen encumbrance certificate in respect of Property II from 28.12.2023. The encumbrance certificates provided to us do not reflect the registered Memorandum of Entries 02.08.2018 and 06.09.2023 referred to hereinafter.
53. We have been furnished with a Simple Mortgage Deed dated 14.03.2011 executed amongst Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses in favour of IDBI Trusteeship Services Ltd., which includes *inter-alia* Municipal 54 measuring 21990 square feet (Document No. 49). It is observed that Century Real Estate Holdings Private Limited, Century Shelters and Green Orchards Farm House, as mortgagors had mortgaged certain of other properties owned by them and Suruchi Properties Private Limited, had mortgaged the lands situated at Kodihalli (including

- Municipal No. 54) to secure the debentures issued by Century Real Estate Holdings Private Limited.
54. Subsequently, Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and H&FS Trust Company Limited executed an Escrow Agreement dated 16.09.2015 with respect to the custody of the title deeds in respect of the Properties (Document No. 52) which inter-alia included Municipal 54 measuring 21990 square feet. It is observed that, pursuant to aforesaid Joint Development Agreement, Suruchi Properties Private Limited had handed over the original title deeds in respect of the properties to Salarpuria Realtors Private Limited and, on the request made by the Suruchi Properties Private Limited, Salarpuria Realtors Private Limited has agreed to deposit the title deeds pertaining to the project which inter-alia contains the title deeds of Municipal 54 measuring 21990 square feet, with the escrow agent i.e., H&FS Trust Company Limited (HTCL) and the parties have entered into the escrow agreement to record the terms and conditions on which HTCL shall hold and safeguard the title deeds as trustee for the benefit of the parties as per the terms agreed under the said Agreement, subject to the duties, obligations and responsibilities mentioned thereunder.
55. It is noted that, in consideration of payment of entire amount in principal and interest due to the Debenture Holders on the security of the Simple Mortgage Deed dated 14.03.2011, the Debenture Trustee, i.e., IDBI Trusteeship Services Limited has discharged and released *inter alia* Municipal 54 measuring 21990 square feet and others properties free from all encumbrances and charges whatsoever created in favour of Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses by executing a Discharge Deed dated 09.11.2015 (Document No. 53).
56. Suruchi Properties Private Limited, has executed a Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 and registered on 11.11.2015 in favour of IDBI Trusteeship Services Limited whereunder Suruchi Properties Private Limited has created first and exclusive charge by way of equitable mortgage over the lands situated at Kodihalli (including Municipal No. 54) to secure debentures worth of Rs.620 Crores issued by Century Joint Developments Private Limited (Document No. 54). We note that H&FS Trust Company Limited has joined in the execution of this memorandum to record the constructive delivery of the title deeds. We have been provided with No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited which evidences, that the debenture holder has confirmed that there are no amounts due and payable in respect of the non-convertible debentures worth of Rs. 620 Crores and that the same has been fully re-paid and on the basis of the same, IDBI Trusteeship Services Limited has provided its approval for the release of the securities including the charge created thereunder (Document No. 54A). We have been informed that the said non-convertible debentures have been redeemed and

the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.

57. Thereafter, it is noted that, Suruchi Properties Private Limited has executed and registered a Memorandum of Entry dated 02.08.2018 in favour of IDBI Trusteeship Services Limited wherein the pari passu charge was created over the lands situated at Kodihalli to secure an amount totally to Rs. 772 Crores of financial assistance availed by Century Real Estate Holdings Private Limited (comprising of (1) Rs. 125 Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 27.03.2017, (2) Rs. 257 Crores - of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 29.06.2016 and (3) Rs. 390 Crores of term loan availed by Century Real Estate Holdings Private Limited under the Facility Agreement (3.07.2018) (Document No. 54B).
58. Suruchi Properties Private Limited has executed and registered a Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 (registered on 21.02.2019) in favour of IDBI Trusteeship Services Limited, whereunder the charge created on the lands situated at Kodihalli (including Municipal No. 54) by Suruchi Properties Private Limited has been extended on pari passu basis to secure (a) Century Joint Developments Private Limited's indebtedness of Rs. 1.05 Crores (comprising of (1) Rs. 620 Crores of non-convertible debentures of Century Joint Developments Private Limited (now released as detailed above) and (2) Rs. 485 Crores - of term loan availed by Century Joint Developments Private Limited under the Facility Agreement 30.07.2018) and (b) Century Real Estate Holdings Private Limited's indebtedness of Rs. 772 Crores (Document No. 55).
59. Thereafter we note (a) Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour of *inter alia* Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 125 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 55A) and (b) Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 257 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 55B). IDBI Trusteeship Services Limited has provided their no-objection for filing CHG-1 with the concerned Registrar of Companies. We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.

**Observation:** We have been informed that no release deeds have been executed and registered evidencing the release of the mortgage created over the lands situated at Kodihalli.



Bengaluru owned by Suruchi. It is noted that the mortgage created under the Memorandum of Entry dated 06.02.2019 for securing (a) the term loan of Rs. 390 Crores availed by Century Real Estate Holdings Private Limited and (b) the term loan of Rs. 485 Crores availed by Century Joint Development Agreements Private Limited was subsisting and not released under the above mentioned no due certificates.

60. Thereafter, we note the registered Memorandum of Entry dated 06.09.2023 whereunder Suruchi's entitlement in the lands situated at Kodihalli Village has been mortgaged by way of first ranking pari passu charge to secure (a) Rs. 485 Crores term loan availed by Century Joint Developments Private Limited (CJDPL) from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 30.07.2018, (b) Non-convertible debentures aggregating up to Rs. 325 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 12.12.2020, (c) Non-convertible debentures aggregating upto Rs. 700 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 22.09.2022, (d) Rs. 390 Crores term loan availed by Century Real Estate Holdings Private Limited from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 03.07.2018 (Document No. SSC)
61. We have been informed that, apart from the above Memorandum of Entry recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 (which has since been satisfied in entirety as detailed above), 02.08.2018 (which has been satisfied partially as detailed above) 06.02.2019 and 06.09.2023, there are no other mortgages, in respect of Municipal 54.

#### VIII. Contiguity, Inspection of Original Documents and Public Notice:

62. From the development plan and the title deeds (including the sale deed by which Suruchi has acquired and the khata which has been prepared thereafter) provided to us in respect of Property II for our scrutiny, it is not possible to ascertain if the land comprising of various municipal numbers in Property II (viz., Municipal No. 54) are contiguous to each other and also contiguous with the other lands forming part of the proposed project. The same needs to be ascertained by undertaking a physical survey. In this regard we have been informed that the lands forming part of the project are contiguous and that an amalgamated khata has been issued by BBMP on the basis of the Modified Work Order dated 27.12.2021 issued by the BDA sanctioning the residential development plan which indicates that the all the Project Lands form a contiguous parcel of land.
63. As part of our title scrutiny, we have undertaken the inspection of documents in respect of Property II we have undertaken inspection of the documents in respect Property II which are in the custody of Vistra FICL (India) Limited (the escrow agent for Suruchi and Salarporia Realtors Private Limited) and Suruchi. The list and the nature of the documents provided to our inspection is detailed in Annexure – B of this Report.



64. We have issued a Public Notice in an English daily 'The New Indian Express' and Kannada daily the 'Kannada Prabha' on 16.12.2023 inviting objections from the general public with respect to Suruchi's title of Property II. As on 18.01.2024, we have not received any objections to the public notice issued.

**G. CONCLUSION:**

Subject to our observations made hereinabove, we are of the opinion that:

- (i) Suruchi Properties Private Limited, is the owner of Property II, subject to the rights of Salarpuria Realtors Private Limited under the Development Agreement dated 03.02.2011; and
- (ii) Property II has been mortgaged in favour of IDBI Trusteeship Services Limited, pursuant to the Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 02.08.2018, 06.02.2019 and 06.09.2023.



  
TATVA LEGAL  
BANGALORE

**ANNEXURE - A**  
**LIST OF DOCUMENTS EXAMINED**

Sl. No.	Description of Documents
1.	Notification bearing No. R.8147-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;
2.	Re-grant Order dated 15.06.1958 in Case No. 149 of 1957-58 passed by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District;
3.	Extract of Register VIII under Section II with respect to <i>inter alia</i> the land reflecting the grant of an extent of 1 Acre in Survey No. 146/1 situated at Kodihalli Village;
4.	RTCs issued in respect of land bearing Survey No. 146/1, measuring 1 Acre, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1969-70 to 1974-75 and for the years 1975-76 to 1996-97;
5.	Release Deed dated 26.02.1970, registered as Document No. 5154 of 1969-70, in Book I, Volume 801, at Pages 225 to 231 in the office of the Sub Registrar, Bengaluru South Taluk;
6.	Release Deed dated 21.08.1971, registered as Document No. 2672 of 1970-71, in Book I, Volume 834, at Pages 28 to 35 in the office of the Sub Registrar, Bengaluru South Taluk;
7.	Genealogical Tree of Mr. Bohanna Reddy authenticated by Village Accountant, HASB.
8.	Certificate dated 28.12.1993 issued by Hindustan Aeronautics Sanitary Board ("HASB") Bengaluru that the HASB Khata Nos 146/1A, 146/1B, 146/1C and 146/1D are all carved out of the land bearing Survey No. 146/1;
9.	Extract of Assessment List for the building and land for the years 1988-89 issued by HASB for the land bearing HASB Khata Nos. 146/1A, 146/1B, 146/1C and 146/1D;
10.	Sale Deed dated 29.09.2000, registered as Document No. 5285 of 2000-01, in Book I, Volume 4643, at Pages 59 to 74 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
11.	Sale Deed dated 29.09.2000, registered as Document No. 5287 of 2000-01, in Book I, Volume 4643, at Pages 91 to 106 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
12.	Sale Deed dated 29.09.2000, registered as Document No. 5282 of 2000-01, in Book I, Volume 4643, at Pages 20 to 35 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;



13.	Sale Deed dated 29.09.2000, registered as Document No. 5286 of 2000-01, in Book I, Volume 4643, at Pages 75 to 90 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
14.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;
15.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Sunchi Properties Pvt. Ltd.,
16.	Receipt bearing No. 53211 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike;
17.	Special Notice bearing No. Ward/73/RK/852/2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;
18.	Khata Certificate and Khata Extract dated 10.11.2009 issued by BBMP;
19.	Award dated 30.11.2007, registered as Document No. 1841 of 2008-09, in Book I and Stored in C.D.No. VRTD31 on 08.08.2008, in the office of the Sub Registrar, Varthur, Bengaluru;
20.	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;
21.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;
22.	Endorsement bearing No. RK CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura;
23.	Map of Kodihalli Village;
24.	Tippany issued in respect of land bearing Survey Nos 146/U of Kodihalli Village,Varthur Hobli, Bengaluru South Taluk;
25.	Revision Settlement Akarbandh issued with respect to Survey No. 146/U of Kodihalli Village,Varthur Hobli, Bengaluru South Taluk,
26.	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;
27.	Endorsement bearing No. LRF: (BC): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;

28.	Khata Certificate and Khata Extract dated 14.10.2011 issued by BBMP.
29.	3 Receipts dated 21.02.1995 issued by HASB evidencing the payment of property tax in respect of the land bearing HASB Khata Nos. 146/1B to 146/1D situated at Kudihalli Village for the year 1994-95.
30.	Receipt bearing No. 239053 dated 20.01.2006 issued by BBMP Revenue Department.
31.	Receipt bearing Nos. 640033 dated 01.03.2007 issued by BBMP Revenue Department.
32.	Receipt bearing No. 22233000121 dated 10.08.2022 issued by BBMP Revenue Department.
32A	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP.
32B	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department.
33.	Endorsement bearing No. KHB:LAO/380/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru.
34.	Endorsement bearing No. Bengaluru:SLAO/6929/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru.
35.	Endorsement bearing No. LAQ/NII-7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India.
36.	Work Order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution bearing No. BDA/TPM/DLP-38/2016-17/380/2019-20 dated 11.06.2019.
37.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-011843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar.
38.	Modified Work Order bearing No. BDA/Nayasa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority.
39.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar. BDA.



40.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf Cum Hotel Resort, near Bengaluru Airport;
41.	Order dated 18.09.1997 passed in WP Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka,
42.	Encumbrance Certificates issued in respect of land bearing Survey No. 146/1 of Kodihalli Village for the period 14.02.1957 to 31.03.1970, 01.04.1969 to 31.03.1994, 01.04.1960 to 31.03.2004, 01.04.2004 to 07.12.2011, 08.02.2011 to 06.02.2023, 07.02.2013 to 03.06.2013, 01.06.2013 to 20.11.2013, 20.11.2013 to 09.07.2015 and 01.03.2016 to 23.04.2019.
43.	Encumbrance Certificates issued in respect of land bearing HASB Khata Nos. 146/1A, 1B, 1C & 1D of Kodihalli Village for the period 01.04.1988 to 31.03.2004;
44.	Encumbrance Certificates issued in respect of HASB Khata No. 146/1A of Kodihalli Village from 01.04.1960 to 31.03.2004, 01.04.1988 to 31.05.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 11.12.2011, 07.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013 and 01.06.2016 to 23.04.2019;
45.	Encumbrance Certificates issued in respect of HASB Khata No. 146/1B of Kodihalli Village from 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 11.12.2011, 07.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013 and 01.06.2016 to 23.04.2019;
46.	Encumbrance Certificates issued in respect of HASB Khata No. 146/1C of Kodihalli Village from 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 11.12.2011, 07.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013 01.04.2005 to 08.12.2011, and 01.03.2016 to 23.04.2019;
47.	Encumbrance Certificates issued in respect of HASB Khata No. 146/1D of Kodihalli Village from 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 11.12.2011, 07.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013 and 01.06.2016 to 23.04.2019;
48.	Encumbrance Certificate issued in respect of Municipal No. 54 (PID No. 73-50-54) for the period 01.04.2004 to 06.01.2012, 06.01.2012 to 01.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 11.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023;
48A	Encumbrance Certificate issued in respect of the land bearing Municipal No. 56 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 28.12.2023;



49.	Simple Mortgage Deed dated 14.03.2011 registered as Document No. 5839 of 2010-11, in Book I and Stored in CD No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru.
50.	Escrow Agreement dated 16.09.2015 executed by and between Surtchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited,
51.	Discharge Deed Dated 09.11.2015 registered as Document No. 2751 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;
52.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. 2759 of 2015-16, in Book I and Stored in C.D. No. MLSD112 on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;
52A	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;
52B	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;
53.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19, in Book I and Stored in C. D. No. HBB0244 in the office of the Sub Registrar, Hebbala, Bengaluru;
53A	Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
53B	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
53C	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023 24, in the office of the Senior Sub Registrar, Malleshwaram;
54.	Management Representations in the form an Affidavit issued by Surtchi Properties Private Limited dated 03.11.2016;



**ANNEXURE - B**

**ORIGINAL VERIFICATION**

Sl. No.	Description of Documents	Nature of Document in custody of Vistra (ITCL)	Nature of Document in custody of Suruchi
1.	Notification bearing No. R.83-17-I.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;		Photo Copy
2.	Deposition & Re-grant Order dated 15.06.1958 in Case No. 149 of 1957-58 passed by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District.	Photo Copy	
3.	Extract of Register VIII under Section II with respect to <i>inter alia</i> the land reflecting the grant of an extent of 1 Acre in Survey No. 146/1 situated at Kodihalli Village;	Certified Copy	
4.	RTCs issued in respect of land bearing Survey No. 146/1, measuring 1 Acre, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1969-70 to 1974-75 and for the years 1975-76 to 1996-97;	Certified Copy	
5.	Release Deed dated 26.02.1970, registered as Document No. 515-1 of 1969-70, in Book I, Volume 801, at Pages 225 to 231 in the office of the Sub Registrar, Bengaluru South Taluk;		Certified Copy
6.	Release Deed dated 21.08.1970, registered as Document No. 2672 of 1970-71, in Book I, Volume 834, at Pages 28 to 35 in the office of the Sub Registrar, Bengaluru South Taluk;	Certified Copy (Continued to other survey numbers)	
7.	Genealogical Tree of Mr. Bobbanna Reddy authenticated by Village Accountant, HASB;		Photo Copy
8.	Certificate dated 28.12.1993 issued by Hindustan Aeronautics Sanitary Board ("HASB") Bengaluru that the	Original	



	HASB Khata Nos. 146/1A, 146/1B, 146/1C and 146/1D are all carved out of the land bearing Survey No. 146/1.		
9.	Extract of Assessment List for the building and land for the years 1988-89 issued by HASB for the land bearing HASB Khata Nos. 146/1A, 146/1B, 146/1C and 146/1D;	Photocopy	
10	Sale Deed dated 29.09.2000, registered as Document No. 5285 of 2000-01, in Book I, Volume 4643, at Pages 59 to 74 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
11	Sale Deed dated 29.09.2000, registered as Document No. 5287 of 2000-01, in Book I, Volume 4643, at Pages 91 to 106 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
12	Sale Deed dated 29.09.2000, registered as Document No. 5282 of 2000-01, in Book I, Volume 4643, at Pages 20 to 35 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
13	Sale Deed dated 29.09.2000, registered as Document No. 5286 of 2000-01, in Book I, Volume 4643, at Pages 75 to 90 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
14	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;		Photo Copy
15	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Suruchi Properties Pvt. Ltd.;		Photo Copy
16	Receipt bearing No. 53211 dated 16.01.2006 issued by the Bengaluru Mahangara Palike;		Photo Copy
17	Special Notice bearing Nu. Ward/73/KTR852/2004-05 dated 17.01.2006 issued by the Bengaluru Mahangara Palike;		Photo Copy



18	Khata Certificate and Khata Extract dated 10.11.2009 issued by BBMP;		Photo Copy
19	Award dated 30.11.2007, registered as Document No. 1841 of 2008-09, in Book J and Stored in C D No. VRTD31 on 08.08.2008. in the office of the Sub Registrar, Varthur, Bengaluru;	Original	Original (common to all properties)
20	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;		Photo Copy
21	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;		Photo Copy
22	Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura;		Original (Common to all properties)
23	Map of Kodihalli Village;	Photo Copy	
24	Tippany & Atlas issued in respect of land bearing Survey Nos.146/1 of Kodihalli Village.Varthur Hobli, Bengaluru South Taluk;	Photo Copy	
25	Revision Settlement Akarbandh issued with respect to Survey No. 146/1 of Kodihalli Village.Varthur Hobli, Bengaluru South Taluk;	Certified Copy	
26	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;		Original (Common to all properties)
27	Endorsement bearing No. LRF: (BE): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;		Original (Common to all properties)
28	Khata Certificate and Khata Extract dated 14.10.2011 issued by BBMP;		Photo Copy



29	3 Receipts dated 21.02.1995 issued by HASB evidencing the payment of property tax in respect of the land bearing HASB Khata Nos. 146/1B to 146/1D situated at Kodihalli Village for the year 1994-95;	Original	
30	Receipt bearing No. 219053 dated 20.01.2006 issued by BBMP Revenue Department ;		Photo Copy
31	Receipt bearing Nos. 640033 dated 01.03.2007 issued by BBMP Revenue Department.		Photo Copy
32	Receipt bearing No. 22233000121 dated 10.08.2022 issued by BBMP Revenue Department;		Photo Copy
33	Endorsement bearing No. KHB:LAO/380/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;		Original (Common to all properties)
34	Endorsement bearing No. Bengaluru:SLAO/6929/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;		Original (Common to all properties)
35	Endorsement bearing No. LAQ/NH-7/HM/CR/S1/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India,		Original (Common to all properties)
36	Work Order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution bearing No. BDA/TPM/DLP-38/2016-17/380/2019-20 dated 11.06.2019;		Original (Common to all properties)
37	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in C/D No. BDA346 in the office of the Sub Registrar;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
38	Modified Work Order bearing No. BDA/Nayosa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;		Original (Common to all properties)



			<i>all properties)</i>
39	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No BDA-1-0'120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA:		Photo Copy (Certified Copy to be handed over) (Common to all properties)
40	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf- Cum Hotel Resort, near Bengaluru Airport:		Certified Copy (Common to all properties)
41	Order dated 18.09.1991 passed in WP Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka:		Photo Copy
42	Encumbrance Certificates issued in respect of land bearing Survey No. 146/1 of Kodihalli Village for the period 14.02.1957 to 31.03.1970, 01.04.1969 to 31.03.1994, 01.04.1960 to 31.03.2004, 01.04.2004 to 07.12.2011, 01.06.2013 to 20.11.2013 and 01.03.2016 to 23.04.2019; 08.12.2011 to 06.02.2013, 07.02.2013 to 03.06.2013 20.11.2013 to 09.07.2015	Certified Copy : 01.04.2004 to 07.12.2011, 01.06.2013 to 20.11.2013, 08.12.2011 to 06.02.2013, 07.02.2013 to 03.06.2013	20.11.2013 to 09.07.2015, 14.02.1957 to 31.03.1970, 01.04.1969 to 31.03.1994, 01.03.2016 to 23.04.2019 are Certified Copy.  Rest are Photocopies.
43	Encumbrance Certificates issued in respect of land bearing HASB Khata Nos. 146/1A, 1B, 1C & 1D of Kodihalli Village for the period 01.04.1988 to 31.03.2004:		Certified Copy
44	Encumbrance Certificates issued in respect of HASB Khata No. 146/1A of Kodihalli Village from 01.04.2004 to 31.03.2005, 08.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013, and 01.03.2016 to 23.04.2019; 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2005 to 08.12.2011	Certified Copy : 01.04.2004 to 31.03.2005, 08.12.2011 to 31.05.2013,	Certified Copy: 01.03.2016 to 23.04.2019



		01.06.2013 to 20.11.2013 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004,0 1.04.2005 to 08.12.2011	
45	Encumbrance Certificates issued in respect of HASB Khata No. 146/IB of Kodihalli Village from 01.04.2004 to 31.03.2005, 11.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013, and 01.03.2016 to 23.04.2019; 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2005 to 11.12.2011,	Certified Copy: 01.04.2004 to 31.03.2005, 11.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013, 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2005 to 11.12.2011	Certified Copy: 01.03.2016 to 23.04.2019
46	Encumbrance Certificates issued in respect of HASB Khata No. 146/IC of Kodihalli Village from 01.04.2004 to 31.03.2005, 07.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013 and 01.03.2016 to 23.04.2019; 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2005 to 11.12.2011,	Certified Copy: 01.04.2004 to 31.03.2005, 07.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013, 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2005 to 11.12.2011	Certified Copy: 01.03.2016 to 23.04.2019
47	Encumbrance Certificates issued in respect of HASB Khata No. 146/ID of Kodihalli Village from 01.04.2004 to 31.03.2005, 07.12.2011 to 31.05.2013, 01.06.2013 to 20.11.2013 and 01.06.2016 to 23.04.2019;	Certified Copy: 01.04.2004 to 31.03.2005, 07.12.2011 to	Certified Copy: 01.03.2016 to 23.04.2019

	01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2005 to 11.12.2011,	31.05.2013, 01.06.2013 to 20.11.2013 01.04.1960 to 31.03.2004, 01.04.1988 to 31.03.2004, 01.04.2005 to 11.12.2011	
48	Encumbrance Certificate issued in respect of Municipal No. 54 (PID No. 73-50-54) for the period 01.04.2004 to 06.01.2012, 06.01.2012 to 01.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 11.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023;	Certified Copy : 01.04.2004 to 06.01.2012	01.04.2019 to 11.01.2023, 01.01.2023 to 21.05.2023 : Certified Copy. Rest are photo copy.
49	Simple Mortgage Deed dated 14.03.2011 registered as Document No. 5839 of 2010-11, in Book I and Stored in CD No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru.		Certified Copy (Common to all properties)
50	Escrow Agreement dated 16.09.2015 executed by and between Sunchi Properties Private Limited, Salarpura Realtors Private Limited and H&FS Trust Company Limited;		Original (Common to all properties)
51	Discharge Deed dated 09.11.2015 registered as Document No. 2751 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
52	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19, in Book I and Stored in C. D. No. HBBD244 in the office of the Sub Registrar, Hebbala, Bengaluru;		Photo Copy



53	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. 2759 of 2015-16, in Book I and Stored in C.D. No. MI.SD112 on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;	Photo Copy
54	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016;	Photo Copy
55	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;	Photo Copy
56	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;	Original (Common to all properties)
57	Encumbrance Certificate issued in respect of the land bearing Municipal No. 56 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 28.12.2023;	Certified Copy.
58	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GIAND312) in the office of the Sub Registrar, Gandhi Nagar;	Photo Copy
59	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;	Photocopy
60	Letter hearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;	Photo Copy
61	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;	Photo Copy
62	Memorandum of Entry dated 06.09.2023, registered as Document No. MI.S-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;	Photo Copy (Certified Copy to be handed over) (Common to all properties)



	<b>Additional Documents</b>		
63	Endorsement bearing No. RKCR 313 of 2003-04 dated 25.08.2003.	Original	
64	Notarised General Power(s) of Attorney executed by Mrs. Saraswathi and others in favour of Mr. A Srinivas Reddy in respect of the land bearing HASB Khata Nos. 146/1A to 146/1D of Kodihalli, Bengaluru (4 Nos)	Original	
65	Notarised Affidavit dated 19.03.2013 sworn by Suruchi Properties Private Limited with respect to issuance of khata and the boundaries mentioned in the sale deeds of the said municipal numbers	Original	



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**TITLE REPORT DATED 22.01.2024**  
**PROPERTY VI**  
**MUNICIPAL NO. 58 – (PID No.73-50-58)**

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 **TATVALEGAL**  
**Bangalore**  
**Advocates**  
***[Restricted and Confidential]***



## TITLE REPORT

### A. Description of Property:

The objective of this due diligence exercise is to investigate title to the Property *(defined hereinafter)* described in Part E of this title Report ("the Report") based on review of the documents furnished to us, description whereof is given in Part D of this Report.

### B. Scope of Limitation:

The scope of our review and of this Report is subject to the following limitations:

- (i) While performing the review, we have assumed the (a) genuineness of all signatures, (b) accuracy and correctness of all information / representations provided / made to us, including the facts that are mentioned in agreements, executed copies of documents and government records, (c) authenticity of copies of all documents submitted to us as originals, (d) conformity of the copies or extracts submitted to us with the originals thereof, (e) correctness of all information provided to us in respect of the litigations in respect of the Property including the fact that no appeals or revisions have been filed in respect of the relevant suits / litigations and (f) compliance with all legal requirements by the parties concerned with the Property.
- (ii) We have only examined issues pertaining to the ownership of the Property and have not examined issues pertaining to (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Property; (b) business, regulatory and financial issues of the present or previous owners of the Property; and (c) other matters that do not directly affect the ownership of the Property.
- (iii) For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report.
- (iv) We have assumed that there are no outstanding / dues payable by the present / previous owners of the Property to any government / statutory authority (including any tax / cess dues) or local body and that the Property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws.



- (v) Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Property, as analyzed by us from the information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report.

**C. Confidentiality:**

The contents of this Report are confidential. Neither this Report nor any of its contents may be disclosed to any person other than to the professional advisers, officers and employees of **Suruchi Properties Private Limited** who are directly involved in the proposed transaction relating to the Property. We accept no responsibility to any person other than to **Suruchi Properties Private Limited** in relation to the contents of this Report.

**D. Documents Examined:**

We have been provided with and have examined the photocopies of the documents listed in Annexure – A to this Report for the purpose of carrying out title due diligence on the Property.

**E. Description of Property:**

All that piece and parcel of the immoveable property being the land originally bearing Municipal No. 58 (PID No.73-50-58) measuring 21,780 square feet comprised in the land earlier bearing Survey No. 146/1 situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru, now forming part of the amalgamated Municipal No. 64 (PID No. 73-63-64), New Ward No. 113, Kodihalli, Bengaluru, hereinafter referred to as “Property VI”.  
*(Boundaries cannot be ascertained from the documents provided)*

**F. Findings Based On Documents Examined:**

**I. Title:**

1. On perusal of the documents furnished to us, we note that, the land bearing Municipal No. 58 measuring 21,870 square feet situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru is part of the land bearing Survey No. 146/1 measuring 1 Acre situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk.
2. We note that Kodihalli is an Inam Village. On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 coming into force in respect of the lands situated at Kayam Gutha Kodihalli Village vide its Notification dated 15.09.1956, all the lands situated at Kodihalli Village vested with the Government of Karnataka (Document No. 1)



3. One Mr. Bobanna Reddy (son of Mr. Kenchappa) along with his nephew Master Narayana Reddy (son of Mr. Kuntappa) applied for the re-grant of the land bearing Survey No. 146/1. We note the Order dated 15.06.1958 passed in the Case No. 149 of 1957-58 by the Special Deputy Commissioner of Inam Abolitions, Bengaluru whereunder Mr. Bobbanna Reddy and Master Narayana Reddy were registered as Kadim tenant in respect of the said land (Document No. 2). The aforementioned order does not specify any restrictions with respect to the transferability of the said land.
4. Extract of Register VIII (*Inam Register*) maintained in respect of Kodihalli Village reflects Mr. Bobbanna Reddy and Master Narayana Reddy as the joint holders and occupants of the land bearing Survey No. 146/1 measuring 1 Acre situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk (Document No. 3).
5. Record of Rights, Tenancy and Crop Inspection ("RTCs") issued in respect of the land bearing Survey No. 146/1 measuring 1 Acre situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1969-70 to 1975-76 reflect the name of Mr. K. Bobbanna Reddy and Mr. Narayana Reddy as holders thereof (Document No. 4).
6. From the Release Deed dated 21.08.1970 referred to hereinafter, it appears that Mr. Bobbanna Reddy and his elder brother Late Mr. Kuntanna @ Muninagappa (father of Mr. Narayana Reddy) constituted a joint family and held the properties jointly and that prior to the year 1970, Mr. Bobbanna Reddy had demised.
7. Mr. Narayana Reddy (son of Late Mr. Kuntanna @ Muninagappa) along with his mother Mrs. Kondamma (wife of Late Mr. Kuntanna @ Muninagappa) and sisters Mrs. Nallayamma and Mrs. Chinnamma (daughters of Late Mr. Kuntanna @ Muninagappa) executed a Release Deed dated 21.08.1970 in favour of Mr. Annaiiah Reddy (son of Late Mr. Bobbanna Reddy) (Document No. 5). The said Release Deed appears to be in the nature of partition, wherein family members of Late Mr. Kuntanna @ Muninagappa have identified the 111 properties of the joint family properties Late Mr. Bobbanna Reddy & Late Mr. Kuntanna @ Muninagappa over which they have retained interest and they have stated that they do not have any right, title and interest with respect to the other properties and that the same would belong to the family of Late Mr. Bobbanna Reddy (i.e., father of Mr. Annaiiah Reddy). Under the said Release Deed dated 21.08.1970, the family members of Late Mr. Kuntanna @ Muninagappa have retained the land bearing Survey No. 146/1 measuring 20 Guntas situated at Kodihalli Village.
8. Thereafter, Mrs. Kondamma (wife of Late Mr. Kuntappa @ Muninagappa) and her daughters viz., Mr. Nallayamma and Mr. Chinnamma executed Sale Deed dated 04.05.1972 in favour of Mr. K. Narayana Reddy (son of Mr. Kuntappa @ Muninagappa) conveying the land

- bearing Survey No. 146/1 measuring 20 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk (Document No. 6).
9. Mr. Narayana Reddy (son of Mr. Kuntappa) conveyed the land bearing Survey No. 146/1 measuring 20 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk under the Sale Deed dated 22.07.1974 in favour of Mr. Annaiah (son Late Mr. Bolappa) (Document No. 7). Entry No. MR 69 of 1974-75 was made in the Mutation Register recording the Sale Deed dated 22.07.1974 and grant of permission to change khata in respect of the land bearing Survey No. 146/1 measuring 20 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk to the name of Mr. Annaiah (son of Late Mr. Bolappa) (Document No. 8).
10. RTCs issued in respect of the land bearing Survey No. 146/1 measuring 1 Acre situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1977-78 to 1991-92 reflect the name of Mr. K. Bobanna Reddy & Mr. Annaappa as the holder thereof.
11. Mr. Annaiah (son of Late Mr. Bolappa) executed Will dated 25.04.1996 wherein Mr. Annaiah has stated that he has 4 daughters and 3 sons and that each of three daughters have been provided their share in terms of money and that for Mr. Muniraju and Mr. Chikka Bollappa, their share has been provided in terms of money and also properties have been purchased in their and that since nothing was allotted to the share of Mr. Bolappa and since Mr. Bolappa is in cultivation of the said land bearing Survey No. 146/1 measuring 20 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Mr. Annaiah bequeathed the said land to his eldest son Mr. Bolappa (Document No. 9).
12. Mr. Annaappa (son of Mr. Bolappa) demised on 07.05.1996, as per the Death Certificate furnished to us (Document No. 10). Entry No. IHC 12 of 1996-97 made in the Inheritance Register records the demise of Mr. Annaiah and grant of permission to the change the khata in respect of Survey No. 146/1 measuring 20 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk to the name of Mrs. Akkamma (wife of Mr. Annaiah (@ Annaiahappa), Mr. Bolappa, Mr. Chikka Bolappa and Mr. Muniraju (sons of Mr. Annaiah) (Document No. 11).
13. RTCs issued in respect of the land bearing Survey No. 1992-93 to 1996-97 reflect *inter alia* Mrs. Akkamma (wife of Mr. Annaiah) as holder thereof.
14. We have been furnished with the Genealogical Tree of Mr. Annaappa reflect his family members as detailed below:
- a) Mrs. Akkamma (wife of Late Mr. Annaappa);
  - b) Late Mr. Bolappa (son of Late Mr. Annaappa), Mrs. Chinnamma (wife of Late Mr. Bolappa), Mr. Govindaraju, Mr. Venu Gopala, Mr. Nagaraja and Mrs. Manjula (children of Late Mr. Bolappa);

- c) Late Mr. Chikka Bolappa (son of Late Mr. Annaiappa), Mrs. Rukmini (wife of Late Mr. Chikka Bolappa), Mr. Narayanaswamy & Mr. Suresha (sons of Late Mr. Chikka Bolappa);
- d) Mr. Muniraju (son of Late Mr. Annaiappa), Mrs. Lakshmi (wife of Mr. Muniraju), Mr. Akash, Mr. Akshay & Mr. Manjunath (sons of Mr. Muniraju);
- e) Mrs. Sharadamma, Mrs. Sarojamma, Mrs. Yashodamma & Mrs. Prema (daughters of Late Mr. Annaiappa) (Document No. 12)

We note that the aforementioned daughters of Mr. Annaiappa viz., (i) Mrs. Prema & Mrs. Sharadamma have filed a suit for partition bearing OS No. 9392 of 2013 and (ii) Mrs. Yashodamma has filed a suit for partition bearing OS No. 25518 of 2016 which are currently pending and the same are detailed in Part VI of this Report.

15. Mr. Bolappa (son of Mr. Annaiappa) had filed a suit for partition bearing OS No. 422 of 1994 claiming 1/4<sup>th</sup> right in the land bearing Survey No. 146/1 measuring 20 Guntas. We note that that Court had vide its Judgment dated 26.6.2006 decreed the suit in favour of the plaintiff and held that plaintiff is entitled to 1/4<sup>th</sup> share in the aforementioned properties (Document No. 13). In this regard it is to be noted that subsequently family members of Late Mr. Bolappa, viz., Mrs. Chinnamma (wife of Late Mr. Bolappa), and children of Late Mr. Bolappa Mr. Govindaraju, Mr. Venugopal, Mr. Nagaraj and Mrs. Manjula have joined in the execution of the Sale Deed dated 24.01.2011 referred to below.
16. Thereafter it appears that, the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB") and the said HASB City Municipal Council, Hindustan Aeronautics Sanitary Board allotted HASB Khata No. (a) 146/1E measuring 5412 square feet, (b) 146/1F measuring 5412 square feet, (c) 146/1G measuring 5412 square feet and (d) 146/1H measuring 5412 square feet, totally measuring 21,648 square feet situated at Kodihalli, Bengaluru as evidenced from the extract of Assessment list for building and vacant lands liable for taxation for the year 1994-95 issued by HASB reflect the owner thereof to be Mrs. Akkamma (wife of Late Mr. Annaiappa) (Document Nos. 14 to 17).
17. We have been provided with 4 Receipts dated 12.12.1994 issued by HASB evidencing the payment of property tax in respect of the land bearing HASB Khata Nos. 146/1E to 146/1H, Kodihalli Village for the year 1994-95 by Mrs. Akkamma (Document No. 18).
18. Subsequently, when the lands therein situated at Kodihalli Village including the aforesaid properties appears to have come within the administrative jurisdiction of the Bangalore Mahanagara Palike and were assessed for tax by the Bangalore Mahanagara Palike. Pursuant to which, the land bearing HASB Khata No. 146/1E, F, G & H was allotted with the Municipal No. 58 measuring 21780 Sq. Ft., situated at Muniyellappa Garden, Kodihalli.

Airport Ward No.73, Bengaluru. In this regard, we have been provided with Khata Extract and Khata Certificate dated 10.11.2009 issued by the Brihat Bengaluru Mahanagara Palike ("BBMP") certifies that the land bearing Municipal No. 58 measuring 21,780 square feet situated at Ward No. 73, Kodihalli, Bengaluru (i.e., Property VI) stands in the name of Mrs. Akkamma in their records (Document No. 19).

**Observation:** We have been informed that at the time of assessment made by the office of BBMP, that BBMP has physically measured the property and based on the measurement the assessment was fixed for the actual area on ground and khata has been issued in respect of extent.

19. The said Mrs. Akkamma started paying tax to BBMP in respect of the said land. In this regard, we have been provided with Receipt bearing No. 10111430004618 dated 22.03.2011 issued by BBMP which evidences the payment of property tax in respect of the land bearing Municipal No. 58 for the year 2010-11 (Document No. 20).
20. Mrs. Akkamma (wife of Late Mr. Annaiappa) together with Mrs. Chinnamma (wife of Late Mr. Bolappa and daughter in law of Late Mr. Annaiappa), and children of Late Mr. Bolappa viz., Mr. Govindaraju, Mr. Venugopal, Mr. Nagaraj and Mrs. Manjula conveyed the Property VI in favour of Suruchi Properties Private Limited ("Suruchi") under Sale Deed dated 24.01.2011 (Document No. 21).
21. Family members of Late Mr. Chikka Bolappa viz., Mrs. Rukmini (wife of Mr. Chikka Bolappa) and her children Mr. Narayanaswamy and Mr. Suresh, who had not joined in the execution of the aforementioned Sale Deed dated 24.01.2011, have executed a Confirmation Deed dated 30.05.2011 in favour of Suruchi confirming the transfer of Property VI by Mrs. Akkamma and her children (Document No. 22). Further we note that Mrs. Rukmini, Mr. Narayanaswamy and Mr. Suresh have also executed a Deed of Release dated 23.05.2014 releasing all their right, title and interest in undivided 1/4<sup>th</sup> share in Property VI, in favour of Mr. A. Muniraju (son of Late Mr. Annaiappa) (Document No. 23).
22. Suruchi has entered into a Development Agreement dated 03.02.2011 with Salarpuria Realtors Private Limited to develop the land bearing various municipal numbers totally admeasuring 4,23,867 square feet (which includes land bearing Municipal No. 58 measuring 21,780 square feet) situated at Kodihalli, Ward No. 73, Airport Road, Bengaluru on the terms and conditions set out therein (Document No. 24). Suruchi has executed and registered a General Power of Attorney dated 04.02.2011 authorising and appointing the developer, Salarpuria Realtors Private Limited as its attorney in respect of lands admeasuring 4,27,867 square feet to do various acts, deeds and things in the connection with the development of the lands in the manner as specified therein (Document No. 25). The power of attorney also entitles the attorney to raise and borrow loan or financial assistance by creating the equitable



mortgage on security of the developer's share of receivables together with the undivided share right title and interest and ownership in the land.

23. Since Mr. A. Muniraju (son of Late Mr. Annaiappa) had neither joined in the execution of the Sale Deed in favour of Suruchi nor has confirmed the sale deed executed in favour of Suruchi, to perfect the title of Suruchi over Property VI, Suruchi executed Exchange Deed dated 21.11.2012 with Mr. A. Muniraju (son of Late Mr. Annaiappa) (Document No. 26). In terms of the said exchange, Suruchi transferred an extent of 4,000 square feet in Municipal No. 69 in favour of Mr. A. Muniraju and in-turn Mr. A. Muniraju has conveyed his undivided 1/4<sup>th</sup> share in the land bearing Municipal No. 58 admeasuring about 4,000 square feet in Municipal No. 58 in favour of Suruchi.
24. Pursuant thereto, it appears that Mr. A. Muniraju and his sons have executed and registered a General Power of Attorney in favour of Mr. R. Lakshminarayana Kamath, authorized representative of Suruchi in respect of Property VI.

Observation: We have not been provided with the said power of attorney.

25. Subsequently, the parties realised the mistake that 1/4<sup>th</sup> undivided right in Municipal No. 58 measuring 21,780 square feet amounts to 5,445 square feet, and therefore Mr. R. Lakshminarayana Kamath, acting as the power of attorney holder of Mr. A. Muniraju and others has executed and registered a Rectification Deed dated 22.02.2014, whereunder the parties have acknowledged that intention of Mr. A. Muniraju and his children was to convey 1/4<sup>th</sup> undivided interest and therefore 5,445 square feet in Municipal No. 58 is transferred under the Exchange Deed dated 21.11.2012 and accordingly rectification has been carried out (Document No. 27).
26. Mr. A. Muniraju has filed a suit bearing OS No. 5350 of 2021 for declaration and possession of 1,445 square feet conveyed under Exchange Deed and the Rectification Deed. The same is detailed in the Litigation section of this Report.

## II. Revenue Records and Endorsements

27. We have been provided with Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura, to the effect that RTCs issued in respect of the land bearing Survey No. 146/1 for the years 1969 to 1970 and 1997 to 2001 are not available and hence cannot be provided (Document No. 28).
28. We have been furnished with a map of Kodihalli Village which shows the location of the land bearing Survey No. 146 in the said village (Document No. 29).



29. Tippy issued in respect of land bearing Survey No. 146/1 of Kodihalli Village, shows the shape and boundaries of the land (Document No. 30).
30. Revision Settlement Akarhandh issued in respect of the land bearing Survey No. 146/1 confirms the total extent in the said land to be 1 Acre (Document No. 31).
31. The Tahasildar, Bengaluru East Taluk, Bengaluru has issued an Endorsement dated 18.04.2005 to the effect that no applications have been filed in respect of the land bearing Survey No. 146/1 situated at Kodihalli Village under Sections 48(i) of the Karnataka Land Reforms Act, 1961 (Document No. 32).
32. The Assistant Commissioner's Office, Bengaluru North Taluk, has issued endorsement dated 17.02.2012 to the effect that, as per the records maintained in the said office, no proceedings have been filed in respect of the the land bearing Survey No. 146/1 situated at Kodihalli under Sections 79(A) & 79(B) of the Karnataka Land Reforms Act, 1961 (Document No. 33).
33. We have not been furnished with an endorsement issued by the jurisdictional Assistant Commissioner stating that the Property VI does not come under the purview of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 and no proceedings have been filed / pending / disposed off in respect of the Property VI under the provisions of the said enactment. It has been represented that no applications have been filed under the provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of Property VI and in this regard Suruchi Properties Private Limited have not received any notice or intimation with respect to the same (Document No. 39).

### III. Khata and Tax Receipts:

34. We note the Khata Certificate and Khata Extract dated 23.03.2011 issued by BBMP certifying that khata in respect of Property VI stands in the name of Suruchi Properties Private Limited in the BBMP Register (Document No. 34).
35. We have been informed that prior to the issue of khatas by the BBMP, BBMP had levied betterment charges in respect of Property VI from the owners in the year 2010 and on payment of the betterment charges, BBMP issued khata certificates and khata extracts in respect of Property VI. We have not seen the receipts evidencing the payment betterment charges to BBMP.
36. We note the (a) Receipt bearing No. 1314611592395 dated 10.09.2013 and (b) Receipt bearing No. 1314611592396 dated 10.09.2013 issued by BBMP evidencing the payment of

property taxes in respect of Property VI for the years 2012-13 & 2013-14 (Document Nos. 35 & 36).

37. We note the Receipt hearing No. 22233031084 dated 18.08.2022 issued by the BBMP evidencing the payment of property tax in respect of Property VI for the years 2022-23 (Document No. 37).
38. It is noted that Suruchi appears to have made an application to the BBMP for the amalgamation of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot on the basis of the Modified Work Order dated 27.12.2021 sanctioned by the BDA referred to hereinafter and the B Kharab Realignment Order hearing No. LND (E) CR/226/2017-18 dated 05.03.2019 passed by the Deputy Commissioner, Bengaluru District.
39. We have been provided with a Special Notice bearing No. DA/113/KTR/20W/2023-24 dated 17.01.2024 issued by Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP, wherein based on the documents submitted by Suruchi, BBMP has amalgamated the Khata of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot admeasuring 3,54,506 square feet and assigned it with Municipal No. 73-63-64 standing in the name of Suruchi and Mrs. Sharadamma on certain terms and conditions morefully set out therein (Document No. 37A). The Special Notice further records that:
- (a) the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli shall stand cancelled in the records of BBMP.
- (b) The amalgamated single plot has been assessed for annual tax of Rs. 2,14,279.00 with effect from 01.10.2023.

**Observation:** We have not seen the Khata Certificate and Khata Extract issued by the BBMP in respect of the amalgamated Municipal No. 64 admeasuring 3,54,506 square feet situated at Ward No. 113, Narayanappa Garden, Kodihalli pursuant to the above mentioned Special Notice dated 17.01.2024. We have also not seen the B Kharab Realignment Order referred to above.

40. As per the assessment of Municipal No. 73-63-64 for tax set out in the Special Notice dated 17.01.2024 referred to above, we have been provided with the Receipt hearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department which evidences



the payment of property taxes for the land bearing Municipal No. 73-63-64 for the year 2023-24 (Document No. 37B).

#### IV. Acquisitions:

41. The Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru has issued an Endorsement dated 16.01.2013 to the effect that *inter alia* land bearing Survey No. 146/1 of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru is not notified for acquisition for any of its project as on the date of the issue of the said Endorsement (Document No. 38).
42. The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru has issued an Endorsement dated 23.01.2013 stating that *inter alia* land bearing Survey No. 146/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru has not been acquired or notified for acquisition for any of projects of Karnataka Industrial Areas Housing Board as on the date of issue of the said endorsement (Document No. 39).
43. The Special Land Acquisition Officer, National Highway Authority of India has issued an Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 stating that no survey numbers in Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru falls under the jurisdiction of National Highway Authority of India hence no acquisition has been effected (Document No. 40).

#### V. Land Conversion and Land Usage

44. We have not been furnished with the Official Memorandum issued by the office of Deputy Commissioner, Bengaluru District, whereunder the Property VI was converted for non agricultural purposes. We have been informed that, no conversion has been obtained under the provisions of Law. However, please note, the Section 95 (2) of the Karnataka Land Revenue Act, 1964, specifically states that, regardless of what is stated in any other law, if an occupant seeks to divert the usage of an agricultural land, then such occupant will have to obtain permission from the office of the Deputy Commissioner.
45. It is represented to us, that, the Kodihalli Village (comprising of Property VI) came to be administered by Hindustan Aeronautics Sanitary Board ("HASB"). HASB acting as the Special Board / Town or City Municipal Council, distinct and independent from the bangalore district board and panchayats of Kodihalli has assessed these properties as non-agricultural properties and issued fresh khata numbers to the properties under its administration. Subsequently when it was found that HASB was acting without any statutory mandate, the Bruhat Bangalore Mahanagara Palike took over the administration of the properties which were being administered by the HASB. The Bruhat Bangalore Mahanagara

- Palike, did not nullify the actions taken by HIASB (including issuing khata to unconverted lands) and they carried forward the same by issuing new municipal numbers to such unconverted lands.
46. In this regard, representatives of Suruchi Properties Private Limited have furnished a copy of an unreported division bench judgement dated 14.06.2012 of the High Court of Karnataka in W.A. 17361-17363/2011 which has held that 'there is no necessity to obtain conversion from agricultural to non-agricultural, if the area comes within the town municipal council limits and the town municipal council has collected the developmental charges and is treating the property as a municipal property'. Representatives of Suruchi Properties Private Limited have represented that the BBMP is relying on the aforesaid division bench judgement to approve plans in respect of unconverted properties falling within the jurisdiction of BBMP, for which khata has been issued by BBMP. It has been further represented to us that, the judgement dated 14.06.2012 of the division bench in the High Court of Karnataka has not been challenged or overruled as on date.
47. As per the Revised Master Plan 2015 of Bengaluru (Approved by the Government of Karnataka vide the G.O. No. UDD 540 BEM AA SE 2004 dated 25.6.2007) ("RMP-2015"), the Land is classified as residential (main) use.
48. We been provided with and we note the Work Order bearing No. BDA/Nayosa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority ("BDA") along with sanctioned residential development plan to Suruchi with respect to the sanction of the proposed residential development proposed to be undertaken in the land bearing Survey Nos. 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) situated at Kodihalli Village, Vantur Hobli, Bengaluru East Taluk (Document No. 41). In terms thereof, we note the Relinquishment Deed dated 29.05.2019 executed by Suruchi Properties Private Limited in favour of BDA relinquishing an extent of 4,407 square meters (i.e., about 47,419.3 square feet) for park and open spaces in the land bearing 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) of Kodihalli Village (Document No. 42).
49. It appears that there were some modifications in connection with the proposed residential development and accordingly Suruchi has applied for and obtained a Modified Work Order dated 27.12.2021 from the BDA and in terms thereof, BDA has sanctioned the modified residential development plan proposed to be undertaken by Suruchi in the land bearing Survey Nos. 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 08 Acres 5.35 Guntas (excluding 21 Guntas of kharab) situated at Kodihalli

Village, Varthur Hobli, Bengaluru East Taluk ("Project Lands") on the terms and conditions set out thereunder (Document No. 43). Some of the terms and conditions on which the sanction have been granted are as follows:

- (a) The developmental activities are to be undertaken in terms of the sanctioned development plan and the same shall not be changed without the prior permission of BDA.
- (b) The area reserved for parks and buffer zone shall be used for the purposes for which they have been reserved and shall not be used for any other purposes.
- (c) Sanction of the building plans will have to be obtained from BDA.
- (d) The sanction provided by BDA shall be automatically cancelled if it is found that the applicant has misrepresented with respect to the ownership of the properties.
- (e) 10% of the residential units shall be reserved for economically weaker sections and low income group.
- (f) Sewage treatment plant is required to be installed to ensure that untreated water is not released from the properties.

50. In connection with the above, we note the Rectification of Relinquishment Deed dated 17.07.2021 executed by Suruchi in favour of BDA whereunder the earlier area relinquished in favour of BDA was cancelled and Suruchi has relinquished an area of 3322 square meters in the properties for park and open spaces (Document No. 44).

## VI. Litigation

51. It is observed that the land bearing Survey No. 146/1 was notified for acquisition for the formation of a Golf – Cum Hotel Resort, near Bengaluru Airport vide a Preliminary Notification dated 29.12.1981 and pursuant thereto Final Notification dated 16.04.1983 was also passed. It is noted that, said acquisition was challenged by several owners in Writ Petitions i.e., Mr. Muniyappa (son of Mr. Muni Yellappa) in WP No. 19812 of 1990, Mr. Muniyappa (son of Mr. Muni Yellappa) in WP No. 813 of 1990, Mr. Srinivas@Seenappa (son of Mr. Muni Yellappa) in WP No. 814 of 1990, Mr. Andiyappa (son of Mr. Dodda Pillappa) in WP No. 815 of 1990 and Mr. Muniyappa (son of Mr. Motappa) in WP No. 816 of 1990 before the Hon'ble High Court of Karnataka, Bengaluru. The Hon'ble High Court of Karnataka by its order dated 18.09.1991 in the said writ petitions 19812-816/1990 quashed the acquisition notifications and proceedings with regard to the land bearing Survey No. 146/1 and adjoining lands (Document Nos. 45 & 46).

52. **OS No. 3288/2014 before the Court of Additional City Civil Judge & Sessions Judge at Bengaluru:** Mrs. Rukhmini (wife of Late Mr. Chikka Bolappa and daughter in law of Late Mr. Annaiah) has filed a suit for partition claiming 1/7<sup>th</sup> share in the joint family properties including the land bearing Survey No. 146/1 measuring 20 Guntas against the other family members of Late Mr. Annaiah and also Suruchi is impleaded as one of defendants. The Defendants have denied the allegation of Mrs. Rukhmini and also contended that Mrs.

Rukhmini and her children have executed and registered a Confirmation Deed confirming Suruchi as the owner of the property and thereafter have filed this frivolous suit. We have perused the Order Sheets in respect of the said suit upto January 2019 and we note that there are no temporary injunction or stay orders passed in the said suit. The said suit is presently pending (Document No. 47).

**Observation:** We have been informed that Suruchi is contesting the said suit on merits.

53. **OS No. 25518 of 2016 before the Court of City Civil Judge at Bengaluru:** Mrs. Yashodamma (daughter of Late Mr. Annaiah) has filed a suit for partition claiming 1/12<sup>th</sup> share in the joint family properties of Late Mr. Annaiah and contending that no share has been allotted to her, the daughter of Late Mr. Annaiah. Suruchi has been impleaded as one of the defendants in the said suit. Suruchi is contending the above suit contending that the land bearing Survey No. 146/1 has been acquired by Mr. Annaiah under a sale deed and during his life time, Mr. Annaiah executed a Will bequeathing the said land in favour of Mr. Bulappa and also in the said Will it is stated that the daughters were provided their share in the properties of Mr. Annaiah by way of money as recorded in the said Will. We have perused the Order Sheets in respect of the said suit upto January 2019 and we note that there are no temporary injunction or stay orders passed in the said suit. The said suit is presently pending (Document No. 48).

54. **OS 9392 of 2013 before the Court of City Civil Judge at Bengaluru:** Mrs. Surojamma (daughter of Late Mr. Annaiah) has filed a suit for partition claiming 1/11<sup>th</sup> share in the joint family properties of Late Mr. Annaiah and contending that no share has been allotted to her, the daughter of Late Mr. Annaiah. Suruchi is impleaded as one of the defendants. Suruchi is contesting the said suit on the same basis as that set out in OS No. 25518 of 2016. We have perused the Order Sheets in respect of the said suit upto January 2019 and we note that there are no temporary injunction or stay orders passed in the said suit. The said suit is presently pending (Document No. 49).

**Observation:** We have been informed by Suruchi that Suruchi is contesting the present suit on merits.

55. **OS No. 5350 of 2021 on the file of the Court of City Civil and Sessions Judge, Bengaluru:** Mr. Muniraju along with his children has filed this suit for declaration and possession of 1,445 square feet of land in Municipal No. 58 to have been conveyed in favour of Suruchi under the Exchange Deed dated 21.11.2012 and Rectification Deed dated 22.02.2014. Mr. Muniraju has contended that he has not executed the Rectification Deed dated 22.02.2014 and that the same is not binding on him and that he had conveyed only an extent of 4,000 square feet and claiming possession of the additional 1,445 square feet stated to be conveyed under Rectification Deed dated 22.02.2014. An application for grant of temporary injunction has not been granted by the Court. Suruchi is contending that the intention of the parties during the Exchange Deed dated 21.11.2012 was to convey 1/4<sup>th</sup>

undivided interest in Municipal No. 58 admeasuring 21,780 square feet, which is 5,445 square feet and the Rectification Deed has been executed in terms thereof by his registered power of attorney and the said Power of Attorney was executed and registered by Mr. Muniraju himself (Document No. 50).

**Observation:** We have not been provided with the Order Sheet of this suit. It is necessary to secure the same. Further we have been informed that Suruchi is contesting the present suit.

56. We have been informed by Suruchi that apart from the above, there are no other litigations filed or pending in respect of Property VI.

#### VII. Encumbrance / Charge:

57. Encumbrance Certificates issued in respect of the land bearing Survey No. 146/1 for the period 01.04.1957 to 31.03.1971, 01.04.1971 to 31.03.1974, 01.04.1974 to 31.03.2004, 01.04.2004 to 07.12.2011, 08.12.2011 to 06.02.2013, 01.06.2013 to 20.11.2013 and 01.03.2016 to 23.04.2019 reflect Release Deed dated 21.08.1970, Sale Deeds dated 04.05.1972 and 15.04.1974 referred to hereinabove (Document No. 51).

58. Encumbrance Certificates issued in respect of the land bearing H.A.S.B Khata Nos. 146/1E to 146/1H for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 27.06.2011, 28.06.2011 to 07.02.2011, 08.02.2011 to 31.05.2013, 01.06.2013 to 20.11.2013 reflect that no transactions have taken place in respect of the said property for the said period (Document No. 52).

59. Encumbrance Certificates issued in respect of the land bearing Municipal No. 58 for the period 01.04.2004 to 19.06.2013, 15.12.2013 to 09.07.2015, 01.04.2013 to 01.03.2016, 01.06.2013 to 15.12.2013, 01.04.2004 to 01.02.2016, 01.06.2013 to 23.04.2019, 01.07.2015 to 08.03.2016, 01.04.2019 to 10.01.2023, 01.01.2023 to 21.05.2023 and 21.05.2023 to 25.10.2023 reflect the Sale Deed dated 29.01.2011, Confirmation Deed dated 30.05.2011, Development Agreement dated 04.02.2011, Exchange Deed dated 03.02.2012, Rectification Deed dated 24.05.2014 referred to hereinabove and Mortgage Deed dated 14.03.2011, Release Deed dated 09.11.2015 and Memorandum of Entry dated 06.10.2015 referred to hereinbelow (Document No. 53).

60. Encumbrance Certificate issued in respect of the land bearing Municipal No. 58 in the land bearing Survey No. 146/1 of Kodihalli for the period 01.04.2004 to 12.01.2024 reflect the Sale Deed dated 24.01.2011, Confirmation Deed dated 30.05.2011, Release Deed dated 24.05.2014, Rectification Deed dated 22.02.2014, Joint Development Agreements dated 03.02.2011 referred to hereinabove and Mortgage Deed dated 14.03.2011, Memorandum of Entry dated 06.10.2015, 21.02.2019, Mortgage Deed dated 29.11.2011 and Discharge Deed dated 09.11.2015 referred to herein below (Document No. 53A).



**Observation:** We have not seen encumbrance certificate in respect of Property VI from 12.01.2024. The encumbrance certificates provided to us do not reflect the registered Memorandum of Entries 02.08.2018 and 06.09.2023 referred to hereinafter.

61. We have been furnished with a Simple Mortgage Deed dated 14.03.2011 executed amongst Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses in favour of IDBI Trusteeship Services Ltd., which includes *inter-alia* Municipal 58 measuring 21780 square feet (Document No. 54). It is observed that Century Real Estate Holdings Private Limited, Century Shelters and Green Orchards Farm House, as mortgagors had mortgaged certain of other properties owned by them and Suruchi Properties Private Limited, had mortgaged the lands situated at Kodihalli (including Municipal No. 58) to secure the debentures issued by Century Real Estate Holdings Private Limited.
62. Subsequently, Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited executed an Escrow Agreement dated 16.09.2015 with respect to the custody of the title deeds in respect of the Properties (Document No. 55) which *inter-alia* included Municipal 58 measuring 21780 square feet. It is observed that, pursuant to aforesaid Joint Development Agreement, Suruchi Properties Private Limited had handed over the original title deeds in respect of the properties to Salarpuria Realtors Private Limited and, on the request made by the Suruchi Properties Private Limited, Salarpuria Realtors Private Limited has agreed to deposit the title deeds pertaining to the project which *inter-alia* contains the title deeds of Municipal 58 measuring 21780 square feet, with the escrow agent i.e., IL&FS Trust Company Limited (ITCL) and the parties have entered into the escrow agreement to record the terms and conditions on which ITCL shall hold and safeguard the title deeds as trustee for the benefit of the parties as per the terms agreed under the said Agreement, subject to the duties, obligations and responsibilities mentioned there-under.
63. It is noted that, in consideration of payment of entire amount in principal and interest due to the Debenture Holders on the security of the Simple Mortgage Deed dated 14.03.2011, the Debenture Trustee, i.e., IDBI Trusteeship Services Limited has discharged and released *inter-alia* Municipal 58 measuring 21780 square feet and others properties free from all encumbrances and charges whatsoever created in favour of Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses by executing a Discharge Deed dated 09.11.2015 (Document No. 56).
64. Suruchi Properties Private Limited, has executed a Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 and registered on 11.11.2015 in favour of IDBI Trusteeship Services Limited whereunder Suruchi Properties Private Limited has created first and exclusive charge by way of equitable mortgage over the lands situated at Kodihalli (including Municipal No. 58) to secure debentures worth of Rs.620 Crores issued by Century Joint Developments Private Limited (Document No. 57). We note that IL&FS



Trust Company Limited has joined in the execution of this memorandum to record the constructive delivery of the title deeds. We have been provided with No Due Certificate dated 04.07.2021 issued by IDBI Trusteeship Services Limited which evidences, that the debenture holder has confirmed that there are no amounts due and payable in respect of the non-convertible debentures worth of Rs. 620 Crores and that the same has been fully re-paid and on the basis of the same, IDBI Trusteeship Services Limited has provided its approval for the release of the securities including the charge created thereunder (Document No. 57A). We have been informed that the said non convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed

65. Thereafter, it is noted that, Suruchi Properties Private Limited has executed and registered a Memorandum of Entry dated 02.08.2018 in favour of IDBI Trusteeship Services Limited wherein the pari passu charge was created over the lands situated at Kodihalli to secure an amount totally to Rs. 772 Crores of financial assistance availed by Century Real Estate Holdings Private Limited (comprising of (1) Rs. 125 Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued as terms of the Debenture Trust Deed 27.03.2017, (2) Rs. 257 Crores – of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 29.06.2016 and (3) Rs. 390 Crores of term loan availed by Century Real Estate Holdings Private Limited under the Facility Agreement 03.07.2018) (Document No. 57B).
66. Suruchi Properties Private Limited has executed and registered a Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 (registered on 21.02.2019) in favour of IDBI Trusteeship Services Limited, whereunder the charge created on the lands situated at Kodihalli (including Municipal No. 58) by Suruchi Properties Private Limited has been extended on first ranking pari passu basis to secure (a) Century Joint Developments Private Limited's indebtedness of Rs. 1105 Crores (comprising of (1) Rs. 620 Crores of non-convertible debentures of Century Joint Developments Private Limited (now released as detailed above) and (2) Rs. 485 Crores – of term loan availed by Century Joint Developments Private Limited under the Facility Agreement 30.07.2018) and (b) Century Real Estate Holdings Private Limited's indebtedness of Rs. 772 Crores (Document No. 58).
67. Thereafter we note (a) Letter bearing No. 51141-A/TISL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour of *inter alia* Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 125 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 58A) and (b) Letter bearing No. 51141-B/TISL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 257 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues

certificates in respect thereof (Document No. 58B). IDBI Trusteeship Services Limited has provided their no objection for filing CHG-4 with the concerned Registrar of Companies. We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.

Observation: We have been informed that no release deeds have been executed and registered evidencing the release of the mortgage created over the lands situated at Kodihalli, Bengaluru owned by Suruchi. It is noted that the mortgage created under the Memorandum of Entry dated 06.02.2019 for securing (a) the term loan of Rs. 390 Crores availed by Century Real Estate Holdings Private Limited and (b) the term loan of Rs. 485 Crores availed by Century Joint Development Agreements Private Limited was subsisting and not released under the above mentioned no due certificates.

68. Thereafter, we note the registered Memorandum of Entry dated 06.09.2023 whereunder Suruchi's entitlement in the lands situated at Kodihalli Village has been mortgaged by way of first ranking pari passu charge to secure (a) Rs. 485 Crores term loan availed by Century Joint Developments Private Limited (CJDPL) from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 30.07.2018, (b) Non-convertible debentures aggregating up to Rs. 325 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 12.12.2020, (c) Non-convertible debentures aggregating upto Rs. 700 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 22.09.2022, (d) Rs. 390 Crores term loan availed by Century Real Estate Holdings Private Limited from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 03.07.2018 (Document No. 58C)

69. We have been informed that, apart from the above Memorandum of Entry recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 (which has since been satisfied in entirety as detailed above), 02.08.2018 (which has been satisfied partially as detailed above) 06.02.2019 and 06.09.2023 which are still subsisting, there are no other mortgages, in respect of Municipal 58.

#### VIII. Contiguity, Inspection of Original Documents and Public Notice:

70. From the development plan and the title deeds (including the sale deed by which Suruchi has acquired and the khata which has been prepared thereafter) provided to us in respect of Property VI for our scrutiny, it is not possible to ascertain in Property VI (viz., Municipal No. 58) are contiguous with the other lands forming part of the proposed project. The same needs to be ascertained by undertaking a physical survey. In this regard we have been informed that the Project Lands are contiguous and that an amalgamated khata has been issued by BDMP on the basis of the Modified Work Order dated 27.12.2021 issued by the



BDA sanctioning the residential development plan which indicates that the all the Project Lands form a contiguous parcel of land.

71. As part of our title scrutiny, we have undertaken inspection of the original documents in respect Property VI which are in the custody of Vistra (TCL (India) Limited (the escrow agent for Suruchi and Salarpuria Realtors Private Limited) and Suruchi. The list and the nature of the documents provided to our inspection is detailed in Annexure – B of this Report.
72. We have issued a Public Notice in an English daily 'The New Indian Express' and Kannada daily the 'Kannada Prabha' on 16.12.2023 inviting objections from the general public with respect to Suruchi's title over Property VI. As on 18.01.2024, we have not received any objections to the public notice issued.

#### G. CONCLUSION:

Subject to our observations made hereinabove in general including the outcome of litigations detailed in Part VI above, we are of the opinion that:

- (i) Suruchi Properties Private Limited, is the owner of Property VI, subject to the rights of Salarpuria Realtors Private Limited under the Development Agreement dated 03.02.2011; and
- (ii) Property VI has been mortgaged to IDBI Trusteeship Services Limited, pursuant to the Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 02.08.20218, 06.02.2019 and 06.09.2023.



A handwritten signature in blue ink, appearing to be 'S. Prasad'.

TATVA LEGAL  
BANGALORE

**ANNEXURE - A**  
**LIST OF DOCUMENTS EXAMINED**

Sl. No.	Description of Documents
1.	Notification bearing No. R.8347-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;
2.	Order dated 15.06.1958 in Case No. 149 of 1957-58 passed by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District;
3.	Extract of Register VIII with respect to <i>inter alia</i> the land reflecting the grant of an extent of 1 Acre in Survey No. 146/1 situated at Kodihalli Village;
4.	RTCs issued in respect of land bearing Survey No. 146 measuring 1 Acre situated at Kodihalli Village, Yarthur Hobli, Bengaluru South Taluk for the years 1969-70 to 1996-97;
5.	Release Deed dated 21.08.1970, registered as Document No. 2672 of 1970-71, in Book I, Volume 834, at Pages 28 to 35 in the office of the Sub Registrar, Bengaluru South Taluk;
6.	Sale Deed dated 04.05.1972, registered as Document No. 916 of 1972-73 in Book I, Volume 941, at Pages 25 to 30 in the office of the Sub Registrar, Bengaluru South Taluk;
7.	Sale Deed dated 22.07.1974, registered as Document No. 3752 of 1973-74 in Book I, Volume 1081, at Pages 14 to 16 in the office of the Sub Registrar, Bengaluru South Taluk;
8.	Extract of Entry No. MR 69 of 1974-75 made in the Mutation Register;
9.	(Notarised) Will dated 25.04.1996 executed by Mr. Annaiappa (son of Mr. Bolappa);
10.	Death Certificate of Mr. Annaiappa (son of Mr. Bolappa);
11.	Extract of Entry No. IHC 12 of 1996-97 made in the Inheritance Register;
12.	Affidavit dated 10.02.2017 sworn to by Mr. Muniraju reflecting the names of family members of Late Mr. Annaiappa;
13.	Judgement dated 26.06.2006 passed in OS No. 422 of 1994 on the file of the City Civil Court, Bengaluru;



14.	Extract of assessment List of the buildings and land liable for taxation for the year 1995-96 issued by HASB in respect of the land bearing HASB Khata No. 146/1E situated at Kodihalli, Bengaluru;
15.	Extract of assessment List of the buildings and land liable for taxation for the year 1995-96 issued by HASB in respect of the land bearing HASB Khata No. 146/1F situated at Kodihalli, Bengaluru;
16.	Extract of assessment List of the buildings and land liable for taxation for the year 1995-96 issued by HASB in respect of the land bearing HASB Khata No. 146/1G situated at Kodihalli, Bengaluru;
17.	Extract of assessment List of the buildings and land liable for taxation for the year 1995-96 issued by HASB in respect of the land bearing HASB Khata No. 146/1H situated at Kodihalli, Bengaluru;
18.	4 Receipts dated 12.12.1994 issued by HASB evidencing the payment of property tax in respect of the land bearing HASB Khata Nos. 146/1E to 146/1H, Kodihalli Village for the year 1994-95;
19.	Khata Certificate and Khata Extract dated 10.11.2009 issued by BBMP with respect to Municipal No. 58, Muniyellappa Garden, Kodihalli, Bengaluru;
20.	Receipt bearing No. 10111430004618 dated 22.03.2011 issued by BBMP;
21.	Sale Deed dated 24.01.2011, registered as Document No. VRT-1-07439-2010-11 (stored in C.D.No. VRTD97) in the office of the Sub Registrar, Varthur.
22.	Confirmation Deed dated 30.05.2011 registered as Document No. VRT-1-01537-2011-12 (stored in C.D. No. VRTD113) in the office of the Sub Registrar, Varthur;
23.	Deed of Release dated 23.05.2014 registered as Document No. HLS-1-00874-2014-15 (stored in C.D. No. HLSD97) in the office of the Sub Registrar, Halasur;
24.	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT 1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;
25.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;
26.	Exchange Deed dated 21.11.2012, registered as Document No. INR-1-02001-2013-14 (stored in C.D.No. INRD 69) on 24.06.2013 in the office of the Sub Registrar, Indiranagar;

27.	Rectification Deed dated 22.02.2014, registered as Document No. INR-1-08609-2013-14 (stored in C.D. No. INR1387) in the office of the Sub Registrar, Indiranagar;
28.	Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura.
29.	Map of Kodihalli Village;
30.	Tippany & Atlas issued in respect of land bearing Survey Nos.146/1 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
31.	Revision Settlement Akarbandh issued with respect to Survey No. 146/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
32.	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;
33.	Endorsement bearing No. LRF: (BF): CR: 1107 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;
34.	Khata Certificate and Khata Extract dated 23.03.2011 issued by BBMP;
35.	Receipt bearing No. 1314611592395 dated 10.09.2013 issued by BBMP;
36.	Receipt bearing No. 1314611592396 dated 10.09.2013 issued by BBMP;
37.	Receipt bearing No. 22233031084 dated 18.08.2022 issued by the BBMP.
37A.	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;
37B.	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;
38.	Endorsement bearing No. KHB:LAO/380/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;
39.	Endorsement bearing No. Bengaluru:SLAO:6929/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;



40.	Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;
41.	Work Order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution bearing No. BDA/TPM/DLP-38/2016-17/580/2019-20 dated 11.06.2019,
42.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;
43.	Modified Work Order bearing No. BDA/Nayasa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;
44.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA;
45.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf Cum Hotel Resort, near Bengaluru Airport;
46.	Order dated 18.09.1991 passed in WS Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka;
47.	Plaint, Written statement and Order sheet in O. S. No. 3288 of 2014 filed before the Court of Additional City Civil Judge & Sessions Judge at Bengaluru;
48.	Plaint, Written statement and Order sheet in O. S. No. 25518 of 2016 filed before the Court of City Civil Judge at Bengaluru;
49.	Plaint, Written statement and Order sheet in O. S. No. 9192 of 2013 filed by Mrs. Prema and Mrs. Sharadamma (daughters of Late Mr. Annappa) before the Court of City Civil Judge at Bengaluru;
50.	Plaint, Written Statement filed in OS No. 5350 of 2021 on the file of the Court of City Civil and Sessions Judge, Bengaluru;
51.	Encumbrance Certificates issued in respect of the land bearing Survey No. 146/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the period 01.04.1957 to 31.03.1971, 01.04.1971 to 31.03.1974, 01.04.1974 to 31.03.2004, 01.04.2004 to 07.12.2011, 08.12.2011 to 06.02.2013, 01.06.2013 to 20.11.2013 and 01.03.2016 to 23.04.2019;



52.	Encumbrance Certificates issued in respect of the land bearing HASB Khata Nos. 146/1E to 146/1H situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 27.06.2011, 28.06.2011 to 07.02.2011, 08.02.2011 to 31.05.2015;
53.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 58 situated at Ward No. 73, Kodihalli, Bengaluru for the period 01.04.2004 to 19.06.2013, 01.06.2013 to 15.12.2013, 15.12.2013 to 09.07.2015, 01.04.2013 to 01.03.2016, 01.04.2004 to 01.02.2016, 01.06.2013 to 23.04.2019, 01.07.2015 to 08.03.2016, 01.04.2019 to 10.01.2023, 01.01.2023 to 21.05.2023 and 21.05.2023 to 25.10.2023;
53A	Encumbrance Certificate issued in respect of the land bearing Municipal No. 58 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 12.01.2024;
54.	Simple Mortgage Deed dated 14.03.2011 registered as Document No. BVP-1-05839-2010-11 (stored in C.D. No. BYPD 69) in the office Sub Registrar, Byatarayanapura;
55.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited in respect of inter-alia Property VI;
56.	Discharge Deed dated 09.11.2015 registered as Document No. MLS-1-02751-2015-16 (stored in C.D. No. MLSD112) in the office of the Sub Registrar, Mallechwaram;
57.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. MLS-1-02759-2015-16 (stored in C.D. No. MLSD112) on 11.11.2015 in the office of the Sub Registrar, Mallechwaram;
57A	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;
57B	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in C.D. No. GAND112) in the office of the Sub Registrar, Gandhi Nagar;
58.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19 (stored in C. D. No. HBHD244) in the office of the Sub Registrar, Hebbala;
58A	Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;



58B	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
58C	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;
59.	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016



**ANNEXURE - B  
ORIGINAL VERIFICATION**

Sl No.	Description of Documents	Nature of Document in custody of Vistra (ITCL)	Nature of Document in custody of Suruchi
1.	Notification bearing No. R.8347-I.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;		Photo Copy
2.	Order dated 15.06.1958 in Case No. 149 of 1957-58 passed by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District;		Photo Copy
3.	Extract of Register VIII with respect to <i>inter alia</i> the land reflecting the grant of an extent of 1 Acre in Survey No. 146/1 situated at Kodihalli Village;		Certified Copy (Common to all properties)
4.	RTCs issued in respect of land bearing Survey No. 146 measuring 1 Acre situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1969-70 to 1996-97;	1971-72 to 1975-76 Photo Copy 1976-77 to 1984-85 and 1992-93 to 1996-97 - Certified Copy	
5.	Release Deed dated 21.08.1970, registered as Document No. 2672 of 1970-71, in Book I, Volume 834, at Pages 28 to 35 in the office of the Sub Registrar, Bengaluru South Taluk;	Certified Copy	
6.	Sale Deed dated 04.05.1972, registered as Document No. 916 of 1972-73 in Book I, Volume 941, at Pages 25 to 30 in the office of the Sub Registrar, Bengaluru South Taluk;	Certified Copy	
7.	Sale Deed dated 22.07.1974, registered as Document No. 3752 of 1973-74 in Book I, Volume 1081, at Pages	Certified Copy	



	14 to 16 in the office of the Sub Registrar, Bengaluru South Taluk:		
8.	Extract of Entry No. MR 69 of 1974-75 made in the Mutation Register:	Photo Copy	
9.	(Notarised) Will dated 25.04.1996 executed by Mr. Annaiappa (son of Mr. Holappa):		Original
10.	Death Certificate of Mr. Annaiappa (son of Mr. Holappa):		Photo Copy
11.	Extract of Entry No. IIC 12 of 1996-97 made in the Inheritance Register:	Certified Copy	
12.	Affidavit dated 10.02.2017 sworn to by Mr. Muniraju reflecting the names of family members of Late Mr. Annaiappa:		Photo Copy
13.	Judgement dated 26.06.2006 passed in OS No. 422 of 1994 on the file of the City Civil Court, Bengaluru:		Photo Copy
14.	Extract of assessment List of the buildings and land liable for taxation for the year 1994-95 issued by HASB in respect of the land bearing HASB Khata No. 146/1E situated at Kodihalli, Bengaluru:		Original
15.	Extract of assessment List of the buildings and land liable for taxation for the year 1994-95 issued by HASB in respect of the land bearing HASB Khata No. 146/1F situated at Kodihalli, Bengaluru:		Original
16.	Extract of assessment List of the buildings and land liable for taxation for the year 1994-95 issued by HASB in respect of the land bearing HASB Khata No. 146/1G situated at Kodihalli, Bengaluru:		Original
17.	Extract of assessment List of the buildings and land liable for taxation for the year 1994-95 issued by HASB in respect of the land bearing HASB Khata No. 146/1H situated at Kodihalli, Bengaluru:		Original

18.	4 Receipts dated 12.12.1994 issued by HASB evidencing the payment of property tax in respect of the land bearing HASB Khata Nos. 146/1E to 146/1H, Kodihalli Village for the year 1994-95;		Original
19.	Khata Certificate and Khata Extract dated 10.11.2009 issued by BBMP with respect to Municipal No. 58, Muniyellappa Garden, Kodihalli, Bengaluru;	Original	
20.	Receipt bearing No. 10111430004618 dated 22.03.2011 issued by BBMP;		Photo Copy
21.	Sale Deed dated 24.01.2011, registered as Document No. VRT-1-07439-2010-11 (stored in C.D. No. VRTD97) in the office of the Sub Registrar, Varthur;	Original	
22.	Confirmation Deed dated 30.05.2011 registered as Document No. VRT-1-01537-2011-12 (stored in C.D. No. VRTD113) in the office of the Sub Registrar, Varthur;	Original	
23.	Deed of Release dated 23.05.2014 registered as Document No. HILS-1-00874-2014-15 (stored in C.D. No. HILSD97) in the office of the Sub Registrar, Halasur,		Photo Copy (Certified Copy to be handed over)
24.	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur,		Photo Copy
25.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur.		Photo Copy
26.	Exchange Deed dated 21.11.2012, registered as Document No. INR-1 02001-2013-14 (stored in C.D.No. INRD 69) on 24.06.2013 in the office of the Sub Registrar, Indiranagar;		Certified Copy
27.	Rectification Deed dated 22.02.2014, registered as Document No. INR-1-08609-2013-14 (stored in C.D.		Certified Copy

	No. INRD871 in the office of the Sub Registrar, Indiranagar;		
28.	Endorsement bearing No. RK CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura,		Original (Common to all properties)
29.	Map of Kodihalli Village;	Photo Copy	
30.	Tippany & Atlas issued in respect of land bearing Survey Nos.146/1 of Kodihalli Village, Vantur Hobli, Bengaluru South Taluk;		Photo Copy
31.	Revision Settlement Akarbandh issued with respect to Survey No. 146/1 situated at Kodihalli Village, Vantur Hobli, Bengaluru South Taluk;		Photo Copy
32.	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru.		Original (Common to all properties)
33.	Endorsement bearing No. LRF: (BE): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru.		Original (Common to all properties)
34.	Khata Certificate and Khata Extract dated 23.03.2011 issued by BBMP;		Photo Copy
35.	Receipt bearing No. 1314611592395 dated 10.09.2013 issued by BBMP;		Photo Copy
36.	Receipt bearing No. 1314611592396 dated 10.09.2013 issued by BBMP;		Photo Copy
37.	Receipt bearing No. 22233031084 dated 18.08.2022 issued by the BBMP;		Photo Copy
38.	Endorsement bearing No. KHB:LAO/381/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru.		Original (Common to all properties)



39.	Endorsement bearing No. Bengaluru:SLAO:6929/2012-17 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;		Original (common to all properties)
40.	Endorsement bearing No. LAQ/NH-7/LIM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;		Original (common to all properties)
41.	Work Order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution bearing No. BDA/TPM/DLP-38/2016-17/380/2019-20 dated 11.06.2019;		Original
42.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub-Registrar;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
43.	Modified Work Order bearing No. BDA/Nayasa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;		Original
44.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
45.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf - Cum Hotel Resort, near Bengaluru Airport;		Certified Copy (common to all properties)
46.	Order dated 18.09.1991 passed in WS Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka;		Photo Copy



47.	Plaint, Written statement and Order sheet in O. S. No. 3288 of 2014 filed before the Court of Additional City Civil Judge & Sessions Judge at Bengaluru;		Certified Copy
48.	Plaint, Written statement and Order sheet in O. S. No. 25518 of 2016 filed before the Court of City Civil Judge at Bengaluru;		Certified Copy
49.	Plaint, Written statement and Order sheet in O. S. No. 9392 of 2013 filed by Mrs. Prema and Mrs. Shuradamma (daughters of Late Mr. Annaiappa) before the Court of City Civil Judge at Bengaluru;		Certified Copy
50.	Plaint, Written Statement filed in OS No. 5350 of 2021 on the file of the Court of City Civil and Sessions Judge, Bengaluru;		Certified Copy
51.	Encumbrance Certificates issued in respect of the land bearing Survey No. 146/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the period 01.04.1957 to 31.03.1971, 01.04.1971 to 31.03.1974, 01.04.1974 to 31.03.2004, 01.04.2004 to 07.12.2011, 08.12.2011 to 06.02.2013, 01.06.2013 to 20.11.2013 and 01.03.2016 to 23.04.2019;		01.04.1974 to 31.03.2004 - Certified Copy. Rest are photocopies.
52.	Encumbrance Certificates issued in respect of the land bearing HASB Khata Nos. 146/1E to 146/1H situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 27.06.2011, 28.06.2011 to 07.02.2011, 08.02.2011 to 31.05.2013; 01.06.2013 to 20.11.2013	Certified Copy	
53.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 58 situated at Ward No. 73, Kodihalli, Bengaluru for the period 01.04.2004 to 19.06.2013, 01.06.2013 to 15.12.2013, 01.06.2013 to 23.04.2019, 01.07.2015 to 08.03.2016, 01.04.2019 to 10.01.2023, 01.01.2023 to 21.05.2023 and 21.05.2023 to 25.10.2023; 01.04.2004 to 01.02.2016, 01.04.2013 to 01.03.2016, 15.12.2013 to 09.07.2015	Certified Copy	01.04.2004 to 01.02.2016, 01.04.2013 to 01.03.2016, 15.12.2013 to 09.07.2015 01.04.2019



			to 10.01.2023. 01.01.2023 to 21.05.2023 : Certified Copies. Rest are all photocopies.
54.	Simple Mortgage Deed dated 14.03.2011 registered as Document No. BYP-1-05839-2010-11 (stored in C/D No. BYPD 69) in the office Sub Registrar, Byatarayanapura;		Certified Copy (Common to all properties)
55.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and JL&FS Trust Company Limited in respect of inter-alia Property VI;		Original (Common to all properties)
56.	Discharge Deed dated 09.11.2015 registered as Document No. MLS-1-02751-2015-16 (stored in C.D. No. MLSD112) in the office of the Sub Registrar, Malleshwaram;		Photo Copy (Certified Copy to be handed over)
57.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. MLS-1-02759-2015-16 (stored in C.D. No. MLSD112) on 11.11.2015 in the office of the Sub Registrar, Malleshwaram;		Photo Copy
58.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19 (stored in C. D. No. HBBD244) in the office of the Sub Registrar, Hebbala;		Photo Copy
59.	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016.		Photo Copy
60.	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;		Photo Copy



61.	Receipt bearing No. 33243908653 dated 17.01.2024 issued by the BBMP Revenue Department;		Original (Computer generated copy)
62.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 58 situated at Kodihalli, Bengaluru for the period 01.01.2004 to 12.01.2024;		Certified Copy
63.	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;		Photo Copy
64.	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;		Photocopy
65.	Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
66.	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
67.	Memorandum of Entry dated 06.09.2023, registered as Document No. M.S-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram,		Photo Copy (Certified Copy to be handed over) (Common to all properties)
<b>Additional Documents</b>			
68.	Family Tree of Mr. Annaiappa, authenticated by the Village Accountant, HIASB	Certified Copy	
69.	Endorsement bearing No. RKCR 757 of 2008-09 dated 03.10.2008 issued by the Tahsildar, Bengaluru South Taluk regarding non availability of RTCs for the years 1985-86 to 1991-92	Certified Copy	



70.	Intimation Letter dated 19.12.2009 issued by the BBMP with respect to payment of property tax for the years 1995-96 to 2009-10	Original	
71.	Receipts (2 Nos.) dated 22.12.2009 issued by BBMP evidencing payment of property tax for the years 1995 to 2007 and 2007-08	Original	
72.	Notarised Affidavit dated 21.02.2013 sworn by Mrs. Akkamma ;	Original	



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**TITLE REPORT DATED 22.01.2024**  
**PROPERTY XI**  
**MUNICIPAL NO. 66 (PID No.73-63-66)**

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 **TATVALEGAL**  
Bangalore  
Advocates  
*[Restricted and Confidential]*



## TITLE REPORT

### A. Description of Property:

The objective of this due diligence exercise is to investigate title to the Property (*defined hereinafter*) described in Part E of this title Report ("the Report") based on review of the documents furnished to us, description whereof is given in Part D of this Report.

### B. Scope of Limitation:

The scope of our review and of this Report is subject to the following limitations:

- (i) While performing the review, we have assumed the (a) genuineness of all signatures, (b) accuracy and correctness of all information / representations provided / made to us, including the facts that are mentioned in agreements, executed copies of documents and government records, (c) authenticity of copies of all documents submitted to us as originals, (d) conformity of the copies or extracts submitted to us with the originals thereof, (e) correctness of all information provided to us in respect of the litigations in respect of the Property including the fact that no appeals or revisions have been filed in respect of the relevant suits / litigations and (f) compliance with all legal requirements by the parties concerned with the Property.
- (ii) We have only examined issues pertaining to the ownership of the Property and have not examined issues pertaining to (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Property; (b) business, regulatory and financial issues of the present or previous owners of the Property; and (c) other matters that do not directly affect the ownership of the Property.
- (iii) For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report.
- (iv) We have assumed that there are no outstanding / dues payable by the present / previous owners of the Property to any government / statutory authority (including any tax / cess dues) or local body and that the Property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws.



- (v) Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Property, as analyzed by us from the information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report.

**C. Confidentiality:**

The contents of this Report are confidential. Neither this Report nor any of its contents may be disclosed to any person other than to the professional advisers, officers and employees of **Suruchi Properties Private Limited** who are directly involved in the proposed transaction relating to the Property. We accept no responsibility to any person other than to **Suruchi Properties Private Limited** in relation to the contents of this Report.

**D. Documents Examined:**

We have been provided with and have examined the photocopies of the documents listed in [Annexure – A](#) to this Report for the purpose of carrying out title due diligence on the Property.

**E. Description of Property:**

All that piece and parcel of the immovable property being land originally bearing (i) Municipal No. 66 (PID No. 73-63-66) measuring an extent of 14,320 square feet out of the total extent of 26,125 square feet, (ii) Municipal No. 70 (PID No. 73-66-70) measuring 3811.5 square feet, (iii) Municipal No. 71 (PID No. 73-66-71) measuring 7188 square feet comprised in the land earlier bearing Survey No. 147/1 situated at Ward No. 73, Narayanappa Garden, Kodihalli, Bengaluru, now forming part of the amalgamated Municipal No. 64 (PID No. 73-63-64), New Ward No. 113, Kodihalli, Bengaluru, hereinafter referred to as "Property XI",

*(Boundaries are not ascertainable from the documents provided)*

**F. Findings Based On Documents Examined:**

**I. Title:**

- I. On perusal of the documents furnished to us, we note that, Property XI (i.e., the land bearing Municipal Nos. 66, 70 & 71) is carved out of the land bearing Survey No. 147/1 measuring 1 Acre 11 Guntas (including 5 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (formerly Bengaluru South Taluk).



2. We note that Kodihalli is an Inam Village. On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 coming into force in respect of the lands situated at Kayam Gutta Kodihalli Village vide its Notification dated 15.09.1956, all the lands including the land bearing Survey No. 147/1 of Kodihalli Village vested with the Government of Karnataka (Document No. 1)
3. On an application made by Mr. Muniyellappa and Mr. Abbaiahappa (sons of Mr. Chikka Pillappa) for re-grant of the land measuring 23 Guntas each in Survey No. 147/1, both were respectively registered as *Kadim Tenants* under Section 4 of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954, in proceedings bearing No. Case 60 of 1957-58 dated 14.11.1958 before the court of Special Deputy Commissioner for Abolition of Inams, Bengaluru (Document No. 2). The aforementioned order does not impose any conditions with respect to the transferability of said land.
4. We have been provided with the extract of Register VIII pertaining to land measuring 23 Guntas each in Survey No. 147/1 of Kodihalli Village, in the name of Mr. Muniyellappa and Mr. Abbaiahappa showing the details of assessment payable to Government by Kadim, Permanent, Quasi-permanent and minor Inamdar, etc., (Document No. 3).
5. Record of Rights, Tenancy and Crop Inspection ("RTCs") issued in respect of the land bearing Survey No. 147/1 measuring 1 Acre 06 Guntas (excluding 5 Guntas of kharab) situated at Kodihalli Village, Varthur Hubli, Bengaluru South Taluk for the years 1972-73 to 1975-76 reflect Mr. Muniyellappa as holder of 23 Guntas and Mr. Abbaiah as holder of 23 Guntas (Document No. 4).

**Title flow specific to 23 Guntas in Survey No. 147/1 re-granted to Mr. Muniyellappa:**

6. Mr. Muniyellappa (son of Late Mr. Chikka Pillappa) executed a Will dated 12.11.1971 bequeathing all his properties including the land bearing Survey No. 147/1 measuring 23 Guntas of Kodihalli Village (Document No. 5). Under the said Will, the land bearing Survey No. 47/1 measuring 23 Guntas was bequeathed in favor of Mr. Seenappa alias Srinivas. We note that Mr. Muniyellappa has bequeathed his other properties to his sons and daughter Mrs. Chinnamma and also has bequeathed movable property in the form of money to his other daughters Mrs. Munilakshamma and Mrs. Mutamma.

Observation We have been informed that the genealogical tree of Mr. Muniyellappa is not available. In the absence of the same it is not possible to ascertain if all the children of Mr. Muniyellappa were allotted properties under the above mentioned Will dated 12.11.1971. Further we have also not been furnished with the Death Certificate of Mr. Muniyellappa to ascertain when the Will has taken effect. We have been informed that the same is not available. In this regard Suruchi Properties Private Limited ("Suruchi") has represented to us that since the execution of the Will dated 12.11.1971 and Mr. Muniyellappa's demise

prior to the year 1974-75, none of the other family members of Mr. Muniyellappa have questioned the validity of the Will of Mr. Muniyellappa or made any claim or demand in respect thereof (Document No. 70).

7. KTC's issued in respect of the land bearing Survey No. 147/1 measuring 1 Acre 11 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the years 1974-75 to 1996-97 reflect Mr. Muniyellappa's name being rounded off and in his place his son Mr. Seenappa is reflected as holder of 23 Guntas and Mr. Pappanna (son of Mr. Abbaiah) is reflected as a holder of 23 Guntas in the said land
8. It appears that the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB") and the said City Municipal Council. Hindustan Aeronautics Sanitary Board allotted (a) HASB Khata No. 733/3 measuring 9355.33 square feet and (b) HASB Khata No. 734/1 measuring 8503.95 square feet, in respect of portion of the land bearing Survey No. 147/1 held by Mr. Srinivas (son of Late Mr. Muniyellappa). In this regard, we note the extract of the Assessment for buildings and lands liable to taxation for the year 1988-89 issued by HASB in respect of (a) HASB Khata No. 733/3 measuring about 9355.33 square feet which reflect the owner thereof to be Mr. Anand (son of Mr. Srinivas) and (b) HASB Khata No. 734/1 measuring 8503.95 square feet which reflect the owner thereof to be Mr. Srinivas (Document Nos. 6&7).

**Observation:** In this regard, it is to be noted that, Mr. Srinivas was bequeathed an extent of 23 Guntas (i.e., about 25,047 square feet) in Survey No. 147/1, whereas we have been provided HASB has issued khata in respect of only 17,859.48 square feet (i.e., about 16.4 Guntas). We have not been provided Khata Certificate issued by HASB in respect of the balance extent of 6.6 Guntas. In this regard we have been informed that Suruchi's predecessor in title Medical Relief Society of South Kanara has acquired only the above mentioned 17,859.48 square feet in the said survey number and the balance extent which was not acquired by Suruchi's predecessor in title is situated towards the north of the lands acquired.

We have not been provided with any documents to ascertain the manner in which Mr. Anand (son of Mr. Srinivas) came to hold a portion of the land held by Mr. Srinivas to the exclusion of the other family members. In this regard, we have been informed that it appears that the same was on the basis of an oral partition. However, subsequently Mr. Srinivas and his other children have confirmed the conveyance of the property by Mr. Ananda.

9. Mr. Ananda (son of Mr. Srinivas) executed an Indenture of Agreement of Sale dated 30.11.1988 agreeing to sell the land measuring 9355.33 Sq. Ft., in Khata No. 733/3 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of G.M.S. Constructions Company Private Limited (Document No. 8). The said Mr. Ananda



also executed an *unregistered* General Power of Attorney appointing Mr. Sanjay Bajaj as his POA Holder in respect of the said property (Document No. 9)

10. Mr. Srinivas (son of Late Mr. Muniyellappa) executed an Indenture of Agreement of Sale dated 30.11.1988 agreeing to sell the land measuring 8503.95 Sq. Ft., in Khata No. 734/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of G.M.S. Constructions Company Private Limited (Document No. 10). The said Mr. Srinivas also executed an unregistered General Power of Attorney dated 08.11.1990 appointing Mr. Sanjay Bajaj as his POA Holder in respect of the said property (Document No. 11).
11. Mr. Sanjay Bajaj acting as POA Holder of Mr. Ananda executed a Sale Deed dated 10.04.1990, conveying the land bearing Khata No. 733/3 measuring 9355.53 square feet of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk in favour of G. M. S. Constructions Company Private Limited (Document No. 12).
12. Mr. Srinivas (son of Late Mr. Muniyellappa) personally executed a Sale Deed dated 10.04.1990, conveying the land bearing Khata No. 734/1 measuring 8503.95 square feet of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk in favour of G.M.S. Constructions Company Private Limited (Document No. 13).

**Observation:** We note that the said General Power of Attorney executed by Mr. Ananda and Mr. Srinivas is only notarized and not authenticated/ registered as per the provisions of the Registration Act, 1908. In this regard, we have been informed that the acts undertaken by the attorney pursuant to the above mentioned power of attorney has not been questioned by Mr. Ananda and Mr. Srinivas since the execution of the above mentioned power of attorney.

Further we note that Mr. Srinivas and other children of Mr. Srinivas have not joined in the execution of the above agreement of sale and power of attorney. In this regard, we note that Mr. Srinivas and his other children have executed and registered a confirmation deed, detailed below in this regard.

13. Mr. Srinivas along with his other two sons viz., Mr. Prakash and Mr. Nagaraj executed Confirmation Deed dated 14.12.1999 in favour of G.M.S. Constructions Company Private Limited whereunder they have confirmed the Sale Deed dated 10.4.1990 executed by Mr. Anand in respect of the land bearing HASB Khata No. 733/3 (Document No. 14).
14. Similarly, Mr. Ananda, Mr. Prakash and Mr. Nagaraj (sons of Mr. Srinivas) have executed Confirmation Deed dated 14.12.1999 in favour of G.M.S. Constructions Company Private Limited whereunder they have confirmed the Sale Deed dated 10.4.1990 executed by Mr. Srinivas in favour of G. M. S. Constructions Company Private Limited (Document No. 15).



**Title flow specific to 23 Guntas in Survey No. 147/1 re-granted to Mr. Abbaiahappa:**

15. As mentioned above, RTCs issued in respect of the land bearing Survey No. 147/1 measuring 1 Acre 06 Guntas (excluding 5 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1972-73 to 1975-76 reflect *inter alia* Mr. Abbaiah as holder of 23 Guntas.
16. Mr. Abbaiahappa passed away. Entry No. IHU 1 of 1977-78 made in the Inheritance Register records the demise of Mr. Abbaiahappa and it further note that Mr. Abbaiahappa is survived by four sons viz., Mr. A. Papanna, Mr. A. Gopal, Mr. A. Pillappa, Mr. A. Muniyappa and khata in respect of 23 Guntas in Survey No. 147/1 was changed to the name of Mr. A. Papanna (Document No. 16).
17. From the recitals to the Confirmation Deed dated 14.12.1999 referred to herein below we note that on the demise of Mr. Abbaiahappa, his four sons viz., Mr. A. Papanna, Mr. A. Gopal, Mr. A. Pillappa & Mr. A. Muniyappa have orally partitioned the properties held by Mr. Abbaiahappa and the land bearing Survey No. 147/1 measuring 23 Guntas was allotted to the share of Mr. A. Papanna. We have been informed that there are no documents available with regard to the partition.
18. It appears that the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB"), HASB allotted HASB Khata No. 735/1 measuring 8266.45 square feet in respect of portion of the land bearing Survey No. 147/1 measuring 23 Guntas held by Mr. Papanna (son of Mr. Abbaiahappa). In this regard, we note the extract of the Assessment List to the buildings and lands liable for taxation for the year 1988-89 by HASB in respect of the land bearing HASB Khata No. 735/1 which reflects the owner thereof to be Mr. Papanna (Document No. 17).

**Observation:** In this regard, it is to be noted that, Mr. Papanna was allotted of 23 Guntas (25,047 square feet) in Survey No. 147/1, whereas we have been provided with HASB khata only for an extent of 8266.45 square feet (i.e., about 7.6 Guntas). We have not been provided with khata certificates issued by HASB in respect of the balance extent of 15.4 Guntas in Survey No. 147/1 held by Mr. Papanna.

In this regard we have been informed that Suruchi's predecessor in title Medical Relief Society of South Kanara has acquired only the above mentioned 8266.45 square feet in the said survey number and the balance extent which was not acquired by Suruchi's predecessor in title is situated towards the north of the lands acquired.



19. Mr. Papanna (son of Late Mr. Abbaiahappa) executed an Indenture of Agreement of Sale dated 30.11.1988 agreeing to sell the land measuring 8266.45 Sq. Ft., in Khata No. 735/1 of Kodihalli Village, II A Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of G.M.S. Constructions Company Private Limited (Document No. 18). Pursuant thereto, Mr. Papanna has also executed an unregistered General Power of Attorney appointing Mr. Sanjay Bajaj as his power of attorney holder in respect of the said property (Document No. 19). It may be noted that, said Indenture of Agreement of Sale and General Power of Attorney are not registered and only notarized.
20. Mr. Sanjay Bajaj, acting as the power of attorney holder of Mr. Papanna executed a Sale Deed dated 10.04.1990, conveying the land bearing Khata No. 735/1 measuring 8266.45 square feet situated at Kodihalli Village, II A Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of G. M. S. Constructions Company Private Limited (Document No. 20).
21. (i) Mr. A. Gopal (son of Mr. Abbaiahappa) along with his son Mr. A. G. Radhakrishnan, (ii) Mr. A. Pillappa (son of Mr. Abbaiahappa, acting for himself as a natural guardian of his minor son Master A.P. Mohan) & Mr. A. P. Dayananda (son of Mr. Pillappa), (iii) Mr. A. Muniyappa (son of Late Mr. Abbaiahappa) and (iv) Mr. A. Papanna (acting for himself and as natural guardian of his minor son Master Trimurthy) along with Mr. Srinivas (son of Mr. Papanna) executed Deed of Confirmation dated 14.12.1999 in favour of G.M.S. Constructions Company Private Limited confirming the sale transaction by Mr. A. Papanna in favour of G. M. S. Constructions Company Private Limited vide Sale Deed dated 10.04.1990 (Document No. 21).

**Observation:** We have not seen the Genealogical Tree of Mr. Abbaiahappa to ascertain if all family members of Mr. Abbaiahappa who would have rights and interests over the properties have joined in the execution of the Confirmation Deed dated 14.12.1999. We have been informed that the same is not available.

22. Thereafter, Mr. Papanna (son of Mr. Abbaiahappa) conveyed an extent of 3½ Guntas in Survey No. 147/1 in favor of Mr. Srinivas (son of Late Mr. Muniyellappa) under a Sale Deed dated 16.12.1999 (Document No. 22). The eastern & western boundaries of the property conveyed under the said sale deed were erroneous and therefore the parties have executed a Rectification Deed dated 11.02.2004 to rectify the said error (Document No. 23).

#### **Common title flow of HASB Khata Nos. 733/3, 734/1 & 735/1**

23. We note the Certificate dated 28.12.1993 issued by HASB certifying that the land bearing HASB Khata Nos. 735/1, 734/1 and 733/3 situated in the land bearing Survey No. 147/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk coming under the HASB jurisdiction stands in the name of GMS Constructions (Document No. 24).



24. G. M. S. Constructions Company Private Limited under 3 different Sale Deeds all dated 24.02.2000 conveyed (a) the land bearing Khata No. 735/1 measuring 8266.45 square feet, (b) land bearing Khata No. 733/3 measuring 9355.33 square feet and (c) land bearing Khata No. 734/1 measuring 8503.95 square feet, totally measuring 26,125.73 square feet all situated at Kodihalli, HASTB, Bengaluru in favour of Medical Relief Society of South Kanara (Document Nos. 25 to 27).
25. Medical Relief Society of South Kanara and Mr. Dayanand Pai have entered into an Agreement of Sale dated 09.03.2004 in respect of the land bearing Survey Nos. 156/2 to 156/6, 155/1A, 156/1, 155/1B, 146/1, 147/2, 155/1C, 155/1A, 148, 146/2, 146/3, 147/1, 143/3, 155/3E to 3G of Kodihalli Village bearing various HASTB khata numbers admeasuring about 10 Acres (Document No. 28). Mr. P. Dayananda Pai has assigned his rights under the abovementioned Agreement of Sale dated 09.03.2004 in favour Suruchi Properties Private Limited ("Suruchi") by way of Nomination Agreement dated 09.03.2004 (Document No. 29).
26. Subsequently, the lands therein situated at Kodihalli Village including the afresaid properties appears to have come within the administrative jurisdiction of the Bruhat Bengaluru Mahanagara Palike and the same were assessed for tax by the Bruhat Bengaluru Mahanagara Palike. We have been provided with Receipt bearing No. 53216 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of betterment charges in respect of the land hearing HASTB Khata Nos. 734/1, 733/3 & 735/1 measuring about 26,125 square feet evidencing the payment of betterment charges, at the rate of Rs. 100 per square yard (Document No. 30).
27. We also note the Special Notice bearing No. Ward:73/K/IR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike which evidences that the land bearing HASTB Khata No. 734/1, 733/3 & 735/1 measuring about 26,125 square feet was allotted with Municipal No. 66 situated at Ward No. 73 Narayanappa Garden, Kodihalli and that khata in respect thereof stand in the name of Medical Relief Society of South Kanara (Document No. 31). The said notices also states that the said land has been assessed for tax from the year 1995-96 to 2005-06 and the amount to be paid in respect thereof.
28. We have been provided with the Receipt bearing No 238799 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of tax in respect of Municipal No. 66 (PID No. 73-63-66) by Medical Relief Society of South Kanara for the 2<sup>nd</sup> half of 1995-96 till 2005-06 (Document No. 32).
29. We note the Khata Certificate and Khata Extract dated 21.01.2006 issued by the Bangalore Mahanagara Palike certifying the land bearing Municipal No. 66 measuring 26125 square

feet. Ward No. 73, Narayanappa Garden, Kodihalli, Bengaluru stands in the name of Medical Relief Society of South Kanara (Document No. 33).

**Observation:** It has been represented that Medical Relief Society of South Kanara started paying property tax to the office of the Bangalore Mahanagara Palike, Bengaluru and that at the time of assessment made by the office of HMP, that HMP has physically measured the property and based on the measurement the assessment was fixed for the actual area on ground and khata has been issued in respect of extent in possession of Medical Relief Society of South Kanara

30. Subsequently, Suruchi sought for the specific performance of Agreement of Sale and Nomination Agreement both dated 09.03.2004, referred to in paragraph 25 above, before the Arbitral Tribunal consisting of sole arbitrator against Medical Relief Society of South Kanara and Mr. Dayanand Pai. The Arbitration Tribunal passed an Award on 30.11.2007 directing Suruchi to pay the due amounts to Medical Relief Society of South Kanara and Mr. P. Dayananda Pai and ordered / directed Medical Relief Society of South Kanara and Mr. P. Dayananda Pai to transfer *inter alia* Municipal No. 66 to Suruchi in terms of the Award (Document No. 34). We note that pursuant to the Award, the parties have not executed a separate conveyance deed. However, the Award dated 30.11.2007 has been registered along with the subsequent Minutes of the Meeting dated 28.02.2008 recorded by the Arbitrator which records (a) passing of consideration from Suruchi Properties Private Limited to Medical Relief Society of South Kanara, (b) delivery of physical possession and handing over of the original documents by Medical Relief Society of South Kanara and Mr. Dayanand Pai in favor of Suruchi Properties Private Limited. In this regard it is noted that the Arbitrator (acting on behalf of the claimant and the respondents) presented the Award for registration before the jurisdictional sub-registrar and the jurisdictional sub registrar has treated the same as an instrument of conveyance and has levied duty likewise. It is also noted that instrument has been released by the jurisdictional sub-registrar after completing all the registration formalities.
31. Thereafter, Suruchi has entered into a Development Agreement dated 03.02.2011 with Salarpuria Realtors Private Limited to develop the land bearing various municipal numbers totally admeasuring 4,23,867 square feet (which includes land bearing Municipal No. 66) situated at Kodihalli, Ward No. 73, Airport Road, Bengaluru on the terms and conditions set out therein (Document No. 35). Suruchi has executed and registered a General Power of Attorney dated 04.02.2011 authorising and appointing the developer, Salarpuria Realtors Private Limited as its attorney in respect of lands admeasuring 4,27,867 square feet to do various acts, deeds and things in the connection with the development of the lands in the manner as specified therein (Document No. 36). The power of attorney also entitles the attorney to raise and borrow loan or financial assistance by creating the equitable mortgage on security of the developer's share of receivables together with the undivided share right title and interest and ownership in the land.



**Observation:** We have been informed that Suruchi is in discussion with Salarpuria Realtors Private Limited to cancel the aforementioned joint development agreement and that Suruchi would be developing the said lands by itself and that cancellation agreements / deeds have not been executed and registered as on date.

32. It appears that certain disputes with respect to the boundaries of the properties arose between (a) Mr. Srinivas alias Seenappa, (b) Mr. Papanna and (c) Medical Relief Society of South Kanara with respect to the portion of land in Survey No. 147/1 owned and held by them. This resulted in the parties filing O.S. Nos. 1184 of 2004, 15340 of 2004, 15558 of 2004 and 25880 of 2007 in the file of City Civil Judge Bangalore in connection therewith. During the pendency of the suit, Suruchi has been impleaded as one of the parties and subsequently the parties have arrived at out of court settlement by and amongst themselves with respect to the said dispute and consequently the said suits have either been withdrawn or dismissed and in this regard the parties have executed an Exchange Deed (referred below) as means of settling their dispute.
33. From the Exchange Deed dated 15.11.2014 referred to hereinafter we note that.
- (a) All the antecedent title deeds (viz., Will dated 17.11.1971, Agreements of Sale dated 30.11.1988, Sale Deeds dated 10.4.1990) referred to above were erroneously executed on the premise that the land bearing Survey No. 147/1 measuring 23 Guntas each were held by Mr. Muniyellappa and Mr. Abhaiahappa horizontally in the said survey number (i.e., north portion of 23 Guntas belonging to the share of Mr. Muniyellappa and south portion belonging to the share of Mr. Abhaiahappa) whereas the parties held 23 Guntas each in Survey No. 147/1 vertically (i.e., east-west direction);
  - (b) Mr. Srinivas (son of Mr. Muniyellappa) along with his children have conveyed an extent of 17859.48 Sq. Ft. (i.e., about 16.4 Guntas) in Survey No. 147/1 in favour of G.M.S. Constructions Company Limited and had retained an extent of 7187 Sq. Ft. in southern portion of the land bearing Survey No. 147/1.
  - (c) Mr. Papanna (son of Mr. Abhaiahappa) conveyed (i) an extent of 8266.45 square feet to G.M.S. Constructions Company Limited and (ii) an extent of 3811.5 square feet to Mr. Srinivas and retained the balance extent of land in Survey No. 147/1 in the northern portion of Survey No. 147/1.
34. Under the Exchange Deed dated 15.11.2014, executed by and amongst
- (I) Suruchi Properties Private Limited,
  - (II) Mr. Srinivas and his children (i.e., (a) Mr. Srinivas (son of Late Mr. Muniyellappa), (b) Mr. S. Anand (son of Mr. Srinivas) (representing himself and his minor sons viz.

Master A. Sanjay and Master Yogesh as the karta of HUF), (c) Mr. S. Prakash (son of Mr. Srinivas) (representing himself and his minor children viz. Miss Chandana, Master P. Subhash as the karta of HUF), (d) Mr. Nagaraj (son of Mr. Srinivas) (representing himself and his minor children viz. Miss Rachana, Master Pourav and Master Punith as the karta of HUF), and

- (III) the family members of Mr. Abbaiahappa (i.e., (a) Mr. A. Papanna (son of Mr. Abbaiahappa), Mr. Srinivas, Mr. Trimurthy (both sons of Mr. Papanna), (b) Mr. A. Gopal (son of Mr. Abbaiahappa), (c) Mr. A. Muniyappa (son of Mr. Abbaiahappa), and (d) Mr. A. P. Dayanand (son of Late Mr. A. Pillappa and grandson of Mr. Abbaiahappa)

the following properties have been exchanged:

- (a) Mr. Srinivas (son of Mr. Muniyellappa) along with his family members have conveyed (i) 3811.5 Sq. Ft. & (ii) 7187.72 Sq. Ft., in Survey No. 147/1, (i.e., totally measuring 10,999.22 Sq. Ft.) which are identified in the sketch annexed thereto in favour of Suruchi.
- (b) Suruchi Properties Private Limited has conveyed (i) 7680 Sq. Ft., in Municipal No. 66 & (ii) 6320 Sq. Ft., in Municipal No. 68, totally measuring 14,000 square feet owned by it in favour of Mr. Srinivas and his children.
- (c) Family members of Mr. Abbaiahappa have confirmed the aforementioned exchange of properties. Suruchi Properties Private Limited, Mr. Srinivas and his children have confirmed that Mr. Papanna and his family members own the northern most portion in Survey No. 147/1 admeasuring 11535 square feet (i.e., north of the road cutting across Survey No. 147/1) (Document No. 37).
35. Thereafter, Suruchi has also executed a Gift Deed dated 15.11.2014 transferring an extent of 4,125 Sq. Ft. in Municipal No. 66 in favor of Mr. A. Gopal, for the efforts of Mr. A. Gopal in settling the disputes inter-se amongst the parties (Document No. 38).
36. Pursuant to the above transactions, Suruchi was holding (i) an extent of 14,320 Sq. Ft., in Municipal No. 66, (ii) 3811.50 square feet and (iii) 7187.72 square feet in the land bearing Survey No. 147/1.
37. With respect to the 3811.5 square feet in the land bearing Survey No. 147/1 situated at Kodihalli, we note the Special Notice bearing No. Ward/113/PR/KTR82 of 2020-21 dated 23.10.2020 issued by the Bruhat Bengaluru Mahanagara Palike which evidences that the land bearing Survey No. 147/1 measuring 3811.5 square feet was allotted with Municipal No. 70 (PID No. 73-63-70) situated at Ward No. 113 Narayanappa Garden, Kodihalli and that khata in respect thereof stand in the name of Suruchi (Document No. 39). The said

notices also states that the said land has been assessed for tax from the year 1995-96 to 2020-21 and the amount to be paid in respect thereof.

38. With respect to the 7187.72 square feet in the land bearing Survey No. 147/1 situated at Kodihalli, we note the Special Notice bearing No. Ward/113/PR/KTR94 of 2020-21 dated 30.11.2020 issued by the Bruhat Bengaluru Mahanagara Palike which evidences that the land bearing Survey No. 147/1 measuring 7187.72 square feet was allotted with Municipal No. 71 (PID No. 73-63-71) situated at Ward No. 113 Narayanappa Garden, Kodihalli and that khata in respect thereof stand in the name of Suruchi (Document No. 40). The said notices also states that the said land has been assessed for tax from the year 1995-96 to 2020-21 and the amount to be paid in respect thereof.

Observation: We have not been provided with the receipts evidencing the payment of property taxes in respect of the land bearing Municipal Nos. 70 & 71. It is necessary to secure the same.

39. Mr. Raja Radhakrishna & Mrs. Kavitha (children of Mr. A. Gopal ('plaintiffs')) filed a suit for partition and cancellation of Gift Deed dated 15.11.2014 bearing OS No. 1988/2017 against their father Mr. A. Gopal ('defendant No. 1') and Suruchi ('defendant No. 2') before the City Civil Judge at Bengaluru. The Plaintiffs have contended that it was agreed that 4,125 square feet in Municipal No. 66 conveyed to Mr. A. Gopal alone under the Gift Deed dated 15.11.2014 was to be gifted jointly to Mr. A. Gopal and his children and as such they have right to a share in the same. During the pendency of the said litigation, the parties thereto have filed a Compromise Petition before the City Civil Judge, Bengaluru and a Decree dated 28.03.2022 has been drawn in terms of said compromise (Document No. 41). It is agreed the compromise that the Gift Deed dated 15.11.2014 shall stand cancelled and shall not be acted upon and that Suruchi would execute a separate exchange deed conveying the said extent in favour of Mr. A. Gopal and his children.

40. In terms thereof, we note the Exchange Deed dated 28.03.2022 executed between (a) Suruchi, (b) Mr. A. Gopal, Mr. Raja Radhakrishna & Ms. Kavitha and (c) Mrs. Pachamma & Mr. A.P. Dayanand whereunder (i) Suruchi has transferred an extent of 4,125 square feet in Municipal No. 66 in favour of Mr. A. Gopal and his children; and (ii) Mr. A. Gopal along with his children & Mrs. Pachamma and her son have conveyed an extent of 1,435 square feet in Municipal No. 66 in favour of Suruchi (Document No. 42). The above exchange has been confirmed by Mr. Srinivas (son of Mr. Papanna) along with his son and Mr. A. Muniyappa (son of Mr. Abbaiahappa) and also by Mrs. Susheelaamma (wife of Mr. A. Gopal). The sketch of the properties exchanged is annexed to the Exchange Deed.

Observation: We have been informed by representatives of Suruchi that 4,125 square feet in Municipal No. 66 transferred under the Exchange Deed dated 28.03.22, does not form part of the proposed Project Lands which are to be developed by Suruchi and that the said portion of the land is situated on the northern boundary of the proposed Project Lands

Further, we have been informed by representatives of Suruchi that 1.435 square feet in Municipal No. 66 transferred by Mr. A Gopal is part of the Project Lands and forms part of the khata in respect of Municipal No. 66 which stands in the name of Suruchi.

However, the above aspect cannot be ascertained based on the documents provided to us. It is advisable that the same be ascertained by undertaking a physical survey to ensure that the portion of land in Municipal No. 66 transferred does not impact the contiguity of the proposed Project Lands.

## II. Revenue Records and Endorsements

41. We have been provided with Endorsement bearing No. RK.CR/246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura, to the effect that the R.T.C.'s issued in respect of the land bearing Survey No. 147/1 for the years 1969 to 1970 and 1997 to 2001 are not available and hence cannot be provided (Document No. 43).
42. We have been furnished with a map of Kodihalli Village which shows the location of the land bearing Survey No. 147 (Document No. 44).
43. Atlas issued in respect of land bearing Survey No. 147 of Kodihalli village, shows the subdivision of the land into Survey Nos. 147/1 & 147/2 (Document No. 45).
44. Hissa Survey Tippany issued in respect of land bearing Survey No. 147/1 of Kodihalli Village, shows the shape and boundaries of the land (Document No. 46).
45. Revision Settlement Akarbandh issued in respect of the land bearing Survey No. 147/1 confirms the total extent in the land bearing Survey No. 147/1 as 1 Acre 11 Guntas which is inclusive of 5 Guntas of kharab land (Document No. 47).
46. The Tahsildar, Bengaluru East Taluk, Bengaluru has issued an Endorsement dated 18.04.2005 to the effect that no applications have been filed in respect of the land bearing Survey No. 147/1 under and Form 7 and 7A of the Karnataka Land Reforms Act, 1961 (Document No. 48).
47. The Assistant Commissioner's Office, Bengaluru North Taluk, has issued endorsement dated 17.02.2012 to the effect that, as per the records maintained in the said office, no proceedings have been filed in respect of the land bearing Survey No. 147/1 under Sections 79(A) & 79(B) of the Karnataka Land Reforms Act, 1961 (Document No. 49).



48. We have not been furnished with an endorsement issued by the jurisdictional Assistant Commissioner stating that the Property XI does not come under the purview of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 and no proceedings have been filed / pending / disposed off in respect of the Property XI under the provisions of the said enactment. It has been represented that no applications have been filed under the provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of Property XI and in this regard Suruchi Properties Private Limited have not received any notice or intimation with respect to the same.

### III. Khata and Tax Receipts:

49. We have been provided with the Khata Certificate and Khata Extract dated 14.10.2011 issued by the Bruhat Bengaluru Mahanagara Palike ("BBMP") certifying that the land bearing Municipal No. 66 measuring 26.125 square feet situated at Ward No. 73, Kodihalli Bengaluru stands in the name of Suruchi in its records (Document No. 50).

**Observation:** It is to be noted that Suruchi has conveyed an extent of 7680 square feet and 4125 square feet in Municipal No. 66 to third parties and is retaining an extent of 14,320 square feet in Municipal No. 66, however the khata in respect of Municipal No. 66 continues to reflect the entire extent to be held by Suruchi. We have not been provided with a latest khata pursuant to the execution of Exchange Deeds dated 15.11.2014 & 28.03.2022.

In this regard, it is pertinent to note from the demand notice issued by the BBMP (detailed below) that various land parcels owned and possessed by Suruchi in Kodihalli Village (including the lands on which Suruchi has development rights, which is presently owned by Mrs. Sharadamma) bearing different municipal numbers (which constitute the Project Lands) have been amalgamated and single composite number (i.e., 73-63-64) measuring an aggregate extent of 3,54,306 square feet and all the remaining municipal numbers earlier assigned to the amalgamated land parcels and their standalone assessment shall be deleted from the revenue records to be maintained by BBMP (**Deleted Municipal Numbers**). The demand notice is silent on the assignment of a new number to the land parcels owned by third parties who were owners of a portion of land bearing one of the Deleted Municipal Numbers which was not acquired by Suruchi.

50. We note the Khata Certificate and Khata Extract dated 23.11.2020 issued by BBMP certifying that the land bearing Municipal No. 70 (PID No. 73-63-70) measuring 3,811.5 square feet situated at Ward No. 73, Kodihalli, Bengaluru stands in the name of Suruchi in its records (Document No. 51).

**Observation:** We have not been provided with the Khata Certificate & Extract issued by BBMP in respect of the land bearing Municipal No. 71.

51. We note the Receipts bearing Nos. (a) 22233005663 dated 11.08.2022, (b) 22233400868 dated 01.12.2022 and (c) 22233401904 dated 01.12.2022 issued by BBMP evidencing the payment of property tax in respect of the land bearing Municipal Nos. 66, 70 & 71 respectively for the years 2022-23 by Suruchi (Document No. 52).
52. It is noted that, Suruchi appears to have made an application to the BBMP for the amalgamation of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot on the basis of the Modified Work Order dated 27.12.2021 sanctioned by the BDA referred to hereinafter and the B Kharab Realignment Order bearing No. LND (E) CR/226/2017-18 dated 05.03.2019 passed by the Deputy Commissioner, Bengaluru District.
53. We have been provided with a Special Notice bearing No. DA/113/K LR/209/2023-24 dated 17.01.2024 issued by Assistant Revenue Officer, Jeevanbhooma Nagar Sub-Division, BBMP, wherein based on the documents submitted by Suruchi, BBMP has amalgamated the khata of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot admeasuring 3,54,506 square feet and assigned it with Municipal No. 73-63-64 standing in the name of Suruchi and Mrs. Sharadamma (Document No. 52A). The Special Notice further records that
- (a) the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli shall stand cancelled in the records of BBMP.
- (b) The amalgamated single plot has been assessed for annual tax of Rs. 2,34,279.00 with effect from 01.10.2023.

**Observation:** We have not seen the Khata Certificate and Khata Extract issued by the BBMP in respect of the amalgamated Municipal No. 64 admeasuring 3,54,506 square feet situated at Ward No. 112, Narayanappa Garden, Kodihalli pursuant to the above mentioned Special Notice dated 17.01.2024. We have not seen the B Kharab Realignment Order referred to above.

54. As per the assessment of Municipal No. 73-63-64 for tax set out in the Special Notice dated 17.01.2024 referred to above, we have been provided with the Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department which evidences the payment of property taxes for the land bearing Municipal No. 73-63-64 for the year 2023-24 (Document No. 52B).



**IV. Acquisitions:**

55. The Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru has issued an Endorsement dated 16.01.2013 to the effect that *inter alia* land bearing Survey No. 147/1 of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru is not notified for acquisition for any of its project as on the date of the issue of the said Endorsement (Document No. 53).
56. The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru has issued an endorsement dated 23.01.2013 stating that *inter alia* land bearing Survey No. 147/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru has not been acquired or notified for acquisition for any of projects of Karnataka Industrial Areas Housing Board as on the date of issue of the said endorsement (Document No. 54).
57. The Special Land Acquisition Officer, National Highway Authority of India has issued an Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 stating that no survey numbers in Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru falls under the jurisdiction of National Highway Authority of India hence no acquisition has been effected (Document No. 55).

**V. Land Conversion and Land Usage:**

58. We have not been furnished with the Official Memorandum issued by the office of Deputy Commissioner, Bengaluru District, whereunder the Property XI was converted for non agricultural purposes. We have been informed that, no conversion has been obtained under the provisions of Law. However, please note, the Section 95 (2) of the Karnataka Land Revenue Act, 1964, specifically states that, regardless of what is stated in any other law, if an occupant seeks to divert the usage of an agricultural land, then such occupant will have to obtain permission from the office of the Deputy Commissioner.
59. It is represented to us, that, the Kodihalli Village (comprising of Property XI) came to be administered by "HASB". HASB acting as the Special Board / Town or City Municipal Council, distinct and independent from the bangalore district board and panchayats of Kodihalli has assessed these properties as non-agricultural properties and issued fresh khata numbers to the properties under its administration. Subsequently when it was found that HASB was acting without any statutory mandate, the Bruhat Bangalore Mahanagara Palike took over the administration of the properties which were being administered by the HASB. The Bruhat Bangalore Mahanagara Palike, did not nullify the actions taken by HASB (including issuing khata to unconverted lands) and they carried forward the same by issuing new municipal numbers to such unconverted lands.

60. In this regard, representatives of Suruchi Properties Private Limited have furnished a copy of an unreported division bench Judgement dated 14.06.2012 of the High Court of Karnataka passed in W.A. 17361-17363/2011 which has held that 'there is no necessity to obtain conversion from agricultural to non-agricultural, if the area comes within the town municipal council limits and the town municipal council has collected the developmental charges and is treating the property as a municipal property'. Representatives of Suruchi Properties Private Limited have represented that the BBMP is relying on the aforesaid division bench Judgement to approve plans in respect of unconverted properties falling within the jurisdiction of BBMP, for which khata has been issued by BBMP. It has been further represented to us that, the Judgement dated 14.06.2012 of the division bench in the High Court of Karnataka has not been challenged or overruled as on date.
61. As per the Revised Master Plan 2015 of Bengaluru (Approved by the Government of Karnataka vide the G.O. No. UDD 540 BEM AA SE 2004 dated 25.6.2007) ("RMP-2015"), the Land is classified as residential (main) use.
62. We been provided with and we note the Work Order bearing No. BDA/Nayosa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority ("BDA") along with sanctioned residential development plan to Suruchi with respect to the sanction of the proposed residential development proposed to be undertaken in the land bearing Survey Nos. 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (Document No. 56). In terms thereof, we note the Relinquishment Deed dated 29.05.2019 executed by Suruchi Properties Private Limited in favour of BDA relinquishing an extent of 4,407 square meters (i.e., about 47,419.3 square feet) for park and open spaces in the land bearing 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) of Kodihalli Village (Document No. 57).
63. It appears that there were some modifications in connection with the proposed residential development and accordingly Suruchi has applied for and obtained a Modified Work Order dated 27.12.2021 from the BDA and in terms thereof, BDA has sanctioned the modified residential development plan proposed to be undertaken by Suruchi in the land bearing Survey Nos. 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 08 Acres 5.35 Guntas (excluding 21 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk ("Project Lands") on the terms and conditions set out thereunder (Document No. 58). Some of the terms and conditions on which the sanction have been granted are as follows:



- (a) The developmental activities are to be undertaken in terms of the sanctioned development plan and the same shall not be changed without the prior permission of BDA.
  - (b) The area reserved for parks and buffer zone shall be used for the purposes for which they have been reserved and shall not be used for any other purposes.
  - (c) Sanction of the building plans will have to be obtained from BDA.
  - (d) The sanction provided by BDA shall be automatically cancelled if it is found that the applicant has misrepresented with respect to the ownership of the properties.
  - (e) 10% of the residential units shall be reserved for economically weaker section and low income group.
  - (f) Sewage treatment plant is required to be installed to ensure that untreated water is not released from the properties
64. In connection with the above, we note the Rectification of Relinquishment Deed dated 17.07.2021 executed by Suruchi in favour of BDA whereunder the earlier area relinquished in favour of BDA was cancelled and Suruchi has relinquished an area of 3322 square meters in the properties for park and open spaces (Document No. 59).

#### VI. Litigation

65. We have been informed by Suruchi that, there are no other litigations filed or pending in respect of Property XI, other than those which have been mentioned in the flow of title.

#### VII. Encumbrance / Charge:

66. Encumbrance Certificates issued in respect of the land bearing Survey No. 147/1 situated at Kodiballi Village, Varthur Hobli, Bengaluru South Taluk for the period 14.07.1957 to 31.03.1960, 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2004 to 06.01.2012 and 01.03.2016 to 22.04.2019 reflect that no transactions have taken place in respect of the said land for the aforementioned period (Document No. 60).
67. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 703/3 for the period of 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 31.03.2010, 01.04.2010 to 05.08.2015, 01.03.2016 to 22.04.2019 reflect the Sale Deeds dated 10.04.1990 & 09.05.2000 referred to heretofore and Mortgage Deed dated 05.08.2015 referred to herein below (Document No. 61).
68. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 734/1 for the period 01.04.1980 to 17.03.1993, 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004

- to 31.03.2010, 01.04.2010 to 07.10.2011, 01.03.2016 to 22.04.2019 reflect Sale Deeds dated 10.04.1990 and 09.05.2000 referred to herein above (Document No. 62)
69. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 735/1 for the period 01.04.1980 to 17.03.1993, 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 31.03.2010, 01.04.2010 to 07.10.2011, 01.03.2016 to 22.04.2019 reflect Sale Deeds dated 10.04.1990 and 09.05.2000 referred to herein above (Document No. 63).
70. Encumbrance Certificates issued in respect of the land bearing Municipal No. 66 for the period 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2008 to 05.01.2011, 06.01.2011 to 06.01.2012, 06.01.2012 to 04.08.2015, 01.04.2014 to 08.03.2016 01.03.2016 to 22.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 25.10.2023 reflect Award dated 08.08.2008, Development Agreement dated 04.02.2011, Gift Deed dated 19.11.2014, Exchange Deed dated 17.11.2014 referred to hereinabove and Mortgage Deed dated 29.11.2011, Release Deed dated 09.11.2015, Memorandum of Deposit of Title Deeds dated 06.10.2015 referred to herein below (Document No. 64).
71. Encumbrance Certificate issued in respect of the land bearing Municipal No. 66 in the land bearing Survey No. 147/1 of Kodihalli for the period 01.04.2004 to 11.01.2024 reflects the Joint Development Agreement dated 04.02.2011, Gift Deed dated 19.11.2014, Exchange Deed dated 17.11.2014, 28.03.2022 referred to hereinabove and Mortgage Deed dated 14.03.2011, Discharge Deed dated 09.11.2015, Memorandum of Entry dated 06.10.2015, 21.02.2019 referred to herein below (Document No. 64A).
72. We note the Encumbrance Certificates issued in respect of the land bearing Municipal Nos. 70 and 71 for the period 01.04.2022 to 25.03.2023 which reflect that no transactions have taken place in respect of the said property for the aforementioned period (Document Nos. 64B and 64C).

**Observation:** We have not seen encumbrance certificate in respect of Property XI from 10.01.2024. The encumbrance certificates provided to us do not reflect the registered Memorandum of Entries 02.08.2018 and 06.09.2023 referred to hereinafter.

73. We have been furnished with a Simple Mortgage Deed dated 14.03.2011 executed amongst Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses in favour of IDBI Trusteeship Services Ltd., which includes *inter-alia* land bearing Municipal No. 66. It is observed that Century Real Estate Holdings Private Limited, Century Shelters and Green Orchards Farm House, as mortgagors had mortgaged certain of other properties owned by them and Suruchi Properties Private Limited, had mortgaged the lands situated at Kodihalli (including Municipal No. 66) to

- secure the debentures issued by Century Real Estate Holdings Private Limited (Document No. 65).
74. Subsequently, Suruchi Properties Private Limited, Salarpura Realtors Private Limited and IL&FS Trust Company Limited entered into and executed an Escrow Agreement dated 16.09.2015 with respect to the custody of the title deeds in respect of the Properties (Document No. 66) which inter-alia included Municipal No. 66. It is observed that, pursuant to aforesaid Joint Development Agreement, Suruchi Properties Private Limited had handed over the original title deeds in respect of the properties to Salarpura Realtors Private Limited and, on the request made by the, Suruchi Properties Private Limited, Salarpura Realtors Private Limited has agreed to deposit the title deeds pertaining to the project which inter-alia contains the title deeds of Municipal No. 66 measuring 26125 square feet, with the escrow agent i.e., IL&FS Trust Company Limited (ITCL) and the parties have entered into the escrow agreement to record the terms and conditions on which ITCL shall hold and safeguard the title deeds as trustee for the benefit of the parties as per the terms agreed under the said Agreement, subject to the duties, obligations and responsibilities mentioned there-under.
75. It is noted that, in consideration of payment of entire amount in principal and interest due to the Debenture Holders on the security of the Simple Mortgage Deed dated 14.03.2011, the Debenture Trustee, i.e., IDBI Trusteeship Services Limited has discharged and released *inter alia* Municipal No. 66 measuring 26125 square feet and others properties free from all encumbrances and charges whatsoever created in favour of Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses by executing a Discharge Deed dated 09.11.2015 (Document No. 67).
76. Suruchi Properties Private Limited, has executed a Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 and registered on 11.11.2015 in favour of IDBI Trusteeship Services Limited whereunder Suruchi Properties Private Limited has created first and exclusive charge by way of equitable mortgage over the lands situated at Kadihalli (including Municipal No. 66) to secure debentures worth of Rs.620 Crores issued by Century Joint Developments Private Limited (Document No. 68). We note that IL&FS Trust Company Limited has joined in the execution of this memorandum to record the constructive delivery of the title deeds. We have been provided with No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited which evidences, that the debenture holder has confirmed that there are no amounts due and payable in respect of the non-convertible debentures worth of Rs. 620 Crores and that the same has been fully re-paid and on the basis of the same, IDBI Trusteeship Services Limited has provided its approval for the release of the securities including the charge created thereunder (Document No. 68A). We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.



77. Thereafter, it is noted that Suruchi Properties Private Limited has executed and registered a Memorandum of Entry dated 02.08.2018 in favour of IDBI Trusteeship Services Limited wherein the pari passu charge was created over the lands situated at Kodihalli to secure an amount totally to Rs. 772 Crores of financial assistance availed by Century Real Estate Holdings Private Limited (comprising of (1) Rs. 125 Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 27.03.2017, (2) Rs. 257 Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 29.06.2016 and (3) Rs. 390 Crores of term loan availed by Century Real Estate Holdings Private Limited under the Facility Agreement 03.07.2018) (**Document No. 68B**).
78. Suruchi Properties Private Limited has executed and registered a Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 (registered on 21.02.2019) in favour of IDBI Trusteeship Services Limited, whereunder the charge created on the lands situated at Kodihalli (including Municipal No. 66) by Suruchi Properties Private Limited has been extended on first ranking pari passu basis to secure (a) Century Joint Developments Private Limited's indebtedness of Rs. 1105 Crores (comprising of (1) Rs. 670 Crores of non-convertible debentures of Century Joint Developments Private Limited (now released as detailed above) and (2) Rs. 485 Crores of term loan availed by Century Joint Developments Private Limited under the Facility Agreement 30.07.2018) and (b) Century Real Estate Holdings Private Limited's indebtedness of Rs. 772 Crores (**Document No. 69**).
79. Thereafter we note (a) Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour of *inter alia* Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 125 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (**Document No. 69A**) and (b) Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 257 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (**Document No. 69B**). IDBI Trusteeship Services Limited has provided their no-objection for filing CHG-4 with the concerned Registrar of Companies. We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.

**Observation:** We have been informed that no release deeds have been executed and registered evidencing the release of the mortgage created over the lands situated at Kodihalli, Bengaluru owned by Suruchi. It is noted that the mortgage created under the Memorandum of Entry dated 06.02.2019 for securing (a) the term loan of Rs. 390 Crores availed by Century Real Estate Holdings Private Limited and (b) the term loan of Rs. 485 Crores availed by



Century Joint Development Agreements Private Limited was subsisting and not released under the above mentioned no due certificates

80. Thereafter, we note the registered Memorandum of Entry dated 06.09.2023 whereunder Suruchi's entitlement in the lands situated at Kodihalli Village has been mortgaged by way of first ranking pari passu charge to secure (a) Rs. 485 Crores term loan availed by Century Joint Developments Private Limited (CJDPL) from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 30.07.2018, (b) Non-convertible debentures aggregating up to Rs. 325 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 12.12.2020, (c) Non-convertible debentures aggregating upto Rs. 700 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 22.09.2022, (d) Rs. 390 Crores term loan availed by Century Real Estate Holdings Private Limited from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 03.07.2018 (Document No. 69C)
81. We have been informed that, apart from the above Mortgage by Deposit of Title Deeds dated 06.10.2015 (which has since been satisfied in entirety as detailed above), 02.08.2018 (which has been satisfied partially as detailed above), 06.02.2019 and 06.09.2023 which are still subsisting, there are no other mortgages, in respect of the Municipal 66 measuring 26125 square feet.

#### VIII. Contiguity, Inspection of Original Documents and Public Notice:

82. From the development plan and the title deeds (including the sale deed by which Suruchi has acquired and the khata which has been prepared thereafter) provided to us in respect of Property XI for our scrutiny, it is not possible to ascertain in Property XI (viz., Municipal Nos. 66, 70 & 71) are contiguous with the other lands forming part of the proposed project. The same needs to be ascertained by undertaking a physical survey. In this regard we have been informed that the Project Lands are contiguous and that an amalgamated khata has been issued by BBMP on the basis of the Modified Work Order dated 27.12.2021 issued by the BDA sanctioning the residential development plan which indicates that the all the lands forming part of the project form contiguous parcel of land.
83. As part of our title scrutiny, we have undertaken inspection of the original documents in respect Property XI which are in the custody of Vistra ITCL (India) Limited (the escrow agent for Suruchi and Salarpuria Realtors Private Limited) and Suruchi. The list and the nature of the documents provided to our inspection is detailed in Annexure – B of this Report.
84. We have issued a Public Notice in an English daily 'The New Indian Express' and Kannada daily the 'Kannada Prabha' on 16.12.2023 inviting objections from the general public with respect to Suruchi's title over Property XI. As on 18.01.2024, we have not received any objections to the public notice issued.

**G. CONCLUSION:**

Subject to our observations made hereinabove we are of the opinion that:

- (i) Suruchi Properties Private Limited, is the owner of Property XI, subject to the rights of Salarpuria Realtors Private Limited under the Development Agreement dated 03.02.2011; and
- (ii) Old Municipal 66 measuring 26.126 square feet is mortgaged in favour of IDBI Trusteeship Services Limited, pursuant to the Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 02.08.2018, 06.02.2019 and 06.09.2023.

  
  
**TATVA LEGAL**  
**BANGALORE**

**ANNEXURE - A**  
**LIST OF DOCUMENTS EXAMINED**

Sl. No.	Description of Documents
1.	Notification bearing No. R.8347-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;
2.	Re grant Order dated 14.11.1958 in Case No. 60 /1957-58 passed by the Special Deputy Commissioner for Abolition of Inams, Bengaluru District;
3.	Extract of Registrar VIII with respect to <i>inter alia</i> the land bearing Survey No. 147/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
4.	RTCs issued in respect of land bearing Survey No. 147/1 measuring 1 Acre 11 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1971-72 to 1996-97;
5.	Will dated 12.11.1971, registered as Document No. 27 of 1971-72, in Book III, Volume 5, at Pages 39 to 45 in the office of the Sub Registrar, Bengaluru South Taluk;
6.	Extract of Assessment List for the buildings and land liable for tax for the years 1988-89 issued by HASB in respect of HASB Khata No. 733/3;
7.	Extract of Assessment List for the buildings and land liable for tax for the years 1988-89 issued by HASB in respect of HASB Khata No. 734/1;
8.	Indenture of Agreement of Sale dated 30.11.1988 in respect of land bearing Khata No. 733/3 measuring 9355.33 Sq. Ft., of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk;
9.	Unregistered General Power of Attorney dated 30.11.1988 executed by Mr. Ananda (son of Mr. Srinivas) appointing Mr. Sanjay Bajaj as his POA Holder in respect of land measuring 9355.33 Sq. Ft. in Khata No. 733/3 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
10.	Unregistered Indenture of Agreement of Sale dated 30.11.1988 in respect of land bearing Khata No. 734/1 measuring 8503.95 Sq. Ft. of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
11.	Unregistered General Power of Attorney dated 30.11.1988 executed by Mr. Srinivas (son of Late Mr. Muniyellappa) in respect of land measuring 8503.95 Sq. Ft. in Khata No. 734/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru appointing Mr. Sanjay Bajaj as his POA Holder.



12.	Sale Deed dated 10.04.1990, registered as Document No. 101/1990-91, in Book I, Volume 3249, at Pages 38 to 42 in the office of the Sub Registrar, Bengaluru South Taluk;
13.	Sale Deed dated 10.04.1990, registered as Document No. 95/1990-91, in Book I, Volume 3248, at Pages 162 to 169 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
14.	Deed of Confirmation dated 14.12.1999 registered as Document No. 6967 of 1999-00, in Book I in the office of the Sub Registrar, Bengaluru South Taluk;
15.	Deed of Confirmation dated 14.12.1999 registered as Document No. 6969 of 1999-00, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
16.	Extract of Entry No. 1HC 1 of 1977-78 made in the Inheritance Register;
17.	Extract of Assessment List for the buildings and land liable for tax for the years 1988-89 issued by HASB in respect of HASB Khata No. 735/1;
18.	Unregistered Indenture of Agreement of Sale dated 30.11.1988 in respect of land bearing Khata No. 735/1 measuring 8266.45 Sq. Ft. of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
19.	Unregistered General Power of Attorney dated 30.11.1988 executed by Mr. Papanna (son of Late Mr. Abbaiahappa) appointing Mr. Sanjay Bajaj as his POA Holder in respect of land measuring 8266.45 Sq. Ft. in Khata No. 735/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
20.	Sale Deed dated 10.04.1990 registered as Document No. 104 of 1990-91, in Book I, Volume 3248, at Pages 181 to 186 in the office of the Sub Registrar, Bengaluru South Taluk;
21.	Deed of Confirmation dated 14.12.1999, registered as Document No. 6971 of 2000-01, in Book I in the office of the Sub Registrar, Bengaluru South Taluk,
22.	Sale Deed dated 16.12.1999 registered as Document No. 6858/1999-00, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;
23.	Rectification deed dated 11.02.2004 registered as Document No. BNG(U)-BLR(S)/22833/2003-04 in the office of the Sub Registrar.
24.	Certificate dated 28.12.1993 issued by Hindustan Aeronautics Sanitary Board;



25.	Sale Deed dated 24.02.2000 registered as Document No. 923 of 2000-01, in Book I, in the office of the Sub Registrar, Bengaluru Taluk,
26.	Sale Deed dated 24.02.2000 registered as Document No. 932 of 2000-01, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;
27.	Sale Deed dated 24.02.2000 registered as Document No. 925 of 2000-01, in Book I, Volume 4525, at Pages 269 to 279 in the office of the Sub Registrar, Bengaluru South Taluk;
28.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;
29.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Sruuchi Properties Pvt. Ltd;
30.	Receipt bearing No. 53216 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike;
31.	Special Notice bearing No. Ward/3/K1R852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;
32.	Receipt bearing No 238799 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;
33.	Khata Certificate and Khata Extract dated 21.01.2006 issued by Bengaluru Mahanagara Palike;
34.	Award dated 20.11.2007, registered as Document No. VRT-1-01841-2008-09 (stored in C.D. No. VRTD31) on 08.08.2008, in the office of the Sub Registrar, Varthur;
35.	Joint Development Agreement dated 03.02.2011, registered as Document No. VR1-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur,
36.	General Power of Attorney dated 04.02.2011 registered as Document No. VR1-4-00507-2010-11 (stored in C.D.No.VR1D95) in the office of the Sub Registrar, Varthur.
37.	Exchange Deed dated 15.11.2014, registered as Document No. INR-1-09658-2014-15 (stored in CD No. INRD 116) on 06.03.2015 in the office of the Sub Registrar, Indiranagar, Bengaluru;



38.	Deed of Gift dated 15.11.2014, registered as Document No. JNR-1-09605-2014-15 (stored in CD No. INR10136) on 05.03.2015 in the office of the Sub Registrar, Indiranagar, Bengaluru;
39.	Special Notice bearing No. Ward/113/PR/KTR82 of 2020-21 dated 23.10.2020 issued by the Bruhat Bengaluru Mahanagara Palike;
40.	Special Notice bearing No. Ward/113/PR/KTR94 of 2020-21 dated 30.11.2020 issued by the Bruhat Bengaluru Mahanagara Palike.
41.	Plaint, Compromise Petition and Decree dated 28.03.2022 in OS No. 1988/2017 before the City Civil Judge, Bengaluru;
42.	Exchange Deed dated 28.03.2022, registered as Document No. BNS-1-00926-2022-23 (stored in CD No. BNS01502) in the office of the Sub Registrar, Banaswadi;
43.	Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura;
44.	Map of Kudihalli Village;
45.	Atlas issued in respect of land bearing Survey No. 147 of Kudihalli Village;
46.	Thissa Survey Tippany issued in respect of land bearing Survey No.147.1 of Kudihalli Village;
47.	Revision Settlement Akarhandh issued with respect to Survey No. 147/1 of Kudihalli Village;
48.	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;
49.	Endorsement bearing No. LRF (BE). CR. 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru.
50.	Khata Certificate and Khata Extract dated 14.10.2011 issued by the office of the Bruhat Bengaluru Mahanagara Palike in respect of Municipal No. 66;
51.	Khata Certificate and Khata Extract dated 14.10.2011 issued by the office of the Bruhat Bengaluru Mahanagara Palike in respect of Municipal No. 70;
52.	Receipts bearing Nos. (a) 22233005663 dated 11.08.2022, (b) 22233400868 dated 01.12.2022 and (c) 22233-100904 dated 01.12.2022 issued by BBMP;

52A	Special Notice hearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;
52B	Receipt bearing No 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;
53.	Endorsement bearing No. KHB:LAO/383/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;
54.	Endorsement bearing No. Bengaluru:SLAO/6927/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;
55.	Endorsement bearing No. LAQ/NH-7/HM/CR/SI/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;
56.	Work Order bearing No. BDA/Nayosa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority;
57.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar, BDA;
58.	Modified Work Order hearing No. BDA/Nayosa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;
59.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA;
60.	Encumbrance Certificates issued in respect of the land bearing Survey No. 147/1 situated at Kadihalli Village, Varthur Hobli, Bengaluru South Taluk for the period 14.02.1957 to 31.03.1960, 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2004 to 06.01.2012 and 01.03.2016 to 22.04.2019;
61.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 733/3 for the period of 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 31.03.2010, 01.04.2010 to 05.08.2015, 01.03.2016 to 22.04.2019;



62.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 734/7 for the period 01.04.1980 to 17.03.1993, 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 31.03.2010, 01.04.2010 to 07.10.2011, 01.03.2016 to 22.04.2019;
63.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 735/1 for the period 01.04.1980 to 17.03.1993, 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 31.03.2010, 01.04.2010 to 07.10.2011, 01.03.2016 to 22.04.2019;
64.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 66 for the period 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2008 to 05.01.2011, 06.01.2011 to 06.01.2012, 01.04.2014 to 08.03.2016, 01.03.2016 to 22.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 25.10.2023;
64A	Encumbrance Certificate issued in respect of the land bearing Municipal No. 66 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 11.01.2024;
64B	Encumbrance Certificate issued in respect of the land bearing Municipal No. 70 situated at Kodihalli, Bengaluru for the period 01.04.2022 to 11.01.2024;
64C	Encumbrance Certificate issued in respect of the land bearing Municipal No. 71 situated at Kodihalli, Bengaluru for the period 01.04.2022 to 11.01.2024;
65.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. 5839 of 2010-11, in Book I and Stored in CD No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru.
66.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and H.&FS Trust Company Limited in respect of inter-alia land bearing Municipal No. 50 measuring 10890 Sq. Ft., situated at Muniyellappa Garden, Kodihalli, Ward No. 73, Airport Road, Bengaluru;
67.	Discharge Deed dated 09.11.2015, registered as Document No. 2751 of 2015-16, in Book I and Stored in C.D.No. M.LSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;
68.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. 2759 of 2015-16, in Book I and Stored in C.D.No. M.LSD112 on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;



68A	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;
68B	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GRAND12) in the office of the Sub Registrar, Gandhi Nagar;
69.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19, in Book I and Stored in C. D. No. HBBD244 in the office of the Sub Registrar, Hebbala, Bengaluru;
69A	Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
69B	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
69C	Memorandum of Entry dated 06.09.2023, registered as Document No. M.L.S-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;
70.	Management Representations dated 03.11.2016 in the form an Affidavit issued by Sureshi Properties Private Limited;



**ANNEXURE - B**  
**ORIGINAL VERIFICATION**

Sl. No.	Description of Documents	Nature of Documents in custody of Vltra (TTCL)	Nature of Documents in custody of Suruchi
1.	Notification bearing No. R.8347-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;		Photo Copy
2.	Re-grant Order dated 14.11.1958 in Case No. 60 /1957-58 passed by the Special Deputy Commissioner for Abolition of Inams, Bengaluru District;		Certified copy
3.	Extract of Register VIII with respect to <i>inter alia</i> the land bearing Survey No. 147/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;		Certified copy
4.	RTCs issued in respect of land bearing Survey No. 147/1 measuring 1 Acre 11 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1971-72 to 1996-97;		Photo Copy
5.	Will dated 12.11.1971, registered as Document No. 27 of 1971-72, in Book III, Volume 5, at Pages 39 to 45 in the office of the Sub Registrar, Bengaluru South Taluk;		Certified Copy
6.	Extract of Assessment List for the buildings and land liable for tax for the years 1988-89 issued by HASB in respect of HASB Khata No. 733/3,		Photo Copy
7.	Extract of Assessment List for the buildings and land liable for tax for the years 1988-89 issued by HASB in respect of HASB Khata No. 734/1;		Photo Copy
8.	Indenture of Agreement of Sale dated 30.11.1988 in respect of land bearing Khata No. 733/3 measuring 9355.33 Sq. Ft. of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk;		Photo Copy



9.	Unregistered General Power of Attorney dated 30.11.1988 executed by Mr. Ananda (son of Mr. Srinivas) appointing Mr. Sanajy Bajaj as his POA Holder in respect of land measuring 9355.33 Sq. Ft. in Khata No. 733/3 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;		Photo Copy
10.	Unregistered Indenture of Agreement of Sale dated 30.11.1988 in respect of land bearing Khata No. 734/1 measuring 8503.95 Sq. Ft. of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;		Photo Copy
11.	Unregistered General Power of Attorney dated 30.11.1988 executed by Mr. Srinivas (son of Late Mr. Muniyellappa) in respect of land measuring 8503.95 Sq. Ft., in Khata No. 734/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru appointing Mr. Sanajy Bajaj as his POA Holder.		Photo Copy
12.	Sale Deed dated 10.04.1990, registered as Document No. 101/1990-91, in Book I, Volume 3249, at Pages 38 to 42 in the office of the Sub Registrar, Bengaluru South Taluk;		Certified Copy
13.	Sale Deed dated 10.04.1990, registered as Document No. 95/1990-91, in Book I, Volume 3248, at Pages 162 to 169 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;		Certified Copy
14.	Deed of Confirmation dated 14.12.1999 registered as Document No. 6967 of 1999-00, in Book I in the office of the Sub Registrar, Bengaluru South Taluk;		Certified Copy
15.	Deed of Confirmation dated 14.12.1999 registered as Document No. 6969 of 1999-00, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru,		Certified Copy
16.	Extract of Entry No. III C 1 of 1977-78 made in the Inheritance Register;		Original
17.	Extract of Assessment List for the buildings and land liable for tax for the years 1988-89 issued by HIASB in respect of HIASB Khata No. 735/1;		Photo Copy



18.	Unregistered Indenture of Agreement of Sale dated 30.11.1988 in respect of land bearing Khata No. 735/1 measuring 8266.45 Sq. Ft., of Kodihalli Village. HA Sanitary Board, Bengaluru South Taluk, Bengaluru;		Photo Copy
19.	Unregistered General Power of Attorney dated 30.11.1988 executed by Mr. Papanna (son of Late Mr Abbaiahappa) appointing Mr. Sanjay Bajaj as his POA Holder in respect of land measuring 8266.45 Sq. Ft., in Khata No. 735/1 of Kodihalli Village. HA Sanitary Board, Bengaluru South Taluk, Bengaluru;		Photo Copy
20.	Sale Deed dated 10.01.1990 registered as Document No 101 of 1990-91, in Book I, Volume 3248, at Pages 181 to 186 in the office of the Sub Registrar, Bengaluru South Taluk;		Original
21.	Deed of Confirmation dated 14.12.1999, registered as Document No. 6971 of 2000-01, in Book I in the office of the Sub Registrar, Bengaluru South Taluk;		Original
22.	Sale Deed dated 16.12.1999 registered as Document No. 6B58/1999-00, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;		Certified copy
23.	Rectification deed dated 11.02.2000 registered as Document No. BNC(U)-B1.R(S)/22833-2003-04 in the office of the Sub Registrar;		Certified copy
24.	Certificate dated 28.12.1993 issued by Hindustan Aeronautics Sanitary Board;		Photo Copy
25.	Sale Deed dated 24.02.2000 registered as Document No 923 of 2000-01, in Book 1, in the office of the Sub Registrar, Bengaluru Taluk;		Original
26.	Sale Deed dated 24.02.2000 registered as Document No. 932 of 2000-01, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;		Original
27.	Sale Deed dated 24.02.2000 registered as Document No. 923 of 2000-01, in Book 1, Volume 4525, at Pages 269 to		Original



	279 in the office of the Sub Registrar, Bengaluru South Taluk:		
28.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;		Photo Copy
29.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Suruchi Properties Pvt. Ltd.		Photo Copy
30.	Receipt bearing No. 53716 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
31.	Special Notice bearing No. Ward/73/KTR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
32.	Receipt bearing No 238799 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
33.	Khata Certificate and Khata Extract dated 21.01.2006 issued by Bengaluru Mahanagara Palike;		Photo Copy
34.	Award dated 30.11.2007, registered as Document No VRT-1-01841-2008-09 (stored in C.D. No. VRTD31) on 08.08.2008, in the office of the Sub Registrar, Varthur;	Original (common to all properties)	
35.	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur,		Photo Copy
36.	General Power of Attorney dated 04.02.2011 registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur		Photo Copy
37.	Exchange Deed dated 15.11.2014, registered as Document No. INR-1-09658-2014-15 (stored in CD No. INRD 136) on 06.03.2015 in the office of the Sub Registrar, Indiranagar, Bengaluru;	Duplicate	Certified Copy



38.	Deed of Gift dated 15.11.2014, registered as Document No. INR-1-09605-2014-15 (stored in CD No. INRD136) on 05.03.2015 in the office of the Sub Registrar, Indiranagar, Bengaluru;		Certified Copy
39.	Special Notice bearing No. Ward/113/PR/KTR82 of 2020-21 dated 23.10.2020 issued by the Bruhat Bengaluru Mahanagara Palike;		Original
40.	Special Notice bearing No. Ward/113/PR/KTR94 of 2020-21 dated 30.11.2020 issued by the Bruhat Bengaluru Mahanagara Palike;		Original
41.	Plaint, Compromise Petition and Decree dated 28.03.2022 in OS No. 1988/2017 before the City Civil Judge, Bengaluru;		Certified Copy
42.	Exchange Deed dated 28.03.2022, registered as Document No. BNS-1-00926-2022-23 (stored in CD No. BNSD1502) in the office of the Sub Registrar, Banaswadi;		Original
43.	Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura;		Original (Common to all properties)
44.	Map of Kodihalli Village;	Photo Copy	
45.	Atlas issued in respect of land bearing Survey No. 147 of Kodihalli Village;		Photo Copy
46.	Hissa Survey Tippany issued in respect of land bearing Survey No 147/1 of Kodihalli Village;	Certified Copy	
47.	Revision Settlement Akarbandh issued with respect to Survey No 147/1 of Kodihalli Village.		Photo Copy
48.	Endorsement hearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;		Original (Common to all properties)



49.	Endorsement bearing No. RF: (RE): CR 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;	Original (Common to all properties)
50.	Khata Certificate and Khata Extract dated 14.10.2011 issued by the office of the Bruhat Bengaluru Mahanagara Palike in respect of Municipal No. 66;	Photo Copy
51.	Khata Certificate and Khata Extract dated 14.10.2011 issued by the office of the Bruhat Bengaluru Mahanagara Palike in respect of Municipal No. 70;	Photo Copy
52.	Receipts bearing Nos. (a) 22233005663 dated 11.08.2022, (b) 22233400868 dated 01.12.2022 and (c) 22233400904 dated 01.12.2022 issued by BBMP;	Photo Copy
53.	Endorsement bearing No. KIB:LAO.383/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;	Original (common to all properties)
54.	Endorsement bearing No. Bengaluru:SLAO/6927/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;	Original (common to all properties)
55.	Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;	Original (common to all properties)
56.	Work Order bearing No. BDA/Nayosa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority along with the sanctioned development plan;	Original (common to all properties)
57.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar, BDA;	Photo Copy (Certified Copy to be handed over) (Common to all properties)



58.	Modified Work Order bearing No. BDA/Nayosa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority along with the sanctioned modified development plan;	Original (common to all properties)
59.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA;	Photo Copy (Certified Copy to be handed over) (Common to all properties)
60.	Encumbrance Certificates issued in respect of the land bearing Survey No. 147/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the period 14.02.1957 to 31.03.1960, 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2004 to 06.01.2012 and 01.03.2016 to 22.04.2019;	Photo Copy
61.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 733/3 for the period of 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 31.03.2010, 01.04.2010 to 05.08.2015, 01.03.2016 to 22.04.2019;	18.03.1993 to 05.12.1994, 01.04.1998 to 31.03.2004, 01.04.2010 to 05.08.2015- Certified copy. Rest are photo copies
62.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 734/1 for the period 01.04.1980 to 17.03.1993, 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 31.03.2010, 01.04.2010 to 07.10.2011, 01.03.2016 to 22.04.2019;	01.04.1998 to 31.03.2004, 01.04.1997 to 20.10.1998, 01.03.2016 to 22.04.2019



			-Certified copy. Rest are photocopies.
63.	Encumbrance Certificates issued in respect of the land bearing HIASB Khata No. 735/1 for the period 01.04.1980 to 17.03.1993, 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 31.03.2010, 01.04.2010 to 07.10.2011, 01.03.2016 to 22.04.2019;		01.04.1998 to 31.03.2004, 01.04.1997 to 20.10.1998- Certified copy. Rest are photocopies.
64.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 66 for the period 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2009 to 05.01.2011, 06.01.2011 to 06.01.2012, 01.04.2014 to 08.03.2016, 01.03.2016 to 22.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 25.10.2023; 06.01.2012 to 04.08.2015; 01.01.2023 to 22.05.2023;		Certified Copies (except for 01.01.2023 to 25.10.2023 – Photo Copy)
65.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. 5839 of 2010-11, in Book I and Stored in C/D No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru;		Certified Copy (Common to all properties)
66.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited in respect of inter-alia land bearing Municipal No. 50 measuring 10890 Sq. Ft., situated at Muniyellappa Garden, Kodihalli, Ward No. 73, Airport Road, Bengaluru;		Original (Common to all properties)
67.	Discharge Deed dated 09.11.2015, registered as Document No. 2751 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;		Photo Copy (Certified Copy to be handed over) (Common to



			<i>all properties)</i>
68.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. 2759 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;		Photo Copy
69.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19, in Book I and Stored in C. D. No. HBB0241 in the office of the Sub Registrar, Hebbala, Bengaluru;		Photo Copy
70.	Management Representations dated 03.11.2016 in the form an Affidavit issued by Suruchi Properties Private Limited;		Photo Copy
71.	Special Notice hearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;		Photo Copy
72.	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department.		Original (Computer generated copy)
73.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 66 situated at Kodiballi, Bengaluru for the period 01.04.2004 to 11.01.2024;		Certified Copy.
74.	Memorandum of Entry dated 07.08.2018 (registered on 09.08.2018), registered as Document No. GAN 1-02528-2018-19 (stored in CD No. GAND112) in the office of the Sub Registrar, Gandhi Nagar;		Photo Copy
75.	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;		Photocopy
76.	Letter bearing No. 51141-A/11SL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy

77.	Letter bearing No. 51141-B/JTSL/OPR/2022-23 dated 14.11.2022 issued by JDBI Trusteeship Services Limited.		Photo Copy
78.	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;		Photo Copy (Certified Copy to be handed over) (Common to all properties)



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**TITLE REPORT DATED 22.01.2024**  
**PROPERTY XII**  
**MUNICIPAL NO. 61 (PID No. 73-63-61)**  
**MUNICIPAL NO. 67 - (PID No. 73-63-67)**

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**A. Description of Property:**

The objective of this due diligence exercise is to investigate title to the Property (*defined hereinafter*) described in Part E of this title Report ("the Report") based on review of the documents furnished to us, description whereof is given in Part D of this Report.

**B. Scope of Limitation:**

The scope of our review and of this Report is subject to the following limitations:

- (i) While performing the review, we have assumed the (a) genuineness of all signatures, (b) accuracy and correctness of all information / representations provided / made to us, including the facts that are mentioned in agreements, executed copies of documents and government records, (c) authenticity of copies of all documents submitted to us as originals, (d) conformity of the copies or extracts submitted to us with the originals thereof, (e) correctness of all information provided to us in respect of the litigations in respect of the Property including the fact that no appeals or revisions have been filed in respect of the relevant suits / litigations and (f) compliance with all legal requirements by the parties concerned with the Property.
- (ii) We have only examined issues pertaining to the ownership of the Property and have not examined issues pertaining to (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Property; (b) business, regulatory and financial issues of the present or previous owners of the Property; and (c) other matters that do not directly affect the ownership of the Property.
- (iii) For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report.
- (iv) We have assumed that there are no outstanding / dues payable by the present / previous owners of the Property to any government / statutory authority (including any tax / cess dues) or local body and that the Property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws.
- (v) Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Property, as analyzed by us from the



information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report.

**C. Confidentiality:**

The contents of this Report are confidential. Neither this Report nor any of its contents may be disclosed to any person other than to the professional advisers, officers and employees of **Suruchi Properties Private Limited** who are directly involved in the proposed transaction relating to the Property. We accept no responsibility to any person other than to **Suruchi Properties Private Limited** in relation to the contents of this Report.

**D. Documents Examined:**

We have been provided with and have examined the photocopies of the documents listed in Annexure – A to this Report for the purpose of carrying out title due diligence on the Property.

**E. Description of Property:**

All that piece and parcel of the immovable property being the lands originally bearing Municipal No. 61, (PID No 73-63-61) measuring 10,402 square feet and Municipal No. 67, (PID No.73-63-67) measuring 11439 square feet totally admeasuring 21,841 square feet, comprised in the earlier land bearing Survey No. 147/2 situated at Ward No 73, Narayanappa Garden, Kodihalli, Bengaluru, now forming part of the amalgamated Municipal No. 64 (PID No 73-63-64), New Ward No. 113, Kodihalli, Bengaluru, hereinafter referred to as "**Property XII**".

*(Boundaries are not ascertainable from the documents provided)*

**F. Findings Based On Documents Examined:**

**1. Title:**

1. On perusal of the documents furnished to us, we note that, the land bearing Municipal Nos. 61 measuring 10,402 square feet and 67 measuring 11,439 square feet is carved out of the larger extent of the land bearing Survey No. 147/2 measuring 1 Acre 13 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (formerly Bengaluru South Taluk), Bengaluru.
2. On perusal of the documents provided to us, we note that, Kodihalli is an Inam Village. On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 coming into force in



respect of the lands situated at Kayam Gutta Kodihalli Village vide its Notification dated 15.09.1956, all the lands including the land bearing Survey No. 147/2 of Kodihalli Village vested with the Government of Karnataka (Document No. 1).

**Title flow specific to Survey No. 147/2 measuring 15 Guntas:**

3. It appears that on perusal of the documents submitted that, Mrs. Munithayamma (wife of Mr. Dodda Thayappa) was re-granted an extent of 21 Guntas in the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk.

**Observation:** We have not seen the copy of the Order evidencing the re-grant of 21 Guntas in Survey No. 147/2 to Mrs. Munithayamma (wife of Mr. Dodda Thayappa). We have been informed that the same is not available.

4. However, we have been provided with an Extract of Register VIII (Inams Register) which reflects the name of Mrs. Munithayamma as holder of 21 Guntas in the land bearing Survey No. 147/2 of Kodihalli Village. The said extract also shows the details of assessment payable to Government by Kadiam, Permanent, Quasi-permanent and minor Inamdar, etc., (Document No. 2).

5. It appears from the Agreement of Sale dated 20.06.1990 referred to hereinafter we note that Mrs. Sarojamma (wife of Late Mr. A. Chinnappa) and Mrs. Venkatamma (wife of Mr. Gullappa) have come to hold the land bearing Survey No. 147/2.

**Observation:** We have not seen the Genealogical Tree of Mrs. Munithayamma reflecting the names of her family members who would have had rights and interests in the aforementioned land bearing Survey No. 147/2. We have been informed that the same is not available. In this regard, Suruchi Properties Private Limited ("Suruchi") has provided us with an Affidavit dated 19.03.2013 sworn by them to the effect that Mrs. Sarojamma and Mrs. Venkatamma are the daughters of Mrs. Munithayamma and that subsequent to the demise of Mrs. Munithayamma, Mrs. Venkatamma and Mrs. Sarojamma have come to hold the land bearing Survey No. 147/2 property (Document No. 3).

6. Record of Rights, Tenancy and Crop Inspection ("RTC's") issued in respect of the land bearing Survey No. 147/2 measuring 1 Acre 13 Guntas of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru for the years 1971-72 to 1978-79 reflect Mrs. Sarojamma as holder of 15 Guntas and Mr. Chikkatayappa as the holder of the land thereof (Document No. 4).

**Observation:** We note that while the Extract of Register VIII reflects that Mrs. Munithayamma appears to have been re-granted of 21 Guntas in the land bearing Survey



- No.147/2. However, the RTC's issued in respect of the land bearing Survey No. 147/2 for the years 1971-72 reflect Mrs. Sarojamma as holder of only 15 Guntas.
7. Mrs. Sarojamma (wife of Late Mr. A. Chinnappa) and Mrs. Venkatamma (wife of Mr. Gullappa) executed an Agreement of Sale dated 28.04.1988 in favour of Mr. P. Dayanand Pai agreeing to sell the land bearing Survey No. 147/2 measuring 15 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (Document No. 5).
  8. Notwithstanding the above, it appears that Mrs. Sarojamma and Mrs. Venkatamma have executed another Sale Agreement dated 20.05.1990 in respect of the land bearing Survey No. 147/2 in favour of Mr. Satish Pai. Pursuant thereto, Mrs. Sarojamma and Mrs. Venkatamma have executed and registered a Special Power of Attorney dated 20.06.1990 authorising and appointing Mr. S. Raghunath as their attorney in respect of the land bearing Survey No. 147/2 measuring 15 Guntas (Document No. 6). The executants have stated that they have received the sale consideration in respect of the said property and they have empowered the attorney to execute sale deeds and convey the said property on their behalf.  
  
Observation: We have not been furnished with the said Sale Agreement dated 20.05.1990 executed in favour of Mr. Satish Pai. We have been informed that the same is not available. However in this regard, we have been provided with the Affidavit dated 19.03.2013 sworn to by Mr. Satish Pai to the effect that he had entered into an Sale Agreement with Mrs. Sarojamma and Mrs. Venkatamma and that he has assigned all his rights under the agreement to his brother Mr. Dayanand Pai and that he does not have any right, title or interests in the land bearing Survey No. 147/2 measuring 15 Guntas situated at Kodihalli Village, which has allotted with HASB Khata Nos. 636/1 and 636/2 (Document No. 7). The said Affidavit also states that he has not created any third party interests over the said land
  9. It appears that, the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB") and the said City Municipal Council. HASB allotted the HASB Khata (i) No.636/1 to an extent of 6661 square feet in the name of Mrs. Sarojamma and (ii) No. 636/2 to an extent of 9,741 square feet in the name of Mrs. Venkatamma, as evidenced from the extract of Assessment List of buildings and vacant land liable for taxation for the year 1982-83 (Document No. 8).
  10. Mr. Raghunath acting as the power of attorney holder of Mrs. Sarojamma (wife of Late Mr. A. Chinnappa) executed Sale Deed dated 31.03.2000 along with Mr. Dayanand Pai as the confirming party, conveying HASB Khata No. 636/1 measuring 6661 square feet situated at Kodihalli Village in favour of Medical Relief Society of South Canara (Document No. 9).



11. Similarly, Mr. S. Raghunath acting as the power of attorney holder of Mrs. Venkatamma (wife of Late Mr. Gullappa) also executed a Sale Deed dated 31.03.2000, conveying the 9741 square feet in HASB Khata No. 636/2 in favour of Medical Relief Society of South Canara (Document No. 10). It is noted that Mr. Dayananda Pai has been joined as the confirming party to the sale deed.

**Observation:** We have not been furnished with any documents whereunder Mrs. Sarojamma came hold HASB Khata No. 636/1 to the exclusion of the other family members of Mrs. Munithayamma and Mrs. Venkatamma came to hold HASB Khata No. 636/2 to the exclusion of the other family members of Mrs. Munithayamma. We have been informed that the same is not available. In this regard, it is represented to us, that since the execution of the aforementioned Sale Deed dated 31.3.2000, Sunchi Properties Private Limited have not received any claims, demands or objections with respect to HASB Khata Nos. 636/1 & 636/2 from any other legal heirs of Late Mrs. Munithayamma, Mrs. Sarojamma and Mrs. Venkatamma as on date.

**Observation:** It is pertinent to note that Mrs. Munithayamma was holding 21 Guntas, however subsequently, Mrs. Sarojamma & Mrs. Venkatamma have conveyed an extent of 15 Guntas in the land bearing Survey No. 147/2. We have not been furnished with any documents to ascertain the location of the balance extent of 6 Guntas in Survey No. 147/2 which has been retained by the family members of Mrs. Munithayamma. In this regard, it has been represented to us that the same is situated outside the north side of the proposed Project Lands. The same is not ascertainable from the documents provided to us and the same may be ascertained by undertaking a survey in this regard.

**Title flow specific to Survey No. 147/2 measuring 16 Guntas:**

12. It appears from the documents submitted to us that an extent of 20 Guntas in Survey No. 147/2 was re-granted to Mr. Chikkathayappa (son of Mr. Dudda Pillappa). We have not been provided with the order evidencing the re-grant of 20 Guntas in Survey No. 147/2. We have been informed that the same is not available.
13. However, we have been provided with an extract of Register VIII (From Register) pertaining to land measuring 20 Guntas in Survey No. 147/2 of Kodihalli Village which reflects the holder thereof to be Mr. Chikkathayappa (son of Mr. Dudda Pillappa) showing the details of assessment payable to Government by Kadimi, Permanent, Quasi-permanent and minor Inamdar, etc., (Document No. 11).
14. It appears from the Affidavit dated 21.08.2012 sworn to by Mr. Rajappa referred to herein below the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics



Sanitary Board" (in short "HASB") and the City Municipal Council. HASB allotted Khata Nos. 736/2A measuring 4316 square feet, 736/3B measuring 4316 square feet, 736/2 measuring 5586 square feet & 736/4C measuring 3220 square feet, totally admeasuring 17,428 square feet (i.e., 16 Guntas) in Survey No. 147/2.

15. We have been provided with the Affidavit dated 21.08.2012 sworn by Mr. Rajappa (son of Late Mr. Chikkathayappa) stating that after the demise of Mr. Chikkathayappa on 08.05.1978, Mr. Rajappa along with his 4 brothers viz., Mr. Buddanna, Mr. Narayanappa, Mr. Chandrappa and Mr. Chinnappa had entered into an oral partition in the year 1978, whereby partitioned the joint family properties and under the said oral partition, (a) Mr. Buddanna was allotted an extent of 4316 Sq. ft. in HASB Khata No. 736/2A, (b) Mr. Narayanappa was allotted an extent of 4316 Sq. Ft. in HASB Khata No. 736/3B, (c) Mr. Chandrappa was allotted 5586 Sq. Ft. in HASB Khata No. 736/2 and (d) Mr. Rujappa was allotted an extent of 3220 Sq. Ft. in HASB Khata No. 736/4C. (Document No. 12).

Observation: From the documents provided to us, it is not possible to ascertain if Mr. Chinnappa was allotted any portion of the land in Survey No. 147/2. We have been informed that no documents are available in this regard. Further, we have been informed that the genealogical tree of Mr. Chikkathayappa is not available to ascertain the names of all his family members who would have had the rights and interests over the properties held by Mr. Chikkathayappa. In this regard, it has been represented to us that no person claiming to be the family member of Mr. Chikkathayappa have made any claim or demand since the execution of the sale deeds in 1995, till date (Document No. 79).

16. We have been provided with extracts of the Assessment List for Building and Lands liable for taxation for the year 1988-89 issued by HASB in respect of land bearing HASB Khata No. (a) 736/3B which reflects the owner thereof to be Mr. Narayanappa, (b) 736/4C which reflects the owner thereof to be Mr. Rajappa, (c) 736/2 which reflects the owner thereof to be Mr. Chandrappa and (d) 736/2A which reflects the owner thereof to be Mr. Buddanna (Document No. 13).

17. Mr. Chandrappa (son of Mr. Chikkathayappa) (who was allotted property bearing HASB Khata No. 736/2 measuring 5586 Sq. Ft.) executed an Indenture of Sale dated 30.11.1988, in favour of G.M.S. Constructions Company Private Limited agreeing to sell the land bearing HASB Khata No. 736/2 measuring 5586 Sq. Ft., (Document No. 14) Pursuant thereto, Mr. Chandrappa executed a *notarized* General Power of Attorney dated 10.01.1990 appointing Mr. Sanjay Bajaj as his attorney in respect of the said land (Document No. 15). Mr. Sanjay Bajaj, acting as power of attorney holder of Mr. Chandrappa conveyed the land measuring 5586 Sq. Ft. in HASB Khata No. 736/2 in favour of G.M.S. Constructions Company Private Limited under the Sale Deed dated 10.04.1990 (Document No. 16). G.M.S. Constructions



Company Private Limited in turn sold the said land in favour of Medical Relief Society of South Canara vide Sale Deed dated 24.02.2000 (Document No. 17).

Observation: We note that the General Power of Attorney dated 10.01.1990 executed by Mr. Chandrappa in favour of Mr. Sanjay Bajaj was only notarized and not registered. In this regard, it has been represented to us that since the execution of the Sale Deed dated 10.01.1990, neither Mr. Chandrappa nor any person claiming through or under Mr. Chandrappa have questioned the act of their power of attorney and that no claims have been made in respect of the property since 1990 till date.

18. Mr. Rajappa (son of Mr. Chikkathayappa) executed an Indenture of Agreement of Sale dated 02.03.1995 in favour of G.M.S. Constructions Company Private Limited agreeing to sell the land bearing Khata No. 736/4C measuring 3220 Sq. Ft., (Document No. 18) and also executed and registered a General Power of Attorney dated 02.03.1995 appointing Mr. G. M. Singh Nindrajog as his power of attorney holder in respect of the said land (Document No. 19). Mr. G. M. Singh Nindrajog, representing as POA holder of Mr. Rajappa along with GMS Constructions Private Limited as the confirming party, conveyed the land measuring 3220 Sq. Ft., in Khata No. 736/4C in favour of Medical Relief Society of South Canara vide Sale Deed dated 13.10.2000 (Document No. 20).
19. Mr. Narayanappa (son of Mr. Chikkathayappa) executed an Indenture of Agreement of Sale dated 10.03.1995, in favour of G.M.S. Constructions Company Private Limited agreeing to sell the land bearing Khata No. 736/3B measuring 4316 Sq. Ft., (Document No. 21) and also executed and registered a General Power of Attorney dated 10.03.1995 appointing Mr. G. M. Singh Nindrajog as his POA holder in respect of the said land (Document No. 22). Said Mr. G. M. Singh Nindrajog, representing as POA holder of Mr. Rajappa along with GMS Constructions Private Limited as the confirming party, conveyed the land measuring 4316 Sq. Ft., in Khata No. 736/3B in favour of Medical Relief Society of South Canara vide Sale Deed dated 13.10.2000 (Document No. 23).
20. Mr. Budanna (son of Mr. Chikkathayappa) executed and registered an Indenture of Agreement of Sale dated 10.03.1995 in favour of G.M.S. Constructions Company Private Limited agreeing to sell the land bearing Khata No. 736/2A measuring 4316 Sq. Ft., (Document No. 24) and also executed and registered a General Power of Attorney dated 10.03.1995 appointing Mr. G. M. Singh Nindrajog as his POA holder in respect of the said land (Document No. 25). The said Mr. G. M. Singh Nindrajog, representing as POA holder of Mr. Budanna along with GMS Constructions Private Limited conveyed the land measuring 4316 Sq. Ft., in Khata No. 736/2A situated at Kodihalli Village, H.A. Sanitary Board, Bengaluru in favour of Medical Relief Society of South Canara vide Sale Deed dated 13.10.2000 (Document No. 26).

21. We have been provided with the Certificate dated 28.12.1993 issued by the Hindustan Aeronautics Sanitary Board ("HASB") whereunder the said HASB has allotted Khata Nos. 736/1, 736/2, 736/2A, 736/3B, 736/4C, 636/1 and 636/2 to the land carved out of Survey No. 147/1 of Kodihalli Village (Document No. 27).

**Observation:** It is pertinent to note that 20 Guntas in Survey No. 147/2 was re-granted to Mr. Chikkathayappa, however subsequently his children have conveyed an extent of 17438 Sq. Ft. (16 Guntas) out of 20 Guntas. We have not been furnished with any documents to ascertain the balance extent of 4 Guntas held by the family members of Mr. Chikkathayappa. In this regard, it has been represented to us that the same is situated outside the north side of the proposed Project Lands. The same is not ascertainable from the documents provided to us and the same may be ascertained by undertaking a survey in this regard.

#### **Common title flow**

22. Medical Relief Society of South Kanara and Mr. Dayanand Pai have entered into an Agreement of Sale dated 09.03.2004 in respect of the land bearing Survey Nos. 156/2 to 156/6, 155/1A, 156/1, 155/1B, 146/1, 147/2, 155/1C, 155/1A, 148, 146/2, 146/3, 147/1, 143/3, 155/3E to 3G of Kodihalli Village bearing various HASB khata numbers admeasuring about 10 Acres (Document No. 28). Mr. P. Dayananda Pai has assigned his rights under the abovementioned Agreement of Sale dated 09.03.2004 in favour Suruchi Properties Private Limited ("Suruchi") by way of Nomination Agreement dated 09.03.2004 (Document No. 29).
23. Subsequently, the lands therein situated at Kodihalli Village including the aforesaid properties appears to have come within the administrative jurisdiction of the Bruhat Bengaluru Mahanagara Palike and the same were assessed for tax by the Bruhat Bengaluru Mahanagara Palike. We have been provided with (a) Receipt bearing No. 53217 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of betterment charges in respect of the land bearing HASB Khata Nos. 736/2A, 736/2, 736/3B, 736/4C measuring about 17438 square feet and (b) Receipt bearing No. 53213 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of betterment charges in respect of the land bearing HASB Khata Nos. 636/1 & 636/2 measuring about 16402 square feet, at the rate of Rs 100 per square yard (Document Nos. 30 & 31).
24. We note the 2 Special Notices bearing No. Ward/73/KTR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike which evidences that (a) land bearing HASB Khata No. 636/1 & 636/2 measuring 16,402 square feet was allotted with Municipal No. 61, Ward No. 73 Narayanappa Garden, Kodihalli and (b) land bearing HASB Khata Nos. 736/2A, 736/3B, 736/2 & 736/4C measuring 17438 square feet was allotted with Municipal

No. 67 and khata in respect of both the properties stand in the name of Medical Relief Society of South Kanara (Document Nos. 32 & 33). The said notices also states that the said land has been assessed for tax from the year 1995-96 to 2005-06 and the amount to be paid in respect thereof

25. In this regard, we note the Receipt bearing No 238795 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of tax in respect of Municipal No. 61 by Medical Relief Society of South Kanara for the 2<sup>nd</sup> half of 1995-96 till 2005-06 (Document No. 34) and the Receipt bearing No 238800 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of tax in respect of Municipal No. 67 by Medical Relief Society of South Kanara for the 2<sup>nd</sup> half of 1995-96 till 2005-06 (Document No. 35).

Observation: It has been represented that Medical Relief Society of South Kanara started paying property tax to the office of the Bangalore Mahanagara Palike, Bengaluru and that at the time of assessment made by the office of BMP, that BMP has physically measured the property and based on the measurement the assessment was fixed for the actual area on ground and khata has been issued in respect of extent in possession of Medical Relief Society of South Kanara.

26. Subsequently, Suruchi sought for the specific performance of Agreement of Sale and Nomination Agreement both dated 09.03.2004, referred to paragraph 22 above, before the Arbitral Tribunal consisting of sole arbitrator against Medical Relief Society of South Kanara and Mr. Dayanand Pai. The Arbitration Tribunal passed an Award on 30.11.2007 directing Suruchi to pay the due amounts to Medical Relief Society of South Kanara and Mr. P. Dayananda Pai and ordered / directed Medical Relief Society of South Kanara and Mr. P. Dayananda Pai to transfer *inter alia* Municipal Nos. 61 & 67 to Suruchi in terms of the Award (Document No. 36). We note that pursuant to the Award, the parties have not executed a separate conveyance deed. However, the Award dated 30.11.2007 has been registered along with the subsequent Minutes of the Meeting dated 28.02.2008 recorded by the Arbitrator which records (a) passing of consideration from Suruchi Properties Private Limited to Medical Relief Society of South Kanara, (b) delivery of physical possession and handing over of the original documents by Medical Relief Society of South Kanara and Mr. Dayanand Pai in favor of Suruchi Properties Private Limited. In this regard it is noted that the Arbitrator (acting on behalf of the claimant and the respondents) presented the Award for registration before the jurisdictional sub-registrar and the jurisdictional sub-registrar has treated the same as an instrument of conveyance and has levied duty likewise. It is further noted that the instrument has been released by the jurisdictional sub-registrar after completing all the registration formalities.



27. Pursuant thereto, Suruchi executed and registered Sale Deed dated 22.09.2008 in favour of Mr. Govindaraj, Mr. Venugopal and Mr. Nagaraj (sons of Late Mr. Holappa) conveying an extent of 12000 Sq. Ft. in Municipal Nos. 67 (PID No. 73-63-67) and 61 (PID No. 73-63-61) (Document No. 37). Since the above mentioned Sale Deed did not specify the extents conveyed in individual municipal numbers, the parties to the Sale Deed dated 22.09.2008 have executed a Rectification Deed dated 17.02.2009 clarifying that an extent of 6000 square feet each in the land bearing Municipal Nos. 61 & 67 have been conveyed (Document No. 38).
28. Pursuant thereto, it appears that Mr. Govindaraj and others have made an application for change of khata with respect to 12,000 square feet to their name and we note the Special Notice bearing No. DA/73:KTR158/2008-09 dated 17.06.2009 issued by the Bruhat Bengaluru Mahanagara Palike which evidences that the 12,000 square feet held by Mr. Govindaraj and others have been assigned with new Municipal No. 67/1 and accordingly the extent of land in Municipal No. 61 standing in the name of Suruchi has been reduced to 10,402 square feet and in Municipal No. 67 measuring 11,439 square feet is retained in the name of Suruchi (Document No. 39).
29. Subsequently, Mr. B. Govindaraj and Others entered into Joint Development Agreement dated 28.01.2011 for the development of property bearing Municipal No. 67/1 (PID No. 73-63-67/1) measuring 12000 Sq. Ft., situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru for constructing multi-storied building with the ratio of 30%:70% respectively subject to certain terms and conditions mentioned therein (Document No. 40). Said Mr. B. Govindaraj and Others have also executed a Power of Attorney dated 28.01.2011 appointing Suruchi Properties Pvt. Ltd., as their POA holder in relation to the development of the inter-alia land bearing Municipal No. 67/1 measuring 12000 Sq. Ft., situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru (Document No. 41).
30. Subsequently, Suruchi executed and registered a Development Agreement dated 03.02.2011 for the development of the inter-alia land bearing Municipal No. 61 measuring 10402 Sq. Ft., Municipal No 67 measuring 11439 Sq. Ft. and also the portion of Municipal No. 61 measuring 6000 Sq. Ft., and a portion of Municipal No. 67 measuring 6000 Sq. Ft., (assigning their rights of development) with Salarpuria Realtors Private Limited (Document No. 42). Suruchi has executed and registered a General Power of Attorney dated 04.02.2011 authorising and appointing the developer, Salarpuria Realtors Private Limited as its attorney in respect of lands measuring 4,27,867 square feet to do various acts, deeds and things in the connection with the development of the lands in the manner as specified therein (Document No. 43). The power of attorney also entitles the attorney to raise and borrow loan or financial assistance by creating the equitable mortgage on security of the developer's share of receivables together with the undivided share right title and interest and ownership in the land.



31. Subsequently, Mr. Govindaraj, Mr. B. Venugopal and Mr. B. Nagaraj cancelled the aforementioned Joint Development Agreement dated 28.01.2011 entered into with Suruchi Properties Private Limited in respect of Municipal 67/1 measuring 12000 Sq. Ft., under the Cancellation Deed dated 22.02.2018 and also have revoked the powers or authority conferred under General Power of Attorney dated 28.01.2011 in the Revocation of Power of Attorney dated 22.02.2018 (Document Nos. 44 & 45).

32. Pursuant to the said cancellation of the development agreement, we note that Suruchi has no right over the land bearing Municipal No. 67/1. In this regard, we have been informed that the land bearing Municipal No. 67/1 measuring 12000 square feet does not form part of the proposed Project Lands intended to be developed by Suruchi and the same is situated on the outside of northern boundary of the Project Lands.

**Observation :** It is pertinent to note that Mr. Govindaraju and others have cancelled the JDA entered with Suruchi Properties Private Limited. However, we have not been provided with any documents whereunder the rights granted to Salarpuria Realtors Private Limited to develop the 12,000 Sq. Ft., under the Joint Development Agreement dated 4.2.2011 by Suruchi Properties Private Limited has been revoked or cancelled. In this regard, we have been informed that the Development Agreement dated 04.02.2011 entered into with Salarpuria Realtors Private Limited would be cancelled.

## II. Revenue Records and Endorsements

33. We have not been provided the R.T.C.'s issued in respect of Survey No. 147/2 for the years 1969 to 1970 and 1997 to 2001. However, we have been provided with Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura, to the effect that the R.T.C.'s issued in respect of the land bearing Survey No. 147/2 for the years 1969 to 1970 and 1997 to 2001 are not available and hence cannot be provided (Document No. 46).

34. We have been furnished with a map of Kodihalli Village which shows the location of the land bearing Survey No. 147 (Document No. 47).

35. Hissa Survey Tippyany issued in respect of land bearing Survey No. 147/2 of Kodihalli Village, shows the shape and boundaries of the land (Document No. 48).

36. Revision Settlement Akarbandh issued in respect of the land bearing Survey No. 147/2 confirms the total extent in the land bearing Survey No. 147/2 as 1 Acre 13 Guntas (Document No. 49).



37. The Tahasildar, Bengaluru East Taluk, Bengaluru has issued an Endorsement dated 18.04.2005 to the effect that no applications have been filed in respect of the land bearing Survey No. 147/2 under Form 7 and 7A of the Karnataka Land Reforms Act, 1961 (Document No. 50).
38. The Assistant Commissioner's Office, Bengaluru North Taluk, has issued endorsement dated 17.02.2012 to the effect that, as per the records maintained in the said office, no proceedings have been filed in respect of the land bearing Survey No. 147/2 under Sections 79(A) & 79(B) of the Karnataka Land Reforms Act, 1961 (Document No. 51).
39. We have not been furnished with an endorsement issued by the jurisdictional Assistant Commissioner stating that the Property XII does not come under the purview of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 and no proceedings have been filed / pending / disposed off in respect of the Property XII under the provisions of the said enactment. It has been represented that no applications have been filed under the provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of Property XII and in this regard Suruchi Properties Private Limited have not received any notice or intimation with respect to the same.

### III. Khata and Tax Receipts:

40. We have been provided with the Khata Certificates and Khata Extracts dated 14.10.2011 issued by the Bruhat Bengaluru Mahanagara Palike ("BBMP") certifying that the land bearing Municipal No. 61 measuring 10402 Sq. Ft. and Municipal No. 67 measuring 11439 Sq. Ft. stand in the name of Suruchi in its records (Document Nos. 52 & 53).
41. We note the Receipt bearing No. 22233000257 dated 10.08.2022 issued by BBMP evidencing the payment of property tax in respect of Municipal No. 61 for the year 2022-23 by Suruchi (Document No. 54). Similarly we note the Receipt bearing No. 22233400773 dated 01.12.2022 issued by BBMP evidencing the payment of property tax in respect of Municipal No. 67 for the year 2022-23 by Suruchi (Document No. 55).
42. It is noted that, Suruchi appears to have made an application to the BBMP for the amalgamation of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot on the basis of the Modified Work Order dated 27.12.2021 sanctioned by the BDA referred to hereinafter and the B Kharab Realignment Order hearing No. LNO (1) CR/226/2017-18 dated 05.05.2019 passed by the Deputy Commissioner, Bengaluru District.



43. We have been provided with a Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by Assistant Revenue Officer, Jeevanhheema Nagar Sub-Division, BBMP, wherein based on the documents submitted by Sruichi, BBMP has amalgamated the khata of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot admeasuring 3,54,506 square feet and assigned it with Municipal No. 73-63-64 standing in the name of Sruichi and Mrs. Sharadamma on certain terms and conditions morefully set out therein (Document No. 55A). The Special Notice further records that:
- (a) the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli shall stand cancelled in the records of BBMP.
- (b) The amalgamated single plot has been assessed for annual tax of Rs. 2,14,279.00 with effect from 01.10.2023.

**Observation:** We have not seen the Khata Certificate and Khata Extract issued by the BBMP in respect of the amalgamated Municipal No. 64 admeasuring 3,54,506 square feet situated at Ward No. 113, Narayanappa Garden, Kodihalli pursuant to the above mentioned Special Notice dated 17.01.2024. We have also not seen the B Khamb Realignment Order referred to above.

44. As per the assessment of Municipal No. 73-63-64 for tax set out in the Special Notice dated 17.01.2024 referred to above, we have been provided with the Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department which evidences the payment of property taxes for the land bearing Municipal No. 73-63-64 for the year 2023-24 (Document No. 55B).

#### IV. Acquisitions:

45. The Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru has issued an Endorsement dated 16.01.2013 to the effect that *inter alia* land bearing Survey No. 147/2 of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru is not notified for acquisition for any of its project as on the date of the issue of the said Endorsement (Document No. 56).
46. The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru has issued an Endorsement dated 23.01.2013 stating that *inter alia* land bearing Survey No. 147/2 situated at Kodihalli Village,

Varthur Hobli, Bengaluru East Taluk, Bengaluru has not been acquired or notified for acquisition for any of projects of Karnataka Industrial Areas Housing Board as on the date of issue of the said endorsement (Document No. 57).

47. The Special Land Acquisition Officer, National Highway Authority of India has issued an Endorsement bearing No. LAQ/NI-7/HIM/CR/51/17-18 dated 09.10.2017 stating that no survey numbers in Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru falls under the jurisdiction of National Highway Authority of India (Document No. 58).

#### V. Land Conversion and Land Usage

48. We have not been furnished with the Official Memorandum issued by the office of Deputy Commissioner, Bengaluru District, whereunder the Property XII was converted for non-agricultural purposes. We have been informed that, no conversion has been obtained under the provisions of Law. However, please note, the Section 95 (2) of the Karnataka Land Revenue Act, 1964, specifically states that, regardless of what is stated in any other law, if an occupant seeks to divert the usage of an agricultural land, then such occupant will have to obtain permission from the office of the Deputy Commissioner.
49. It is represented to us, that, the Kodihalli Village (comprising of Property XII) came to be administered by HASB, HASB acting as the Special Board / Town or City Municipal Council, distinct and independent from the bangalore district board and panchayats of Kodihalli has assessed these properties as non-agricultural properties and issued fresh khata numbers to the properties under its administration. Subsequently when it was found that HASB was acting without any statutory mandate, the Bruhat Bangalore Mahanagara Palike took over the administration of the properties which were being administered by the HASB. The Bruhat Bangalore Mahanagara Palike, did not nullify the actions taken by HASB (including issuing khata to unconverted lands) and they carried forward the same by issuing new municipal numbers to such unconverted lands.
50. In this regard, representatives of Suruchi have furnished a copy of an unreported division bench Judgement dated 14.06.2012 of the High Court of Karnataka passed in W.A. 17361-17363/2011 which has held that 'there is no necessity to obtain conversion from agricultural to non-agricultural, if the area comes within the town municipal council limits and the town municipal council has collected the developmental charges and is treating the property as a municipal property'. Representatives of Suruchi have represented that the BBMP is relying on the aforesaid division bench Judgement to approve plans in respect of unconverted properties falling within the jurisdiction of BBMP, for which khatas have been issued by BBMP. It has been further represented to us that, the Judgement dated 14.06.2012 of the division bench in the High Court of Karnataka has not been challenged or overruled as on date.



51. As per the Revised Master Plan 2015 of Bengaluru (Approved by the Government of Karnataka vide the G.O. No. 13DD/540/BEM/AA/SE/2004 dated 25.6.2007) ("RMP-2015"), the Land is classified as residential (main) use.
52. We been provided with and we note the Work Order bearing No. BDA/Nayusa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority ("BDA") along with sanctioned residential development plan to Suruchi with respect to the sanction of the proposed residential development proposed to be undertaken in the land bearing Survey Nos. 143/2,143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148,149, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (Document No. 59). In terms thereof, we note the Relinquishment Deed dated 29.05.2019 executed by Suruchi Properties Private Limited in favour of BDA relinquishing an extent of 4,407 square meters (i.e., about 47,419.3 square feet) for park and open spaces in the land bearing 143/2,143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148,149, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) of Kodihalli Village (Document No. 60).
53. It appears that there were some modifications in connection with the proposed residential development and accordingly Suruchi has applied for and obtained a Modified Work Order dated 27.12.2021 from the BDA and in terms thereof, BDA has sanctioned the modified residential development plan proposed to be undertaken by Suruchi in the land bearing Survey Nos. 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 08 Acres 5.35 Guntas (excluding 21 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk ("Project Lands") on the terms and conditions set out thereunder (Document No. 61). Some of the terms and conditions on which the sanction have been granted are as follows:
- The developmental activities are to be undertaken in terms of the sanctioned development plan and the same shall not changed without the prior permission of BDA.
  - The area reserved for parks and buffer zone shall be used for the purposes for which they have been reserved and shall not be used for any other purposes.
  - Sanction of the building plans will have to be obtained from BDA.
  - The sanction provided by BDA shall be automatically cancelled if it is found that the applicant has misrepresented with respect to the ownership of the properties.
  - 10% of the residential units shall be reserved for economically weaker section and low income group.



(f) Sewage treatment plant is required to be installed to ensure that untreated water is not released from the properties

54. In connection with the above, we note the Rectification of Relinquishment Deed dated 17.07.2021 executed by Suruchi in favour of BDA whereunder the earlier area relinquished in favour of BDA was cancelled and Suruchi has relinquished an area of 3322 square meters in the properties for park and open spaces (Document No. 62)

#### **VI. Litigation**

55. It is observed that, the land bearing Survey No. 147/2 was notified for acquisition for the formation of a Golf – Cum Hotel Resort, near Bengaluru Airport vide a Preliminary Notification dated 29.12.1981 and pursuant thereto Final Notification dated 16.04.1983 was also passed. It is noted that, said acquisitions was challenged by several owners in Writ Petitions i.e., Mr. Muniyappa (son of Mr. Muniyellappa) in WP No. 19812 of 1990, Mr. Muniyappa (son of Mr. Muniyellappa) in WP No. 813 of 1990, Mr. Srinivasu, Seenappa (son of Mr. Muniyellappa) in WP No. 814 of 1990, Mr. Andiyappa (son of Mr. Dodda Pillappa) in WP No. 815 of 1990 and Mr. Muniyappa (son of Mr. Motappa) in WP No. 816 of 1990 before the Hon'ble High Court of Karnataka, Bengaluru. The Hon'ble High Court of Karnataka by its order dated 18.09.1991 in the said writ petitions 19812 & 816 of 1990 quashed the acquisition notifications and proceedings with regard to Property XII and adjoining lands (Document Nos. 63 & 64).

56. We have been informed by Suruchi that apart from the above, there are no other litigations which filed or pending in respect of Property XII.

#### **VII. Encumbrance / Charge:**

57. Encumbrance Certificates issued in respect of the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 14.02.1957 to 31.03.1960, 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 20.10.2011, 01.04.2010 to 31.01.2013, 03.06.2013 to 21.12.2013, 01.03.2016 to 22.04.2019 reflect Sale Deeds dated 24.03.1961, 27.02.1971, Confirmation Deeds dated 25.07.2007 and 10.04.2008 which are in respect of Property XIII and Development Agreement dated 03.02.2011, Rectification Deed dated 20.02.2009 referred to hereinabove (Document No. 65).

58. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 636/1 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 31.07.2011, 01.08.2011 to 07.12.2011, 01.12.2011 to 01.02.2013, 01.06.2013 to 21.12.2013 and



- 01.06.2016 to 22.04.2019 reflect Sale Deed dated 31.03.2000 referred to herein above (Document No. 66).
59. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 636/2 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2011, 01.04.2008 to 28.01.2011, 01.04.2011 to 07.12.2011, 01.12.2011 to 28.01.2013, 01.06.2013 to 21.12.2013, 01.03.2016 to 22.04.2019 reflect Sale Deeds dated 31.03.2000, 23.09.2008 (registered on 07.01.2009), Rectification Deed dated 20.02.2009, Award dated 08.08.2008 referred to herein above (Document No. 67).
60. Encumbrance Certificate issued in respect of the land bearing Municipal No. 61 (PID No. 73-63-61) measuring 01.04.2005 to 24.09.2008, 01.04.2008 to 20.10.2011, 01.04.2010 to 31.03.2011, 01.04.2010 to 14.11.2012, 01.04.2011 to 07.12.2011, 29.01.2011 to 30.01.2013, 01.04.2013 to 31.03.2014, 21.12.2013 to 04.08.2015, 01.08.2015 to 08.03.2016, 01.03.2016 to 22.04.2019, 01.04.2019 to 10.01.2023, 01.01.2023 to 21.05.2023 and reflect Mortgage Deed dated 29.11.2011, 14.03.2011, Memorandum of Entry dated 06.10.2015 Release Deed dated 09.11.2015 referred to herein below Development Agreement dated 04.02.2011 referred to hereinabove (Document No. 68).
61. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/2 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 05.02.1994, 06.12.1994 to 20.05.1997, 01.04.1997 to 31.03.2004, 01.04.2004 to 01.08.2011, 02.08.2011 to 07.08.2011, 08.08.2011 to 28.01.2013, 01.06.2013 to 21.12.2013, 01.03.2016 to 22.04.2019 reflect Sale deed dated 10.04.1990 and 09.05.2000 referred to hereinabove (Document No. 69).
62. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/2A for the period 01.04.1970 to 31.03.2004, 01.04.2004 to 31.03.2008, 01.04.2008 to 08.12.2011, 09.12.2011 to 28.01.2013, 01.12.2011 to 01.06.2013, 01.06.2013 to 21.12.2013, 01.03.2016 to 22.04.2019 reflect the transactions carried out in respect thereof (Document No. 70).
63. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/3B for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2008, 01.04.2008 to 05.03.2013, 01.06.2013 to 21.12.2013, 01.03.2016 to 22.04.2019 reflect Sale Agreement dated 17.03.1995 and Sale Deed dated 25.07.2001 referred to hereinabove (Document No. 71).
64. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/4C for the period 01.04.1970 to 31.03.2004, 01.04.2004 to 31.03.2008, 01.04.2008 to 08.12.2011, 09.12.2011 to 28.01.2013, 03.06.2013 to 21.12.2013 and 01.03.2016 to 22.04.2019 reflect Sale Deed dated 25.07.2001 referred to herein above (Document No. 72).
65. Encumbrance Certificates issued in respect of the land bearing Municipal No. 67 for the period 01.04.2005 to 24.09.2008, 01.04.2008 to 31.03.2011, 01.04.2008 to 28.01.2011.

29.02.2011 to 06.01.2012, 06.01.2012 to 04.06.2013, 04.06.2013 to 21.12.2013, 01.04.2013 to 31.03.2014, 01.04.2009 to 04.08.2015, 01.03.2016 to 22.04.2019, 01.04.2019 to 12.01.2023 and 01.01.2023 to 21.05.2023 reflect Sale Deed dated 07.01.2009 Rectification Deed dated 20.02.2009, Award dated 08.08.2008, Development Agreement dated 04.02.2011 referred to herein above (Document No. 73).

66. Encumbrance Certificate issued in respect of the land bearing Municipal No. 61 in the land bearing Survey No. 147/2 of Kodihalli for the period 01.04.2004 to 12.01.2024 reflects the Sale Deed dated 22.09.2008, Rectification Deed dated 20.02.2009, Joint Development Agreement dated 04.02.2011, referred to hereinabove and Mortgage Deed dated 14.03.2011, Discharge Deed dated 09.11.2015, Memorandum of Entry dated 06.10.2015, 21.02.2019 referred to herein below (Document Nos. 73A).

67. Encumbrance Certificate issued in respect of the land bearing Municipal No. 67 in the land bearing Survey No. 147/2 of Kodihalli for the period 01.04.2004 to 11.01.2024 reflects the Sale Deed dated 22.09.2008, Rectification Deed dated 20.02.2009, Joint Development Agreement dated 04.02.2011, referred to hereinabove and Mortgage Deed dated 14.03.2011, Discharge Deed dated 09.11.2015, Memorandum of Entry dated 06.10.2015, 21.02.2019 referred to herein below (Document Nos. 73B).

**Observation:** We have not seen encumbrance certificate in respect of (a) Municipal No. 61 from 12.01.2024 and (b) Municipal No. 67 from 11.01.2024. The encumbrance certificates provided to us do not reflect the registered Memorandum of Entries 02.08.2018 and 06.09.2023 referred to hereinafter

68. We have been furnished with a Simple Mortgage Deed dated 14.03.2011 executed amongst Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses in favour of IDBI Trusteeship Services Ltd., which includes *inter-alia* Property XII (Document No. 74). It is observed that the Century Real Estate Holdings Private Limited, Century Shelters and Green Orchards Farm House, as mortgagors had mortgaged certain of other properties owned by them and Suruchi Properties Private Limited, had mortgaged the lands situated at Kodihalli (including Property XII) to secure the debentures issued by Century Real Estate Holdings Private Limited.

69. Subsequently, Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and H&FS Trust Company Limited entered into and executed an Escrow Agreement dated 16.09.2015 with respect to the custody of the title deeds in respect of the Properties (Document No. 75) which *inter-alia* included Property XII. It is observed that, pursuant to aforesaid Joint Development Agreement, Suruchi Properties Private Limited had handed over the original title deeds in respect of the properties to Salarpuria Realtors Private Limited and, on the request made by the Suruchi Properties Private Limited, Salarpuria Realtors



Private Limited agreed to deposit the title deeds pertaining to the project which inter-alia contains the title deeds of Property XII, with the escrow agent i.e., IL&FS Trust Company Limited (ITCL), and the parties have entered into the escrow agreement to record the terms and conditions on which, ITCL, shall hold and safeguard the title deeds as trustee for the benefit of the parties as per the terms agreed under the said Agreement, subject to the duties, obligations and responsibilities mentioned there-under.

70. It is noted that, in consideration of payment of entire amount in principal and interest due to the Debenture Holders on the Security of the Simple Mortgage Deed dated 14.03.2011, the Debenture Trustee, i.e., IDBI Trusteeship Services Limited has discharged and released *inter alia* Property XII and others properties free from all encumbrances and charges whatsoever created in favour of Century Real Estate Holdings Pvt. Ltd., Century Sheltons, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses by executing a Discharge Deed dated 09.11.2015 (Document No. 76).
71. Suruchi Properties Private Limited., has executed a Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 and registered on 11.11.2015 in favour of IDBI Trusteeship Services Limited whereunder Suruchi Properties Private Limited has created first and exclusive charge by way of equitable mortgage over the lands situated at Kodihalli (including Municipal No. 61 and 67) to secure debentures worth of Rs.620 Crores issued by Century Joint Developments Private Limited (Document No. 77). We note that IL&FS Trust Company Limited has joined in the execution of this memorandum to record the constructive delivery of the title deeds. We have been provided with No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited which evidences, that the debenture holder has confirmed that there are no amounts due and payable in respect of the non-convertible debentures worth of Rs. 620 Crores and that the same has been fully re-paid and on the basis of the same, IDBI Trusteeship Services Limited has provided its approval for the release of the securities including the charge created thereunder (Document No. 77A). We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.
72. Thereafter, it is noted that, Suruchi Properties Private Limited has executed and registered a Memorandum of Entry dated 02.08.2018 in favour of IDBI Trusteeship Services Limited wherein the pari passu charge was created over the lands situated at Kodihalli to secure an amount totally to Rs. 772 Crores of financial assistance availed by Century Real Estate Holdings Private Limited (comprising of (1) Rs. 125 Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 27.03.2017, (2) Rs. 257 Crores – of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 29.06.2016 and (3) Rs.



390 Crores of term loan availed by Century Real Estate Holdings Private Limited under the Facility Agreement 03.07.2018) (Document No. 77B)

73. Suruchi Properties Private Limited has executed and registered a Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 (registered on 21.02.2019) in favour of IDBI Trusteeship Services Limited, whereunder the charge created on the lands situated at Kodihalli (including Municipal No. 61 and 67) by Suruchi Properties Private Limited has been extended on first ranking pari passu basis to secure (a) Century Joint Developments Private Limited's indebtedness of Rs. 1105 Crores (comprising of (1) Rs. 620 Crores of non-convertible debentures of Century Joint Developments Private Limited (now released as detailed above) and (2) Rs. 485 Crores – of term loan availed by Century Joint Developments Private Limited under the Facility Agreement 30.07.2018) and (b) Century Real Estate Holdings Private Limited's indebtedness of Rs. 772 Crores (Document No. 78).
74. Thereafter we note (a) Letter bearing No. 51141-A/TSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour of *inter alia* Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 125 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 78A) and (b) Letter bearing No. 51141-B/TSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 257 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 78B). IDBI Trusteeship Services Limited has provided their no-objection for filing CHG-4 with the concerned Registrar of Companies. We have been informed that the said non convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.

Observation: We have been informed that no release deeds have been executed and registered evidencing the release of the mortgage created over the lands situated at Kodihalli, Bengaluru owned by Suruchi. It is noted that the mortgage created under the Memorandum of Entry dated 06.02.2019 for securing (a) the term loan of Rs. 390 Crores availed by Century Real Estate Holdings Private Limited and (b) the term loan of Rs. 485 Crores availed by Century Joint Development Agreements Private Limited was subsisting and not released under the above mentioned no due certificates.

75. Thereafter, we note the registered Memorandum of Entry dated 06.09.2023 whereunder Suruchi's entitlement in the lands situated at Kodihalli Village has been mortgaged by way of first ranking pari passu charge to secure (a) Rs. 485 Crores term loan availed by Century Joint Developments Private Limited (CJDPL) from Piramal Capital & Housing Finance

Limited under the Facility Agreement dated 30.07.2018. (b) Non-convertible debentures aggregating up to Rs. 325 Crores issued by CIDPL in terms of the Debenture Trust Deed dated 12.12.2020, (c) Non-convertible debentures aggregating upto Rs. 700 Crores issued by CIDPL in terms of the Debenture Trust Deed dated 23.09.2022, (d) Rs. 390 Crores term loan availed by Century Real Estate Holdings Private Limited from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 03.07.2018 (Document No. 78C).

76. We have been informed that, apart from the above Memorandum of Entry recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 (which has since been satisfied in entirety as detailed above), 02.08.2018 (which has been satisfied partially as detailed above), 06.02.2019 and 06.09.2023, which are still subsisting, there are no other mortgages, in respect of the Property XII.

#### **VIII. Contiguity, Inspection of Original Documents and Public Notice:**

77. From the development plan and the title deeds (including the sale deed by which Suruchi has acquired and the khata which has been prepared thereafter) provided to us in respect of Property XII for our scrutiny, it is not possible to ascertain in Property XII (viz., Municipal Nos. 61 & 67) are contiguous with the other lands forming part of the proposed project. The same needs to be ascertained by undertaking a physical survey. In this regard we have been informed that the Project Lands are contiguous and that an amalgamated khata has been issued by BBMP on the basis of the Modified Work Order dated 27.12.2021 issued by the BDA sanctioning the residential development plan which indicates that the all the Project Lands form a contiguous parcel of land.
78. As part of our title scrutiny, we have undertaken inspection of the original documents in respect Property XII which are in the custody of Vistra ITCL (India) Limited (the escrow agent for Suruchi and Salarpuri Realtors Private Limited) and Suruchi. The list and the nature of the documents provided to our inspection is detailed in Annexure – B of this Report.
79. We have issued a Public Notice in an English daily 'The New Indian Express' and Kannada daily the 'Kannada Prabha' on 16.12.2023 inviting objections from the general public with respect to Suruchi's title over Property XII. As on 18.01.2024, we have not received any objections to the public notice issued.



**G. CONCLUSION:**

Subject to our observations made hereinabove, we are of the opinion that:

- (i) Suruchi Properties Private Limited is the owner of Property XII, subject to the rights of Salarpuria Realtors Private Limited under the Development Agreement dated 03.02.2011, and
- (ii) Property XII is mortgaged in favour of IDBI Trusteeship Services Limited, pursuant to the Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 02.08.2018, 06.02.2019 and 06.09.2023.



  
TATVA LEGAL  
BANGALORE

**ANNEXURE – A**  
**LIST OF DOCUMENTS EXAMINED**

Sl. No.	Description of Documents
1.	Notification bearing No. R 8347-I, S 63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;
2.	Extract of Register VIII in respect of the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk;
3.	Affidavit dated 19.03.2013 sworn to by Suruchi Properties Private Limited,
4.	RICs issued in respect of land bearing Survey No. 147/2, measuring 1 Acre 13 Guntas, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1971-72 to 1996-97;
5.	Agreement of Sale dated 20.06.1990, registered as Document No. 929 of 1990-91, in Book I, Volume 3265, at Pages 189 to 192 in the office of the Sub Registrar, Bengaluru South Taluk;
6.	Special Power of Attorney dated 20.06.1990, registered as Document No. 89 of 1990-91 stored in Book IV, Volume No. 16 at Pages 70 to 73 in the office of the Sub Registrar, Bengaluru South,
7.	Affidavit dated 19.03.2013 sworn to by Mr. Satish Pai,
8.	Extract of Assessment List for the building and land for the years 1982-83 issued by HASB City Municipal Council for the land bearing HASB Khata Nos. 636/1 and 636/2;
9.	Sale Deed dated 31.03.2000 registered as Document No. 10006 of 1999-00, in Book L in the office of the Sub Registrar, Bengaluru South Taluk;
10.	Sale Deed dated 31.03.2000 registered as Document No. 10008 of 1999-00, in Book L in the office of the Sub Registrar, Bengaluru South Taluk;
11.	Extract of Register VIII in respect of the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk;
12.	Affidavit dated 21.08.2013 sworn by Mr. Rajappa (son of Late Mr. Chikkathayappa);



13.	Extract of Assessment List for the building and land for the years 1982-83 issued by HASB City Municipal Council for the land bearing HASB Khata Nos. 736/2, 736/2A, 736/3B, 736/4C;
14.	<i>Unregistered</i> Indenture of Agreement of Sale dated 30.11.1988, executed by Mr. Chandrappa (son of Mr. Chikkathayappa), in favour of G.M.S. Constructions Company Private Limited;
15.	<i>Unregistered</i> General Power of Attorney dated 10.01.1990 executed by Mr. Chandrappa (son of Mr. Chikkathayappa), appointing Mr. Sanjay Bajaj as his POA Holder in respect of land bearing Khata No. 736/2 measuring 5586 Sq. Ft., situated at Kndihalli, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
16.	Deed of Sale dated 10.04.1990, registered as Document No. 103 of 1990-91, in Book I, Volume 3248, at pages 177 to 181 in the office of the Sub Registrar, Bengaluru South Taluk;
17.	Sale Deed dated 24.02.2000, registered as Document No. 927 of 2000-01, in Book I, Volume 4525, at Pages 280 to 290 in the office of the Sub Registrar, Bengaluru South Taluk;
18.	<i>Unregistered</i> Agreement to Sell dated 02.03.1995, executed by Mr. Rajappa (son of Mr. Chikkathayappa), in favour of G.M.S. Constructions Company Private Limited;
19.	General Power of Attorney dated 02.03.1995 registered as Document No. 1259 of 1994-95, in Book IV, Volume 327, at Pages 138 to 141 in the office of the Sub Registrar, Bengaluru South Taluk;
20.	Sale Deed dated 13.10.2000 registered as Document No. 3960 of 2000-01, in Book I, Volume No. 4965, at Pages 218 to 229 in the office of the Sub Registrar, Bengaluru South Taluk;
21.	Agreement to Sell dated 10.03.1995 registered as Document No. 9675 of 1995-96, in Book I, Volume 4061, at Pages 43 to 49 in the office of the Sub Registrar, Bengaluru South Taluk;
22.	General Power of Attorney dated 10.03.1995 registered as Document No. 1265 of 1994-95, in Book IV, Volume 327, at Pages 55 to 58 in the office of the Sub Registrar, Bengaluru South Taluk;
23.	Sale Deed dated 13.10.2000 registered as Document No. 3957 of 2000-01, in Book I, Volume 4965, at Pages 184 to 195 in the office of the Sub Registrar, Bengaluru South Taluk;
24.	Agreement to Sell dated 10.03.1995 registered as Document No. 9677 of 1994-95, in Book I, Volume 4067, at Pages 57 to 63 in the office of the Sub Registrar, Bengaluru South Taluk;



25.	General Power of Attorney dated 10.03.1995 registered as Document No. 1264 of 1994-95, in Book IV, Volume 327, at Pages 159 to 162 in the office of the Sub Registrar, Bengaluru South Taluk;
26.	Sale Deed dated 10.03.1995, registered as Document No. 3954 of 2000-01, in Book I, Volume 4965, at Pages 163 to 174 in the office of the Sub Registrar, Bengaluru South Taluk;
27.	Certificate dated 28.12.1993 issued by Hindustan Aeronautics Sanitary Board ("HASB") Bengaluru.
28.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;
29.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Sunehi Properties Pvt. Ltd.;
30.	Receipt bearing No. 53217 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of betterment charges in respect of the land bearing HASB Khata Nos. 736/2A, 736/2, 736/3B, 736/4C;
31.	Receipt bearing No. 53213 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of betterment charges in respect of the land bearing HASB Khata Nos. 636/1 & 636/2;
32.	Special Notice bearing No. Ward/73/KTR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike (Municipal No. 61);
33.	Special Notices bearing No. Ward/73/KTR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike (Municipal No. 67);
34.	Receipt bearing No 238795 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;
35.	Receipt bearing No 238800 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;
36.	Award dated 30.11.2007, registered as Document No. VR1-1-01841-2008-09 (stored in C.D.No. VR1D31) on 08.08.2008, in the office of the Sub Registrar, Varthur;
37.	Deed of Absolute Sale dated 22.09.2008, registered as Document No. VR1-1-04671-2008-09 (stored in C.D.No. VR1D40) on 07.01.2009 in the office of the Sub Registrar, Varthur, Bengaluru;



38.	Rectification Deed dated 17.02.2009, registered as Document No. VRT-1-05437-2008-09 (stored in C.D. No.VRTD43) on 20.03.2009 in the office of the Sub Registrar, Varthur, Bengaluru;
39.	Special Notice bearing No. DA/73/K/RI58/2008-09 dated 17.06.2009 issued by the Bruhat Bengaluru Mahanagara Palike;
40.	Joint Development Agreement dated 28.01.2011, registered as Document No. VRT-1-06934-2010-11 (stored in C.D.No.VRTD94) in the office of the Sub Registrar, Varthur, Bengaluru;
41.	General Power of Attorney dated 28.01.2011, registered as Document No. VRT-4-00493-2010-11 (stored in C.D.No.VRTD94) in the office of the Sub Registrar, Varthur, Bengaluru;
42.	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur, Bengaluru;
43.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur, Bengaluru;
44.	Cancellation of Joint Development Agreement dated 22.02.2018, registered as Document No. INR-1-10433-2017-18 (stored in CD No. INRD209) in the office of the Sub Registrar;
45.	Revocation of Power of Attorney dated 22.02.2018, registered as Document No. [NR-]-10708-2017-18 (stored in CD No. INRD209) in the office of the Sub Registrar;
46.	Endorsement hearing No. RK CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura;
47.	Map of Kodihalli Village;
48.	Flissa Survey Tippyany issued in respect of land bearing Survey Nos.147/2 of Kodihalli Village;
49.	Revision Settlement Akarbandh issued with respect to Survey No. 147/2 of Kodihalli Village;
50.	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;
51.	Endorsement bearing No. LRF: (BE): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;



52.	Khata Certificates and Khata Extracts dated 14.10.2011 issued by Bruhat Bengaluru Mahanagara Palike in respect of land bearing Municipal No. 61 measuring 10402 Sq. Ft.;
53.	Khata Certificates and Khata Extracts dated 14.10.2011 issued by Bruhat Bengaluru Mahanagara Palike in respect of land bearing Municipal No. 67 measuring 11439 Sq. Ft.;
54.	Receipt bearing No. 22233000257 dated 10.08.2022 issued by BBMP;
55.	Receipt bearing No. 22233400773 dated 01.12.2022 issued by BBMP;
55A	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;
55B	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;
56.	Endorsement bearing No. KHIB LAO/380/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru.
57.	Endorsement bearing No. Bengaluru:SLAO/6928/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;
58.	Endorsement bearing No. LAQ/NEH-7/JIM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;
59.	Work order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution bearing No. BDA/TPM/DUP-38/2016-17/380/2019-20 dated 11.06.2019;
60.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;
61.	Modified Work Order bearing No. BDA/Nayosa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;
62	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA;
63.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf - Cum Hotel Resort, near Bengaluru Airport;



64.	Order dated 18.09.1991 passed in WS Nos 19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka quashing the acquisition notifications and proceedings with regard to Property XII and adjoining lands.
65.	Encumbrance Certificates issued in respect of the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 14.02.1957 to 31.03.1960, 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 21.09.2008, 01.04.2008 to 20.10.2011, 01.04.2010 to 31.01.2013, 03.06.2013 to 21.12.2013, 01.03.2016 to 22.04.2019;
66.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 636/1 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 31.07.2011, 01.08.2011 to 07.12.2011, 01.12.2011 to 01.02.2013, 07.12.2011 to 01.06.2013, 01.06.2013 to 21.12.2013 and 01.06.2016 to 22.04.2019;
67.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 636/2 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2011, 01.04.2008 to 28.01.2011, 01.04.2011 to 07.12.2011, 01.12.2011 to 28.01.2013, 07.12.2011 to 01.06.2013, 01.06.2013 to 21.12.2013, 01.03.2016 to 22.04.2019;
68.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 61 (PID No. 73-63-61) measuring 01.04.2005 to 24.09.2008, 01.04.2008 to 20.10.2011, 01.04.2010 to 31.03.2011, 01.04.2010 to 14.11.2012, 01.04.2011 to 07.12.2011, 29.01.2011 to 30.01.2013, 01.04.2013 to 31.03.2014, 21.12.2013 to 04.08.2015, 01.08.2015 to 08.03.2016, 01.03.2016 to 22.04.2019, 01.04.2019 to 10.01.2023, 01.01.2023 to 21.03.2023;
69.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/2 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 05.02.1994, 06.12.1994 to 20.05.1997, 01.04.1997 to 31.03.2004, 01.04.2004 to 01.08.2011, 02.08.2011 to 07.08.2011, 08.08.2011 to 28.01.2013, 01.06.2013 to 21.12.2013, 01.03.2016 to 23.04.2019;
70.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/2A for the period 01.04.1970 to 31.03.2004, 01.04.2004 to 31.03.2008, 01.04.2008 to 08.12.2011, 09.12.2011 to 28.01.2013, 01.06.2013 to 21.12.2013, 01.03.2016 to 23.04.2019;
71.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/3B for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2008, 01.04.2008 to 05.03.2013, 01.06.2013 to 21.12.2013, 01.03.2016 to 23.04.2019;



72	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/4C for the period 01.04.1970 to 31.03.2004, 01.04.2004 to 31.03.2008, 01.04.2008 to 08.12.2011, 09.12.2011 to 28.01.2013, 03.06.2013 to 21.12.2013 and 01.06.2016 to 23.04.2019;
73	Encumbrance Certificates issued in respect of the land bearing Municipal No. 67 for the period 01.04.2005 to 24.09.2008, 01.04.2008 to 31.03.2011, 01.04.2008 to 28.01.2011, 01.04.2009 to 04.08.2015, 29.02.2011 to 06.01.2012, 06.01.2012 to 04.06.2013, 04.06.2013 to 21.12.2013, 01.04.2013 to 31.03.2014, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023 and 01.01.2023 to 21.05.2023,
73A	Encumbrance Certificate issued in respect of the land bearing Municipal No. 61 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 12.01.2024;
73B	Encumbrance Certificate issued in respect of the land bearing Municipal No. 67 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 11.01.2024.
74	Simple Mortgage Deed dated 14.03.2011 executed by Century Real Estate Holdings Pvt. Ltd., Suruchi Properties Pvt. Ltd. and Others in favour of IDBI Trusteeship Services Ltd., which includes <i>inter-alia</i> Property XII registered as Document No. 5839 of 2010-11, in Book I and Stored in CD No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru;
75	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and H.&FS Trust Company Limited in respect of <i>inter-alia</i> Property XII;
76	Discharge Deed dated 09.11.2015 executed by IDBI Trusteeship Services Limited in favour of Suruchi Properties Private Limited and Others registered as Document No. 2751 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;
77	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 executed by Suruchi Properties Pvt. Ltd. and Others in favour of IDBI Trusteeship Services Ltd., registered as Document No. 2759 of 2015-16, in Book I and Stored in C.D. No. MLSD112 on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru.
77A	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;
77B	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528 2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar,



78.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 executed by Suruchi Properties Pvt. Ltd., and Others in favour of Piramal Capital & Housing Finance Limited, registered as Document No. HBB-1-03412 of 2018-19. in Book J and Stored in C. D. No. HBBI0244 in the office of the Sub Registrar, Hebbala, Bengaluru;
78A	Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
78B	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
78C	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;
79.	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016;



**ANNEXURE B  
ORIGINAL VERIFICATION**

Sl. No.	Description of Documents	Nature of Documents in custody of Vistra (ITCL)	Nature of Documents in custody of Suruchi
1.	Notification bearing No. R.8347-I. S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954,		Photo Copy
2.	Extract of Register VIII in respect of the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk;	Certified copy	
3.	Affidavit dated 19.03.2013 sworn to by Suruchi Properties Private Limited;	Original	
4.	RTCs issued in respect of land bearing Survey No. 147/2, measuring 1 Acre 13 Guntas, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1971-72 to 1996-97.	Certified copy	
5.	Agreement of Sale dated 20.06.1990, registered as Document No. 929 of 1990-91, in Book I, Volume 3265, at Pages 189 to 192 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
6.	Special Power of Attorney dated 20.06.1990, registered as Document No. 89 of 1990-91 stored in Book IV, Volume No. 16 at Pages 70 to 73 in the office of the Sub Registrar, Bengaluru South;	Certified copy	
7.	Affidavit dated 19.03.2013 sworn to by Mr. Satish Pai;	Original	
8.	Extract of Assessment List for the building and land for the years 1982-83 issued by HASH City Municipal Council for the land bearing HASH Khata Nos. 636/1 and 636/2;	Photocopy	



9.	Sale Deed dated 31.03.2000 registered as Document No. 10006 of '999-00, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
10.	Sale Deed dated 31.03.2000 registered as Document No. 10008 of 1999-00, in Book I in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
11.	Extract of Register VIII in respect of the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk;	Certified copy	
12.	Affidavit dated 21.08.2012 sworn by Mr. Rajappa (son of Late Mr. Chikkathayappa);		Photo Copy
13.	Extract of Assessment List for the building and land for the years 1982-83 issued by HASB City Municipal Council for the land bearing HASB Khata Nos. 736/2, 736/2A, 736/2B, 736/4C;		Photo Copy
14.	Unregistered Indenture of Agreement of Sale dated 30.11.1988, executed by Mr. Chandrappa (son of Mr. Chikkathayappa), in favour of G.M.S. Constructions Company Private Limited;	Original	
15.	Unregistered General Power of Attorney dated 10.01.1990 executed by Mr. Chandrappa (son of Mr. Chikkathayappa), appointing Mr. Sanjay Bajaj as his POA Holder in respect of land bearing Khata No. 736/2 measuring 5586 Sq Ft., situated at Kodihalli, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;	Original	
16.	Deed of Sale dated 10.04.1990, registered as Document No. 103 of 1990-91, in Book I, Volume 3248, at pages 177 to 181 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
17.	Sale Deed dated 24.02.2000, registered as Document No. 927 of 2000-01, in Book I, Volume 4525, at Pages 280 to 290 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	



18.	Unregistered Agreement to Sell dated 02.03.1995, executed by Mr Rajappa (son of Mr Chikkathayappa), in favour of G.M.S. Constructions Company Private Limited;	Original	
19.	General Power of Attorney dated 02.03.1995 registered as Document No. 1259 of 1994-95, in Book IV, Volume 327, at Pages 138 to 141 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
20.	Sale Deed dated 13.10.2000 registered as Document No. 3960 of 2000-01, in Book I, Volume No. 4965, at Pages 218 to 229 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
21.	Agreement to Sell dated 10.03.1995 registered as Document No. 9675 of 1995-96, in Book I, Volume 4061, at Pages 43 to 49 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
22.	General Power of Attorney dated 10.03.1995 registered as Document No. 1263 of 1994-95, in Book IV, Volume 327, at Pages 155 to 158 in the office of the Sub Registrar, Bengaluru South Taluk,	Original	
23.	Sale Deed dated 13.10.2000 registered as Document No. 3957 of 2000-01, in Book I, Volume 4965, at Pages 184 to 195 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
24.	Agreement to Sell dated 10.03.1995 registered as Document No. 9677 of 1994-95, in Book I, Volume 4067, at Pages 57 to 63 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
25.	General Power of Attorney dated 10.03.1995 registered as Document No. 1264 of 1994-95, in Book IV, Volume 327, at Pages 159 to 162 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	



26.	Sale Deed dated 10.03.1995, registered as Document No. 3954 of 2000-01. in Book I. Volume 4965, at Pages 163 to 174 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
27.	Certificate dated 28.12.1993 issued by Hindustan Aeronautics Sanitary Board ("HASB") Bengaluru;	Original	
28.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai,		Photo Copy
29.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Struchi Properties Pvt. Ltd.,		Photo Copy
30.	Receipt bearing No. 53217 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of betterment charges in respect of the land bearing HASB Khata Nos. 736/2A, 736/2, 736/3B, 736/4C;		Photo Copy
31.	Receipt bearing No. 53213 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of betterment charges in respect of the land bearing HASB Khata Nos. 636/1 & 636/2.		Photo Copy
32.	Special Notice bearing No. Ward/73/KTR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike (Municipal No. 61);		Photo Copy
33.	Special Notices bearing No. Ward/73/KTR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike (Municipal No. 67);		Photo Copy
34.	Receipt bearing No 238795 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
35.	Receipt bearing No 238800 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy



36.	Award dated 30.11.2007, registered as Document No. VRT-1-01841-2008-09 (stored in C.D.No. VRTD31) on 08.08.2008, in the office of the Sub Registrar, Varthur;	Original (Common to all properties)	
37.	Deed of Absolute Sale dated 22.09.2008, registered as Document No. VRT-1-04671-2008-09 (stored in C.D.No. VRTD40) on 07.01.2009 in the office of the Sub Registrar, Varthur, Bengaluru;		Photo Copy
38.	Rectification Deed dated 17.02.2009, registered as Document No. VRT-1-05437-2008-09 (stored in C.D. No. VRTD42) on 20.02.2009 in the office of the Sub Registrar, Varthur, Bengaluru;		Certified copy
39.	Special Notice bearing No. DA:73/KTR158/2008-09 dated 17.06.2009 issued by the Bruhat Bengaluru Mahanagara Palike;		Photo Copy
40.	Joint Development Agreement dated 28.01.2011, registered as Document No. VRT-1-06934-2010-11 (stored in C.D.No.VRTD94) in the office of the Sub Registrar, Varthur, Bengaluru;	Certified copy	
41.	General Power of Attorney dated 28.01.2011, registered as Document No. VRT-4-00493-2010-11 (stored in C.D.No.VRTD94) in the office of the Sub Registrar, Varthur, Bengaluru;		Photo Copy (Certified Copy to be handed over)
42.	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur, Bengaluru.		Photo Copy (Certified Copy to be handed over)
43.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur, Bengaluru.		Photo Copy (Certified Copy to be handed over)
44.	Cancellation of Joint Development Agreement dated 22.02.2018, registered as Document No. INR-1-10/133-		Certified copy



	2017-18 (stored in CD No. INRD209) in the office of the Sub Registrar;		
45.	Revocation of Power of Attorney dated 22.02.2018, registered as Document No. INR-1-10708-2017-18 (stored in CD No. INRD209) in the office of the Sub Registrar;		Certified copy
46.	Endorsement bearing No. RK CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura;		Original (Common to all properties)
47.	Map of Kodihalli Village;	Photo Copy	
48.	Hissa Survey Tippetty issued in respect of land bearing Survey Nos 147/2 of Kodihalli Village;	Certified copy	
49.	Revision Settlement Akarbandh issued with respect to Survey No. 147/2 of Kodihalli Village;		
50.	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;		Original (Common to all properties)
51.	Endorsement bearing No. LRF (BE): CR: 1307 of 2011-12 dated 17.03.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;		Original (Common to all properties)
52.	Khata Certificates and Khata Extracts dated 14.10.2011 issued by Bruhat Bengaluru Mahanagara Palike in respect of land bearing Municipal No. 61 measuring 10402 Sq. Ft.;		Photo Copy
53.	Khata Certificates and Khata Extracts dated 14.10.2011 issued by Bruhat Bengaluru Mahanagara Palike in respect of land bearing Municipal No. 67 measuring 11439 Sq. Ft.;		Photo Copy
54.	Receipt bearing No. 22233000257 dated 10.08.2022 issued by BBMP;		Photo Copy



55.	Receipt bearing No. 22233400773 dated 01.12.2022 issued by BBMP;		Photo Copy
56.	Endorsement bearing No. KHB:LAO/380/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;		Original (Common to all properties)
57.	Endorsement bearing No. Bengaluru:SLAO/6928/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;		Original (Common to all properties)
58.	Endorsement bearing No. LAQ/NH-7/HM/CR/57/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;		Original (Common to all properties)
59.	Work order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution bearing No. BDA/TPM/DI.P-38/2016-17/380/2019-20 dated 11.06.2019;		Original (Common to all properties)
60.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;		Photo Copy (Certified Copy to be handed over)
61.	Modified Work Order bearing No. BDA/Nayasa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority,		Original (Common to all properties)
62.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDA0850) in the office of the Sub Registrar, BDA;		Photo Copy (Certified Copy to be handed over)
63.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf - Cum Hotel Resort, near Bengaluru Airport,		Certified copy



64.	Order dated 18.09.1991 passed in WS Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka quashing the acquisition notifications and proceedings with regard to Property XII and adjoining lands:		Photo Copy
65.	Encumbrance Certificates issued in respect of the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 14.02.1957 to 31.03.1960, 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 20.10.2011, 01.04.2010 to 31.01.2013, 03.06.2013 to 21.12.2013, 01.03.2016 to 22.04.2019:	From 14.02.1957 to 31.03.1960, 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008 Certified copy	01.03.2016 to 22.04.2019- Certified copy. Rest are photocopies.
66.	Encumbrance Certificates issued in respect of the land bearing HASH Khata No. 636/1 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.08.2011 to 07.12.2011, 01.12.2011 to 01.02.2013 and 01.06.2016 to 22.04.2019; 01.06.2013 to 21.12.2013 07.12.2011 to 01.06.2013 01.04.2004 to 31.07.2011	From 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.08.2011 to 07.12.2011 - Certified copy	01.06.2016 to 22.04.2019- Certified copy. Rest are photo copies.
67.	Encumbrance Certificates issued in respect of the land bearing HASH Khata No. 636/2 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2011, 01.04.2011 to 07.12.2011, 01.12.2011 to 28.01.2013, 01.03.2016 to 22.04.2019; 01.06.2013 to 21.12.2013 07.12.2011 to 01.06.2013 01.04.2008 to 28.01.2011	From 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2011, 01.04.2011 to 07.12.2011 - Certified copy	01.03.2016 to 22.04.2019- Certified copy. Rest are photocopies.
68.	Encumbrance Certificate issued in respect of the land bearing Municipal No 61 (PID No. 73-63-61) measuring 01.04.2005 to 24.09.2008, 01.04.2008 to 20.10.2011, 01.04.2010 to 31.03.2011, 01.04.2010 to 14.11.2012, 01.04.2011 to 07.12.2011, 29.01.2011 to 30.01.2013, 01.04.2013 to 31.03.2014, 01.08.2015 to		21.12.2013 to 04.08.2015, 01.03.2016 to 22.04.2019, 01.04.2019 to 10.01.2023,



	08.03.2016, 01.03.2016 to 22.04.2019, 01.04.2019 to 10.01.2023, 01.01.2023 to 21.05.2023; 21.12.2013 to 04.08.2015		01.01.2023 to 21.05.2023- Certified copy. Rest are photocopies.
69.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/2 for the period 01.04.1980 to 31.03.1993, 18.03.1993 to 05.02.1994, 06.2.1994 to 20.05.1997, 01.04.1997 to 31.03.2004, 01.04.2004 to 01.08.2011, 02.08.2011 to 07.08.2011, 08.08.2011 to 28.01.2013, 01.06.2013 to 21.12.2013, 01.03.2016 to 23.04.2019;	Certified Copy, except for 01.04.2004 to 01.08.2011 which is a Photocopy	01.03.2016 to 23.04.2019 : Photocopy
70.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/2A for the period 01.04.1970 to 31.03.2004, 01.04.2004 to 31.03.2008, 01.04.2008 to 08.12.2011, 09.12.2011 to 28.01.2013, 01.06.2013 to 21.12.2013, 01.03.2016 to 23.04.2019; 01.12.2011 to 01.06.2013	From 01.04.1970 to 31.03.2004, 01.04.2004 to 31.03.2008, 01.04.2008 to 08.12.2011, 01.12.2011 to 01.06.2013, 01.06.2013 to 21.12.2013 - Certified copy	09.12.2011 to 28.01.2013, 01.03.2016 to 23.04.2019 : Photo Copy
71.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/3B for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2008, 01.04.2008 to 05.03.2013, 01.06.2013 to 21.12.2013, 01.03.2016 to 23.04.2019;	From 01.04.1980 to 31.03.2004, 01.04.2004 to 31.03.2008, 01.06.2013 to 21.12.2013 - Certified copy	01.03.2016 to 23.04.2019- Certified copy. Rest are photocopies
72.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/4C for the period 01.04.1970 to 31.03.2004, 01.04.2004 to 31.03.2008, 01.04.2008 to 08.12.2011, 09.12.2011 to 28.01.2013, 03.06.2013 to 21.12.2013 and 01.06.2016 to 23.04.2019;	From 01.04.1970 to 31.03.2004, 01.04.2008 to 08.12.2011, 09.12.2011 to	01.06.2016 to 23.04.2019- Certified copy. Rest are photocopies



		28.01.2013, - Certified copy.	
73.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 67 for the period 01.04.2005 to 24.09.2008, 01.04.2008 to 31.03.2011, 01.04.2008 to 28.01.2011, 29.02.2011 to 06.01.2012, 06.01.2012 to 04.06.2013, 04.06.2013 to 21.12.2013, 01.04.2013 to 31.03.2014, 01.03.2016 to 22.04.2019, 01.04.2019 to 12.01.2023 and 01.01.2023 to 22.05.2023;  01.04.2009 to 04.08.2015 -	From 01.04.2008 to 28.01.2011, 29.02.2011 to 06.01.2012, 06.01.2012 to 06.01.2012 to 04.06.2013, 04.06.2013 to 21.12.2013 Certified copy	01.04.2005 to 24.09.2008, 01.04.2009 to 04.08.2015, 01.03.2016 to 22.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 22.05.2023 - Certified copy. Resr are photocopies.
74.	Simple Mortgage Deed dated 14.03.2011 executed by Century Real Estate Holdings Pvt. Ltd., Suruchi Properties Pvt. Ltd. and Others in favour of IDBI Trusteeship Services Ltd., which includes <i>inter-alia</i> Property XII registered as Document No. 5839 of 2010-11, in Book I and Stored in CD No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru;		Certified Copy (common to all properties)
75.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and H.&FS Trust Company Limited in respect of inter-alia Property XII,		Original (Common to all properties)
76.	Discharge Deed dated 09.11.2015 executed by IDBI Trusteeship Services Limited in favour of Suruchi Properties Private Limited and Others registered as Document No. 2751 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;		Photo Copy (Certified Copy to be handed over)
77.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 executed by Suruchi Properties Pvt. Ltd., and Others in favour of IDBI Trusteeship Services Ltd., registered as Document No. 2759 of 2015-16, in Book I and Stored in C.D. No.		Photo Copy (Certified Copy to be handed over)



	MLSD112 on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;		
78.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 executed by Suruchi Properties Pvt. Ltd., and Others in favour of Piramal Capital & Housing Finance Limited., registered as Document No. HBB-1-03412 of 2018-19, in Book I and Stored in C. D. No. HBBD244 in the office of the Sub Registrar, Hebbala, Bengaluru;		Photo Copy (Certified Copy to be handed over)
79.	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016;		Photo Copy
80.	Special Notice bearing No. DA/113/KJR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;		Photo Copy (Original to be handed over).
81.	Receipt bearing No. 25243908651 dated 17.01.2024 issued by the BBMP Revenue Department;		Computer generated copy (Original to be handed over).
82.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 61 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 12.01.2024.		Photo Copy (Original to be handed over).
83.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 67 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 11.01.2024.		Photo Copy (Original to be handed over).
84.	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND112) in the office of the Sub Registrar, Gandhi Nagar;		Photo Copy
85.	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;		Photocopy



86.	Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
87.	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
88.	Memorandum of Entry dated 06.09.2023, registered as Document No. M.S-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;		Photo Copy
<b>Additional Document(s)</b>			
89.	General Power of Attorney dated 10.03.1995 registered as Document No. 1262 of 1994-95, in Book IV, Volume 327, at Pages 138 to 141 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	



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**TITLE REPORT DATED 22.01.2024**  
**PROPERTY XIII**  
**MUNICIPAL NO. 68 - (PID No. 73-63-68)**

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 **TATVALEGAL**  
**Bangalore**  
**Advocates**  
*(Restricted and Confidential)*



**A. Description of Property:**

The objective of this due diligence exercise is to investigate title to the Property (defined hereinafter) described in Part E of this title Report ("the Report") based on review of the documents furnished to us, description whereof is given in Part D of this Report.

**B. Scope of Limitation:**

The scope of our review and of this Report is subject to the following limitations:

- (i) While performing the review, we have assumed the (a) genuineness of all signatures, (b) accuracy and correctness of all information / representations provided / made to us, including the facts that are mentioned in agreements, executed copies of documents and government records, (c) authenticity of copies of all documents submitted to us as originals, (d) conformity of the copies or extracts submitted to us with the originals thereof, (e) correctness of all information provided to us in respect of the litigations in respect of the Property including the fact that no appeals or revisions have been filed in respect of the relevant suits / litigations and (f) compliance with all legal requirements by the parties concerned with the Property.
- (ii) We have only examined issues pertaining to the ownership of the Property and have not examined issues pertaining to (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Property; (b) business, regulatory and financial issues of the present or previous owners of the Property; and (c) other matters that do not directly affect the ownership of the Property.
- (iii) For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report.
- (iv) We have assumed that there are no outstanding / dues payable by the present / previous owners of the Property to any government / statutory authority (including any tax / cess dues) or local body and that the Property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws.
- (v) Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Property, as analyzed by us from the

information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report.

**C. Confidentiality:**

The contents of this Report are confidential. Neither this Report nor any of its contents may be disclosed to any person other than to the professional advisers, officers and employees of **Suruchi Properties Private Limited** who are directly involved in the proposed transaction relating to the Property. We accept no responsibility to any person other than to **Suruchi Properties Private Limited** in relation to the contents of this Report.

**D. Documents Examined:**

We have been provided with and have examined the photocopies of the documents listed in Annexure - A to this Report for the purpose of carrying out title due diligence on the Property.

**E. Description of Property:**

All that piece and parcel of the immovable property being the land originally bearing Municipal No. 68 (PID No. 73-63-68) measuring 3453 square feet out of 9773 square feet, comprised in the land earlier bearing Survey No. 147/2, situated at Ward No. 73, Narayanappa Garden, Kodihalli, Bengaluru, now forming part of the amalgamated Municipal No. 68 (PID No. 73-63-64), New Ward No. 113, Kodihalli, Bengaluru, hereinafter referred to as "**Property XIII**".

*(Boundaries are not ascertainable from the documents provided)*

**F. Findings Based On Documents Examined:**

**I. Title:**

1. On perusal of the documents furnished to us, we note that, the land bearing Municipal No. 68 measuring about 3453 square feet (i.e., Property XIII) is part of the larger extent of the same municipal number, which in-turn appears to be carved out of the land bearing Survey No. 147/2 measuring 1 Acre 13 Guntas situated at Kodihalli Village, Vanthur Hobli, Bengaluru East Taluk (formerly Bengaluru South Taluk).
2. We note that, Kodihalli is an Inam Village. On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 coming into force in respect of the lands situated at Kayam Gutta Kodihalli Village vide its Notification dated 15.09.1956, all the lands including the land



hearing Survey No. 147/2 of Kodihalli Village vested with the Government of Karnataka (Document No. 1).

3. It appears that on perusal of the documents submitted that, Mr. Andeppa (son of Mr. Dodda Puttappa) was holding the land measuring 18 Guntas in Survey No. 147/2 of Kodihalli Village having acquired the same, vide registering the occupancy rights in his name from the office of Special Deputy Commissioner, for Inams, Abolition.

**Observation:** We have not seen the copies of the re-grant Order, Extract of Form VIII Register and/or endorsement issued by the office of the Special Deputy Commissioner for Inams Abolition with respect to the re-grant of the land bearing Survey No. 147/2 measuring 18 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk to Mr. Andeppa (son of Mr. Doddapillappa).

In this regard, it is represented by Suruchi Properties Private Limited ("Suruchi") to us, that, although there are no documents which evidence the re-gram in the name of Mr. Andeppa (son of Mr. Dodda Puttappa), no claims have been made by any person/s contending that, the re-grant of Inams made in respect of land measuring 18 Guntas in Survey No. 147/2 of Kodihalli Village in favour of Mr. Andeppa under the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 as Kadim Tenant was defective (Document No. 52).

4. Mr. Andeppa (son of Mr. Dodda Puttappa) executed a Sale Deed dated 24.03.1961 conveying 18 Guntas in the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk in favour of Mrs. Muniyamma (wife of Mr. Govindappa) (Document No. 2). Mrs. Muniyamma (wife of Mr. Govindappa) in turn conveyed the said land back to Mr. Andeppa (son of Late Mr. Dodda Puttappa) under the Sale Deed dated 27.12.1971 (Document No.3).
5. Record of Rights, Tenancy and Crop Inspection ("RTCs") issued in respect of the land bearing Survey No. 147/2 measuring 1 Acre 13 Guntas of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1971-72 to 1996-97 reflects the names of Mr. Andeppa as one of the holders of the said land along with others Mrs. Munithayamma and Mr. Chikkatayappa (Document No. 4).
6. It appears that the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB") and the said HASB allotted the HASB Khata i) No.736/1 measuring 5402.65 Sq. Ft., ii) No.737/3 measuring 4370 Sq. Ft., both situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk.
7. Mr. Andiappa (son of Late Mr. Dodda Pillappa) executed an Indenture of Agreement of Sale dated 30.11.1988 in favour of G.M.S. Constructions Company Private Limited agreeing to sell the land bearing Khata No. 736/1 measuring 5402.65 square feet situated at Kodihalli

Village, H.A. Sanitary Board, Bengaluru (Document No. 5). Mr. Andiappa also executed a (*notarized*) General Power of Attorney dated 08.01.1990 appointing Mr. Sanjay Bajaj as his attorney in respect of land bearing HASB Khata No. 736/1 measuring 5402.65 square feet situated at Kodihalli Village, H.A. Sanitary Board, Bengaluru (Document No. 6)

8. Mr. Sanjay Bajaj acting as the power of attorney holder of Mr. Andiappa (son of Mr. Dodda Pillappa) conveyed the land bearing Khata No. 736/1 measuring 5402.65 square feet situated at Kodihalli Village, H.A. Sanitary Board, Bengaluru in favour of G.M.S. Constructions Company Private Limited under the Sale Deed dated 10.04.1990 (Document No. 7).
9. We have been provided with the Certificate dated 28.12.1993 issued by HASB certifying that the land bearing HASB Khata Nos. 736/1, 736/2, 736/2A, 736/3B, 736/4C, 636/1 & 636/2 are situated in the land bearing Survey No. 147/2 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk and are in the name of GMS Constructions (Document No. 8). We have also been provided with Extract of Assessment List for the building and land for the years 1988-89 issued by HASB for the land bearing HASB Khata No. 736/1 which reflects the owner thereof to GMS Constructions (Document No. 9).
10. Thereafter, Mr. Pillappa @ Pulliappa (son of Late Mr. Andiappa) along with his sons Mr. Somu @ Somashekar and Mr. Govinda executed an Agreement to Sell dated 02.03.1995 in favour of G.M.S. Constructions Company Private Limited agreeing to sell the land bearing Khata No. 737/3 situated at Kodihalli, H.A. Sanitary Board, Bengaluru South Taluk, measuring on east: 95 feet, west: 95 feet, north: 46 feet and south: 46 feet i.e., totally measuring 4370 square feet (Document No. 10). Mr. Pillappa and his sons have also executed and registered a General Power of Attorney dated 02.03.1995 appointing Mr. G. M. Singh as their attorney in respect of the land bearing HASB Khata No. 737/3 measuring 4370 square feet situated at Kodihalli Village (Document No. 11).
11. Mr. G. M. Singh, acting as the power of attorney holder of Mr. Pillappa @ Pulliappa and his sons conveyed the land bearing Khata No. 737/3 measuring 4370 square feet situated at Kodihalli Village, H.A. Sanitary Board, Bengaluru in favour of Medical Relief Society of South Kanara under the Sale Deed dated 13.10.2000 (Document No. 12). It is noted that G.M.S. Constructions Company Private Limited has been joined as the confirming party to the sale deed.

**Observation:** We have not been provided with the extract of Assessment List for the building and land in respect of HASB Khata No. 737/3. We have been informed that the same is not available.

Further, it is noted that none of the family members of Mr. Andiappa have joined in the execution of the above mentioned Sale Deeds dated 10.04.1990 and 13.10.2000 executed in respect of the land bearing HASB Khata Nos. 736/1 and 737/1 and we have also not been provided with any documents whereunder Mr. Andiappa came to hold HASB Khata No.

736/1 and Mr. Pillappa came to hold HASB Khata No. 737/1 to the exclusion of the other family members of Mr. Andiappa. In this regard, we have been informed that the same is not available. However, all the family members of Mr. Andiappa who would have any rights over the said land have executed and registered confirmation deeds, detailed below, confirming that they do not have any right, title or interest in the said property.

12. G.M.S. Constructions Company Private Limited transferred the said land bearing Khata No. 736/1 measuring 5402.65 Sq. Ft., in favour of Medical Relief Society of South Kanara under the Sale Deed dated 24.02.2000 (Document No. 13).

**Observation:** It is to be noted that Mr. Andiappa held an extent of 18 Guntas (i.e., 19602 Sq. Ft.) in Survey No. 147/2 and out of the 18 Guntas, Mr. Andiappa & his family has conveyed an extent of 9,772 square feet out of the 19,602 square feet held by him. From the documents, provided it is not possible to ascertain the location of the balance extent of land retained by the family members in the said survey number.

In this regard, we have been informed that the balance extent of land held by family members of Mr. Andiappa is in the northern portion of the land conveyed and that the said lands do not form part of Project Lands. The same may be ascertained by undertaking a survey in this regard.

13. One Mr. Chinnappa (son of Mr. Andiappa) has filed a suit for partition bearing O5 No. 5041/1993 against his father Mr. Andiappa and brothers viz., Mr. Pullappa, Mr. Muniyappa and Mr. Muniyvenkatappa and Ansol Builders (P) Ltd., seeking for partition and separate possession of his share in the land bearing Survey No. 147/2 measuring 18 Guntas of Kodihalli Village. We note the Judgment dated 21.06.2002 passed in O5 No. 5041/1993 wherein the Court has held that Mr. Chinnappa is entitled to 1/4<sup>th</sup> share in portion of Survey No. 147/2 of Kodihalli Village (Document No. 14). During the pendency of the aforementioned proceedings it appears that Mr. Andiappa has passed away. We further note that Mr. Chinnappa and all the other family members of Late Mr. Andiappa have executed and registered a Confirmation Deeds confirming Medical Relief Society of South Kanara is the owner of the property, which is detailed in paragraph 18 and 19 below.

**Observation:** It is noted that, the Plaint and Judgment is silent about Ansol Builders (P) Ltd. being made as Defendant to the said suit. Suruchi has represented to us, that till date Suruchi Properties Private Limited have not received any notices/claims/objections, from Ansol Builders (P) Ltd., in respect of Property XIII

14. Medical Relief Society of South Kanara and Mr. Dayanand Pai have entered into an Agreement of Sale dated 09.03.2004 in respect of the land bearing Survey Nos. 156/2 to 156/6, 155/1A, 156/1, 155/1B, 146/1, 147/2, 155/1C, 155/1A, 148, 146/2, 146/3, 147/1, 143/3, 155/3E to 3G of Kodihalli Village bearing various HASB khata numbers admeasuring about 10 Acres (Document No. 15). Mr. P. Dayananda Pai has assigned his rights under the

abovementioned Agreement of Sale dated 09.03.2004 in favour Suruchi Properties Private Limited ("Suruchi") by way of Nomination Agreement dated 09.03.2004 (Document No. 16).

15. Subsequently, the lands therein situated at Kodihalli Village appears to have come within the administrative jurisdiction of the Bengaluru Mahanagara Palike and were assessed for tax by the Bengaluru Mahanagara Palike. In this regard, we have been provided with the Special Notice bearing No. Ward/73/KTR852/2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike which evidences that land bearing HIASB Khata Nos. 736/1 & 73/1/3 has been allotted with Municipal No. 68 in the records of Bengaluru Mahanagara Palike (Document No. 17). It is further noted that the Special Notice also reflects the assessment of the property tax in respect of the said property and also shows the estimate of the tax payable in respect thereof for the years 1994-95, 1996-97 to 2005-06 amounting to Rs. 66,129.00. We note the Receipt bearing No. 239051 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of tax amounting to Rs. 66129.00 in respect of 2<sup>nd</sup> half of 1994-95 to 2005-06 by Medical Relief Society of South Kanara (Document No. 18).

Observation: We have not been provided with the receipts evidencing the payment of betterment taxes in respect of Municipal No. 68 to Bengaluru Mahanagara Palike.

16. We note the Khata Certificate and Khata Extract dated 21.01.2006 issued by the Bengaluru Mahanagara Palike certifying that the land bearing Municipal No. 68 (PLD No. 73-63-68) measuring 9773 square feet situated at Ward No. 73, Kodihalli, Bengaluru stand in the name of Medical Relief Society of South Kanara in the register of Bengaluru Mahanagara Palike (Document No. 19).
17. Subsequently, Suruchi sought for the specific performance of Agreement of Sale and Nomination Agreement both dated 09.03.2004, referred to in paragraph 14 above, before the Arbitral Tribunal consisting of sole arbitrator against Medical Relief Society of South Kanara and Mr. Dayanand Pai. The Arbitration Tribunal passed an Award on 30.11.2007 directing Suruchi to pay the due amounts to Medical Relief Society of South Kanara and Mr. P. Dayananda Pai and ordered / directed Medical Relief Society of South Kanara and Mr. P. Dayananda Pai to transfer *inter alia* Municipal No. 68 to Suruchi in terms of the Award (Document No. 20). We note that pursuant to the Award, the parties have not executed a separate conveyance deed. However, the Award dated 30.11.2007 has been registered along with the subsequent Minutes of the Meeting dated 28.02.2008 recorded by the Arbitrator which records (a) passing of consideration from Suruchi Properties Private Limited to Medical Relief Society of South Kanara, (b) delivery of physical possession and handing over of the original documents by Medical Relief Society of South Kanara and Mr. Dayanand Pai in favor of Suruchi Properties Private Limited. In this regard it is noted that the Arbitrator (acting on behalf of the claimant and the respondents) presented the Award for registration

before the jurisdictional sub-registrar and the jurisdictional sub registrar has treated the same as an instrument of conveyance and has levied duty likewise. It is further noted that the instrument has been released by the jurisdictional sub-registrar after completing all the registration formalities.

18. We note the Confirmation Deed dated 25.07.2007 executed by (a) Mr. Chinnappa (son of Late Mr. Andiappa) along with his children viz., Mr. Vijaya Srinivasa (son of Mr. Chinnappa), Mrs. Sarejamma (wife of Late Mr. Suresh, daughter in law of Mr. Chinnappa), Mr. Prakash (son of Mr. Chinnappa), Mrs. Thayamma (daughter of Mr. Chinnappa), Mrs. Pramila (daughter of Mr. Chinnappa), Mrs. Vijayamma (daughter of Mr. Chinnappa), (b) Mr. Pillappa (son of Late Mr. Andiappa), Mr. Somashekar (son of Mr. Pillappa), Mrs. Jayanthi (daughter of Mr. Pillappa), Mrs. Prabhavathi (daughter of Mr. Pillappa), Mrs. Shrivakumari (daughter of Mr. Pillappa), Mrs. Sujatha (daughter of Mr. Pillappa), Mr. Govindaraj (son of Mr. Pillappa), (c) Mrs. Susheelamma (daughter of Late Mr. Muniyappa and grand daughter of Late Mr. Andiappa), Mrs. Hemavathi (daughter of Late Mr. Muniyappa and grand daughter of Late Mr. Andiappa), Mrs. Bharathi (daughter of Late Mr. Muniyappa and grand daughter of Late Mr. Andiappa) confirming the Sale Deeds executed in respect of the land bearing HIASB Khata Nos. 736/1 and 737/1 and confirm that Medical Relief Society of South Kanara and their successors in interests shall be entitled to enjoy the property as absolute owners thereof (Document No. 21).

19. Mr. Muni Venkatappa (son of Late Mr. Andiappa) along with his children Mr. Jayachandra, Mrs. Varalakshmi, Mrs. Lalitha, Mrs. Prema and Mrs. Shyla Deed executed and registered Confirmation Deed dated 10.04.2008 in favour of Medical Relief Society of South Kanara confirming the Sale Deeds executed in respect of the land bearing HIASB Khata Nos. 736/1 and 737/1 and confirm that Medical Relief Society of South Kanara and their successors in interests shall be entitled to enjoy the property as absolute owners thereof (Document No. 22).

**Observation:** We have been informed that the genealogical tree of Late Mr. Andiappa is not available to ascertain if all the family members have joined in the execution of the Confirmation Deeds detailed above. In this regard it has been represented by Suruchi that all the family members of Late Mr. Andiappa have joined in the execution of either the Sale Deeds or the Confirmation Deeds and that no claims or demands have been made by any person claiming to be the family member of Late Mr. Andiappa since the execution of the above mentioned confirmation deeds.

20. Suruchi has entered into a Development Agreement dated 03.02.2011 with Salarpuria Realtors Private Limited to develop the land bearing various municipal numbers totally admeasuring 4,23,867 square feet (which includes land bearing Municipal No. 6R measuring 9,773 square feet) situated at Kodihalli, Ward No. 7J, Airport Road, Bengaluru on the terms and conditions set out therein (Document No. 23). Suruchi has executed and registered a

General Power of Attorney dated 04.02.2011 authorising and appointing the developer, Salarpuria Realtors Private Limited as its attorney in respect of lands admeasuring 4,27,867 square feet to do various acts, deeds and things in the connection with the development of the lands in the manner as specified therein (Document No. 24). The power of attorney also entitles the attorney to raise and borrow loan or financial assistance by creating the equitable mortgage on security of the developer's share of receivables together with the undivided share right title and interest and ownership in the land.

21. From the recitals to the Exchange Deed dated 15.11.2014 it is observed that in order to settle certain disputes with adjoining land owners, Suruchi has agreed to transfer portion of the land bearing Municipal No. 68 to the adjoining land owners in exchange of the lands conveyed by the adjoining landowners to Suruchi.
22. Suruchi has executed an Exchange Deed dated 15.11.2014 with (a) Mr. Srinivas and his sons and (b) Mr. A. Pappanna and his sons. Under the said Exchange Deed, Suruchi has transferred an extent of 6,320 square feet out of 9,773 square feet in Municipal No. 68 in favour of Mr. Srinivas and his sons, in consideration of Mr. Srinivas and Mr. A. Pappanna conveying portions of land owned by them in the land bearing Survey No. 147/1 (Document No. 25)
23. It is noted that, by virtue of this exchange of properties, an area 6320 Sq Ft. has been reduced from Municipal No. 68 (i.e., 9773 Sq Ft.) and Suruchi presently owns an extent of 3453 square feet in Municipal No. 68.

## **II. Revenue Records and Endorsements**

24. We note the Endorsement bearing No. KK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura, to the effect that the R.T.C.'s issued in respect of the land bearing Survey No. 147/2 for the years 1969 to 1970 and 1997 to 2001 are not available and hence cannot be provided (Document No. 26).
25. We have been furnished with a map of Kodihalli Village which shows the location of the land bearing Survey No. 147 in the said village (Document No. 27).
26. Hissa Survey Tippyany issued in respect of land bearing Survey No. 147/2 of Kodihalli Village, shows the shape of the said land (Document No. 28).
27. Revision Settlement Akurbandh issued in respect of the land bearing Survey No. 147/2 confirms the total extent in the said survey number to be 1 Acre 13 Guntas (Document No. 29).



28. The Tahasildar, Bengaluru East Taluk, Bengaluru has issued an Endorsement dated 18.04.2005 to the effect that no applications have been filed in respect of the land bearing Survey No. 147/2 under Form 7 and 7A of the Karnataka Land Reforms Act, 1961 (Document No. 30).
29. The Assistant Commissioner's Office, Bengaluru North Taluk, has issued Endorsement dated 17.02.2012 to the effect that, as per the records maintained in the said office, no proceedings have been filed in respect of the of the land bearing Survey No. 147/2 under Sections 79(A) & 79(B) of the Karnataka Land Reforms Act, 1961 (Document No. 31).
30. We have not been furnished with an endorsement issued by the jurisdictional Assistant Commissioner stating that the Property XIII does not come under the purview of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 and no proceedings have been filed / pending / disposed off in respect of the Property XIII under the provisions of the said enactment. It has been represented that no applications have been filed under the provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of Property XIII and in this regard Suruchi Properties Private Limited have not received any notice or intimation with respect to the same.

### III. Khata and Tax Receipts:

31. We have been provided with the Khata Certificate and Khata Extract dated 14.10.2011 issued by Bruhat Bengaluru Mahanagara Palike ("BBMP") certifying that the land bearing Municipal No. 68 measuring 9,773 square feet situated at Ward No. 73, Kodihalli, Bengaluru stands in the name of Suruchi in its records (Document No. 32).

**Observation:** It is to be noted that Suruchi Properties Private Limited conveyed an extent of 6320 square feet out of 9773 square feet in Municipal No. 68 and is retaining an extent of 3453 square feet in Municipal No. 68, however the khata in respect of Municipal No. 68 continues to reflect the entire extent (i.e., 9773 square feet) to be held by Suruchi Properties Private Limited.

In this regard, it is pertinent to note from the special notice issued by the BBMP (detailed below) that various land parcels owned and possessed by Suruchi in Kodihalli Village (including the lands on which Suruchi has development rights, which is presently owned by Mrs. Sharadamma) bearing different municipal numbers (which constitute the Project Lands) have been amalgamated and single composite number (i.e., 73-63-64) measuring an aggregate extent of 3,54,306 square feet and all the remaining municipal numbers earlier assigned to the amalgamated land parcels and their standalone assessment shall be deleted from the revenue records to be maintained by BBMP (**Deleted Municipal Numbers**). The demand notice is silent on the assignment of a new number to the land parcels owned by

- third parties who were owners of a portion of land bearing one of the Deleted Municipal Numbers which was not acquired by Suruchi.
32. We note the Receipt bearing No. 22233104344 dated 06.09.2022 issued by BBMP evidencing the payment of property tax for the year 2022-23 in respect of the land bearing Municipal No. 68 by Suruchi (Document No. 33).
33. It is noted that, Suruchi appears to have made an application to the BBMP for the amalgamation of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot on the basis of the Modified Work Order dated 27.12.2021 sanctioned by the BDA referred to hereinafter and the B Kharab Realignment Order bearing No. LND (E) CR/226/2017-18 dated 05.03.2019 passed by the Deputy Commissioner, Bengaluru District.
34. We have been provided with a Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP, wherein based on the documents submitted by Suruchi, BBMP has amalgamated the khata of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot admeasuring 3,54,506 square feet and assigned it with Municipal No. 73-63-64 standing in the name of Suruchi and Mrs. Sharadamma on certain terms and conditions morefully set out therein (Document No. 33A). The Special Notice further records that:
- (a) the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli shall stand cancelled in the records of BBMP.
- (b) The amalgamated single plot has been assessed for annual tax of Rs. 2,14,279.00 with effect from 01.10.2023.
- Observation:** We have not seen the Khata Certificate and Khata Extract issued by the BBMP in respect of the amalgamated Municipal No. 64 admeasuring 3,54,506 square feet situated at Ward No. 113, Narayanappa Garden, Kodihalli pursuant to the above mentioned Special Notice dated 17.01.2024. We have also not seen the B Kharab Realignment Order referred to above.
35. As per the assessment of Municipal No. 73-63-64 for tax set out in the Special Notice dated 17.01.2024 referred to above, we have been provided with the Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department which evidences

the payment of property taxes for the land bearing Municipal No. 73-63-64 for the year 2023-24 (Document No. 33B).

#### IV. Acquisitions:

36. The Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru has issued an Endorsement dated 16.01.2013 to the effect that *inter alia* land bearing Survey No. 147/2 of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru is not notified for acquisition for any of its project as on the date of the issue of the said Endorsement (Document No. 34).
37. The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru has issued an Endorsement dated 23.01.2013 stating that *inter alia* land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru has not been acquired or notified for acquisition for any of projects of Karnataka Industrial Areas Housing Board as on the date of issue of the said endorsement (Document No. 35).
38. The Special Land Acquisition Officer, National Highway Authority of India has issued an Endorsement bearing No. LAQ/NEI-7/HM/CR/SI/17-18 dated 09.10.2017 stating that no survey numbers in Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru falls under the jurisdiction of National Highway Authority of India hence no acquisition has been effected (Document No. 36).

#### V. Land Conversion and Land Usage

39. We have not been furnished with the Official Memorandum issued by the office of Deputy Commissioner, Bengaluru District, whereunder the Property XIII was converted for non agricultural purposes. We have been informed that, no conversion has been obtained under the provisions of Law. However, please note, the Section 95 (2) of the Karnataka Land Revenue Act, 1964, specifically states that, regardless of what is stated in any other law, if an occupant seeks to divert the usage of an agricultural land, then such occupant will have to obtain permission from the office of the Deputy Commissioner.
40. It is represented to us, that, the Kodihalli Village (comprising of Property XIII) came to be administered by HASB. HASB acting as the Special Board / Town or City Municipal Council, distinct and independent from the bangalore district board and panchayats of Kodihalli has assessed these properties as non-agricultural properties and issued fresh khata numbers to the properties under its administration. Subsequently when it was found that HASB was acting without any statutory mandate, the Bruhat Bangalore Mahanagara Palike took over the administration of the properties which were being administered by the HASB. The Bruhat Bangalore Mahanagara Palike, did not nullify the actions taken by HASB

(including issuing khata to unconverted lands) and they carried forward the same by issuing new municipal numbers to such unconverted lands.

41. In this regard, representatives of Suruchi Properties Private Limited have furnished a copy of an unreported division bench Judgement dated 14.06.2012 of the High Court of Karnataka passed in W A 17361-17363/2011 which has held that 'there is no necessity to obtain conversion from agricultural to non-agricultural, if the area comes within the town municipal council limits and the town municipal council has collected the developmental charges and is treating the property as a municipal property'. Representatives of Suruchi Properties Private Limited have represented that the BBMP is relying on the aforesaid division bench Judgement to approve plans in respect of unconverted properties falling within the jurisdiction of BBMP, for which khata has been issued by BBMP. It has been further represented to us that, the Judgement dated 14.06.2012 of the division bench in the High Court of Karnataka has not been challenged or overruled as on date.
42. As per the Revised Master Plan 2015 of Bengaluru (*Approved by the Government of Karnataka vide the G.O. No. UDD 340 BEM AA SE 2004 dated 23.6.2007*) ("RMP-2015"), the Land is classified as residential (main) use.
43. We been provided with and we note the Work Order bearing No. HDA/Nayosa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority ("BDA") along with sanctioned residential development plan to Suruchi with respect to the sanction of the proposed residential development proposed to be undertaken in the land bearing Survey Nos. 143/2,143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148,149, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (Document No. 37). In terms thereof, we note the Relinquishment Deed dated 29.05.2019 executed by Suruchi Properties Private Limited in favour of BDA relinquishing an extent of 4,407 square meters (i.e., about 47,419.3 square feet) for park and open spaces in the land bearing 143/2,143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148,149, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) of Kodihalli Village (Document No. 38).
44. It appears that there were some modifications in connection with the proposed residential development and accordingly Suruchi has applied for and obtained a Modified Work Order dated 27.12.2021 from the BDA and in terms thereof, BDA has sanctioned the modified residential development plan proposed to be undertaken by Suruchi in the land bearing Survey Nos. 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 08 Acres 5.35 Guntas (excluding 21 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk ("Project Lands") on the terms and conditions

set out thereunder (Document No. 39). Some of the terms and conditions on which the sanction have been granted are as follows:

- (a) The developmental activities are to be undertaken in terms of the sanctioned development plan and the same shall not be changed without the prior permission of BDA.
- (b) The area reserved for parks and buffer zone shall be used for the purposes for which they have been reserved and shall not be used for any other purposes.
- (c) Sanction of the building plans will have to be obtained from BDA.
- (d) The sanction provided by BDA shall be automatically cancelled if it is found that the applicant has misrepresented with respect to the ownership of the properties.
- (e) 10% of the residential units shall be reserved for economically weaker section and low income group.
- (f) Sewage treatment plant is required to be installed to ensure that untreated water is not released from the properties.

45. In connection with the above, we note the Rectification of Relinquishment Deed dated 17.07.2021 executed by Suruchi in favour of BDA whereunder the earlier area relinquished in favour of BDA was cancelled and Suruchi has relinquished an area of 3322 square meters in the properties for park and open spaces (Document No. 40).

#### **VI. Litigation**

46. It is observed that, the land bearing Survey No. 147/2 was notified for acquisition for the formation of a Golf - Cum Hotel Resort, near Bengaluru Airport vide a Preliminary Notification dated 29.12.1981 and pursuant thereto Final Notification dated 16.04.1983 was also passed. It is noted that, said acquisitions was challenged by several owners in Writ Petitions i.e., Mr. Muniyappa (son of Mr. Muniyellappa) in WP No. 19812 of 1990, Mr. Muniyappa (son of Mr. Muni Yellappa) in WP No. 813 of 1990, Mr. Srinivas@Seenappa (son of Mr. Muni Yellappa) in WP No. 814 of 1990, Mr. Andiyappa (son of Mr. Dodda Pillappa) in WP No. 815 of 1990 and Mr. Muniyappa (son of Mr. Molappa) in WP No. 816 of 1990 before the Hon'ble High Court of Karnataka, Bengaluru. The Hon'ble High Court of Karnataka by its order dated 18.09.1991 in the said writ petitions 19812-816/1990 quashed the acquisition notifications and proceedings with regard to Property XIII and adjoining lands (Document Nos. 41 & 42).

47. We have been informed by Suruchi that apart from the above disposed litigations, there are no other litigations have been filed/pending/disposed off in respect of Property XIII.

#### **VII. Encumbrance / Charge:**

48. Encumbrance Certificates issued in respect of the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 14.02.1957 to



- 31.03.1960, 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2010 to 31.01.2013, 03.06.2013 to 21.12.2013, 01.03.2016 to 22.04.2019 reflect Sale Deeds dated 24.03.1961, 27.02.1971, Confirmation Deeds dated 25.07.2007 and 10.04.2008, Development Agreement dated 03.02.2011 referred to hereinabove (Document No. 43).
49. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/1 for the period 01.11.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 31.03.2004, 01.04.2004 to 31.03.2009, 01.04.2009 to 20.10.2011, 01.08.2015 to 08.03.2016, 01.03.2016 to 23.04.2019 reflect Sale Deeds dated 10.04.1990 & 24.02.2000, Confirmation Deeds dated 25.07.2007 & 10.04.2008 referred to hereinabove (Document No. 44).
50. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 737/3 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 01.04.2005, 01.02.2016 to 22.04.2019, 01.04.2009 to 20.10.2011 reflect the Sale Deed dated 13.10.2000 referred to hereinabove (Document No. 45).
51. Encumbrance Certificates issued in respect of the land bearing Municipal No. 68 (PID No. 73-63-68) for the period 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2010 to 14.11.2012, 01.04.2012 to 31.03.2014, 18.10.2010 to 04.08.2015, 01.08.2015 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023 and 01.01.2023 to 23.05.2023 reflect Development Agreement dated 03.02.2011 referred to herein above (Document No. 46).
52. Encumbrance Certificate issued in respect of the land bearing Municipal No. 68 (HASB Khata No 736/1) in the land bearing Survey No. 147/2 of Kodihalli for the period 01.04.2004 to 11.01.2024 reflects the Confirmation Deed dated 25.07.2007, Joint Development Agreement dated 04.02.2011, referred to hereinabove and Mortgage Deed dated 14.03.2011, Discharge Deed dated 09.11.2015, Memorandum of Entry dated 06.10.2015, 21.02.2019 referred to herein below (Document No. 46A).
- Observation** The above mentioned Encumbrance Certificates do not reflect the Award dated 08.08.2008 referred to hereinabove and the registered Memorandum of Entries 02.08.20' & and 06.09.2023 referred to hereinafter. We have not seen encumbrance certificate in respect of Property XIII from 11.01.2021.
53. We have been furnished with a Simple Mortgage Deed dated 14.03.2011 executed amongst Century Real Estate Holdings Private Limited, M/s Century Shelters, Sriruchi and M/sGreen Orchards Farm Houses in favour of IDBI Trusteeship Services Ltd., wherein, the land bearing Municipal No. 65 of Kodihalli, Bangalore was mortgaged to secure the debentures issued by Century Real Estate Holdings Private Limited (Document No. 47).



54. Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited have entered into and executed an Escrow Agreement dated 16.09.2015 with respect to the custody of the title deeds in respect of the Properties (Document No. 48) which inter-alia included Municipal No. 68 measuring 9,773 square feet.

It is observed that, pursuant to aforesaid Joint Development Agreement, Suruchi Properties Private Limited had handed over the original title deeds in respect of the properties to Salarpuria Realtors Private Limited and on the request made by the Suruchi Properties Private Limited, Salarpuria Realtors Private Limited, the Developer has agreed to deposit the title deeds pertaining to the project which inter-alia contains the title deeds of Municipal No. 68 measuring 9,773 square feet, with the escrow agent i.e., IL&FS Trust Company Limited (ITCL), and the parties have entered into the escrow agreement to record the terms and conditions, on which ITCL shall hold and safeguard the title deeds as trustee for the benefit of the parties as per the terms agreed under the said Agreement, subject to the duties, obligations and responsibilities mentioned there-under.

55. It is noted that, in consideration of payment of entire amount in principal and interest due to the Debenture Holders on the Security of the Simple Mortgage Deed dated 14.03.2017, the Debenture Trustee, i.e., IDBI Trusteeship Services Limited has discharged and released *inter alia* Municipal No. 68 measuring 9,773 square feet and others properties free from all encumbrances and charges whatsoever in favour of Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Private Ltd., and Green Orchards Farm Houses by executing a Discharge Deed dated 09.11.2015 (Document No. 49).

56. Thereafter, Suruchi Properties Private Limited, has executed a Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 (registered on 11.11.2015) in favour of IDBI Trusteeship Services Limited whereunder Suruchi Properties Private Limited has created first and exclusive charge by way of equitable mortgage over the lands situated at Kodihalli (including Municipal No. 68) to secure debentures worth of Rs.620Crores issued by Century Joint Developments Private Limited (Document No. 50). We note that IL&FS Trust Company Limited has joined in the execution of this memorandum to record the constructive delivery of the title deeds. We have been provided with No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited which evidences, that the debenture holder has confirmed that there are no amounts due and payable in respect of the non-convertible debentures worth of Rs. 620 Crores and that the same has been fully re-paid and on the basis of the same, IDBI Trusteeship Services Limited has provided its approval for the release of the securities including the charge created thereunder (Document No. 50A). We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.



57. Thereafter, it is noted that, Suruchi Properties Private Limited has executed and registered a Memorandum of Entry dated 07.08.2018 in favour of IDBI Trusteeship Services Limited wherein the pari passu charge was created over the lands situated at Kodihalli to secure an amount totally to Rs. 772 Crores of financial assistance availed by Century Real Estate Holdings Private Limited (comprising of (1) Rs. 125 Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 27.03.2017, (2) Rs. 257 Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 29.06.2016 and (3) Rs. 390 Crores of term loan availed by Century Real Estate Holdings Private Limited under the Facility Agreement 03.07.2018) (Document No. 50B).
58. Suruchi Properties Private Limited has executed and registered a Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 (registered on 21.02.2019) in favour of IDBI Trusteeship Services Limited, whereunder the charge created on the lands situated at Kodihalli (including Municipal Nos. 68) by Suruchi Properties Private Limited has been extended on first ranking pari passu basis to secure (a) Century Joint Developments Private Limited's indebtedness of Rs. 1105 Crores (comprising of (1) Rs. 620 Crores of non-convertible debentures of Century Joint Developments Private Limited (now released as detailed above) and (2) Rs. 485 Crores - of term loan availed by Century Joint Developments Private Limited under the Facility Agreement 30.07.2018) and (b) Century Real Estate Holdings Private Limited's indebtedness of Rs. 772 Crores (Document No. 51).
59. Thereafter we note (a) Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour of *inter alia* Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 125 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 51A) and (b) Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 257 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 51B). IDBI Trusteeship Services Limited has provided their no-objection for filing CHG-4 with the concerned Registrar of Companies. We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.

**Observation:** We have been informed that no release deeds have been executed and registered evidencing the release of the mortgage created over the lands situated at Kodihalli, Bangalore owned by Suruchi. It is noted that the mortgage created under the Memorandum of Entry dated 06.02.2019 for securing (a) the term loan of Rs. 390 Crores availed by Century Real Estate Holdings Private Limited and (b) the term loan of Rs. 485 Crores availed by

Century Joint Development Agreements Private Limited was subsisting and not released under the above mentioned no due certificates.

60. Thereafter, we note the registered Memorandum of Entry dated 06.09.2023 whereunder Suruchi's entitlement in the lands situated at Kodihalli Village has been mortgaged by way of first ranking pari passu charge to secure (a) Rs. 485 Crores term loan availed by Century Joint Developments Private Limited (CJDPL) from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 30.07.2018, (b) Non-convertible debentures aggregating up to Rs. 325 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 12.12.2020, (c) Non-convertible debentures aggregating upto Rs. 700 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 22.09.2022, (d) Rs. 390 Crores term loan availed by Century Real Estate Holdings Private Limited from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 03.07.2018 (Document No. SIC).
61. We have been informed that, apart from the above Memorandum of Entry recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 (which has since been satisfied in entirety as detailed above), 02.08.2018 (which has been satisfied partially as detailed above), 06.07.2019 and 06.09.2023, there are no other mortgages, in respect of the Municipal No.68.

#### VIII. Contiguity, Inspection of Original Documents and Public Notice:

62. From the development plan and the title deeds (including the sale deed by which Suruchi has acquired and the khata which has been prepared thereafter) provided to us in respect of Property XIII for our scrutiny, it is not possible to ascertain in Property XIII (viz., Municipal No.68 measuring 3,153 square feet) are contiguous with the other lands forming part of the proposed project. The same needs to be ascertained by undertaking a physical survey. In this regard we have been informed that the Project Lands are contiguous and that an amalgamated khata has been issued by BBMP on the basis of the Modified Work Order dated 27.12.2021 issued by the BDA sanctioning the residential development plan which indicates that the all the Project Lands form a contiguous parcel of land.
63. As part of our title scrutiny, we have undertaken inspection of the original documents in respect Property XIII which are in the custody of Vistra ITCL (India) Limited (the escrow agent for Suruchi and Sularpuria Realtors Private Limited) and Suruchi. The list and the nature of the documents provided to our inspection is detailed in Annexure - B of this Report.
64. We have issued a Public Notice in an English daily 'The New Indian Express' and Kannada daily the 'Kannada Prabha' on 16.12.2023 inviting objections from the general public with respect to Suruchi's title over Property XIII. As on 18.01.2024, we have not received any objections to the public notice issued.



**G. CONCLUSION:**

Subject to our observations made hereinabove we are of the opinion that:

- (i) Sunuchi Properties Pvt. Ltd., is owner of Property XIII, subject to the rights of Salarpuria Realtors Private Limited under the Development Agreement dated 03.02.2011; and
- (ii) Property XIII is mortgaged in favour of IDBI Trusteeship Services Limited, pursuant to the Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 02.08.2018, 06.02.2019 and 06.09.2023.



  
TATVA LEGAL  
BANGALORE.

**ANNEXURE A**  
**LIST OF DOCUMENTS EXAMINED**

Sl. No.	Description of Documents
1.	Notification bearing No. R.8347-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;
2.	Sale Deed dated 24.03.1961, registered as Document No. 5753 of 1960-61 in Book I, Volume 236, at Pages 130 to 134 in the office of the Sub Registrar, Bengaluru South Taluk;
3.	Sale Deed dated 27.12.1971, registered as Document No. 5436 of 1971-72, in Book I, Volume 916, at Pages 142 to 144 on 28.03.1972 in the office of the Sub Registrar, Bengaluru South Taluk;
4.	RTCs issued in respect of land bearing Survey No. 147/2, measuring 1 Acre 15 Guntas, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1971-72 to 1996-97.
5.	Unregistered Indenture of Agreement of Sale dated 30.11.1988 in respect of land bearing HASB Khata No. 7367, measuring 5402.65 Sq. Ft., situated at Kodihalli Village, H.A.Sanitary Board, Bengaluru;
6.	Unregistered General Power of Attorney dated 08.01.1990 executed by Mr. Andiappa (son of late Mr. Dodda Pillappa) appointing Mr. Sanjay Bajaj as his attorney in respect of land bearing HASB Khata No. 7367 measuring 5402.65 Sq. Ft., situated at Kodihalli Village, H.A.Sanitary Board, Bengaluru;
7.	Sale Deed dated 10.04.1990, registered as Document No. 106 of 1990-91, in Book I, Volume 3248, at Pages 191 to 195 in the office of Sub Registrar, Bengaluru South Taluk;
8.	Certificate dated 28.12.1993 issued by the Hindustan Aeronautics Sanitary Board;
9.	Extract of Assessment List for the building and land for the years 1988-89 issued by HASB City Municipal Council for the land bearing HASB Khata No. 7367;
10.	Unregistered Agreement to Sell dated 02.03.1995 in respect of land bearing Khata No. 7373 situated at Kodihalli, HS Sanitary Board, Bengaluru South Taluk.



11.	General Power of Attorney dated 02.03.1995 registered as Document No.24 of 1995-96, in Book IV, Volume 331, at Pages 27 to 30 in the office of the Sub Registrar Bengaluru South Taluk, Bengaluru;
12.	Sale Deed dated 13.10.2000, registered as Document No. 5227 of 2000-01, in Book I, Volume 4658, at Pages 215 to 238 in the office of the Sub Registrar, Bengaluru South Taluk;
13.	Sale Deed dated 24.02.2000, registered as Document No. 929 of 2000-01, in Book I, Volume 4525, at Pages 302 to 312 in the office of the Sub Registrar, Bengaluru South Taluk;
14.	Plaint, Judgment and Order Sheet in suit bearing O.S.No.504E of 1993 on the file of Court of City Civil Judge, Bengaluru;
15.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;
16.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Suruchi Properties Pvt Ltd ;
17.	Special Notice bearing No. Ward/73/KTR852/2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;
18.	Receipt bearing No. 214051 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;
19.	Khata Certificate and Khata Extract dated 21.01.2006 issued by the Bengaluru Mahanagara Palike in respect of the land bearing Municipal No. 68 measuring 9773 Sq. Ft Ward No. 73, Kodihalli, Bengaluru;
20.	Award dated 30.11.2007, registered as Document No. VRT-1-01841-2008-09 (stored in C.D. No. VRTD31) on 08.08.2008, in the office of the Sub Registrar, Varthur;
21.	Deed of Confirmation dated 25.07.2007, registered as Document No. VRT-1-07092-2007-08. (stored in CD No. VRTD8) in the office of the Sub Registrar, Varthur;
22.	Deed of Confirmation dated 11.04.2008, registered as Document No. VRT-1-00168-2008-09 (stored in CD No. VRTD25) in the office of the Sub Registrar, Varthur;
23.	Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;



24.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT 4-00507-2010-11 (stored in C.I.D.No.VRTD95) in the office of the Sub Registrar, Marthur;
25.	Exchange Deed dated 15.11.2014, registered as Document No. INR-1-09658-2014-15 (stored in CD No. INRD 136) on 06.03.2015 in the office of the Sub Registrar, Indiranagar, Bengaluru;
26.	Endorsement bearing No RK CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura.
27.	Map of Kodihalli Village,
28.	Hissa Survey Tippany issued in respect of land bearing Survey Nos 147/2 of Kodihalli Village;
29.	Revision Settlement Akarbandh issued with respect to Survey No. 147/2 of Kodihalli Village;
30.	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;
31.	Endorsement bearing No. LRF: (BE): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;
32.	Khata Certificate and Khata Extract dated 14.10.2011 issued by BBMP with respect to the land bearing Municipal No. 68 measuring 9773 Sq. Ft., situated at Ward No. 73, Kodihalli, Bengaluru;
33.	Receipt bearing No. 22233104344 dated 06.09.2022 issued by BBMP;
33A	Special Notice bearing No DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;
33B	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;
34.	Endorsement bearing No. KHB.LAO/381/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;



35.	Endorsement bearing No. Bengaluru:SLAO/6928/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;
36.	Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;
37.	Work Order bearing No. BDA/Nayasa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority,
38.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar, BDA;
39.	Modified Work Order bearing No. BDA/Nayasa/DP 38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority,
40.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-0.120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA;
41.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf - Cum Hotel Resort, near Bengaluru Airport;
42.	Order dated 18.09.1991 passed in WP Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka quashing the acquisition notifications and proceedings with regard to Property VII and adjoining lands.
43.	Encumbrance Certificates issued in respect of the land bearing Survey No. 147/2 situated at Kudihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 14.02.1957 to 31.03.1960, 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2010 to 31.01.2013, 03.06.2013 to 21.12.2013, 01.03.2016 to 22.04.2019;
44.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/1 for the period 01.11.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 31.03.2004, 01.04.2004 to 31.03.2009, 01.04.2009 to 20.10.2011, 01.03.2016 to 23.04.2019;
45.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 737/3 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 01.04.2005, 01.02.2016 to 22.04.2019, 01.04.2009 to 20.10.2011;



46.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 68 (PID No. 73-63-68) for the period 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2010 to 14.11.2012, 01.04.2012 to 31.03.2014, 01.08.2015 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023 and 01.01.2023 to 22.05.2023;
46A	Encumbrance Certificate issued in respect of the land bearing Municipal No. 68 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 11.01.2024;
47.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. BYP-1-05839-2010-11. (stored in C/D No. BYPD 69) in the office Sub Registrar, Hyatarayanapura, Bengaluru;
48.	Escrow Agreement dated 16.09.2015 executed by and between Surchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited in respect of inter-alia Property XII;
49.	Discharge Deed dated 09.11.2015 registered as Document No. MLS-1-02751 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;
50.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. MLS-1-02759-2015-16 (stored in C.D. No. MLSD112) on 11.11.2015 in the office of the Sub Registrar, Malleshwaram;
50A	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;
50B	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in C/D No. GANI0312) in the office of the Sub Registrar, Gandhi Nagar;
51.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412-2018-19, (stored in C. D. No. HIBBD244) in the office of the Sub Registrar, Hebbala;
51A	Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
51B	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
51C	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS 1 02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram.
52.	Management Representations in the form an Affidavit issued by Surchi Properties Private Limited dated 03.11.2016;



**ANNEXURE B**  
**ORIGINAL VERIFICATION**

<b>Sl. No.</b>	<b>Description of Documents</b>	<b>Nature of Document in custody of Vistra (ITCL)</b>	<b>Nature of Document in custody of Saruchi</b>
1.	Notification bearing No. K.8347-J.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Gram Abolition Act, 1954;		Photo Copy
2.	Sale Deed dated 24.03.1961, registered as Document No. 5753 of 1960-61 in Book I, Volume 236, at Pages 130 to 134 in the office of the Sub Registrar, Bengaluru South Taluk;	Certified Copy	
3.	Sale Deed dated 27.12.1971, registered as Document No. 5436 of 1971-72, in Book I, Volume 916, at Pages 142 to 144 on 28.03.1972 in the office of the Sub Registrar, Bengaluru South Taluk;		Certified Copy
4.	RTCs issued in respect of land bearing Survey No. 1472, measuring 1 Acre 13 Guntas, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1971-72 to 1996-97,	Certified Copy	
5.	Unregistered Indenture of Agreement of Sale dated 30.11.1988 in respect of land bearing HASB Khata No. 736/1 measuring 5402.65 Sq. Ft., situated at Kodihalli Village, H.A.Sanitary Board, Bengaluru;	Original	
6.	Unregistered General Power of Attorney dated 08.01.1990 executed by Mr. Andiappa (son of late Mr. Duddu Pillappa) appointing Mr. Sanjay Bajaj as his attorney in respect of land bearing HASB Khata No. 736/1 measuring 5402.65 Sq. Ft., situated at Kodihalli Village, H.A.Sanitary Board, Bengaluru,	Original	
7.	Sale Deed dated 10.04.1990, registered as Document No. 106 of 1990-91, in Book I, Volume 3248, at Pages 191	Original	



	to 195 in the office of Sub Registrar, Bengaluru South Taluk;		
8.	Certificate dated 28.12.1993 issued by the Hindustan Aeronautics Sanitary Board;		Photo Copy
9.	Extract of Assessment List for the building and land for the years 1988-89 issued by HASB City Municipal Council for the land bearing HASB Khata No. 736/1;	Certified Copy	
10.	Unregistered Agreement to Sell dated 02.03.1995 in respect of land bearing Khata No. 737/3 situated at Kodihalli, HIS Sanitary Board, Bengaluru South Taluk;		Photo Copy
11.	General Power of Attorney dated 02.03.1995 registered as Document No.24 of 1995-96, in Book IV, Volume 331, at Pages 27 to 30 in the office of the Sub Registrar Bengaluru South Taluk, Bengaluru,	Original	
12.	Sale Deed dated 13.10.2000, registered as Document No. 5727 of 2000-01, in Book I, Volume 4658, at Pages 215 to 228 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
13.	Sale Deed dated 24.02.2000, registered as Document No. 929 of 2000-01, in Book I, Volume 4525, at Pages 302 to 312 in the office of the Sub Registrar, Bengaluru South Taluk,	Original	
14.	Plaint, Judgment and Order Sheet in suit bearing O.S.No.5041 of 1993 on the file of Court of City Civil Judge, Bengaluru;		Certified Copy
15.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai.		Photo Copy
16.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Suruch Properties Pvt. Ltd.;		Photo Copy



17.	Special Notice hearing No. Ward/73/K1R852/2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike:		Photo Copy
18.	Receipt bearing No. 239051 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike:		Photo Copy
19.	Khata Certificate and Khata Extract dated 21.01.2006 issued by the Bengaluru Mahanagara Palike in respect of the land bearing Municipal No. 68 measuring 9773 Sq. Ft Ward No. 73, Kodihalli, Bengaluru;		Photo Copy
20.	Award dated 30.11.2007, registered as Document No. VKI-1-01841-2008-09 (stored in C.D. No. VRTD31) on 08.08.2008, in the office of the Sub Registrar, Varthur.	Original ( <i>Common to all properties</i> )	
21.	Deed of Confirmation dated 25.07.2007, registered as Document No. VRT-1-02092-2007-08. (stored in CD No. VRTD8) in the office of the Sub Registrar, Varthur.	Original	
22.	Deed of Confirmation dated 11.04.2008, registered as Document No. VRT-1-00168-2008-09 (stored in CD No. VRTD25) in the office of the Sub Registrar, Varthur.	Original	
23.	Development Agreement dated 03.02.2011, registered as Document No. VKI-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur.		Photo Copy
24.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur.		Photo Copy
25.	Exchange Deed dated 15.11.2014, registered as Document No. INR-1-09658-2014-15 (stored in CD No. INRD 136) on 06.03.2015 in the office of the Sub Registrar, Indiranagar, Bengaluru:	Duplicate	



26.	Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura;		Original (Common to all properties)
27.	Map of Kodihalli Village;	Photo Copy	
28.	Hissa Survey Tippany issued in respect of land bearing Survey Nos. 147/2 of Kodihalli Village.		Photo Copy
29.	Revision Settlement Akarhandh issued with respect to Survey No. 147/2 of Kodihalli Village;		Photo Copy
30.	Endorsement bearing No. LRF-CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;		Original (Common to all properties)
31.	Endorsement bearing No. LRF: (DE): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru.		Original (Common to all properties)
32.	Khata Certificate and Khata Extract dated 14.10.2011 issued by BBMP with respect to the land bearing Municipal No. 68 measuring 9773 Sq. Ft., situated at Ward No. 73, Kodihalli, Bengaluru;		Photo Copy
33.	Receipt bearing No. 22233104344 dated 06.09.2022 issued by BBMP;		Photo Copy
34.	Endorsement bearing No. KHB:LAO/381/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;		Original (Common to all properties)
35.	Endorsement bearing No. Bengaluru:SLAO/6928/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;		Original (Common to all properties)



36.	Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;		Original (Common to all properties)
37.	Work Order bearing No. BDA/Nayosa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority;		Original (Common to all properties)
38.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CID No. BDA346 in the office of the Sub Registrar, BDA;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
39.	Modified Work Order bearing No. BDA/Nayosa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;		Original (Common to all properties)
40.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CID No. BDA10850) in the office of the Sub Registrar, BDA;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
41.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf - Cum Hotel Resort, near Bengaluru Airport;		Certified Copy (Common to all properties)
42.	Order dated 18.09.1991 passed in WP Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka quashing the acquisition notifications and proceedings with regard to Property VII and adjoining lands,		Photo Copy
43.	Encumbrance Certificates issued in respect of the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 14.02.1957 to 31.03.1960, 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008,	--	Photo Copy



	01.04.2008 to 18.10.2010, 01.01.2010 to 31.01.2013, 03.06.2013 to 21.12.2013, 01.03.2016 to 22.04.2019;		
44.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 736/1 for the period 01.11.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 31.30.2004, 01.04.2004 to 31.03.2009, 01.04.2009 to 20.10.2011, 01.03.2016 to 23.04.2019;  01.08.2015 to 08.03.2016	Certified Copy: 01.11.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.1994 to 11.11.1999, 01.04.1997 to 31.30.2004	01.04.2004 to 31.03.2009, 01.08.2015 to 08.03.2016 Certified Copy. Rest are all photo copies.
45.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 737/3 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 01.04.2005, 01.02.2016 to 22.04.2019, 01.04.2009 to 20.10.2011;	Certified Copy: 01.04.1980 to 31.03.2004, 01.04.2004 to 01.04.2005	01.02.2016 to 22.04.2019 : Certified Copy. Rest are all photocopies.
46.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 68 (PID No. 73-63-68) for the period 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2010 to 14.11.2012, 01.04.2012 to 31.03.2014, 01.08.2015 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023 and 01.01.2023 to 22.05.2023;  01.04.2013 to 04.05.2015, 18.10.2010 to 04.08.2015		01.04.2005 to 24.09.2008, 01.04.2013 to 04.05.2015, 18.10.2010 to 04.08.2015, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023 and 01.01.2023 to 22.05.2023 : Certified Copies. Rest are all photo copies.
47.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. BYP I 05839 2010 11, (stored in CID No BYPD 69) in the office Sub Registrar, Byjarayanapura, Bengaluru;		Certified Copy (Common to



			<i>all properties)</i>
48.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and H.&S Trust Company Limited in respect of inter-alia Property XII;	Original	
49.	Discharge Deed dated 09.11.2015 registered as Document No. M.L.S-1-02751 of 2015-16, in Book J and Stored in C.D No. MLSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
50.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. M.L.S-1-02759-2015-16 (stored in C.D No. MLSD112) on 11.11.2015 in the office of the Sub Registrar, Malleshwaram;		Photo Copy
51.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412-2018-19. (stored in C. D. No. JBBBD244) in the office of the Sub Registrar, Hebbala;		Photo Copy
52.	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016;		Photo Copy
53.	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbhooma Nagar Sub-Division, BBMP;		Photo Copy
54.	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;		Original (Computer generated copy).
55.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 68 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 11.01.2024.		Certified Copy



56.	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandbi Nagar;		Photo Copy
57.	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;		Photocopy
58.	Letter bearing No. 51141-A/TSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
59.	Letter bearing No. 51141-B/TSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
60.	Memorandum of Entry dated 06.09.2023, registered as Document No. M.S-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
	<b>Additional Document(s)</b>		
61.	Index of Lands issued in respect of the land bearing Survey No. 147/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk,	Certified Copy	
62.	Endorsement issued by the HASB with respect to change of khata in respect of the land bearing HASB Khata No. 736/1, Kodihalli, Bengaluru,	Original	
63.	Receipts (2 Nos.) evidencing payment of tax in respect of the land bearing HASB Khata No. 736/1 for the year 1990-91 to 1994-95;	Original	
64.	Notarised Affidavit dated 08.01.1990 sworn by Mr. Andiappa;	Original	



65.	General Power of Attorney dated 10.04.2008 executed by Mr. Munivenkatappa in favour of Mr. Srikanth Bhar. to execute Sale Deeds as consenting witnesses, registered as Document No. 12 of 2008-09:	Original	
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**TITLE REPORT DATED 22.01.2024**  
**PROPERTY I**  
**MUNICIPAL NO.49, (PID No.73-50-49)**  
**MUNICIPAL NO.50, (PID No.73-50-50)**  
**MUNICIPAL NO.51/1, (PID No.73-50-51/1)**

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## TITLE REPORT

### A. Description of Property:

The objective of this due diligence exercise is to investigate title to the Property (*defined hereinafter*) described in Part E of this title Report ("the **Report**") based on review of the documents furnished to us, description whereof is given in Part D of this Report.

### B. Scope of Limitation:

The scope of our review and of this Report is subject to the following limitations:

- (i) While performing the review, we have assumed the (a) genuineness of all signatures, (b) accuracy and correctness of all information / representations provided / made to us, including the facts that are mentioned in agreements, executed copies of documents and government records, (c) authenticity of copies of all documents submitted to us as originals, (d) conformity of the copies or extracts submitted to us with the originals thereof, (e) correctness of all information provided to us in respect of the litigations in respect of the Property including the fact that no appeals or revisions have been filed in respect of the relevant suits / litigations and (f) compliance with all legal requirements by the parties concerned with the Property.
- (ii) We have only examined issues pertaining to the ownership of the Property and have not examined issues pertaining to (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Property; (b) business, regulatory and financial issues of the present or previous owners of the Property; and (c) other matters that do not directly affect the ownership of the Property.
- (iii) For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report.
- (iv) We have assumed that there are no outstanding / dues payable by the present / previous owners of the Property to any government / statutory authority (including any tax / cess dues) or local body and that the Property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws.



- (v) Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Property, as analyzed by us from the information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report.

**C. Confidentiality:**

The contents of this Report are confidential. Neither this Report nor any of its contents may be disclosed to any person other than to the professional advisers, officers and employees of **Suruchi Properties Private Limited** who are directly involved in the proposed transaction relating to the Property. We accept no responsibility to any person other than to **Suruchi Properties Private Limited** in relation to the contents of this Report.

**D. Documents Examined:**

We have been provided with and have examined the photocopies of the documents listed in Annexure - A to this Report for the purpose of carrying out title due diligence on the Property.

**E. Description of Property:**

All that piece and parcel of the immoveable property being the lands originally bearing Municipal Nos. (a) 49, (PID No. 73-50-49) measuring 10890 square feet, (b) 50, (PID No. 73-50-50) measuring 10890 square feet and (c) 51/1, (PID No. 73-50-51/1) measuring 6890 square feet totally admeasuring 28,670 square feet, comprised in the land bearing earlier Survey No. 155/1A situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru, forming part of the amalgamated Municipal No. 64 (PID No. 73-63-64), New Ward No. 113, Kudihalli, Bengaluru, hereinafter referred to as "**Property I**".

*(Boundaries are not ascertainable from the documents provided)*

**F. Findings Based On Documents Examined:**

**I. Title:**

1. On the verification of the documents provided to us we note that above mentioned Property I appears to be part of the land bearing Survey No. 155/1 measuring 1 Acre 20 Guntas (including 2 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (formerly Bengaluru South Taluk), Bengaluru.
2. The Index of Lands issued in respect of the land bearing Survey No. 155/1 reflects Mr. Ramaiah Munishamappa (son of Mr. Sarakki Yerru Munishami) as the holder of the said land

(Document No. 1). The said Index of Lands also reflects Entry No. RR 337 made in the Records of Rights. We have not seen any documents evidencing the mode and manner by which Mr. Ramaiah Munishamappa acquired title to said survey number. We have also not been provided with an extract of entry made in the Record of Rights. We have been informed that the same is not available.

3. The aforementioned Index of Lands also reflects an Entry No. RR 337 made in the Record of Rights. *We have not seen the RR No. 337 made in Records of Rights issued in respect of the Survey No. 155/1 measuring 1 Acre 20 Guntas.* In this regard, we have been provided with Endorsement bearing No. (not visible) dated 06.12.2010 issued by the Office of Tahsildar, Bengaluru East Taluk, which states that RR No. 337 made in Records of Rights is not available and therefore extracts of the same cannot be provided. (Document No. 2)
4. Pursuant to the demise of M. Ramaiah Munishamappa, his wife Mrs. Nagamma (wife of Late Mr. Ramaiah Munishamappa) along with her son Master. Krishnappa sold the land measuring 62½ X 98 Yards in the land bearing Survey No. 155/1 situated at Kodihalli Village in favour of Mr. L. K. Jawaharlal Shet (son of Mr. L. Laduram) under the registered Sale Deed dated 08.06.1955 (Document No. 3).

Observation: Suruchi Properties Private Limited ("Suruchi") has represented to us, that, although there are no documents evidencing the acquisition of the land bearing Survey No.155/1 by Mr. Ramaiah Munishamappa, till date, no claims have been made by any third party questioning the title of Mr. Ramaiah Munishamappa to the said land.

We have not been provided with the genealogical tree of Late Mr. Ramaiah Munishamappa to ascertain if all the family members have joined in the execution and registration of the Sale Deed dated 08.06.1955. We have been informed that the same is not available.

5. The Kodihalli is situated is an Inam Village. On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 coming into force in respect of lands situated at Kayam Gutta Kodihalli Village vide its Notification dated 15.09.1956 (Document No. 4) all the lands including land bearing Survey No. 155/1 of Kodihalli Village vested with the Government of Karnataka.
6. Mr. M. K. Jawaharlal Shet (son of Mr. L. Laduram) has stated in his Deposition dated 06.06.1958 relating to the re-grant that, he had earlier acquired the said property measuring 62½ X 98 Yards in Survey No. 155/1 of Kodihalli Village, by way of aforesaid registered Sale Deed (Document No. 5). It appears that L.K. Jawaharlal Shet has been erroneously referred to as M. K. Jawaharlal Shet in some documents.
7. The Special Deputy Commissioner of Inam Abolition has passed an Order dated 18.06.1958 in Case No. 210 of 1957-58, re-granting the garden land measuring 1 Acre 3 Guntas and wet

land measuring 15 Guntas. Mr. Jawaharlal Shet was registered as *Kadim Tenant* in respect of land measuring 62 x 98 yards (or 0 4/5) comprised in Survey No. 155/1 of Kodihalli Village, under Section 4 of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 (Document No. 6). It is noted that, as per the grant order of the Special DC Inams Abolition, an extent of 62 x 98 yards (approximately 50 1/2 Guntas i.e., about 1 Acre 10 1/2 Guntas) land was re-granted to Mr. Jawaharlal Shet. The aforementioned order does not impose any conditions with respect to the transferability of the said land.

8. We have been provided with the extract of Register VIII pertaining to land reflecting the grant of an extent of 0-04 1/2 in Survey No. 155/1 of Kodihalli Village, to the name of Mr. M. K. Jawaharlal showing the details of assessment payable to Government by Kadim, Permanent, Quasi-permanent and minor Inamdar, etc., (Document No. 7). It is observed that, though Mr. L. K. Jawaharlal Shet had applied for re-grant of an extent of 1 Acre 18 Guntas in Survey No. 155/1 of KG Kodihalli Village, he was confirmed with occupancy rights only for an extent of 4 1/2 (without specifying the unit of measurement) in Survey No. 155/1 vide extract of Register VIII.

**Observation:** Suruchi has represented pursuant to the re-grant of an extent of 62 x 98 yards (approximately 1 Acre 10 1/2 Guntas) to Mr. L. K. Jawaharlal Shet in the land hearing Survey No. 155/1 of Kodihalli Village, no claims have been made by any third party questioning the re-grant made in favour of Mr. L.K. Jawaharlal Shet under the Mysore (personal and Miscellaneous) Inam Abolition Act, 1954 as Kadim Tenant in respect of the said land till date. (Document No. 82).

9. Subsequently, said Mr. L. K. Jawaharlal Shet conveyed the land measuring 62 x 98 Yards in Survey No. 155/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, in favour of Mrs. Nagamma and her minor son Mr. Krishnappa vide registered Sale Deed dated 23.01.1959 (Document No. 8).
10. We have not seen the extract of Entry made in the Mutation Register pursuant to the aforesaid Sale Deed and further it is represented to us, that, till date the present owners have not received any claims or objections in respect of the said land, from the legal heirs of Mr. L. K. Jawaharlal Shet or from any persons or anyone claiming under him.
11. Mrs. Nagamma and her minor son Mr. Krishnappa in turn sold the portion of the aforesaid land measuring 15 Guntas in Survey No. 155/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, in favour of Mr. Muniswamappa (son of Late Mr. Kakayappa) by way of registered Sale Deed dated 24.01.1959 (Document No. 9).

**Observation:** We have not seen the extract of entry in Mutation Register registering the name of Mr. Muniswamappa (son of Late Mr. Kakayappa). We have not seen the permission obtained from the jurisdictional court by Mrs. Nagamma to convey minors interest (viz.,

Master Krishnappa's interest) at the time of execution of Sale Deed dated 24.1.1959. We have been informed that the same was not obtained. In this regard it has been represented to us that Mr. Krishnappa, after attaining majority has executed the Sale Deed dated 11.7.1966 referred to below and that since the execution of the Sale Deeds dated 24.1.1959 or 11.7.1966, neither Mr. Krishnappa or any person claiming through him have challenged the execution of the aforementioned sale deed.

12. Subsequently, Mrs. Nagamma together with her son Mr. R. Krishnappa sold the land measuring 30 Guntas in Survey No. 155/1 situated at Kodihalli Village, Varthur Hobli, within the limits of HASH, Bengaluru South Taluk, Bengaluru, in favour of Mr. B. Thammaiah (son of Late Mr. Bolabbaiah) vide registered Sale Deed dated 11.07.1966 (Document No. 10). It is noted that, Mr. Muniswamappa (son of Late Mr. Kakayappa) (who is owner for the land measuring 15 Guntas in Survey No. 155/1 vide registered sale deed dated 24.01.1959) had also joined this sale transaction as consenting witnesses to confirm title over the conveyed land.
13. Thereafter, we note from the Hissa Survey Tippany issued in respect of the land bearing Survey No. 155/1 that the said land has been sub-divided and an extent of 28 Guntas and 2 Guntas held by Mr. Thammaiah was allotted with Survey Nos. 155/1A and 155/1C respectively (Document No. 11).
14. We note the extract of Phody book provided with respect to the land bearing Survey No. 155/1A, 1B & 1C and reflects the name of Mr. B. Thammaiah as holder of the the land bearing Survey No. 155/1A (Document No. 12).
15. Record of Rights, Tenancy and Crop Inspection ("RRCs") issued in respect of the land Survey No.155/1A measuring 28 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1971-72 to 1975-76 reflect Mr. B. Thammaiah to be holder of the said land (Document No. 13).
16. As seen from the Genealogical Tree, said Mr. Thammaiah (son of Late Mr. Bolabbaiah) appears to have passed away. We have not seen the Death Certificate of Mr. Thammaiah.
17. The Genealogical Tree of Late Mr. Thammaiah issued by the Village Accountant, H.A. Sanitary Board, Bengaluru details the names of his family members (Document No. 14), viz.,
  - (a) Late Mr. Bolabbaiah & Late Mrs. Kanyamma (parents of Late Mr. Thammaiah); and
  - (b) Mrs. Muniyakka (wife of Late Mr. Thammaiah),
  - (c) Mr. Ramesh (unmarried and son of Late Mr. Thammaiah),
  - (d) Mr. Srinivas (son of Late Mr. Thammaiah), Mrs. Mangula (wife of Mr. Srinivas), Master Vasudev (son of Mr. Srinivas) and Ms. Bhavani (daughter of Mr. Srinivas);

18. RTCs issued in respect of the land bearing Survey No. 155/1A measuring 28 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1975-76 to 1996-97, reflect Mrs. Muniyakka (wife of Late Mr. Thammaiah), Mr. Tayappa @ Chikka Thammaiah (son of Late Mr. Bolabbaiah) and Mr. Krishnappa (son of Late Mr. Bolabbaiah) to be holders of the said land during that period.

**Observation:** We have not seen the extract of entry made in the Inheritance Register recording the demise of Mr. Thammaiah son of Late Mr. Bolabbaiah and grant of permission to change the khata in respect of 28 Guntas in Survey No. 155/1A in the name of Mrs. Muniyakka (wife of Late Mr. Thammaiah). We have been informed that the same is not available.

19. Thereafter, Mrs. Muniyakka (wife of Late Mr. B. Thammaiah) along with her sons viz., Mr. T. Ramesh and Mr. I. Srinivas executed and registered an Agreement of Sale dated 28.02.1990 agreeing to sell the land measuring 28 Guntas comprised in Survey No. 155/1A and land measuring 2 Guntas in Survey No. 155/1C of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, in favour of Mr. P. Satish Pai (Document No. 15). The aforementioned persons have also executed and registered a General Power of Attorney dated 28.02.1990 appointing Mr. P. Satish Pai as their POA Holder in respect of the land bearing Survey Nos. 155/1A and 155/1C (Document No. 16).

**Observation:** We note that, Mr. Tayappa@Chikka Thammaiah and Mr. Krishnappa (both sons of Late Mr. Bolabbaiah) who were reflected as joint holders along with Mrs. Muniyakka in the RTCs issued in respect of the land bearing Survey No. 155/1A situated at Kodihalli Village, were not made as parties to the aforesaid Agreement of Sale and General Power of Attorney dated 28.02.1990.

In this regard Suruchi has represented to us, that, although, Mr. Tayappa@Chikka Thammaiah and Mr. Krishnappa (both sons of Late Mr. Bolabbaiah) have both made their claim by way of filing partition suits and the same have been dismissed (*the same are detailed below*):

- (a) The Judgement dated 24.03.2001 passed in OS No. 2582 of 1983 by the City Civil & Sessions Judge, Bengaluru filed by Mr. Krishnappa (son of Mr. Bolabbaiah) against the family members of Late Mr. Thammaiah (Document No. 17). The said suit for partition has been dismissed by the Hon'ble Court stating that the plaintiffs have failed to prove that the land bearing Survey Nos. 155/1A and 155/1C was the joint family property.
- (b) We also note the Order Sheet of OS No. 2552/1983 on the file of City Civil Court, Bengaluru filed by Mr. Thayappa against Mrs. Muniyakka and others (Document No. 18). The Court on 24.03.1986 dismissed the said case filed by Mr. Thayappa for non-prosecution.



We have been informed that Suruchi has not received any claims or demands either from Mr. Krishnappa or Thayappa, since the acquisition of the property.

20. It is observed that, said Mrs. Muniyakka and her sons, viz., Mr. T. Ramesh and Mr. T. Srinivas have also issued an Affidavit dated 10.03.1990 confirming the aforesaid Agreement of Sale and General Power of Attorney executed and registered in favour of Mr. P. Satish Pai (Document No. 19).
21. Mr. P. Satish Pai has further executed an Assignment Agreement dated 21.02.1994 assigning his right, title and interest, claims and obligations accrued under the aforesaid Agreement of Sale in favour of Mr. H. Yeshwanth Shenoy in respect of the aforesaid land measuring 28 Guntas in Survey No. 155/1A and land measuring 2 Guntas in Survey No. 155/1C both situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru (Document No. 20).
22. Mr. T. Srinivas (son of Mr. Thammaiah) has executed and registered another General Power of Attorney dated 23.06.1994 appointing Mr. D. S. Deshpande (son of Mr. Sham Rao Deshpande) as his Power of Attorney Holder in respect of the land measuring 28 Guntas in Survey No. 155/1A and land measuring 2 Guntas in Survey No. 155/1C of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru (Document No. 21).

Observation: We note that Mr. T. Srinivas executed the above mentioned General Power of Attorney dated 21.02.1994 in favour of Mr. D.S. Deshpande without revoking the earlier registered General Power of Attorney dated 28.02.1990 executed in favour of Mr. P. Satish Pai. In this regard, Suruchi has represented to us that Mr. D.S. Deshpande is Suruchi's representative and that Mr. D.S. Deshpande passed away on 21.07.2021, as evidenced from his Death Certificate (Document No. 22). It has been represented to us that, till date Suruchi, has not received any claims or objections from legal heirs of Mr. D.S. Deshpande questioning the authority of the subsequent power of attorney holder or the validity of the Sale Deed dated 14.12.2011 later executed in favour of Suruchi and further no third party has made any claim contending that such third party acquired any form of right, title or interest in respect of Property 1 by any act done by Mr. D. S. Deshpande pursuant to the aforementioned General Power of Attorney dated 23.06.1994.

23. It appears that, certain disputes arose between the family members of Late Mr. Thammaiah (viz., Mrs. Muniyakka, Mr. T. Ramesh, Mr. T. Srinivasa) and Mr. P. Satish Pai, which resulted in multiple suits being filed by both sides in respect of the land measuring 28 Guntas in Survey No. 155/1A and land measuring 2 Guntas in Survey No. 155/1C of Kodihalli Village:
  - (a) Mrs. Muniyakka and her sons viz., Mr. T. Ramesh and Mr. T. Srinivas (Plaintiffs) initiated a proceeding in O. S. No. 897/1 of 1996 in the Court of the City Civil Judge,

- Bengaluru against Mr. P. Satish Pai (Defendant) on 20.12.1996, seeking permanent injunction restraining the Defendant from interfering with the peaceful possession and enjoyment of the land bearing Survey No. 155/1A measuring 28 Guntas and land bearing Survey No. 155/1C measuring 2 Guntas of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru (Document No. 23). The Hon'ble Court dismissed the said suit as "not pressed" on 18.06.2006.
- (b) Mrs. Muniyakka and her sons viz., Mr. T. Ramesh and Mr. T. Srinivasa (Plaintiffs) initiated another proceeding in O. S. No. 3184 of 1997 in the Court of the City Civil Judge, Bengaluru against Mr. P. Satish Pai (Defendant) on 17.04.1997, for a relief of permanent injunction against the Defendant from interfering with the peaceful possession and enjoyment of the land bearing Survey No. 155/1A measuring 28 Guntas and land bearing Survey No. 155/1C measuring 2 Guntas of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru (Document No. 24). The Hon'ble Court was pleased to grant an interim order of injunction in favour of the Plaintiffs directing the Defendants not to interfere with their peaceful possession and enjoyment of the aforesaid properties. Later, said order was vacated and thereafter the suit was dismissed for non prosecution on 07.10.2002.
- (c) India Builders Corporation (Plaintiff) had initiated a proceeding in O. S. No. 773 of 1997 in the Court of the Additional City Civil Judge, Bengaluru against 1) Mrs. Muniyakka, 2) Mr. T. Ramesh, 3) Mr. T. Srinivasa, 4) Mr. Krishnappa, 5) Mr. P. Satish Pai and 6) Mr. H. Yeshwant Shenoy (Defendants) on 24.01.1997, for a relief of permanent injunction against the Defendants Nos.1 to 4 therein from interfering with the possession of the converted land bearing Survey No. 155/1A measuring 28 Guntas and converted land bearing Survey No.155/1C measuring 2 Guntas of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru in any manner (Document No. 25). The Plaintiff has contended that, he was put in possession of the property by Mr. H. Yeshwant Shenoy pursuant to a Lease Deed dated 01.03.1994. However, the copy of the said lease deed is not provided for our verification. The Hon'ble Court dismissed the said suit as not pressed on 31.08.2001, on a Memo filed by India Builders Corporation.
- (d) Mrs. Muniyakka, Mr. T. Ramesh and Mr. T. Srinivasa (Plaintiffs) have again initiated a proceeding in O. S. No. 4558 of 2003 in the Court of the City Civil Judge, Bengaluru against Mr. P. Satish Pai (Defendant) on 01.07.2003, for a relief of permanent injunction against the Defendant from interfering with the peaceful possession and enjoyment of the land bearing Survey No. 155/1A measuring 28 Guntas and land bearing Survey No. 155/1C measuring 2 Guntas of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru (Document No. 26). The Hon'ble Court dismissed the said suit on 10.06.2011, on a memo filed by the Plaintiffs that the suit may be withdrawn.



- (e) Mr. H. Yeshwant Shenoy and India Builders Corporation (Plaintiffs) have initiated a proceeding in O. S. No.15030 of 2004, in the Court of the City Civil Judge, Bengaluru, against Mrs. Muniyakka, Mr. T. Ramesh, Mr. T. Srinivasa and Mr. P. Satish Pai (Defendant) on 07.01.2004, for a relief of specific enforcement of the contract for sale and also for a permanent injunction restraining the Defendants in interfering the land bearing Survey No. 155/1A measuring 28 Guntas and land bearing Survey No. 155/1C measuring 2 Guntas both situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru. During the pendency of the suit, the Parties have compromised and three different compromise petitions were filed in the said suit bearing O. S. No. 15030 of 2004 and the suit was decreed on 26.5.2011 in terms of the said compromise and the Defendants Nos. 1 to 3 admitted to the claims made by the Plaintiffs in the said suit and also admitted their individual 1/3<sup>rd</sup> share in the aforesaid suit schedule properties and further have agreed to convey the same in favour of Plaintiff No. 1 (i.e., Mr. H. Yeshwanth Shenoy, in whose favour the Assignment Agreement dated 21.02.1992 was executed by Mr. Satish Pai as referred to above) (Document No. 27).
24. During the pendency of the aforementioned proceedings and disputes between the parties, it appears that, the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB"), Bengaluru and as per the khata registers maintained by the HASB, new HASB Khata numbers were allotted to all the land parcels including the land bearing Survey No. 155/1A (HASB Khata). We note the Certificate dated 28.03.1996 issued by HASB certifying that the HASB Khata Nos. 770/1, 770/2, 770/3 & 770/4 are carved out of the land bearing Survey No. 155/1A situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk (Document No. 28). We also note extracts of Assessment List for the building and land for the years 1988-89 issued by HASB for the land bearing HASB Khata Nos. (a) 770/1 measuring 10900 square feet in the name of Mr. T. Srinivasa (son of Late Mr. Thammaiah) (b) 770/2 measuring 10900 square feet in the name of Mr. T. Ramesh (son of Late Mr. Thammaiah) and (c) No 770/3 measuring 8700 square feet in the name of Mrs. Muniyakka (Document Nos. 29 to 31).
25. Subsequently, when the lands therein situated at Kodihalli Village appears to have come within the administrative jurisdiction of the Bangalore Mahanagara Palike (now Bruhat Bengaluru Mahanagara Palike) and were assessed for tax by the Bruhat Bengaluru Mahanagara Palike. We note the Receipt bearing No. 0840786 dated 09.12.2003 issued by the Bengaluru Mahanagara Palike evidencing the payment of betterment charges in respect of the land bearing HASB Khata Nos. 770/1, 770/2 & 770/3 measuring 30,923 square feet at the rate of Rs. 100 per square yards by Mrs. Muniyakka, Mr. T. Ramesh and Mr. T. Srinivas (Document No. 32).



26. Pursuant thereto we note that HASB Khata Nos. (a) 770/2 was allotted with Municipal No. 49 (PID No. 73-50-49), (b) 770/1 was allotted with Municipal No. 50 (PID No. 73-50-50) and (c) 770/3 was allotted with Municipal No. 51 (PID No. 73-50-51) in the records of Bruhat Bengaluru Mahanagara Palike ("BBMP") as evidenced from the Letter bearing No. ARO(JBN)/RTI/PR/70 of 2011-12 dated 12.12.2011 issued by the BBMP regarding HASB numbers and PID numbers formed in Muniyellappa Garden, Kodihalli (Document No. 33). The letter further states that no special notices were issued and that only HASB entries have been taken into BBMP records.
27. We note the Khata Certificate and Khata Extract dated 29.06.2010 issued by BBMP which certifies that the land bearing Municipal No. 49 measuring 10,890 square feet situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru stands in the name of Mr. T. Ramesh in the BBMP Register (Document No. 34). Similarly we note the Khata Certificate and Khata Extract dated 29.06.2010 issued by BBMP which certifies that the land bearing Municipal No. 51 measuring 8,712 square feet situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru stands in the name of Mrs. Muniakka in the BBMP Register (Document No. 35).

**Observation:** We have not been provided with BBMP Khata Certificate and Khata Extract in respect of the land bearing Municipal No. 50

We have been informed that at the time of assessment made by the office of BBMP, that BBMP has physically measured the property and based on the measurement the assessment was fixed for the actual area on ground and khata has been issued in respect of extent.

28. Mr. T. Srinivas executed and registered a General Power of Attorney dated 26.05.2010 authorising and appointing Suruchi Properties Private Limited ("**Suruchi**") as his attorney in respect of the land bearing Municipal No. 50 measuring 10890 square feet situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru (Document No. 36). Thereafter, we note that Suruchi (represented by Mr. T. Lakshminarayana) acting as the power of attorney holder of Mr. T. Srinivas conveyed the above mentioned land in favour of Suruchi under the Sale Deed dated 14.02.2011 (Document No. 37). Pursuant thereto, khata in respect of the land bearing Municipal No. 50 measuring 10890 square feet situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru got mutated in the name of Suruchi Properties Private Limited in the records of BBMP as evidenced from the Khata Certificate and Khata Extract both dated 14.10.2011 issued by BBMP (Document No. 38).
29. Subsequent to the conveyance by Mr. T. Srinivas, Mrs. Muniyakka, Mr. T. Srinivasa and Mr. T. Ramesh executed a (*unregistered*) Panchayath Parikath (Partition Deed) on 28.02.2011 recording the oral partition earlier held between them in writing, with respect to land bearing Survey No. 155/1A measuring 28 Guntas and land bearing Survey No. 155/1C measuring 2 Guntas, both situated at Kodihalli Village, Varthur Hobli, Bengaluru South

- Taluk, Bengaluru (Document No. 39). In the said Partition, the parties confirmed the earlier oral allotment, i.e.,:
- (a) allotment of the land bearing Municipal No. 50 to Mr. T. Srinivas;
  - (b) allotment of land bearing Municipal No. 49 to Mr. T. Ramesh;
  - (c) allotment of land bearing Municipal No. 51 to Mrs. Muniyakka, and land bearing Municipal No. 52 measuring 2178 Sq. Ft. comprised in Survey No. 1557/C earlier bearing HASSB Khata No. 770/4 in the name of Mrs. Muniyakka.
30. Mr. T. Ramesh conveyed the land bearing Municipal No. 49 measuring 10890 Sq. Ft. situated at Muniyellappa Garden, Kodihalli, Airport Ward No.73, Bengaluru in favour of Suruchi under the registered Sale Deed dated 01.03.2011 (Document No. 40). We note the Khata Certificate and Khata Extract both dated 06.08.2011 issued by BBMP certifying that the land bearing Municipal No. 49 stands in the Suruchi in the BBMP register (Document No. 41).
31. Mrs. Muniyakka (wife of Late Mr. B. Thammaiah) has conveyed a portion of land in Municipal No. 51 admeasuring 6890 square feet out of the total extent of 8712 square feet in favour of Suruchi under the Sale Deed dated 14.03.2011 (Document No. 42).
32. We note the Special Notice hearing No. DA/113/KTR/33/2011-12 dated 14.07.2011 issued by BBMP whereunder the land admeasuring 6890 square feet acquired by Suruchi in Municipal No. 51 was sub-divided and allotted with a land bearing new Municipal No. 51/1 measuring 6890 square feet and the balance extent of 1822 square feet is continued in the Municipal No. 51 (Document No. 43).
33. We note the Khata Certificate and Khata Extract dated 15.07.2011 issued by BBMP certifying that the land bearing Municipal No. 51/1 measuring 6890 square feet situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru stands in the name of Suruchi in the BBMP register (Document No. 44).
34. We have been provided with an Affidavit dated (nil) sworn by Mr. H. Yeshwanth Shenoy confirming that Suruchi is the owner of the land bearing Survey No. 1557/A and that he does not have any rights or interests thereon (Document No. 45).
35. Thereafter, Suruchi has entered into a Development Agreement dated 03.02.2011 with Salarpuria Realtors Private Limited to develop the land bearing various municipal numbers totally admeasuring 4,23,867 square feet (which includes land bearing Municipal No. 50 measuring 10,890 square feet) situated at Kodihalli, Ward No. 73, Airport Road, Bengaluru on the terms and conditions set out therein (Document No. 46). Suruchi has executed and registered a General Power of Attorney dated 04.02.2011 authorising and appointing the developer, Salarpuria Realtors Private Limited as its attorney in respect of lands admeasuring 4,23,867 square feet to do various acts, deeds and things in the connection with the

development of the lands in the manner as specified therein (Document No. 47). The power of attorney also entitles the attorney to raise and borrow loan or financial assistance by creating the equitable mortgage on security of the developer's share of receivables together with the undivided share right title and interest and ownership in the land.

36. Subsequently, Suruchi Properties Pvt. Ltd., also executed and registered a Supplementary Agreement to the Development Agreement dated 29.03.2011 (Document No. 48) with Salarpuria Realtors Private Limited to include the land bearing Municipal No. 49 & 51/1 situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru in the proposed development being undertaken by Salarpuria Realtors Private Limited
37. Pursuant thereto, Suruchi has executed General Power of Attorney dated 29.03.2011 (Document No. 49) appointing Salarpuria Realtors Private Limited as their general lawful attorney in respect of properties bearing Municipal Nos.49 measuring 10890 Sq. Ft., and 51 measuring 6890 Sq. Ft., both situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru. It is observed that the said power of attorney is executed to obtain all the approvals from various authorities and necessary for developing the properties. The power of attorney also entitles the attorney holder to raise and borrow loan or financial assistance by creating the equitable mortgage on security of the developer's share of receivables together with the undivided share right title and interest and ownership on the said lands.

Observation: We have been informed that Suruchi is in discussion with Salarpuria Realtors Private Limited to cancel the aforementioned joint development agreement and that Suruchi would be developing the said lands by itself and that cancellation agreements / deeds have not been executed and registered as on date.

## II. Revenue Records and Endorsements

38. Endorsement bearing No. RK. CR. 1246/2010-11 dated 26.11.2010 issued by the Shirasthedar, Bengaluru East Taluk states that the RTCs issued in respect of the land bearing Survey No. 155/1A for the years 1971-72 to 1997-98 to 2000-01 are in dilapidated condition and RTCs for the years 1971-72 to 1997-98 to 2000-01 are not available. Hence the same cannot be provided (Document No. 50).
39. We have been furnished with an Endorsement dated 15.10.1994 issued by the Office of Village Accountant, H.A. Sanitary Board Area, Bengaluru South Taluk, to the effect that the Mutation Records in respect of land bearing Survey No. 155/1A of Kodihalli Village, are not available and hence cannot be provided (Document No. 51).
40. We have been furnished with a map of Kodihalli Village which shows the location of the land bearing Survey No. 155 in the said village (Document No. 52).



41. Atlas issued in respect of land bearing Survey No. 155/1 of Kodihalli village, shows the sub-division of the land in the said survey number (Document No. 53)
42. Hissa Survey Tippani issued in respect of land bearing Survey No. 155/1A, 1B & 1C of Kodihalli Village, shows the shape and boundaries of the land (Document No.54).
43. Revision Settlement Akurbandh issued in respect of the land bearing Survey No. 155/1 confirms the total extent in the land bearing Survey No. 155/1A as 28 Guntas (Document No. 55).
44. The Tahasildar, Bengaluru East Taluk, Bengaluru has issued Endorsement dated 18.04.2005 to the effect that no applications have been filed in respect of the land bearing Survey No.155/1A situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk under Form 7 & 7A of the Karnataka Land Reforms Act, 1961 (Document No. 56)
45. The Assistant Commissioner's Office, Bengaluru North Taluk, has issued endorsement dated 17.02.2012 to the effect that, as per the records maintained in the said office, no proceedings have been filed in respect of the land bearing Survey No. 155/1A situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk under Sections 79(A) & 79(B) of the Karnataka Land Reforms Act, 1961 (Document No. 57).
46. We have not been furnished with an endorsement issued by the jurisdictional Assistant Commissioner stating that the Property I does not come under the purview of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 and no proceedings have been filed / pending / disposed off in respect of the Property I under the provisions of the said enactment. It has been represented that no applications have been filed under the provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of Property I and in this regard Suruchi Properties Private Limited have not received any notice or intimation with respect to the same.

### III. Khata and Tax Receipts:

47. We have been provided with and we note the Khata Extract and Khata Certificates issued by the BBMP which certifies that Khata in respect of the land bearing (a) Municipal No. 49 measuring 10890 square feet, (b) Municipal No. 50 measuring 10,890 square feet and (c) Municipal No. 51/1 measuring 6890 square feet situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru is standing in the name of Suruchi in their records
48. We note the (a) Receipt bearing No. 22233197215 dated 29.09.2022 issued by BBMP Revenue Department evidencing payment of property tax in respect of the land bearing Municipal No. 49 for the year 2022-23. (b) Receipt bearing No. 22233000109 dated



10.08.2022 issued by BBMP Revenue Department evidencing payment of property tax in respect of the land bearing Municipal No. 50 for the year 2022-23 and (c) Receipt bearing No. 2223323151 dated 12.10.2022 issued by BBMP Revenue Department evidencing payment of property tax in respect of the land bearing Municipal No. 51/1 for the year 2022-23 (Document Nos. 58 to 60).

49. It is noted that, Suruchi appears to have made an application to the BBMP for the amalgamation of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot on the basis of the Modified Work Order dated 27.12.2021 sanctioned by the BDA referred to hereinafter and the B Kharab Realignment Order bearing No. LND (E) CR/226/2017-18 dated 05.03.2019 passed by the Deputy Commissioner, Bengaluru District.
50. We have been provided with a Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP, wherein based on the documents submitted by Suruchi, BBMP has amalgamated the khata of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot admeasuring 3,54,506 square feet and assigned it with Municipal No. 73-63-64 standing in the name of Suruchi and Mrs. Sharadhamma (Document No. 60A). The Special Notice further records that:
- (a) the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli shall stand cancelled in the records of BBMP.
- (b) The amalgamated single plot has been assessed for annual tax of Rs. 2,14,279.00 with effect from 01.10.2023.

**Observation.** We have not seen the Khata Certificate and Khata Extract issued by the BBMP in respect of the amalgamated Municipal No. 64 admeasuring 3,54,506 square feet situated at Ward No. 113, Narayanappa Garden, Kodihalli pursuant to the above mentioned Special Notice dated 17.01.2024. We have not seen the B Kharab Realignment Order referred to hereinabove.

51. As per the assessment of Municipal No. 73-63-64 for tax set out in the Special Notice dated 17.01.2024 referred to above, we have been provided with the Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department which evidences the payment of property taxes for the land bearing Municipal No. 73-63-64 for the year 2023-24 (Document No. 60B).



**IV. Acquisitions:**

52. The Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru has issued an Endorsement dated 16.01.2013 to the effect that *inter alia* land bearing Survey No. 155/1A of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru is not notified for acquisition for any of its project as on the date of the issue of the said endorsement (Document No. 61).
53. The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru has issued an Endorsement dated 23.01.2013 stating that *inter alia* land bearing Survey No. 155/1A situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru has not been acquired or notified for acquisition for any of projects of Karnataka Industrial Areas Housing Board as on the date of issue of the said endorsement (Document No. 62).
54. The Special Land Acquisition Officer, National Highway Authority of India has issued an Endorsement bearing No. LAQ/NEI-7/HM/CR/SI/17-18 dated 09.10.2017 stating that no survey numbers in Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru falls under the jurisdiction of National Highway Authority of India hence no acquisition has been effected (Document No. 63).

**V. Land Conversion and Land Usage**

55. We have not been furnished with the Official Memorandum issued by the office of Deputy Commissioner, Bengaluru District, whereunder the Property I was converted for non agricultural purposes. We have been informed that, no conversion has been obtained under the provisions of Law. However, please note, the Section 95 (2) of the Karnataka Land Revenue Act, 1964, specifically states that, regardless of what is stated in any other law, if an occupant seeks to divert the usage of an agricultural land, then such occupant will have to obtain permission from the office of the Deputy Commissioner.
56. It is represented to us, that, the Kodihalli Village (comprising of Property I) came to be administered by HASB. HASB acting as the Special Board / Town or City Municipal Council, distinct and independent from the bangalore district board and panchayats of Kodihalli has assessed these properties as non-agricultural properties and issued fresh khata numbers to the properties under its administration. Subsequently when it was found that HASB was acting without any statutory mandate, the Bruhat Bangalore Mahanagara Palike took over the administration of the properties which were being administered by the HASB. The Bruhat Bangalore Mahanagara Palike, did not nullify the actions taken by HASB (including issuing khata to unconverted lands) and they carried forward the same by issuing new municipal numbers to such unconverted lands.

57. In this regard, representatives of Suruchi Properties Private Limited have furnished a copy of an unreported division bench Judgement dated 14.06.2012 of the High Court of Karnataka in W.A. 17361-17363/2011 which has held that 'there is no necessity to obtain conversion from agricultural to non-agricultural, if the area comes within the town municipal council limits and the town municipal council has collected the developmental charges and is treating the property as a municipal property'. Representatives of Suruchi Properties Private Limited have represented that the BBMP is relying on the aforesaid division bench Judgement to approve plans in respect of unconverted properties falling within the jurisdiction of BBMP, for which khatahs have been issued by BBMP. It has been further represented to us that, the Judgement dated 14.06.2012 of the division bench in the High Court of Karnataka has not been challenged or overruled as on date.
58. As per the Revised Master Plan 2015 of Bengaluru (Approved by the Government of Karnataka vide the G.O. No. 17DD 540 BEM AA SE 2004 dated 25.6.2007) ("RMP-2015"), the Land is classified as residential (main) use.
59. We been provided with and we note the Work Order bearing No. BDA/Nayosa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority ("BDA") along with sanctioned residential development plan to Suruchi with respect to the sanction of the proposed residential development proposed to be undertaken in the land bearing Survey Nos. 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (Document No. 64). In terms thereof, we note the Relinquishment Deed dated 29.05.2019 executed by Suruchi Properties Private Limited in favour of BDA relinquishing an extent of 4,407 square meters (i.e., about 47,419.3 square feet) for park and open spaces in the land bearing 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3D, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) of Kodihalli Village (Document No. 65).
60. It appears that there were some modifications in connection with the proposed residential development and accordingly Suruchi has applied for and obtained a Modified Work Order dated 27.12.2021 from the BDA and in terms thereof, BDA has sanctioned the modified residential development plan proposed to be undertaken by Suruchi in the land bearing Survey Nos. 143/3, 146/1, 146/2, 146/3A, 146/3D, 147/1, 147/2, 148, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 08 Acres 5.35 Guntas (excluding 21 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk ("Project Lands") on the terms and conditions set out thereunder (Document No. 66). Some of the terms and conditions on which the sanction have been granted are as follows:



- (a) The developmental activities are to be undertaken in terms of the sanctioned development plan and the same shall not be changed without the prior permission of BDA.
- (b) The area reserved for parks and buffer zone shall be used for the purposes for which they have been reserved and shall not be used for any other purposes.
- (c) Sanction of the building plans will have to be obtained from BDA.
- (d) The sanction provided by BDA shall be automatically cancelled if it is found that the applicant has misrepresented with respect to the ownership of the properties.
- (e) 10% of the residential units shall be reserved for economically weaker section and low income group.
- (f) Sewage treatment plant is required to be installed to ensure that untreated water is not released from the properties.
61. In connection with the above, we note the Rectification of Relinquishment Deed dated 17.07.2021 executed by Suruchi in favour of BDA whereunder the earlier area relinquished in favour of BDA was cancelled and Suruchi has relinquished an area of 3322 square meters in the properties for park and open spaces (Document No. 67)
- VI. Litigation:**
62. We have been informed by Suruchi that except the different civil suits initiated and disposed as narrated above, there are no other litigations have been filed or pending in respect of Property I.
- VII. Encumbrance / Charge:**
63. Encumbrance Certificates issued in respect of the land bearing Survey No. 155/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 01.04.1957 to 31.03.1973, 01.04.1973 to 31.03.2004, 01.04.2004 to 18.06.2013 and 01.03.2016 to 21.04.2019 reflect Sale Deeds dated 23.01.1959, 24.01.1959, 11.07.1966 referred to hereinabove (Document No. 68).
64. Encumbrance Certificates issued in respect of the land bearing Survey No. 155/1A situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 27.01.2011 to 06.02.2013, 07.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014, 01.04.2014 to 23.04.2019, 01.03.2016 to 23.04.2019 reflect no transactions carried out for the said period (Document No. 69).
65. Encumbrance Certificate issued in respect of the land bearing HASSB Khata No. 770/1 of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period from 01.04.1995 to 31.03.2004, 27.01.2011 to 06.02.2013, 07.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014 reflects Sale deed dated 14.02.2011 referred to hereinabove (Document No. 70).

66. Encumbrance Certificate issued in respect of the land bearing HASB Khata No. 770/2 measuring 10890 Sq. Ft. of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period from 01.04.1974 to 31.03.2004, 01.04.2004 to 06.02.2013, 07.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014, 23.01.2014 to 28.04.2014, 01.03.2016 to 23.04.2019 reflects the Sale Deed dated 01.03.2011 and Joint Development Agreement dated 29.03.2011 referred to hereinabove (Document No. 71).
67. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 770/3 measuring 8712 Sq. Ft., situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period from 01.04.1974 to 31.03.2004, 08.12.2011 to 06.02.2013, 01.06.2013 to 23.01.2014, 01.03.2016 to 23.04.2019 reflect no transactions carried out for the said period (Document No. 72).
68. Encumbrance Certificate issued in respect of the land bearing Municipal No. 49 (PID No. 73-50-49) situated at Kodihalli Village for the period from 01.04.2004 to 07.05.2013, 01.04.2013 to 31.03.2014, 01.06.2013 to 23.01.2014, 01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 10.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023 reflects the Sale Deed dated 01.03.2011 and Joint Development Agreement dated 29.03.2011 referred to hereinabove (Document No. 73).
69. Encumbrance Certificate issued in respect of the land bearing Municipal No.50 (PID No. 73-50-50) of Kodihalli Village for the period from 01.04.2004 to 19.06.2013, 01.04.2013 to 31.03.2014, 01.03.2016 to 23.04.2019 and 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023 reflects the Joint Development Agreement dated 04.02.2011 (executed on 03.02.2011) referred to hereinabove and Simple Mortgage Deed dated 14.03.2011 and Mortgage dated 29.11.2011 and 21.02.2019 both executed by Suruchi Properties Pvt. Ltd and Others referred to hereinbelow (Document No. 74).
70. Encumbrance Certificate issued in respect of the land bearing PID No. 73-50-51 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, for the years from 01.04.2004 to 07.05.2013, 01.06.2013 to 23.01.2014, 01.03.2016 to 23.04.2019 reflects Joint Development Agreement dated 29.03.2011, Sale Deed dated 01.03.2011 referred to hereinabove (Document No. 75).
71. Encumbrance Certificates issued in respect of the land bearing PID No. 73-50-51/1 measuring 6890 square feet situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, for the years from 01.04.2004 to 07.05.2013, 01.04.2013 to 31.04.2014, 01.06.2013 to 23.01.2014, 01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 and 01.10.2023 to 25.10.2023 reflect that no transactions have taken place in respect of the said property (Document No. 76).



72. Encumbrance Certificate issued in respect of the land bearing Municipal No. 49, 50 and 51/1 (HASS Khata No. 770/1, 770/2 and 770/3) in Survey No. 155/1A of Kodihalli for the period 01.04.2004 to 28.12.2023 which reflect Sale Deeds dated 14.02.2011, 01.03.2011, Supplementary Joint Development Agreement dated 01.03.2011 referred to hereinabove and Mortgage Deed dated 14.03.2011, Memorandum of Entry dated 06.10.2015, 21.02.2019 referred to herein below (Document No. 76A).

Observation: We have not seen encumbrance certificate in respect of Property 1 from 28.12.2023. The encumbrance certificates provided to us do not reflect the registered Memorandum of Entries 02.08.2018 and 06.09.2023 referred to hereinafter.

73. We have been furnished with a Simple Mortgage Deed dated 14.03.2011 executed amongst Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd. and Green Orchards Farm Houses in favour of IDBI Trusteeship Services Ltd., which includes *inter-alia* Municipal Nos. 49,50 & 51/1 (Document No. 77). It is observed that the Century Real Estate Holdings Private Limited, Century Shelters and Green Orchards Farm House, as mortgagors had mortgaged certain of other properties owned by them and Suruchi Properties Private Limited, had mortgaged the lands situated at Kodihalli (including Municipal Nos. 49,50 & 51/1) to secure the debentures issued by Century Real Estate Holdings Private Limited.
74. Subsequently, Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited entered into and executed an Escrow Agreement dated 16.09.2015 with respect to the custody of the title deeds in respect of the Properties (Document No. 78) which *inter-alia* included Municipal Nos. 49, 50 & 51/1 measuring 28,670 square feet. It is observed that, pursuant to aforesaid Joint Development Agreement, Suruchi Properties Private Limited had handed over the original title deeds in respect of the properties to Salarpuria Realtors Private Limited and on the request made by the Suruchi Properties Private Limited, Salarpuria Realtors Private Limited, the Developer has agreed to deposit the title deeds pertaining to the project which *inter-alia* contains the title deeds of Municipal Nos. 49, 50 & 51/1 measuring 28,670 square feet, with the escrow agent i.e., IL&FS Trust Company Limited (ITCL), and the parties have entered into the escrow agreement to record the terms and conditions, on which ITCL shall hold and safeguard the title deeds as trustee for the benefit of the parties as per the terms agreed under the said Agreement, subject to the duties, obligations and responsibilities mentioned there-under.
75. It is noted that, in consideration of payment of entire amount in principal and interest due to the Debenture Holders on the security of the Simple Mortgage Deed dated 14.03.2011, the Debenture Trustee, i.e., IDBI Trusteeship Services Limited has discharged and released *inter-alia* Municipal Nos. 49, 50 & 51/1 measuring 28,670 square feet and others properties free from all encumbrances and charges whatsoever in favour of Century Real Estate Holdings

Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses by executing a Discharge Deed dated 09.11.2015 (Document No. 79).

76. Suruchi Properties Private Limited, has executed a Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 and registered on 11.11.2015 in favour of IDBI Trusteeship Services Limited whereunder Suruchi Properties Private Limited has created first and exclusive charge by way of equitable mortgage over the lands situated at Kodihalli (including Municipal Nos. 49,50 & 51/1) to secure debentures worth of Rs.620 Crores issued by Century Joint Developments Private Limited (Document No. 80). We note that IL&FS Trust Company Limited has joined in the execution of this memorandum to record the constructive delivery of the title deeds. We have been provided with No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited which evidences that the debenture holder has confirmed that there are no amounts due and payable in respect of the non-convertible debentures worth of Rs. 620 Crores and that the same has been fully re-paid and on the basis of the same, IDBI Trusteeship Services Limited has provided its approval for the release of the securities including the charge created thereunder (Document No. 80A). We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.
77. Thereafter, it is noted that, Suruchi Properties Private Limited has executed and registered a Memorandum of Entry dated 02.08.2018 in favour of IDBI Trusteeship Services Limited wherein the pari passu charge was created over the lands situated at Kodihalli to secure an amount totally to Rs. 772 Crores of financial assistance availed by Century Real Estate Holdings Private Limited (comprising of (1) Rs. 125 Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 27.03.2017, (2) Rs. 257 Crores – of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 29.06.2016 and (3) Rs. 390 Crores of term loan availed by Century Real Estate Holdings Private Limited under the Facility Agreement 03.07.2018) (Document No. 80B).
78. Suruchi Properties Private Limited has executed and registered a Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 (registered on 21.02.2019) in favour of IDBI Trusteeship Services Limited, whereunder the charge created on the lands situated at Kodihalli (including Municipal Nos. 49,50 & 51/1) by Suruchi Properties Private Limited has been extended on first ranking pari passu basis to secure (a) Century Joint Developments Private Limited's indebtedness of Rs. 1105 Crores (comprising of (1) Rs. 620 Crores of non-convertible debentures of Century Joint Developments Private Limited (now released as detailed above) and (2) Rs. 485 Crores – of term loan availed by Century Joint Developments Private Limited under the Facility Agreement 30.07.2018) and (b) Century Real Estate Holdings Private Limited's indebtedness of Rs. 772 Crores (Document No. 81).



79. Thereafter we note (a) Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour of *inter alia* Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 125 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 81A) and (b) Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour Century Real Estate Holdings Private Limited and Suruchi stating that the non convertible debentures aggregating to Rs. 257 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 81B). IDBI Trusteeship Services Limited has provided their no-objection for filing CHG-4 with the concerned Registrar of Companies. We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.

Observation. We have been informed that no release deeds have been executed and registered evidencing the release of the mortgage created over the lands situated at Kodihalli, Bengaluru owned by Suruchi. It is noted that the mortgage created under the Memorandum of Entry dated 06.02.2019 for securing (a) the term loan of Rs. 390 Crores availed by Century Real Estate Holdings Private Limited and (b) the term loan of Rs. 485 Crores availed by Century Joint Development Agreements Private Limited was subsisting and not released under the above mentioned no due certificates.

80. Thereafter, we note the registered Memorandum of Entry dated 06.09.2023 whereunder Suruchi's entitlement in the lands situated at Kodihalli Village has been mortgaged by way of first ranking pari passu charge to secure (a) Rs. 485 Crores term loan availed by Century Joint Developments Private Limited (CJDPL) from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 30.07.2018, (b) Non-convertible debentures aggregating up to Rs. 325 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 12.12.2020, (c) Non convertible debentures aggregating upto Rs. 700 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 22.09.2023, (d) Rs. 390 Crores term loan availed by Century Real Estate Holdings Private Limited from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 01.07.2018 (Document No. 81C).
81. We have been informed that, apart from the above Memorandum of Entry recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 (which has since been satisfied in entirety as detailed above), 02.08.2018 (which has been satisfied partially as detailed above) 06.02.2019 and 06.09.2023 which are still subsisting, there are no other mortgages, in respect of the Municipal Nos. 49, 50 & 51/1.

#### VIII. Contiguity, Inspection of Original Documents and Public Notice:



82. From the development plan and the title deeds (including the sale deed by which Suruchi has acquired and the khata which has been prepared thereafter) provided to us in respect of Property I for our scrutiny, it is not possible to ascertain if Property I (viz., Municipal Nos. 49, 50 & 51/1) are contiguous with the other lands forming part of the proposed project. The same needs to be ascertained by undertaking a physical survey. In this regard we have been informed that the lands forming part of the project are contiguous and that an amalgamated khata has been issued by BBMP on the basis of the Modified Work Order dated 27.12.2021 issued by the BDA sanctioning the residential development plan which indicates that all the Project Lands form a contiguous parcel of land.
83. As part of our title scrutiny, we have undertaken inspection of the documents in respect Property I which are in the custody of Vistra ITCL (India) Limited (the escrow agent for Suruchi and Salarpuria Realtors Private Limited) and Suruchi. The list and the nature of the documents provided to our inspection is detailed in Annexure – B of this Report.
84. We have issued a Public Notice in an English daily "The New Indian Express" and Kannada daily the "Kannada Prabha" on 16.12.2023 inviting objections from the general public with respect to Suruchi's title of Property I. As on 18.01.2024, we have not received any objections to the public notice issued.

**G. CONCLUSION:**

Subject to our observations made hereinabove we are of the opinion that:

- (i) Suruchi Properties Private Limited, is the owner of Property I, subject to the rights of Salarpuria Realtors Private Limited under the Development Agreement dated 03.02.2011, and
- (ii) Property I is mortgaged in favour of IDBI Trusteeship Services Limited pursuant to the Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 02.08.2018, 06.02.2019 and 06.09.2023.



  
TATVA LEGAL  
BANGALORE

**ANNEXURE - A**  
**LIST OF DOCUMENTS EXAMINED**

Sl. No.	Description of Documents
1.	Extract of the Index of Lands in respect of land bearing Survey No. 155/1 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
2.	Endorsement bearing No. (not visible) dated 06.12.2010 issued by the Office of Tahsildar, Bengaluru East Taluk, which states that RR No. 337 made in Records of Rights is not available and therefore extracts of the same cannot be provided;
3.	Sale Deed dated 08.06.1955, registered as Document No. 1551 of 1955-56, in Book I, Volume No. 1473, at Pages 67 to 69 in the office of the Sub Registrar, Bengaluru Taluk;
4.	Notification bearing No. R.8347-L.S 63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;
5.	Deposition / Statement dated 06.06.1958 executed and given by Mr. L. K. Jawaharlal Shet (Mr. L. Laduan) in Case No. 210 of 1957-58.
6.	Order dated 18.06.1958 passed in Case No. 210/1957-58 passed by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District;
7.	Extract of Register VIII with respect to <i>inter alia</i> the land bearing Survey No. 155/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
8.	Sale Deed dated 23.01.1959, registered as Document No. 4074 of 1958-59, in Book I, Volume 93, at Pages 37 to 40 in the office of the Sub Registrar, Bengaluru South Taluk;
9.	Sale Deed dated 24.01.1959 registered as Document No. 4098 of 1958-59, in Book I, Volume 93, at Pages 53 to 57 in the office of the Sub Registrar, Bengaluru South Taluk;
10.	Sale Deed dated 11.07.1966, registered as Document No. 1938 of 1966-67, in Book I, Volume 597, at Pages 116 to 119 in the office of the Sub Registrar, Bengaluru South Taluk;
11.	Hissa Survey Tippany issued in respect of the land bearing Survey No. 155/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;



12.	Extract of plodi book in respect of land bearing Survey Nos. 155/1A, B & C of Kodihalli Village, issued by the office Additional Director of Land Records, Bengaluru;
13.	RTC's issued in respect of the land bearing Survey No. 155/1A measuring 28 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1971-72 to 1996-97;
14.	Genealogical Tree of Mr. D. Thammaiah (son of Late Mr. Bolabbaiah) authenticated by the Village Accountant, HASB;
15.	Agreement of Sale dated 28.02.1990, registered as Document No. 6970 of 1989-90, in Book I, Volume 3236, at Pages 148 to 152 in the office of the Sub Registrar, Bengaluru South Taluk;
16.	General Power of Attorney dated 28.02.1990, registered as Document No. 221, in Book IV, Additional Registrar Book No. 67, at Pages 185 to 189 in the office of the Sub Registrar, Bengaluru South Taluk;
17.	Judgement dated 24.03.2001 passed in OS No. 2582 of 1983 on the file of the City Civil & Sessions Judge, Bengaluru;
18.	Order Sheet of OS No. 2552 of 1983 on the file of the City Civil & Sessions Judge, Bengaluru;
19.	Notarized Affidavit dated 02.03.1990 executed and sworn by Mrs. Muniyakka, Mr. T. Ramesh and Mr. T. Srinivas;
20.	Unregistered Assignment Agreement of Sale dated 21.02.1994 executed by Mr. P. Satish Pai (son of Late Mr. P. Narasimha Pai) in favour of Mr. H. Yeshwanth Shenoy (son of Late Mr. H. V. Shenoy);
21.	General Power of Attorney dated 23.06.1994 registered as Document No.312, in Book IV, Volume 17, at Pages 74 to 77 on 28.06.1994 in the office of the Sub Registrar, Bengaluru South Taluk;
22.	Death Certificate of Mr. D.S. Deshpande;
23.	Copies of Complaint and Written Statement filed in and Order Sheet of O. S. No. 8974 of 1996 before the Court of City Civil Judge, Bengaluru;
24.	Copies of Complaint, Written Statement, Order Sheet and Judgment passed in O.S.No. 3184 of 1997 filed before the Court of City Civil Judge, Bengaluru;

25.	Copies of <b>Plaint, Written Statement, Memo and Order Sheet</b> with respect to O.S. No. 773 of 1997 filed before the Court of Additional City Civil Judge, Bengaluru:
26.	Copies of <b>Plaint, Written Statement, Judgment and Order Sheet</b> with respect to the proceeding hearing O. S. No. 4558 of 2003 filed before the Court of City Civil Judge, Bengaluru in regard to the land bearing Survey No. 155/1A measuring 28 Guntas and land bearing Survey No. 155/1C measuring Guntas, both situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru;
27.	Copies of <b>Plaint, Written Statement, Compromise Petitions, Judgment and Order Sheet</b> with respect to the proceeding bearing O. S. No. 15030 of 2004 filed before the Court of City Civil Judge, Bengaluru in regard to the land bearing Survey No. 155/1A measuring 28 Guntas and land bearing Survey No. 155/1C measuring 2 Guntas, both situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru:
28.	Certificate dated 28.03.1996 issued by Hindustan Aeronautics Sanitary Board ("HASB") Bengaluru;
29.	Extract of Assessment List for the building and land for the years 1995-96 issued by HASB City Municipal Council for the land bearing HASB Khata No. 770/1;
30.	Extract of Assessment List for the building and land for the years 1995-96 issued by HASB City Municipal Council for the land bearing HASB Khata No. 770/2;
31.	Extract of Assessment List for the building and land for the years 1995-96 issued by HASB City Municipal Council for the land bearing HASB Khata No. 770/3,
32.	Receipt bearing No. 08/0786 Jarec (09.12.2003) issued by the Bengaluru Mahangara Palike,
33.	Letter bearing No. ARC(JBN)/RTI/PR/70 of 2011-12 dated 12.12.2011 issued by the BBMP;
34.	Khata Certificate and Khata Extract dated 29.06.2010 issued by BBMP in respect of the land bearing Municipal No. 49;
35.	Khata Certificate and Khata Extract dated 29.06.2010 issued by BBMP in respect of the land bearing Municipal No. 51;
36.	General Power of Attorney dated 26.05.2010, registered as Document No. VRT 4 00528-2010-11 (stored in C.D.No.VK11097) on 14.02.2011 in the office of the Sub Registrar, Varthur, Bengaluru:



37.	Sale Deed dated 14.02.2011, registered as Document No. VRT-1-07686-2010-11 (stored in C.D.No.VRTD99) on 22.02.2011 in the office of the Sub Registrar, Varthur;
38.	Khata Certificate and Khata Extract both dated 14.10.2011 issued by BBMP in respect of the land bearing Municipal No. 50.
39.	Unregistered Panchayat Parikat (Partition Deed) dated 28.02.2011 entered into by and between Mrs. Muniyappa (wife of Late Mr. Thammaiah) Mr. T. Ramesh Son of Late Mr. Thammaiah and Mr. T. Srinivasa (son of Late Mr. Thammaiah);
40.	Sale Deed dated 01.03.2011, registered as Document No. VRT-1-00113-2011-12 (stored in C.D.No.VRTD106) on 05.04.2011 in the office of the Sub Registrar, Varthur;
41.	Khata Certificate and Khata Extract both dated 14.10.2011 issued by BBMP in respect of the land bearing Municipal No. 49;
42.	Sale Deed dated 14.03.2011, registered as Document No. VRT-1-00107-2011-12 (stored in C.D.No.VRTD106) on 05.04.2011 in the office of the Sub Registrar, Varthur;
43.	Special Notice bearing No. DA/113/KTR/32/2011-12 dated 14.07.2011 issued by BBMP;
44.	Khata Certificate and Khata Extract both dated 14.10.2011 issued by BBMP in respect of the land bearing Municipal No. 51/1;
45.	Notarized Affidavit dated NIL sworn by H. Yeshwant Shenoy;
46.	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;
47.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;
48.	Supplementary Agreement dated 29.01.2011, registered as Document No. VRT-1-08722-2010-11 (stored in C.D. No. VRTD105) in the office of the Sub Registrar, Varthur;
49.	General Power of Attorney dated 29.03.2011, registered as Document No. VRT-1-00635-2010-11 (stored in C.D. No. VRTD105) in the office of the Sub Registrar, Varthur;
50.	Endorsement bearing No. RK. CR. 1246/2010-11 dated 26.11.2010 issued by the Shikasthedar, Bengaluru East Taluk;

51.	Endorsement dated 15.10.1994 issued by the Office of Village Accountant, H.A. Sanitary Board Area, Bengaluru South Taluk, in respect of non-availability of mutation records for land bearing Survey No. 155/1A of Kodihalli Village;
52.	Map of Kodihalli Village;
53.	Atlas issued in respect of land bearing Survey No. 155/1 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
54.	Hissa Survey Tippany issued in respect of land bearing Survey Nos. 155/1A, 155/1B & 1C of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
55.	Revision Settlement Akarbandh issued with respect to Survey No. 155/1 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
56.	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;
57.	Endorsement bearing No. LRF: (BE): CR. 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;
58.	Receipt bearing No. 22233197215 dated 29.09.2022 issued by BBMP Revenue Department;
59.	Receipt bearing No. 22233000109 dated 10.08.2022 issued by BBMP Revenue Department;
60.	Receipt bearing No. 2223323151 dated 12.10.2022 issued by BBMP Revenue Department;
60A	Special Notice bearing No. DA:113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;
60B	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;
61.	Endorsement bearing No. KHB: L.AO:180/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;
62.	Endorsement bearing No. Bengaluru:SLAO/6926/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;

63.	Endorsement bearing No. LAQ/NH-7/HM/CR/SI/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India.
64.	Work order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution bearing No. BDA/TPM/DI.P.38/2016-17/380/2019-20 dated 11.06.2019.
65.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar.
66.	Modified Work Order bearing No. BDA/Nayasa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority.
67.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA.
68.	Encumbrance Certificates issued in respect of the land bearing Survey No. 155/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 01.04.1957 to 31.03.1973, 01.04.1973 to 31.03.2004, 01.04.2004 to 18.06.2013 and 01.03.2016 to 21.04.2019.
69.	Encumbrance Certificates issued in respect of the land bearing Survey No. 155/1A situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 27.01.2011 to 06.02.2013, 07.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014, 01.04.2014 to 23.04.2019, 01.03.2016 to 23.04.2019.
70.	Encumbrance Certificate issued in respect of the land bearing HASB Khata No. 770/1 of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period from 01.04.1995 to 31.03.2004, 27.01.2011 to 06.02.2013, 07.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014.
71.	Encumbrance Certificate issued in respect of the land bearing HASB Khata No. 770/2 measuring 10890 Sq. Ft., of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period from 01.04.1974 to 31.03.2004, 01.04.2004 to 06.02.2013, 07.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014, 23.01.2014 to 28.04.2014, 01.03.2016 to 23.04.2019.
72.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 770/3 measuring 8712 Sq. Ft., situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period from 01.04.1974 to 31.03.2004, 08.12.2011 to 06.02.2013, 01.06.2013 to 23.01.2014, 01.03.2016 to 23.04.2019.



73.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 49 (PID No. 73-50-49) situated at Kodihalli Village for the period from 01.04.2004 to 07.05.2013, 01.04.2013 to 31.03.2014, 01.06.2013 to 23.01.2014, 01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 10.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023;
74.	Encumbrance Certificate issued in respect of the land bearing Municipal No.50 (PID No. 73-50-50) of Kodihalli Village for the period from 01.04.2004 to 19.06.2013, 01.04.2013 to 31.03.2014, 01.03.2016 to 23.04.2019 and 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023;
75.	Encumbrance Certificate issued in respect of the land bearing PID No. 73-50-51 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, for the years from 01.04.2004 to 07.05.2013, 01.06.2013 to 23.01.2014, 01.03.2016 to 23.04.2019.
76.	Encumbrance Certificates issued in respect of the land bearing PID No. 73-50-51/1 measuring 6890 square feet situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, for the years from 01.04.2004 to 07.05.2013, 01.04.2013 to 31.04.2014, 01.06.2013 to 23.01.2014, 01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 and 01.10.2023 to 25.10.2023;
76A	Encumbrance Certificate issued in respect of the land bearing Municipal Nos. 49, 50, 51/1 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 28.12.2023;
77.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. 5839 of 2010-11, in Book I and Stored in C.D.No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru;
78.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited in respect of inter-alia land bearing Municipal No. 50 measuring 10890 Sq. Ft., situated at Muniyellappa Garden, Kodihalli, Ward No. 73, Airport Road, Bengaluru;
79.	Discharge Deed dated 09.11.2015, registered as Document No. 2751 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;
80.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. 2759 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;



80A	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited,
80B	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;
81	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19, in Book I and Stored in C. D. No. HBB0244 in the office of the Sub Registrar, Hebbala, Bangalore;
81A	Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
81B	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
81C	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;
82	Management Representations dated 03.11.2016 in the form an Affidavit issued by Suruchi Properties Private Limited,



**ANNEXURE - B**  
**ORIGINAL VERIFICATION**

Sl. No.	Description of Documents	Nature of Document in custody of Vistra (ITCL)	Nature of Document in custody of Suruchi
1.	Extract of the Index of Lands in respect of land bearing Survey No. 155/1 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;	Photo Copy	
2.	Endorsement bearing No. (not visible) dated 06.12.2010 issued by the Office of Tahsildar, Bengaluru East Taluk, which states that RR No. 337 made in Records of Rights is not available and therefore extracts of the same cannot be provided;		Photo Copy
3.	Sale Deed dated 08.06.1955, registered as Document No. 1551 of 1955-56, in Book 1, Volume No. 1473, at Pages 67 to 69 in the office of the Sub Registrar, Bengaluru Taluk;	Certified Copy	
4.	Notification bearing No. R.8347-I.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;		Photo Copy
5.	Deposition / Statement dated 06.06.1958 executed and given by Mr. L. K. Jawaharlal Shet (Mr. L. Laduram) in Case No. 210 of 1957-58;	Certified Copy	
6.	Order dated 18.06.1958 passed in Case No. 210/1957-58 passed by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District;	Certified Copy	
7.	Extract of Register VIII with respect to <i>inter alia</i> the land bearing Survey No. 155/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;	Certified Copy	
8.	Sale Deed dated 23.01.1959, registered as Document No. 4074 of 1958-59, in Book 1, Volume 93, at Pages 37 to 40 in the office of the Sub Registrar, Bengaluru South Taluk;		Certified Copy



9.	Sale Deed dated 24.01.1959 registered as Document No. 4098 of 1958-59, in Book I, Volume 93, at Pages 53 to 57 in the office of the Sub Registrar, Bengaluru South Taluk;		Certified Copy
10.	Sale Deed dated 11.07.1966, registered as Document No. 1938 of 1966-67, in Book I, Volume 597, at Pages 116 to 119 in the office of the Sub Registrar, Bengaluru South Taluk;	Certified Copy	
11.	Hissa Survey Tippany issued in respect of the land bearing Survey No. 155/L situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;	Certified Copy	
12.	Extract of plodi book in respect of land bearing Survey Nos 155/A, B & C of Kodihalli Village, issued by the office Additional Director of Land Records, Bengaluru;		Certified Copy (common with Property XIV)
13.	RTC's issued in respect of the land bearing Survey No. 155/A measuring 28 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1971-72 to 1996-97,	Certified Copy	
14.	Genealogical tree of Mr. B. Thammaiah (son of Late Mr. Bolabbaiah) authenticated by the Village Accountant, HASB;		Photo Copy
15.	Agreement of Sale dated 28.03.1990, registered as Document No. 6970 of 1989-90, in Book I, Volume 3236, at Pages 148 to 152 in the office of the Sub Registrar, Bengaluru South Taluk;		Certified Copy
16.	General Power of Attorney dated 28.02.1990, registered as Document No. 221, in Book IV, Additional Registrar Book No. 67, at Pages 185 to 189 in the office of the Sub Registrar, Bengaluru South Taluk;		Photo Copy
17.	Judgement dated 24.03.2001 passed in OS No. 2582 of 1983 on the file of the City Civil & Sessions Judge, Bengaluru;		Photo Copy
18.	Order Sheet of OS No. 2552 of 1983 on the file of the City Civil & Sessions Judge, Bengaluru;		Photo Copy



19.	Notarized Affidavit dated 02.03.1990 executed and sworn by Mrs. Munyakka, Mr. T. Ramesh and Mr. T. Srinivas;		Photo Copy
20.	Unregistered Assignment Agreement of Sale dated 21.02.1994 executed by Mr. P. Satish Pai (son of Late Mr. P. Narasimha Pai) in favour of Mr. H. Yeswanth Shenoy (son of Late Mr. H. V. Shenoy);		Photo Copy
21.	General Power of Attorney dated 23.06.1994 registered as Document No.312, in Book IV, Volume 17, at Pages 74 to 77 on 28.06.1994 in the office of the Sub Registrar, Bengaluru South Taluk.		Photo Copy
22.	Death Certificate of Mr. D.S. Deshpande;		Photo Copy
23.	Copies of Complaint and Written Statement filed in and Order Sheet of O. S. No. 8974 of 1996 before the Court of City Civil Judge, Bengaluru;		Certified Copy
24.	Copies of Complaint, Written Statement, Order Sheet and Judgment passed in O S No 3184 of 1997 filed before the Court of City Civil Judge, Bengaluru;		Certified Copy
25.	Copies of Complaint, Written Statement, Memo and Order Sheet with respect to O.S. No. 773 of 1997 filed before the Court of Additional City Civil Judge, Bengaluru;		Certified Copy (except for Written Statement – Photo Copy)
26.	Copies of Complaint, Written Statement, Judgment and Order Sheet with respect to the proceeding hearing O. S. No. 4558 of 2003 filed before the Court of City Civil Judge, Bengaluru in regard to the land bearing Survey No 155/1A measuring 28 Guntas and land bearing Survey No 155/1C measuring Guntas, both situated at Kodihalli Village, Vardhur Hobli, Bengaluru South Taluk, Bengaluru;		Certified Copy
27.	Copies of Complaint, Written Statement, Compromise Petitions, Judgment and Order Sheet with respect to the proceeding bearing O. S. No. 15030 of 2004 filed before the Court of City Civil Judge, Bengaluru in regard to the land bearing Survey		Certified Copy



	No. 155/1A measuring 28 Guntas and land bearing Survey No. 155/1C measuring 2 Guntas, both situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru;		
28.	Certificate dated 28.03.1996 issued by Hindustan Aeronautics Sanitary Board ("HASB") Bengaluru,		Photo Copy
29.	Extract of Assessment List for the building and land for the years 1995-96 issued by HASB City Municipal Council for the land bearing HASB Khata No. <u>720/1</u> ;		Photo Copy
30.	Extract of Assessment List for the building and land for the years 1995-96 issued by HASB City Municipal Council for the land bearing HASB Khata No. <u>720/2</u> ;		Photo Copy
31.	Extract of Assessment List for the building and land for the years 1995-96 issued by HASB City Municipal Council for the land bearing HASB Khata No. <u>720/3</u> ;		Photo Copy
32.	Receipt bearing No. 0840786 dated 09.12.2003 issued by the Bengaluru Mahangara Palike;		Photo Copy
33.	Letter bearing No. AR0(JBN)/RTI/PR/70 of 2011-12 dated 12.12.2011 issued by the BBMP;		Photo Copy
34.	Khata Certificate and Khata Extract dated 29.06.2010 issued by BBMP in respect of the land bearing Municipal No. 49,	Original	
35.	Khata Certificate and Khata Extract dated 29.06.2010 issued by BBMP in respect of the land bearing Municipal No. 51;	Original	
36.	General Power of Attorney dated 26.05.2010, registered as Document No. VRT-4-00528-2010-11 (stored in C.D.No.VRTD97) on 14.02.2011 in the office of the Sub Registrar, Varthur, Bengaluru;	Original	
37.	Sale Deed dated 14.02.2011, registered as Document No. VR1-1-07686 -2010-11 (stored in C.D.No.VR1D99) on 23.02.2011 in the office of the Sub Registrar, Varthur;	Original	



38.	Khata Certificate and Khata Extract both dated 14.10.2011 issued by BBMP in respect of the land bearing Municipal No. 50;	Original	
39.	Unregistered Panchayat Parikat (Partition Deed) dated 28.02.2011 entered into by and between Mrs. Muniyakka (wife of Late Mr. Thammaiah) Mr. T. Ramesh Son of Late Mr. Thammaiah and Mr. T. Srinivasa (son of Late Mr. Thammaiah);	Original	
40.	Sale Deed dated 01.03.2011, registered as Document No. VRT-1-00113-2011-12 (stored in C.D.No.VRTD106) on 05.04.2011 in the office of the Sub Registrar, Varthur;		Photo Copy (Certified Copy to be handed over)
41.	Khata Certificate and Khata Extract both dated 14.10.2011 issued by BBMP in respect of the land bearing Municipal No. 49;		Photo Copy
42.	Sale Deed dated 14.03.2011, registered as Document No. VRT-1-00107-2011-12 (stored in C.D.No.VRTD106) on 05.04.2011 in the office of the Sub Registrar, Varthur;		Photo Copy (Certified Copy to be handed over)
43.	Special Notice bearing No. DA/113/KTR/32/2011-12 dated 14.07.2011 issued by BBMP;		Original
44.	Khata Certificate and Khata Extract both dated 15.07.2011 issued by BBMP in respect of the land bearing Municipal No. 51/1;		Original
45.	Notarized Affidavit dated NIL sworn by H. Yeshwant Shenoy.	Original	
46.	Joint Development Agreement dated 03.03.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;		Photo Copy
47.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;		Photo Copy



48.	Supplementary Agreement dated 29.03.2011, registered as Document No. VRT-1-08722-2010-11 (stored in C.D. No. VRTD105) in the office of the Sub Registrar, Varthur;		Photo Copy
49.	General Power of Attorney dated 29.03.2011, registered as Document No. VRT-4-00633-2010-11 (stored in C.D. No. VRTD105) in the office of the Sub Registrar, Varthur;		Photo Copy
50.	Endorsement bearing No. RK. CR. 1246/2010-11 dated 26.11.2010 issued by the Shiraschedar, Bengaluru East Taluk;		Original (Common to all properties. Document present in Property XI file)
51.	Endorsement dated 15.10.1994 issued by the Office of Village Accountant, H A Sanitary Board Area, Bengaluru South Taluk, in respect of non-availability of mutation records for land bearing Survey No. 155/1A of Kodihalli Village;		Original
52.	Map of Kodihalli Village;	Photo Copy	
53.	Atlas issued in respect of land bearing Survey No. 155/1 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;	Certified Copy	
54.	Hissa Survey Tippyany issued in respect of land bearing Survey Nos.155/1A, 155/1B & 1C of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk.	Certified Copy	
55.	Revision Settlement Akarhandh issued with respect to Survey No. 155/1 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;	Photo Copy	
56.	Endorsement bearing No. LRD:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;		Original (Common to all properties)
57.	Endorsement bearing No. LRD: (BE): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;		Original (Common to all properties)



58.	Receipt bearing No. 22233197215 dated 29.09.2022 issued by BBMP Revenue Department;		Photo Copy
59.	Receipt bearing No. 22233000109 dated 10.08.2022 issued by BBMP Revenue Department;		Photo Copy
60.	Receipt bearing No. 2223323151 dated 12.10.2022 issued by BBMP Revenue Department;		Photo Copy
61.	Endorsement bearing No. KHB LAO/380/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;		Original (Common to all properties)
62.	Endorsement bearing No. Bengaluru:SLAO/6926/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru.		Original (Common to all properties)
63.	Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;		Original (Common to all properties)
64.	Work order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution bearing No. BDA/TPM/DLP-38/2016-17/380/2019-20 dated 11.06.2019;		Original : Development Plan : Photo Copy
65.	Relinquishment Deed dated 29.05.2019, registered as Document No BDA-1-00841-2019-30 stored in CD No BDA346 in the office of the Sub Registrar;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
66.	Modified Work Order bearing No. BDA/Nayosa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;		Original
67.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. HDAD850) in the office of the Sub Registrar, BDA;		Photo Copy (Certified Copy to be



			<i>handed over) (Common to all properties)</i>
68.	Encumbrance Certificates issued in respect of the land bearing Survey No. 155/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 01.04.1957 to 31.03.1973, 01.04.1973 to 31.03.2004, 01.04.2004 to 18.06.2013 and 01.03.2016 to 21.04.2019;	Certified Copy: 01.04.1957 to 31.03.1973, 01.04.1973 to 31.03.2004, 01.04.2004 to 18.06.2013	Certified Copy: 01.03.2016 to 21.04.2019
69.	Encumbrance Certificates issued in respect of the land bearing Survey No. 155/1A situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period 27.01.2011 to 06.02.2013, 07.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014, 01.04.2014 to 23.04.2019, 01.03.2016 to 23.04.2019;		Photo Copy
70.	Encumbrance Certificate issued in respect of the land bearing HASB Khata No. 770/1 of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period from 01.04.1995 to 31.03.2004, 27.01.2011 to 06.02.2013, 07.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014;	Certified Copy: 27.01.2011 to 06.02.2013, 07.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014	Photo Copy: 01.04.1995 to 31.03.2004
71.	Encumbrance Certificate issued in respect of the land bearing HASB Khata No. 770/2 measuring 10890 Sq. Ft., of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk for the period from 01.04.1974 to 31.03.2004, 01.04.2004 to 06.02.2013, 07.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014, 01.03.2016 to 23.04.2019; 23.01.2014 to 28.04.2014, 01.03.2016 to 23.04.2019	Certified Copy	Certified Copy: 23.01.2014 to 28.04.2014, 01.03.2016 to 23.04.2019



72.	Encumbrance Certificates issued in respect of the land bearing EIASB Khata No. 770/3 measuring 8712 Sq. Ft., situated at Kodihalli Village, Vachur Hobli, Bengaluru East Taluk for the period from 01.04.1974 to 31.03.2004, 08.12.2011 to 06.02.2013, 01.06.2013 to 23.01.2014, 01.03.2016 to 23.04.2019.	Certified Copy : 01.04.1974 to 31.03.2004, 08.12.2011 to 06.02.2013, 01.06.2013 to 23.01.2014, 01.04.2004 to 07.12.2011	Photo Copy : 01.03.2016 to 23.04.2019
73.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 49 (PID No. 73-50-49) situated at Kodihalli Village for the period from 01.04.2004 to 07.05.2013, 01.04.2013 to 31.03.2014, 01.06.2013 to 23.01.2014, 01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023:	Certified Copy : 01.04.2004 to 07.05.2013	01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 - Certified Copy  Photo Copy: 01.04.2013 to 31.03.2014, 01.06.2013 to 23.01.2014. . and 01.05.2023 to 25.10.2023
74.	Encumbrance Certificate issued in respect of the land bearing Municipal No.50 (PID No. 73-50-50) of Kodihalli Village for	Certified Copy :	Photo Copy: 01.04.2013



	the period from 01.04.2004 to 19.06.2013, 01.04.2013 to 31.03.2014, 01.05.2016 to 23.04.2019 and 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023,	01.04.2004 to 19.06.2013	to 31.03.2014, 01.03.2016 to 23.04.2019 and 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023
75.	Encumbrance Certificate issued in respect of the land bearing PID No. 73-50-51 situated at Kudihalli Village, Varthur Hobli, Bengaluru East Taluk. for the years from 01.04.2004 to 07.05.2013, 01.06.2013 to 23.01.2014, 01.03.2016 to 23.04.2019;	Certified Copy 01.04.2004 to 07.05.2013	Photo Copy: 01.06.2013 to 23.01.2014, 01.03.2016 to 23.04.2019
76.	Encumbrance Certificates issued in respect of the land bearing PID No. 73-50-51/1 measuring 6890 square feet situated at Kudihalli Village, Varthur Hobli, Bengaluru East Taluk. for the years from 01.04.2004 to 07.05.2013, 01.04.2013 to 31.04.2014, 01.06.2013 to 23.01.2014, 01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 and 01.10.2023 to 25.10.2023;		01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 - Certified Copy Rest are photocopy
77.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. 5839 of 2010-11, in Book I and Stored in CD		Certified Copy (common to



	No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru.		<i>all properties)</i>
78.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited in respect of inter-alia land bearing Municipal No. 50 measuring 10890 Sq. Ft., situated at Muniyellappa Garden, Kodihalli, Ward No. 73, Airport Road, Bengaluru;		Original <i>(Common to all properties)</i>
79.	Discharge Deed dated 09.11.2015, registered as Document No. 2751 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru.		Photo Copy <i>(Certified Copy to be handed over)</i> <i>(Common to all properties)</i>
80.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. 2759 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;		Photo Copy
81.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19, in Book I and Stored in C. D. No. HBBD244 in the office of the Sub Registrar, Hebbala, Bengaluru;		Photo Copy
82.	Management Representations dated 03.11.2016 in the form an Affidavit issued by Suruchi Properties Private Limited;		Photo Copy
83.	Special Notice bearing No. DA/113/KTR/200/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanhiteema Nagar Sub-Division, BBMP;		Photo Copy
84.	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;		Original <i>(Common to all properties)</i>
85.	Encumbrance Certificate issued in respect of the land bearing Municipal Nos. 49, 50, 51/1 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 28.12.2023;		Certified Copy.



86.	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN 1 02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;		Photo Copy
87.	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;		Photocopy
88.	Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
89.	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
90.	Memorandum of Entry dated 06.09.2023, registered as Document No. M.S-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
<b>Additional Documents</b>			
91.	Intimation Letters dated 29.06.2010 issued by BBMP with respect of the payment of property taxes for the years 1995-96 to 2010-11 for Municipal Nos. 49, 50 & 51 (3 Nos.);	Original	
92.	Special Power of Attorney executed by Mr. T. Srinivas in favour of Mr. R. Lakshminarayana, registered as Document No. 129 of 2010-11, stored in Book IV;	Original	
93.	6 Receipts of various dates with respect to payment of property tax for the years 1995 to 2011-12 in respect of Municipal No 73-50-49;		Original
94.	Endorsement bearing No. DA/113/KTR/33/11-12 dated 04.05.2011 issued by Bengaluru Mahanagara Palike in respect of Municipal No. 49;		Original
95.	Special Notice bearing No. DA/KTR/121363/2010-11 dated 05.07.2011 issued by BBMP in respect of Municipal No. 49;		Original
96.	Khata Certificate and Khata Extract dated 06.08.2011 issued by BBMP in respect of Municipal No. 49;		Original



97.	2 Khata Certificates and Khata Extracts dated 23.03.2011 and 15.07.2011 issued by HBMP in respect of Municipal No. 50;		Original
98.	5 Receipts of various dates with respect to payment of property tax for the years 1995 to 2011-12 in respect of Municipal No. 73-50-50		Original



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**TITLE REPORT DATED 22.01.2024**  
**PROPERTY XIV**  
**MUNICIPAL NO. 69 (PID No.73-63-69)**

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 **TATVALEGAL**  
Bangalore  
Advocates  
*[Restricted and Confidential]*



## TITLE REPORT

### A. Description of Property:

The objective of this due diligence exercise is to investigate title to the Property (*defined hereinafter*) described in Part E of this title Report ("the Report") based on review of the documents furnished to us, description whereof is given in Part D of this Report.

### B. Scope of Limitation:

The scope of our review and of this Report is subject to the following limitations:

- (i) While performing the review, we have assumed the (a) genuineness of all signatures, (b) accuracy and correctness of all information / representations provided / made to us, including the facts that are mentioned in agreements, executed copies of documents and government records, (c) authenticity of copies of all documents submitted to us as originals, (d) conformity of the copies or extracts submitted to us with the originals thereof, (e) correctness of all information provided to us in respect of the litigations in respect of the Property including the fact that no appeals or revisions have been filed in respect of the relevant suits / litigations and (f) compliance with all legal requirements by the parties concerned with the Property.
- (ii) We have only examined issues pertaining to the ownership of the Property and have not examined issues pertaining to (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Property; (b) business, regulatory and financial issues of the present or previous owners of the Property, and (c) other matters that do not directly affect the ownership of the Property.
- (iii) For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report.
- (iv) We have assumed that there are no outstanding / dues payable by the present / previous owners of the Property to any government / statutory authority (including any tax / cess dues) or local body and that the Property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws.



- (v) Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Property, as analyzed by us from the information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report.

**C. Confidentiality:**

The contents of this Report are confidential. Neither this Report nor any of its contents may be disclosed to any person other than to the professional advisers, officers and employees of **Suruchi Properties Private Limited** who are directly involved in the proposed transaction relating to the Property. We accept no responsibility to any person other than to **Suruchi Properties Private Limited** in relation to the contents of this Report.

**D. Documents Examined:**

We have been provided with and have examined the photocopies of the documents listed in Annexure – A to this Report for the purpose of carrying out title due diligence on the Property.

**E. Description of Property:**

All that piece and parcel of the immovable property being the land originally bearing Municipal No. 69 (PID No. 73-63-69) measuring 19,672 square feet out of total extent of 23,672 square feet comprised in the land earlier bearing Survey No. 155/1B situated at Ward No. 73, Narayanappa Garden, Kodihalli, Bengaluru, now forming part of the amalgamated Municipal No. 64 (PID No. 73-63-64), New Ward No. 113, Kodihalli, Bengaluru, hereinafter referred to as "**Property XIV**".

*(Boundaries are not ascertainable from the documents provided)*

**F. Findings Based On Documents Examined:****I. Title:**

1. On perusal of the documents submitted to us we note that Property XIV (i.e., the land bearing Municipal No. 69 measuring 19,672 square feet out of 23,672 square feet) is part of the land bearing Survey No. 155/1B measuring 30 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, which in-turn formed part of the land bearing Survey No. 155/1 measuring 1 Acre 20 Guntas (including 2 Guntas of khairab) and one Mr. Ramaiah Munishamappa (son of Mr. Sarakki Yerru Munishami) is reflected as its holder of land



bearing Survey No. 155/1 measuring 1 Acre 20 Guntas (including 2 Guntas of kharab) as evidenced from the Index of Lands (Document No. 1).

Observation: We have not seen any documents evidencing the mode and manner by which Mr. Ramaiah Munishamappa acquired title to the said survey number. We have been informed that the same is not available.

2. The aforementioned Index of Lands also reflects an Entry No. RR 337 made in the Record of Rights. We have not seen the RR No. 337 made in Records of Rights issued in respect of the Survey No. 155/1 measuring 1 Acre 20 Guntas. In this regard, we have been provided with Endorsement bearing No. *(not visible)* dated 06.12.2010 issued by the Office of Tahsildar, Bengaluru East Taluk, which states that RR No. 337 made in Records of Rights is not available and therefore extracts of the same cannot be provided. (Document No. 2).
3. Pursuant to the demise of Mr. Ramaiah Munishamappa, his wife Mrs. Nagamma (acting for herself and as a guardian of her minor son Master Krishnappa) sold the land measuring 62½ X 98 Yards in the land bearing Survey No. 155/1 of Kodihalli Village, in favour of Mr. L. K. Jawaharlal Shet (son of Mr. L. Laduram) vide., registered Sale Deed dated 08.06.1955 (Document No. 3).

Observation: We have not been provided with the genealogical tree of Late Mr. Ramaiah Munishamappa to ascertain if all the family members have joined in the execution and registration of the Sale Deed dated 08.06.1955. We have been informed that the same is not available.

4. We note that, Kodihalli Village wherein the land bearing Survey No. 155 is situated is an Inam Village. On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 coming into force in respect of the lands situated at Kayam Giutha Kodihalli Village vide its Notification dated 15.09.1956, all the lands including the land bearing Survey No. 155/1 of Kodihalli Village vested with the Government of Karnataka (Document No. 4).
5. Mr. L. K. Jawaharlal Shet (son of Mr. L. Laduram) made an application to the Special Deputy Commissioner of Inam Abolition for the re-grant of the said land and further Mr. M.K. Jawaharlal Shet stated in his Deposition dated 06.06.1958 relating to the re-grant that, he had earlier acquired the said property measuring 62½ X 98 Yards in the land bearing Survey No. 155/1 of Kodihalli Village, by way of aforesaid registered Sale Deed (Document No. 5). It appears that L.K. Jawaharlal Shet has been erroneously referred to as M. K. Jawaharlal Shet in some documents.
6. The Special Deputy Commissioner of Inam Abolition has passed an Order dated 18.06.1958 in Case No. 210 of 1957-58, re-granting the garden land measuring 1 Acre 3 Guntas and wet

land measuring 15 Guntas, Mr. Jawaharlal Shet was registered as *Kadim Tenant* in respect of land measuring 62 x 98 yards (or 0.4½) comprised in Survey No. 155/1 of Kodihalli Village, under Section 4 of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 (Document No. 6). It is noted that, as per the grant order of the Special DC Inams Abolition, an extent of 62½ x 98 yards (approximately 50½ Guntas i.e., about 1 Acre 10½ Guntas) land was re-granted to Mr. Jawaharlal Shet. The aforementioned order does not impose any conditions with respect to the transferability of the said land.

7. We have been provided with the extract of Register VIII pertaining to land reflecting the grant of an extent of 0.04½ in Survey No. 155/1 of Kodihalli Village, to the name of Mr. M. K. Jawaharlal showing the details of assessment payable to Government by Kadim, Permanent, Quasi-permanent and minor Inamdar, etc.. (Document No. 7). It is observed that, though Mr. L. K. Jawaharlal Shet had applied for re-grant of an extent of 1 Acre 18 Guntas in Survey No. 155/1 of KG Kodihalli Village, he was confirmed with occupancy rights only for an extent of 4½ (without specifying the unit of measurement) in Survey No. 155/1 vide extract of Register VIII.

**Observation:** Suruchi Properties Private Limited ("Suruchi") represented to us that pursuant to the re-grant of an extent of 62½ X 98 yards (approximately 1 Acre 10½ Guntas) w to Mr. L. K. Jawaharlal Shet in the land bearing Survey No. 155/1 of KG Kodihalli Village, no claims have been made by any third party questioning the re-grant made in favour of Mr. L.K. Jawaharlal Shet under the Mysore (personal and Miscellaneous) Inam Abolition Act, 1954 as Kadim Tenant in respect of the said land till date (Document No. 71).

8. Mr. L. K. Jawaharlal Shet conveyed the land measuring 62½ X 98 Yards in Survey No. 155/1 situated at Kodihalli Village, Varthur Hohli, Bengaluru South Taluk, in favour of Mrs. Nagamma (wife of Late Mr. Ramaiah Munishamappa) and her minor son Mr. Krishnappa vide registered Sale Deed dated 23.01.1959 (Document No.8).
9. Mrs. Nagamma and her minor son Mr. Krishnappa in turn sold a portion of the land bearing Survey No. 155/1 measuring 15 Guntas in favour of Mr. Mumswamiappa (son of Late Mr. Kakayappa) by way of registered Sale Deed dated 24.01.1959 (Document No. 9).

**Observation:** We have not seen the permission obtained from the jurisdictional Court to convey the minor's interest in the above property. We have been informed that the same is not available. In this regard it has been informed to us that even though, permission was not obtained, Master Krishnappa on attaining majority has personally joined in the execution of the Sale Deed dated 11.07.1966 referred to hereinafter conveying portion of the land in Survey No. 155/1 owned by them in favour of Mr. B. Annaiappa (son of Late Mr. Bolappa)



10. Mr. Muniswamappa (son of Late Mr. Kakayappa) along with the above-mentioned Mrs. Nagamma and her son Mr. R. Krishna Reddy @ Krishnappa executed Sale Deed dated 11.07.1966 conveying the land bearing Survey No. 155/1 measuring 30 Guntas situated at Kodihalli Village in favour of Mr. B. Annaiappa (son of Late Mr. Bolappa) (Document No. 10).
11. Thereafter, we note the Hissa Survey Tippany issued in respect of the land bearing Survey No. 155/1 which reflects that the said land has been sub-divided and an extent of 30 Guntas held by Mr. Annaiappa in the land bearing Survey No. 155/1 was assigned with Survey No. 155/1B (Document No. 11).
12. Record of Rights, Tenancy and Crop Inspection ("RTCs") issued in respect of the land bearing Survey No. 155/1B measuring 30 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1974-75 to 1996-97 reflect Mr. B. Annaiappa to be the holder of the said land during those years (Document No. 12).
13. It appears that, the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB") and as per the extract of Assessment List for the building and lands liable for taxation for the years 1988-89 issued by HASB (Document Nos. 13 to 15), HASB allotted  
 (a) HASB Khata No. 737/1 measuring 7850 Sq. Ft in the name of Mr. B. Annaiappa;  
 (b) HASB Khata No. 738/1 measuring 8636 Sq. Ft in the name of Mr. Bolappa (son of Mr. B. Annaiappa); and  
 (c) HASB Khata No. 739/1 measuring 7956.42 Sq. Ft in the name of Mr. Chikka Bolappa (son of Mr. B. Annaiappa)  
 In addition to the above, HASB Khata No.

**Observation:** We have not been provided with any documents whereunder Mr. Bolappa and Mr. Chikka Bolappa (sons of Mr. Annaiappa) came to hold portions of Survey No. 155/1B. We have been informed that it appears that there was an oral partition by and amongst Mr. Annaiappa and his children. However, no documents are available in this regard. It has been further represented that all the family members of Mr. Annaiappa have executed and registered Declaration Deeds confirming that they do not have any rights, title or interests thereto.

14. Mr. B. Annaiappa (son of Late Mr. Bolappa) executed an Indenture of Agreement of Sale dated 30.11.1988 agreeing to sell the land bearing HASB Khata No. 737/1 measuring 7850 square feet in favour of G.M.S. Constructions Company Private Limited (Document No. 16). Pursuant thereto, Mr. Annaiappa also executed and registered General Power of Attorney dated Nil 01 1990 appointing Mr. Sanjay Bajaj as his attorney in respect of the



forementioned land (Document No. 17). The said power of attorney authorizes the attorney to convey the land on behalf of Mr. H. Annaiappa. Mr. Sanjay Bajaj acting as the Power of Attorney Holder of Mr. Annaiappa, executed a Sale Deed dated 10.04.1990, conveying the land bearing HASB Khata No. 737/1 measuring 7850 square feet in favour of G.M.S. Constructions Company Private Limited (Document No. 18).

15. Mr. Bolappa (son of Mr. Annaiappa) executed an Indenture of Agreement of Sale dated 30.11.1988 agreeing to sell the land bearing HASB Khata No. 738/1 measuring 8636 square feet in favour of G.M.S. Constructions Company Private Limited. Pursuant thereto, Mr. Bolappa (son of Mr. Annaiappa) also executed a General Power of Attorney dated Nil.01.1990 appointing Mr. Sanjay Bajaj as his POA holder in respect of said property (Document Nos. 19 & 20). The said power of attorney authorizes the attorney to execute the sale deed on behalf of Mr. Bolappa. Thereafter, Mr. Bolappa (son of Mr. Annaiappa) personally executed a Sale Deed dated 10.04.1990, conveying the land the bearing HASB Khata No. 738/1 measuring 8636 square feet of Kodihalli Village in favour of G.M.S. Constructions Company Private Limited (Document No. 21).
16. Mr. Chikka Bolappa (son of Mr. Annaiappa) had also executed an Indenture of Agreement of Sale dated 30.11.1988 agreeing to sell the land measuring 7956.42 Sq Ft., in HASB Khata No. 739/1 in favour of G.M.S. Constructions Company Private Limited. Mr. Chikka Bolappa (son of Mr. Annaiappa) had also executed a General Power of Attorney dated Nil.01.1990 appointing Mr. Sanjay Bajaj as his POA holder in respect of said property (Document Nos. 22 & 23). Thereafter, Mr. Chikka Bolappa (son of Mr. Annaiappa) personally executed a Sale Deed dated 10.04.1990, conveying the land bearing HASB Khata No. 739/1 measuring 7956.42 square feet in favour of G.M.S. Constructions Company Private Limited (Document No. 24).

**Observation:** It is noted that none of the family members of Mr. Annayappa have joined in the execution and registration of the aforementioned Sale Deeds. In this regard, it has been represented to us, even though the family members of Mr. Annaiappa have not joined in the execution of the Sale Deeds, they have subsequently executed and registered Declaration Deeds wherein they have confirmed the ownership of the property and that they do not have any right, title or interest in the land bearing HASB Khata Nos. 737/1, 738/1 & 739/1.

17. We note the Certificate dated 28.12.1993 issued by HASB which states that land bearing HASB Khata Nos. 737/1, 738/1, 739/1 and 636/2 are formed in the land bearing Survey No. 155/1B of Kodihalli Village and are in the name of GMS Constructions Company Private Limited (Document No. 25).

**Observation:** It is to be noted that the total extent of land in Survey No. 155/3B measuring



We note that land bearing Survey No.155/1B measuring is 30 Guntas (i.e., 32,670 square feet) and out of the said 30 Guntas, GMS Constructions Private Limited and consequently Suruchi has acquired only on an extent of 21.73 Guntas (i.e., 23,672 square feet) in the land bearing Survey No. 155/1B. We have been informed by the representatives of Suruchi that the balance extent of the land in Survey No. 155/1B is retained by the family members of Mr. Annaiappa and that the same is situated on the northern side of the lands acquired by Suruchi.

18. We note that even though Mr. Annaiappa and his sons have conveyed the portion of the land held by them in the land bearing Survey No. 155/1B, Entry No. III C 12 of 1996-97 was made in the Inheritance Register recording the demise of Mr. Annaiappa and grant of permission to change khata in respect of the land bearing Survey No. 155/1B measuring 30 Guntas to the name of Mrs. Akkamma (wife of Mr. Annaiappa) and the three sons of Mr. Annaiappa viz., Mr. Bolappa, Mr. Chikka Bolappa and Mr. Muniraju have provided their consent to the same (Document No. 26). R.T.C.'s issued for the year 1996-97 in respect of Survey No. 155/1B measuring 30 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru have continued to reflect Mrs. Akkamma (wife of Late Mr. B. Annaiappa) to be owner and holder of the said land during that period.
19. We have been furnished with the Genealogical Tree (Document No.27) of Mr. Annaiappa reflect his family members as detailed below:
- a) Mrs. Akkamma (wife of Late Mr. Annaiappa);
  - b) Late Mr. Bolappa (son of Late Mr. Annaiappa), Mrs. Chinnamma (wife of Late Mr. Bolappa), Mr. Govindaraju, Mr. Venu Gopala, Mr. Nagaraja and Mrs. Manjula (children of Late Mr. Bolappa);
  - c) Late Mr. Chikka Bolappa (son of Late Mr. Annaiappa), Mrs. Rukmini (wife of Late Mr. Chikka Bolappa), Mr. Narayanaswamy & Mr. Suresha (sons of Late Mr. Chikka Bolappa);
  - d) Mr. Muniraju (son of Late Mr. Annaiappa), Mrs. Lakshmi (wife of Mr. Muniraju), Mr. Akash, Mr. Akshay & Mr. Manjunath (sons of Mr. Muniraju);

Observation: We note that the aforementioned the genealogical tree of Mr. Annaiappa referred to above, does not reflect the names of all his family members (i.e., 4 daughters of Late Mr. Annaiappa viz., Mrs. Prema, Mrs. Sarojamma, Mrs. Shalaramma & Mrs. Yashodamma). We have been informed that a complete genealogical tree is not available. However, the aforementioned family members have executed and registered a deed of declaration detailed below.

20. Thereafter, G.M.S. Constructions Company Private Limited executed 3 Sale Deeds all dated 24.02.2000 conveying the land bearing HASB Khata Nos. 737/1 measuring 7080 square feet, 738/1 measuring 8636 square feet and 739/1 measuring 7956.42 square feet situated at



Kodihalli Village in favour Medical Relief Society of South Kanara (Document Nos. 28 to 30). It appears that M/s Goltiers Court had entered into an agreement to purchase the said land and we note that Medical Relief Society of South Kanara has reimbursed advance sale consideration to M/s Goltiers Court and M/s Goltiers Court has signed as a Consenting witness in the said sale deed.

21. It appears that, certain disputes arose between Medical Relief Society of South Kanara and the family members of Mr. Annaiappa in respect of the peaceful possession of the land bearing Khata Nos.737/1, 738/1 and 739/1 all-together measuring 23,672 square feet, situated at Kodihalli Village. Medical Relief Society of South Kanara (Plaintiff) initiated a proceeding in O. S. No. 16599 of 2003 in the Court of the City Civil Judge, Mayohalli at Bengaluru against Mr. Annaiappa and Others (Defendant), to declare the peaceful possession and enjoyment of the Plaintiffs and further also for a permanent injunction against the Defendants from interfering with the peaceful possession and enjoyment of the land bearing Khata Nos.737/1, 738/1 and 739/1 all together measuring 23672 Sq. Ft., situated at Kodihalli Village (Document No. 31). During the pendency of the suit, the Parties have compromised and accordingly, compromise petition was filed in the said suit bearing O.S.No 16599 of 2003. In terms of the said compromise, the Defendants admitted the ownership of the aforesaid land in the name of Medical Relief Society of South Kanara in respect of the aforesaid suit schedule properties and further confirmed the Sale Deeds dated 24.02.2000 executed in favour of Medical Relief Society of South Kanara and further had affirmed that the plaintiff was in possession of the suit schedule properties since the execution of the sale deeds.
22. Thereafter, Mrs. Akkamma (wife of Late Mr. Annaiappa), Mr. Bolappa A (son of late Mr. Annatappa) along with his children Mrs. Manjula, Mr. Nagaraj, Mr. Venugopal, Mr. Nagaraj & Mr. Govindaraj, Mr. Chikka Bolappa (son of Late Mr. Annaiappa) along with his children Mr. Narayanaswamy & Mr. Suresh, Mr. Muniraju (son of Late Mr. Annaiappa acting for himself and guardian of his minor children Master Akash and Master Marjunath), Mrs. Sarojamma, Mrs. Yashodamma, Mrs. Prema (daughters of Late Mr. Annaiappa) executed a Deed of Declaration dated 17.09.2005 confirming the right title and interest in the land approximately measuring 25 Guntas, i.e., 27,000 Sq. Ft., in property bearing khata Nos.737/1, 738/1 and 739/1 of Kodihalli Village in favour of Medical Relief Society of South Kanara absolutely (Document No. 32).

Observation: We note that one of the daughter of late Mr. Annaiappa i.e., Mrs. Sharadamma is not a party to Sale Deeds dated 10.4.1990 & Deed of Declaration dated 17.09.2005. In this regard we have been informed that (a) since the execution of the Sale Deeds dated 10.4.1990 or the Deed of Declaration dated 17.9.2005 in respect of the property, neither Mrs. Sharadamma nor any person claiming through Mrs. Sharadamma have challenged the said documents.



23. Medical Relief Society of South Kanara and Mr. Dayanand Pai have entered into an Agreement of Sale dated 09.03.2004 in respect of the land bearing Survey Nos. 156/2 to 156/6, 155/1A, 156/1, 155/1B, 146/1, 147/2, 155/1C, 155/1A, 148, 146/2, 146/3, 147/1, 147/3, 155/3E to 3G of Kodihalli Village bearing various HASB khata numbers admeasuring about 10 Acres (Document No. 33). Mr. P. Dayananda Pai has assigned his rights under the abovementioned Agreement of Sale dated 09.03.2004 in favour Suruchi Properties Private Limited ("Suruchi") by way of Nomination Agreement dated 09.03.2004 (Document No. 34).
24. Subsequently, the lands therein situated at Kodihalli Village appears to have come within the administrative jurisdiction of the Bengaluru Mahanagara Palike and were assessed for tax by the Bengaluru Mahanagara Palike. We note the Receipt dated 53219 dated 16.01.2016 issued by the Bengaluru Mahanagara Palike which evidences the payment of betterment charges at the rate of Rs.100/- per square feet in respect of the land bearing HASB Khata Nos. 738/1, 737/1 & 739/1 totally measuring 23,672 square feet (Document No. 35).
25. We have also been provided with the Special Notice bearing No. Ward/73/KTR852/2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike which evidences that land bearing HASB Khata Nos. 736/1, 737/1 and 739/1 measuring 23,672 square feet has been allotted with Municipal No. 69 in the records of Bengaluru Mahanagara Palike (Document No. 36). It is further noted that the Special Notice also reflects the assessment of the property tax in respect of the said property and also shows the estimate of the tax payable in respect thereof for the years 1994-95, 1996-97 to 2005-06. We note the Receipt bearing No. 234052 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of the assessed property tax in respect of land bearing Municipal No. 69 for the years 1995-96 (2<sup>nd</sup> Half) to 2005-06 (Document No. 37).
26. We note the Khata Certificate and Khata Extract dated 21.01.2006 issued by the Bengaluru Mahanagara Palike certifying that the land bearing Municipal No. 69 situated at Ward No. 73, Kodihalli, Bengaluru stands in the name of Medical Relief Society of South Kanara in its records (Document No.38).
27. Subsequently, Suruchi sought for the specific performance of Agreement of Sale and Nomination Agreement both dated 09.03.2004, referred to in paragraph 23 above, before the Arbitral Tribunal consisting of sole arbitrator against Medical Relief Society of South Kanara and Mr. Dayanand Pai. The Arbitration Tribunal passed an Award on 30.11.2007 directing Suruchi to pay the due amounts to Medical Relief Society of South Kanara and Mr. P. Dayananda Pai and ordered / directed Medical Relief Society of South Kanara and Mr. P. Dayananda Pai to transfer *inter alia* Municipal No. 65 to Suruchi in terms of the Award (Document No. 39). We note that pursuant to the Award, the parties have not executed a

separate conveyance deed. However, the Award dated 30.11.2007 has been registered along with the subsequent Minutes of the Meeting dated 28.02.2008 recorded by the Arbitrator which records (a) passing of consideration from Suruchi Properties Private Limited to Medical Relief Society of South Canara, (b) delivery of physical possession and handing over of the original documents by Medical Relief Society of South Canara and Mr. Dayanand Pai in favor of Suruchi Properties Private Limited. In this regard it is noted that the Arbitrator (acting on behalf of the claimant and the respondents) presented the Award for registration before the jurisdictional sub-registrar and the jurisdictional sub-registrar has treated the same as an instrument of conveyance and has levied duty likewise. It is further noted that the instrument has been released by the jurisdictional sub-registrar after completing all the registration formalities.

28. Thereafter, Suruchi has entered into a Development Agreement dated 03.02.2011 with Salarpuria Realtors Private Limited to develop the land bearing various municipal numbers totally admeasuring 4,23,867 square feet (which includes land bearing Municipal No. 69 measuring 23,672 square feet) situated at Kodihalli, Ward No. 73, Airport Road, Bengaluru on the terms and conditions set out therein (Document No. 40). Suruchi has executed and registered a General Power of Attorney dated 04.02.2011 authorising and appointing the developer, Salarpuria Realtors Private Limited as its attorney in respect of lands admeasuring 4,23,867 square feet to do various acts, deeds and things in the connection with the development of the lands in the manner as specified therein (Document No. 41). The power of attorney also entitles the attorney to raise and borrow loan or financial assistance by creating the equitable mortgage on security of the developer's share of receivables together with the undivided share right title and interest and ownership in the land.

**Observation:** We have been informed that Suruchi is in discussion with Salarpuria Realtors Private Limited to cancel the aforementioned joint development agreement and that Suruchi would be developing the said lands by itself and that cancellation agreements / deeds have not been executed and registered as on date.

29. We have been furnished with an Exchange Deed dated 21.11.2012 executed by Suruchi with Mr. A. Muniraju & Others, whereunder Suruchi has exchanged an extent of 4,000 square feet out of the total extent of 23,672 square feet in Municipal No. 69 in favour of Mr. Muniraju and Mr. Muniraju in-turn has transferred a portion of the land in Municipal No. 5B, Ward No. 73, Kodihalli, Bengaluru to Suruchi (Document No. 42).
30. Accordingly, Suruchi is presently holding an extent of 19,672 square feet out of 23,672 square feet in the land bearing Municipal No. 69

**Observation:** We have been informed that the 4,000 square feet in land bearing Municipal No. 69 transferred to Mr. Muniraju is situated on northern side and that the same does not



form part of the proposed Project Lands. However, the same cannot be ascertained based on the documents provided to us. It is advisable that the same be ascertained by undertaking a physical survey to ensure that the portion of land in Municipal No. 69 transferred to Mr. Muniraju and the land retained by the erstwhile landowners in the land bearing Survey No. 155/1B does not impact the contiguity of the proposed Project Lands.

## II. Revenue Records and Endorsements:

31. We have been provided with the Endorsement bearing No RK. CR. 1246/2010-11 dated 26.11.2010 issued by the Shirasthedar, Bengaluru East Taluk stating that the RTC's issued in respect of the land bearing Survey No. 155/1B for the years 1971-72 to 1997-98 to 2000-01 are in dilapidated condition and RTCs for the years 1971-72 to 1997-98 to 2000-01 are not available. Hence the same cannot be provided (Document No. 43).
32. We had been furnished with an Endorsement dated 15.10.1994 issued by the Office of Village Accountant, H.A. Sanitary Board Area, Bengaluru South Taluk. to the effect that the Mutation Records in respect of land bearing Survey No. 155/1B of Kodihalli Village, are not available and hence cannot be provided (Document No. 44).
33. We have been furnished with a map of Kodihalli Village which shows the location of the land bearing Survey No. 155 in the said village (Document No. 45).
34. Atlas issued in respect of land bearing Survey No. 155/1 of Kodihalli village, shows the subdivision of the land in the said survey number (Document No. 46).
35. Hissa Survey Tippani issued in respect of land bearing Survey No. 155/1A, 1B & 1C of Kodihalli Village, shows the shape and boundaries of the land (Document No. 47).
36. Revision Settlement Akarbandh issued in respect of the land bearing Survey No. 155/1B confirms the total extent in the said survey number to be 30 Guntas (Document No. 48).
37. The Tahasildar, Bengaluru East Taluk, Bengaluru has issued Endorsement dated 18.04.2005 to the effect that no applications have been filed in respect of the land bearing Survey No. 155/1B under Form 7 & 7A of the Karnataka Land Reforms Act, 1961 (Document No. 49).
38. The Assistant Commissioner's Office, Bengaluru North Taluk, has issued endorsement dated 17.02.2012 to the effect that, as per the records maintained in the said office, no proceedings have been filed in respect of the land bearing Survey No. 155/1B under Sections 79(A) & 79(B) of the Karnataka Land Reforms Act, 1961 (Document No. 50).



39. We have not been furnished with an endorsement issued by the jurisdictional Assistant Commissioner stating that the Property XIV does not come under the purview of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 and no proceedings have been filed / pending / disposed off in respect of the Property XIV under the provisions of the said enactment. It has been represented that no applications have been filed under the provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of Property XIV and in this regard Suruchi Properties Private Limited have not received any notice or intimation with respect to the same.

### III. Khata and Tax Receipts:

40. We note the Khata Certificate and Khata Extract (4.10.2011) issued by the Bruhat Bengaluru Mahanagara Palike ("BBMP") certifying that the land bearing Municipal No.69 measuring 23,672 square feet situated at Ward No. 73, Kodihalli, Bengaluru stands in the name of Suruchi in its records (Document No. 51).

**Observation:** It is to be noted that, Suruchi has conveyed an extent of 4,000 square feet in the land bearing Municipal No. 69 was conveyed in favour of Mr. Muniraju. However, BBMP Khata Certificate continues to reflect Suruchi as the holder of the entire extent in the said Municipal Number. We have not been provided with the latest Khata Extract and Khata Certificate issued by BBMP in respect of Municipal No. 69 reflecting the reduced extent of land held by Suruchi.

In this regard, it is pertinent to note from the special notice issued by the BBMP (detailed below) that various land parcels owned and possessed by Suruchi in Kodihalli Village (including the lands on which Suruchi has development rights, which is presently owned by Mrs. Sharadamma) bearing different municipal numbers (which constitute the Project Lands) have been amalgamated and single composite number (i.e., 73-63-64) measuring an aggregate extent of 3,54,306 square feet and all the remaining municipal numbers earlier assigned to the amalgamated land parcels and their standalone assessment shall be deleted from the revenue records to be maintained by BBMP (**Deleted Municipal Numbers**). The demand notice is silent on the assignment of a new number to the land parcels owned by third parties who were owners of a portion of land bearing one of the Deleted Municipal Numbers which was not acquired by Suruchi.

41. We note the Receipt bearing No. 23242286531 dated 01.06.20023 issued by the BBMP which evidences payment of property tax for the year 2023-24 in respect of the land bearing Municipal No. 73-63-69 by Suruchi (Document No. 52).



42. It is noted that, Suruchi appears to have made an application to the BBMP for the amalgamation of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot on the basis of the Modified Work Order dated 27.12.2021 sanctioned by the BDA referred to hereinafter and the B Kharah Realignment Order bearing No. LND (E) CR/226/2017-18 dated 05.03.2019 passed by the Deputy Commissioner, Bengaluru District.
43. We have been provided with a Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by Assistant Revenue Officer, Jeevanbheerna Nagar Sub-Division, BBMP, wherein based on the documents submitted by Suruchi, BBMP has amalgamated the khata of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot admeasuring 3,54,506 square feet and assigned it with Municipal No. 73-63-64 standing in the name of Suruchi and Mrs. Sharadhamma on certain terms and conditions morefully set out therein (Document No. 52A). The Special Notice further records that:
- (a) the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli shall stand cancelled in the records of BBMP.
- (b) The amalgamated single plot has been assessed for annual tax of Rs. 2,4,279.00 with effect from 01.10.2023.
- Observation** We have not seen the Khata Certificate and Khata Extract issued by the BBMP in respect of the amalgamated Municipal No. 64 admeasuring 3,54,506 square feet situated at Ward No. 113, Narayanappa Garden, Kodihalli pursuant to the above mentioned Special Notice dated 17.01.2024. We have also not seen the B Kharah Realignment Order referred to above.
44. As per the assessment of Municipal No. 73-63-64 for tax set out in the Special Notice dated 17.01.2024 referred to above, we have been provided with the Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department which evidences the payment of property taxes for the land bearing Municipal No. 73-63-64 for the year 2023-24 (Document No. 52B).



**IV. Acquisitions:**

45. We have been furnished with an Endorsement dated 16.01.2013 issued by the office of the Land Acquisition Officer, Karnataka Housing Board, Bengaluru, stating that the land bearing Survey No. 155 and other lands situated at Kodihalli Village have not been acquired or notified for acquisition for any of its project as on that date (Document No. 53).
46. The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru has issued an Endorsement dated 23.01.2013 stating that *inter alia* land bearing Survey No. 155/1B situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru has not been acquired or notified for acquisition for any of projects of Karnataka Industrial Areas Housing Board as on the date of issue of the said endorsement (Document No. 54).
47. The Special Land Acquisition Officer, National Highway Authority of India has issued an Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 stating that no survey numbers in Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru falls under the jurisdiction of National Highway Authority of India hence no acquisition has been effected (Document No. 55).

**V. Land Conversion and Land Usage:**

48. We have not been furnished with the Official Memorandum issued by the office of Deputy Commissioner, Bengaluru District, whereunder the Property XIV was converted for non agricultural purposes. We have been informed that, no conversion has been obtained under the provisions of Law. However, please note, the Section 95 (2) of the Karnataka Land Revenue Act, 1964, specifically states that, regardless of what is stated in any other law, if an occupant seeks to divert the usage of an agricultural land, then such occupant will have to obtain permission from the office of the Deputy Commissioner.
49. It is represented to us, that, the Kodihalli Village (comprising of Property XIV) came to be administered by Hindustan Aeronautics Sanitary Board ("HASB"). HASB acting as the Special Board / Town or City Municipal Council, distinct and independent from the bangalore district board and panchayats of Kodihalli has assessed these properties as non-agricultural properties and issued fresh khata numbers to the properties under its administration. Subsequently when it was found that HASB was acting without any statutory mandate, the Bruhat Bangalore Mahanagara Palike took over the administration of the properties which were being administered by the HASB. The Bruhat Bangalore Mahanagara Palike, did not nullify the actions taken by HASB (including issuing khata to unconverted



- lands) and they carried forward the same by issuing new municipal numbers to such unconverted lands.
50. In this regard, representatives of Suruchi Properties Private Limited have furnished a copy of an unreported division bench Judgment dated 14.06.2012 of the High Court of Karnataka in W.A. 17361-17363/2011 which has held that 'there is no necessity to obtain conversion from agricultural to non-agricultural, if the area comes within the town municipal council limits and the town municipal council has collected the developmental charges and is treating the property as a municipal property'. Representatives of Suruchi Properties Private Limited have represented that the BBMP is relying on the aforesaid division bench Judgment to approve plans in respect of unconverted properties falling within the jurisdiction of BBMP, for which khatahs have been issued by BBMP. It has been further represented to us that, the Judgment dated 14.06.2012 of the division bench in the High Court of Karnataka has not been challenged or overruled as on date.
51. As per the Revised Master Plan 2015 of Bangalore (*Approved by the Government of Karnataka vide the G.O. No. 13DD 540 BEM AA NE 2001 dated 25.6.2007*) ("RMP-2015"), the Land is classified as residential (main) use.
52. We been provided with and we note the Work Order bearing No. BDA/Nayosa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority ("BDA") along with sanctioned residential development plan to Suruchi with respect to the sanction of the proposed residential development proposed to be undertaken in the land bearing Survey Nos. 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) situated at Kodihalli Village, Varthur Hohli, Bangalore East Taluk (Document No. 56). In terms thereof, we note the Relinquishment Deed dated 29.05.2019 executed by Suruchi Properties Private Limited in favour of BDA relinquishing an extent of 4,407 square meters (i.e., about 47,419.3 square feet) for park and open spaces in the land bearing 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) of Kodihalli Village (Document No. 57).
53. It appears that there were some modifications in connection with the proposed residential development and accordingly Suruchi has applied for and obtained a Modified Work Order dated 27.12.2021 from the BDA and in terms thereof, BDA has sanctioned the modified residential development plan proposed to be undertaken by Suruchi in the land bearing Survey Nos. 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 08 Acres 5.35 Guntas (excluding 21 Guntas of kharab) situated at Kodihalli



Village, Varthur Hobli, Bengaluru East Taluk ("Project Lands") on the terms and conditions set out thereunder (Document No. 58). Some of the terms and conditions on which the sanction have been granted are as follows:

- (a) The developmental activities are to be undertaken in terms of the sanctioned development plan and the same shall not be changed without the prior permission of BDA.
- (b) The area reserved for parks and buffer zone shall be used for the purposes for which they have been reserved and shall not be used for any other purposes.
- (c) Sanction of the building plans will have to be obtained from BDA.
- (d) The sanction provided by BDA shall be automatically cancelled if it is found that the applicant has misrepresented with respect to the ownership of the properties.
- (e) 10% of the residential units shall be reserved for economically weaker section and low income group.
- (f) Sewage treatment plant is required to be installed to ensure that untreated water is not released from the properties.

54. In connection with the above, we note the Rectification of Relinquishment Deed dated 17.07.2021 executed by Suruchi in favour of BDA whereunder the earlier area relinquished in favour of BDA was cancelled and Suruchi has relinquished an area of 3322 square meters in the properties for park and open spaces (Document No. 59).

#### **VI. Litigation**

55. We have been informed by Suruchi that, except the different civil suits initiated as narrated above (which have been disposed), there are no other litigations have been filed or pending in respect of Property XIV.

#### **VII. Encumbrance / Charge:**

56. Encumbrance Certificates issued in respect of the land bearing Survey No. 155/1 for the period 01.04.1957 to 31.03.1973, 01.04.1973 to 31.03.2004, 01.04.2004 to 18.06.2013 and 01.06.2013 to 16.01.2014 reflect the Sale Deeds dated 23.01.1959, 24.01.1959, 11.07.1966 referred to herein above (Document No. 60).

57. Encumbrance Certificates issued in respect of the land bearing Survey No. 155/1B for the period 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2010 to 22.04.2012, 01.04.2012 to 18.06.2013 and 01.03.2016 to 21.04.2019 reflect Confirmation / Declaration Deed dated 17.09.2005 referred to herein above (Document No. 61).



58. Encumbrance Certificates issued in respect of the land bearing H.A.S.B Khata No. 737/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 06.12.1994 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 21.03.2005, 01.04.2004 to 07.12.2011, 01.04.2004 to 23.04.2012, 01.04.2012 to 18.06.2013, 01.06.2013 to 21.04.2019 reflect Sale Deeds dated 10.04.1990 & 09.05.2000 referred to hereinabove (Document No. 62).
59. Encumbrance Certificates issued in respect of the land bearing H.A.S.B Khata No. 738/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 06.12.1994 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 07.12.2011, 01.04.2004 to 23.04.2012, 01.04.2012 to 18.06.2013, 01.06.2013 to 21.04.2019 reflect the Sale Deeds dated 10.04.1990 & 09.05.2000 referred to above (Document No. 63).
60. Encumbrance Certificates issued in respect of the land bearing H.A.S.B Khata No. 739/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 07.12.2011, 01.04.2004 to 23.04.2012, 01.04.2012 to 18.06.2013, 01.06.2013 to 21.04.2019 reflect the Sale Deeds dated 10.04.1990 & 09.05.2000 referred to above (Document No. 64).
61. Encumbrance Certificates issued in respect of the land bearing Municipal No. 69 (PID No. 73-63-69) for the period 01.04.2004 to 06.01.2012, 01.04.2010 to 23.07.2015, 01.04.2012 to 14.11.2012, 15.11.2012 to 18.06.2013, 01.04.2013 to 31.03.2014, 01.04.2014 to 08.05.2016, 01.03.2016 to 21.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 22.05.2023 reflect Joint Development Agreement dated 04.02.2011 referred to hereinabove and Mortgage Deeds dated 14.03.2011, Release Deed dated 09.11.2015 and Memorandum of Deposit of Title Deeds dated 06.10.2015 referred to below (Document No. 65).
62. Encumbrance Certificate issued in respect of the land bearing Municipal No. 69 in the land bearing Survey No. 155/1B of Kodihalli for the period 01.04.2004 to 12.01.2024 reflects the Joint Development Agreement dated 04.02.2011, referred to hereinabove and Discharge Deed dated 09.11.2015, Memorandum of Entry dated 06.10.2015, 21.02.2019 referred to herein below (Document No. 65A).
- Observation:** The above-mentioned encumbrance certificates do not reflect the registered Award dated 14.03.2008/30.11.2007, Exchange Deed dated 21.11.2012 and the Memorandum of Entry dated 02.08.2018 and 06.09.2023 in respect of the land bearing Municipal No. 69. We have not seen encumbrance certificate in respect of Property XIV from 12.01.2024.
63. We have been furnished with a Simple Mortgage Deed dated 14.03.2011 executed amongst Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Private Ltd., and Green Orchards Farm Houses in favour of IDBI Trusteeship Services Ltd., which includes *inter-alia* Municipal No. 69 (Document No. 66). It is observed that the Century

- Real Estate Holdings Private Limited, Century Shelters and Green Orchards Farm House, as mortgagors had mortgaged certain of other properties owned by them and Suruchi Properties Private Limited, had mortgaged the lands situated at Kodihalli (including Municipal No. 69) to secure the debentures issued by Century Real Estate Holdings Private Limited.
64. Subsequently, Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited entered into and executed an Escrow Agreement dated 16.09.2015 with respect to the custody of the title deeds in respect of the Properties (Document No. 67) which inter-alia included Municipal No. 69 measuring 23,672 square feet. It is observed that, pursuant to aforesaid Joint Development Agreement, Suruchi Properties Private Limited had handed over the original title deeds in respect of the properties to Salarpuria Realtors Private Limited and on the request made by the Suruchi Properties Private Limited, Salarpuria Realtors Private Limited, the Developer has agreed to deposit the title deeds pertaining to the project which inter-alia contains the title deeds of Municipal No. 69 measuring 23,672 square feet, with the escrow agent i.e., IL&FS Trust Company Limited (ITCL), and the parties have entered into the escrow agreement to record the terms and conditions, on which ITCL shall hold and safeguard the title deeds as trustee for the benefit of the parties as per the terms agreed under the said Agreement, subject to the duties, obligations and responsibilities mentioned there-under.
65. It is noted that, in consideration of payment of entire amount in principal and interest due to the Debenture Holders on the Security of the Simple Mortgage Deed dated 14.03.2011, the Debenture Trustee, i.e., IDBI Trusteeship Services Limited has discharged and released *inter alia* Municipal No. 69 measuring 23,672 square feet and others properties free from all encumbrances and charges whatsoever in favour of Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses by executing a Discharge Deed dated 09.11.2015 (Document No. 68).
66. Suruchi Properties Private Limited, has executed a Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 and registered on 11.11.2015 in favour of IDBI Trusteeship Services Limited whereunder Suruchi Properties Private Limited has created first and exclusive charge by way of equitable mortgage over the lands situated at Kodihalli (including Municipal No. 69) to secure debentures worth of Rs.620Crores issued by Century Joint Developments Private Limited (Document No. 69). We note that IL&FS Trust Company Limited has joined in the execution of this memorandum to record the constructive delivery of the title deeds. We have been provided with No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited which evidences, that the debenture holder has confirmed that there are no amounts due and payable in respect of the non-convertible debentures worth of Rs. 620 Crores and that the same has been fully repaid and on the basis of the same, IDBI Trusteeship Services Limited has provided its approval for the release of the securities including the charge created thereunder (Document No.



- 67A) We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.
67. Thereafter, it is noted that, Suruchi Properties Private Limited has executed and registered a Memorandum of Entry dated 02.08.2018 in favour of IDBI Trusteeship Services Limited wherein the pari passu charge was created over the lands situated at Kodihalli to secure an amount totally to Rs. 772 Crores of financial assistance availed by Century Real Estate Holdings Private Limited (comprising of (1) Rs. 125 Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debiture Trust Deed 27.03.2017, (2) Rs. 257 Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debiture Trust Deed 29.06.2016 and (3) Rs. 390 Crores of term loan availed by Century Real Estate Holdings Private Limited under the Facility Agreement 03.07.2018) (Document No. 69B).
68. Suruchi Properties Private Limited has executed and registered a Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 (registered on 21.02.2019) in favour of IDBI Trusteeship Services Limited, whereunder the charge created on the lands situated at Kodihalli (including Municipal No. 69) by Suruchi Properties Private Limited has been extended on first ranking pari passu basis to secure (a) Century Joint Developments Private Limited's indebtedness of Rs. 1105 Crores (comprising of (1) Rs. 620 Crores of non-convertible debentures of Century Joint Developments Private Limited (now released as detailed above) and (2) Rs. 485 Crores - of term loan availed by Century Joint Developments Private Limited under the Facility Agreement 30.07.2018) and (b) Century Real Estate Holdings Private Limited's indebtedness of Rs. 772 Crores (Document No. 70).
69. Thereafter we note (a) Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour of *inter alia* Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 725 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 70A) and (b) Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 257 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 70B). IDBI Trusteeship Services Limited has provided their no-objection for filing CHG-4 with the concerned Registrar of Companies. We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.



**Observation:** We have been informed that no release deeds have been executed and registered evidencing the release of the mortgage created over the lands situated at Kudihalli, Bengaluru owned by Suruchi. It is noted that the mortgage created under the Memorandum of Entry dated 06.02.2019 for securing (a) the term loan of Rs. 390 Crores availed by Century Real Estate Holdings Private Limited and (b) the term loan of Rs. 485 Crores availed by Century Joint Development Agreements Private Limited was subsisting and not released under the above mentioned no due certificates.

70. Thereafter, we note the registered Memorandum of Entry dated 06.09.2023 whereunder Suruchi's entitlement in the lands situated at Kudihalli Village has been mortgaged by way of first ranking pari passu charge to secure (a) Rs. 485 Crores term loan availed by Century Joint Developments Private Limited (CJDPL) from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 30.07.2018, (b) Non-convertible debentures aggregating up to Rs. 325 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 12.12.2020, (c) Non-convertible debentures aggregating upto Rs. 700 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 22.09.2022, (d) Rs. 390 Crores term loan availed by Century Real Estate Holdings Private Limited from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 03.07.2018 (Document No. 70C)
71. We have been informed that, apart from the above Memorandum of Entry recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 (which has since been satisfied in entirety as detailed above), 02.08.2018 (which has been satisfied partially as detailed above), 06.02.2019 and 06.09.2023 which are still subsisting, there are no other mortgages, in respect of the Municipal No. 69.

#### VIII. Contiguity, Inspection of Original Documents and Public Notice:

72. From the development plan and the title deeds (including the sale deed by which Suruchi has acquired and the khata which has been prepared thereafter) provided to us in respect of Property XIV for our scrutiny, it is not possible to ascertain in Property XIV (viz., Municipal No. 69) are contiguous with the other lands forming part of the proposed project. The same needs to be ascertained by undertaking a physical survey. In this regard we have been informed that the Project Lands are contiguous and that an amalgamated khata has been issued by BBMP on the basis of the Modified Work Order dated 27.12.2021 issued by the BDA sanctioning the residential development plan which indicates that the all the Project Lands form a contiguous parcel of land.
73. As part of our title scrutiny, we have undertaken inspection of the original documents in respect Property XIV which are in the custody of Vistra ITCL (India) Limited (the escrow agent for Suruchi and Salarpuria Realtors Private Limited) and Suruchi. The list and the



nature of the documents provided to our inspection is detailed in **Annexure – B** of this Report.

74. We have issued a Public Notice in an English daily 'The New Indian Express' and Kannada daily the 'Kannada Prabha' on 16.12.2023 inviting objections from the general public with respect to Suruchi's title over Property XIV. As on 18.01.2024, we have not received any objections to the public notice issued.

#### **G. CONCLUSION:**

Subject to our observations made hereinabove we are of the opinion that:

- (i) Suruchi Properties Private Limited, is the owner of Property XIV, subject to the rights of Salarpuria Realtors Private Limited under the Development Agreement dated 03.02.2011; and
- (ii) Property XIV is mortgaged in favour of IDBI Trusteeship Services Limited pursuant to the Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 02.08.2018, 06.02.2019 and 06.09.2023.



  
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**ANNEXURE - A**  
**LIST OF DOCUMENTS EXAMINED**

<b>Sl. No.</b>	<b>Description of Documents</b>
1.	Extract of Index of Lands in respect of land bearing Survey No. 155/1 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
2.	Endorsement bearing No. (not visible) dated 06.12.2010 issued by the Office of Tahsildar, Bengaluru East Taluk;
3.	Sale Deed dated 08.06.1955, registered as Document No. 1551 of 1955-56, in Book 1, Volume No. 1473, at Pages 67 to 69 in the office of the Sub Registrar, Bengaluru;
4.	Notification bearing No. R.8747-I.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;
5.	Deposition / Statement dated 06.06.1958 executed and given by Mr. L. K. Jawaharlal Shet (son of Mr. L. Laduram) in Case No. 210/1957-58;
6.	Order dated 18.06.1958 in Case No. 210/1957-58 passed by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District;
7.	Extract of Register VIII with respect to the land bearing Survey No. 155/1 situated at Kodihalli Village;
8.	Sale Deed dated 23.01.1959, registered as Document No. 4074 of 1958-59, in Book 1, Volume 93, at Pages 37 to 40 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru.
9.	Sale Deed dated 24.01.1959, registered as Document No. 4098 of 1958-59, in Book 1, Volume 93, at Pages 53 to 57 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru.
10.	Sale Deed dated 11.07.1966 registered as Document No. 1957 of 1966-67, in Book 1, Volume 599, at Pages 83 to 86 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
11.	Extract of Hissa Survey Tippani / plandi book in respect of the land bearing Survey Nos. 155/1A, B & C of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;



12.	Record of Rights, Tenancy and Crop Inspection (R.T.C.s) issued in respect of land bearing Survey No. 155/1B situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1974-75 to 1996-97;
13.	Extract of Assessment List of houses and vacant properties issued by HASB in respect of the land bearing Khata No. 737/1 of Kodihalli Village for the year 1988-89.
14.	Extract of Assessment List of houses and vacant properties issued by HASB in respect of the land bearing Khata No. 738/1 of Kodihalli Village for the year 1988-89;
15.	Extract of Assessment List of houses and vacant properties issued by HASB in respect of the land bearing Khata No. 739/1 of Kodihalli Village for the year 1988-89;
16.	Unregistered Indenture of Agreement of Sale dated 30.11.1988 executed by Mr. Annaiappa (son of late Mr. Bolappa) in favour of G. M. S. Constructions Company Private Limited in respect of land measuring 7850 Sq. Ft., in khata No. 737/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
17.	(Notarised) General Power of Attorney dated Nil.01.1990 executed by Mr. Annaiappa (son of late Mr. Bolappa) in respect of land measuring 7850 Sq. Ft., in khata No. 737/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
18.	Sale Deed dated 10.04.1990, registered as Document No. 105 of 1990-91, in Book I, Volume 3248, at Pages 186 to 191 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
19.	Indenture of Agreement of Sale dated 30.11.1988 executed by Mr. Bolappa (son of Mr. Annaiappa) in favour of G.M.S. Constructions Company Private Limited in respect of land measuring 8636 Sq. Ft., in khata No. 738/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
20.	(Notarised) General Power of Attorney dated Nil.01.1990 executed by Mr. Bolappa (son of Mr. Annaiappa) appointing Mr. Sanjay Bajaj as his POA holder in respect of land measuring 8636 Sq. Ft., in khata No. 738/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
21.	Sale Deed dated 10.04.1990, registered as Document No. 100 of 1990-91, in Book I, Volume 3249, at Pages 34 to 38 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;



22.	Indenture of Agreement of Sale dated 30.11.1988 executed by Mr. Chikka Bolappa (son of Mr. Annaiappa) in favour of G.M.S. Constructions Company Private Limited in respect of land measuring 7956.42 Sq. Ft., in khata No. 739/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
23.	(Notarised) General Power of Attorney dated Nil 01.1990 executed by Mr. Chikka Bolappa (son of Mr. Annaiappa) in respect of land measuring 7956.42 Sq. Ft., in khata No. 739/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
24.	Sale Deed dated 10.04.1990, registered as Document No. 99 of 1990-91, in Book I, Volume 1249, at Pages 29 to 33 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru,
25.	Certificate dated 28.12.1993 issued by Hindustan Aeronautics Sanitary Board ("HASB") Bengaluru.
26.	Extract of Entry No. IHC 12 of 1996-97 made in Inheritance Register;
27.	Genealogical Tree of Mr. Annaiappa;
28.	Sale Deed dated 24.02.2000 executed by G.M.S. Constructions Company Private Limited in respect of land measuring 7080 Sq. Ft., in khata No. 737/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of Medical Relief Society of South Canara registered as Document No. 926 of 2000-01, in Book I, Volume 4525, at Pages 269 to 279 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
29.	Sale Deed dated 24.02.2000 executed by G.M.S. Constructions Company Private Limited in respect of land measuring 8636 Sq. Ft., in khata No. 738/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of Medical Relief Society of South Canara registered as Document No. 931 of 2000-01, in Book I, Volume 4525 at Pages 324 to 334 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
30.	Sale Deed dated 24.02.2000 executed by G.M.S. Constructions Company Private Limited in respect of land measuring 7956.42 Sq. Ft., in khata No. 739/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of Medical Relief Society of South Canara registered as Document No. 922 of 99-2000, in Book I, Volume 4525, at Pages 223 to 233 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru,
31.	Plaint, Compromise Petition and Judgement passed in O. S. No. 16599 of 2003 in the Court of the City Civil Judge, Mayohall at Bengaluru filed by Medical Relief Society of South Canara against Mr. Annaiappa and Others.



32.	Deed of Declaration dated 17.09.2005, registered as Document No. 7913 of 2005-096, in Book I, and Stored in CD No. BASD' 86 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
33.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;
34.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Suruchi Properties Pvt. Ltd.;
35.	Receipt dated 53219 dated 16.01.2016 issued by the Bengaluru Mahanagara Palike;
36.	Special Notice bearing No. Ward/73/KTRR52/2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;
37.	Receipt bearing No. 239052 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of the assessed property tax in respect of land bearing Municipal No. 69 for the years 1995-96 (2 <sup>nd</sup> Half) to 2005-06;
38.	Khata Certificate and Khata Extract dated 21.01.2006 issued by the Bengaluru Mahanagara Palike in respect of Municipal No. 69. PID No. 73-63-69 measuring 23,672 Sq. Ft., situated at Narayanappa Garden, Kudihalli, Ward No. 73, Airport Ward, Bengaluru;
39.	Award dated 30.11.2007, registered as Document No. 1841 of 2008-09, in Book I and Stored in C.D.No. VRTD31 on 08.08.2008, in the office of the Sub Registrar, Varthur, Bengaluru;
40.	Joint Development Agreement dated 03.02.2011, registered as Document No. 7093 of 2010-11, in Book I and Stored in C.D.No.VRTD95 in the office of the Sub Registrar, Varthur;
41.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;
42.	Exchange Deed dated 21.11.2012, registered as Document No. INR-1-02001-2013-14 (stored in CD No. INRD 69) on 24.06.2013 in the office of the Sub Registrar, Indiranagar, Bengaluru.
43.	Endorsement bearing No. RK. CR. 1246/2010-11 dated 26.11.2010 issued by the Shirasthedar, Bengaluru East Taluk,



44.	Endorsement dated 15.10.1994 issued by the Office of Village Accountant, H.A.Sanitary Board Area, Bengaluru South Taluk;
45.	Map of Kodihalli Village;
46.	Atlas issued in respect of land bearing Survey No. 155/1 of Kodihalli Village;
47.	Hissa Survey Tappany issued in respect of land bearing Survey Nos.155/A, 155/1B & 1C of Kodihalli Village;
48.	Revision Settlement Akarbandh issued with respect to Survey No. 155/1B of Kodihalli Village;
49.	Endorsement bearing No. LRF:CR:201 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;
50.	Endorsement bearing No. LRF: (BE). CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;
51.	Khata Certificate and Khata Extract both dated 14.10.2011 issued by the office of the Bruhat Bengaluru Mahanagara Palike;
52.	Receipt bearing No. 23242286531 dated 01.06.20023 issued by the BBMP;
52A	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;
52B	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;
53.	Endorsement bearing No. KHIB: LAO/382/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;
54.	Endorsement bearing No. Bengaluru: SLAO/6926/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;
55.	Endorsement bearing No. LAQ/NH 7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India,



56.	Work Order bearing No. BDA/Nayasa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority;
57.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;
58.	Modified Work Order bearing No. BDA/Nayasa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;
59.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDA/850) in the office of the Sub Registrar, BDA;
60.	Encumbrance Certificate issued in respect of land bearing Survey No. 155/1 of Korkihalli Village, Varthur Hobli, Bengaluru East Taluk, for the period covering from 01.01.1957 to 31.03.1973, 01.04.1973 to 31.03.2004, 01.04.2004 to 18.06.2013 and 01.06.2013 to 16.01.2014;
61.	Encumbrance Certificates issued in respect of the land bearing Survey No. 155/1B for the period 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2004 to 22.04.2012, 01.04.2012 to 18.06.2013 and 01.03.2016 to 21.04.2019;
62.	Encumbrance Certificates issued in respect of the land bearing HASH Khata No. 737/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 06.12.1994 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 21.03.2005, 01.04.2004 to 07.12.2011, 01.04.2004 to 22.04.2012, 01.04.2012 to 18.06.2013, 01.06.2013 to 21.04.2019;
63.	Encumbrance Certificates issued in respect of the land bearing HASH Khata No. 738/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 06.12.1994 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 07.12.2011, 01.04.2004 to 22.04.2012, 01.04.2012 to 18.06.2013, 01.06.2013 to 21.04.2019;
64.	Encumbrance Certificates issued in respect of the land bearing HASH Khata No. 739/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 07.12.2011, 01.04.2004 to 22.04.2012, 01.04.2012 to 18.06.2013, 01.06.2013 to 21.04.2019;
65.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 69 (P11) No. 73-63-69) for the period 01.04.2004 to 06.01.2012, 01.04.2010 to 23.07.2015, 01.01.2012 to 14.11.2012, 15.11.2012 to 18.06.2013, 01.04.2013 to 31.03.2014, 01.04.2014 to



	08.03.2016, 01.03.2016 to 21.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 22.05.2023.
65A	Encumbrance Certificate issued in respect of the land bearing Municipal No. 69 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 12.01.2024;
66.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. 5839 of 2010-11, in Book I and Stored in CD No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru.
67.	Escrow Agreement dated 16.09.2015 executed by and between Sunchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited;
68.	Discharge Deed dated 09.11.2015, registered as Document No. MLS-1-02751-2015-16 (stored in C.D. No. MLSD112) on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;
69.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. MLS-1-02759-2015-16 (stored in C.D. No. MLSD112) on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;
69A	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;
69B	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;
70.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412-2018-19 (stored in C. D. No. HBB0244) in the office of the Sub Registrar, Hebbala.
70A	Letter bearing No. 51141-A/TSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
70B	Letter bearing No. 51141-B/TSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
70C	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;



71.	Management Representations in the form an Affidavit dated 03.11.2016 issued by Suruchi Properties Private Limited;
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**ANNEXURE – B**  
**ORIGINAL VERIFICATION**

Sl. No.	Description of Documents	Nature of Documents in custody of Vistra (ITCL)	Nature of Documents in custody of Suruchi
1.	Extract of Index of Lands in respect of land bearing Survey No. 155/1 of Kodihalli Village, Vartur Hobli, Bengaluru South Taluk;		Photo Copy
2.	Endorsement hearing No. ( <i>not visible</i> ) dated 06.12.2010 issued by the Office of Tahsildar, Bengaluru East Taluk;	Certified Copy	
3.	Sale Deed dated 08.06.1955, registered as Document No. 1551 of 1955-56, in Book I, Volume No. 1473, at Pages 67 to 69 in the office of the Sub Registrar, Bengaluru;	Certified Copy	
4.	Notification bearing No. R.8347-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;		Photo Copy
5.	Deposition / Statement dated 06.06.1958 executed and given by Mr. L. K. Jawaharlal Shet (son of Mr. L. Laduram) in Case No. 210/1957-58;	Certified Copy	
6.	Order dated 18.06.1958 in Case No. 210/1957-58 passed by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District;	Certified Copy	
7.	Extract of Register VIII with respect to the land bearing Survey No. 155/1 situated at Kodihalli Village;	Certified Copy	
8.	Sale Deed dated 23.01.1959, registered as Document No. 4074 of 1958-59, in Book I, Volume 93, at Pages 37 to 40 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Certified Copy	



9.	Sale Deed dated 24.01.1959, registered as Document No. 4098 of 1958-59. in Book J, Volume 93, at Pages 53 to 57 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Certified Copy	
10.	Sale Deed dated 11.07.1966 registered as Document No 1937 of 1966-67. in Book L, Volume 599, at Pages 83 to 86 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Certified Copy	
11.	Extract of Hissa Survey Tippani / phodi book in respect of the land bearing Survey Nos 155/1A, B & C of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;		Certified Copy
12.	Record of Rights, Tenancy and Crop Inspection (R.T.C.I) issued in respect of land bearing Survey No. 155/1B situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1974-75 to 1996-97;	Certified Copy	
13.	Extract of Assessment List of houses and vacant properties issued by HASB in respect of the land bearing Khata No. 737/1 of Kodihalli Village for the year 1988-89;		Photo Copy
14.	Extract of Assessment List of houses and vacant properties issued by HASB in respect of the land bearing Khata No. 738/1 of Kodihalli Village for the year 1988-89;	Original	
15.	Extract of Assessment List of houses and vacant properties issued by HASB in respect of the land bearing Khata No. 739/1 of Kodihalli Village for the year 1988-89;	Original	
16.	Unregistered Indenture of Agreement of Sale dated 30.11.1988 executed by Mr. Annaiappa (son of late Mr. Bolappa) in favour of G. M. S. Constructions Company Private Limited in respect of land measuring 7850 Sq. Ft., in khata No. 737/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;	Original	
17.	(Notarised) General Power of Attorney dated Nil.01.1990 executed by Mr. Annaiappa (son of late Mr. Bolappa) in respect of land measuring 7850 Sq. Ft., in khata No. 737/1	Original	



	of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;		
18.	Sale Deed dated 10.04.1990, registered as Document No. 105 of 1990-91, in Book I, Volume 3248, at Pages 186 to 191 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
19.	Indenture of Agreement of Sale dated 30.11.1988 executed by Mr. Bolappa (son of Mr. Annaiappa) in favour of G.M.S. Constructions Company Private Limited in respect of land measuring 8636 Sq. Ft. in khata No. 738/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;	Original	
20.	(Notarised) General Power of Attorney dated Nil.01.1990 executed by Mr. Bolappa (son of Mr. Annaiappa) appointing Mr. Sanjay Bajaj as his POA holder in respect of land measuring 8636 Sq. Ft., in khata No. 738/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;	Original	
21.	Sale Deed dated 10.04.1990, registered as Document No. 100 of 1990-91, in Book I, Volume 3249, at Pages 34 to 38 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
22.	Indenture of Agreement of Sale dated 30.11.1988 executed by Mr. Chikka Bolappa (son of Mr. Annaiappa) in favour of G.M.S. Constructions Company Private Limited in respect of land measuring 7956.42 Sq. Ft., in khata No. 739/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;	Original	
23.	(Notarised) General Power of Attorney dated Nil.01.1990 executed by Mr. Chikka Bolappa (son of Mr. Annaiappa) in respect of land measuring 7956.42 Sq. Ft., in khata No. 739/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;	Original	



24.	Sale Deed dated 10.04.1990, registered as Document No. 99 of 1990-91, in Book I, Volume 3249, at Pages 29 to 33 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
25.	Certificate dated 28.12.1993 issued by Hindustan Aeronautics Sanitary Board ("HASB") Bengaluru;	Original	
26.	Extract of Entry No. IHC 12 of 1996-97 made in Inheritance Register,		Photo Copy
27.	Genealogical Tree of Mr. Annaiappa;		Photo Copy
28.	Sale Deed dated 24.02.2000 executed by G.M.S. Constructions Company Private Limited in respect of land measuring 7080 Sq. Ft. in khata No. 737/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of Medical Relief Society of South Canara registered as Document No. 926 of 2000-01, in Book I, Volume 4525, at Pages 269 to 279 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
29.	Sale Deed dated 24.02.2000 executed by G.M.S. Constructions Company Private Limited in respect of land measuring 8636 Sq. Ft., in khata No. 738/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of Medical Relief Society of South Canara registered as Document No. 931 of 2000-01, in Book I, Volume 4525 at Pages 324 to 334 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
30.	Sale Deed dated 24.02.2000 executed by G.M.S. Constructions Company Private Limited in respect of land measuring 7956.42 Sq. Ft. in khata No. 739/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of Medical Relief Society of South Canara registered as Document No. 922 of 99-2000, in Book I, Volume 4525, at Pages 223 to 233 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	



31.	Plaint, Compromise Petition and Judgement passed in O. S. No. 16549 of 2003 in the Court of the City Civil Judge, Mayehall at Bengaluru filed by Medical Relief Society of South Canara against Mr. Annaappa and Others;		Compromise Petition and Judgement- Certified copy  Plaint - Photo copy
32.	Deed of Declaration dated 17.09.2005, registered as Document No. 7913 of 2005-096, in Book I, and Stored in CD No. BASD186 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
33.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;		Photo Copy
34.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Suvchi Properties Pvt. Ltd.;		Photo Copy
35.	Receipt dated 53219 dated 16.01.2016 issued by the Bengaluru Mahanagara Palike;		Photo Copy
36.	Special Notice hearing No. Ward/73/KTR&S2/2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
37.	Receipt bearing No. 239052 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of the assessed property tax in respect of land bearing Municipal No. 69 for the years 1995-96 (2 <sup>nd</sup> Half) to 2005-06;		Photo Copy
38.	Khata Certificate and Khata Extract dated 21.01.2006 issued by the Bengaluru Mahanagara Palike in respect of Municipal No. 69, PID No. 73-63-69 measuring 21,672 Sq. Ft., situated at Narayanappa Garden, Kodihall, Ward No. 73, Airport Ward, Bengaluru;		Photo Copy



39.	Award dated 30.11.2007, registered as Document No. 1841 of 2008-09, in Book 1 and Stored in C.D.No. VRTD31 on 08.08.2008, in the office of the Sub Registrar, Varthur, Bengaluru;	Original (Common to all properties)	
40.	Joint Development Agreement dated 03.02.2011, registered as Document No. 7093 of 2010-11, in Book 1 and Stored in C.D.No VRTD95 in the office of the Sub Registrar, Varthur;		Photo Copy
41.	General Power of Attorney dated 04.02 2011, registered as Document No VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;		Photo Copy
42.	Exchange Deed dated 21.11.2012, registered as Document No. INR-1-02001-2013-14 (stored in CD No. INRD 69) on 24.06.2013 in the office of the Sub Registrar, Indiranagar, Bengaluru;		Certified Copy
43.	Endorsement bearing No. RK. CR. 1216/2010-11 dated 26.11.2010 issued by the Shirasthedar, Bengaluru East Taluk;		Original (Common to all properties)
44.	Endorsement dated 15.10.1994 issued by the Office of Village Accountant, H.A.Sanitary Board Area, Bengaluru South Taluk;		Photo Copy
45.	Map of Kodihalli Village;	Photo Copy	
46.	Atlas issued in respect of land bearing Survey No. 155/1 of Kodihalli Village.	Certified Copy	
47.	Hissa Survey Tippany issued in respect of land bearing Survey Nos.155/1A, 155/1B & 1C of Kodihalli Village;	Certified Copy	
48.	Revision Settlement Akarbandh issued with respect to Survey No. 155/1B of Kodihalli Village;		Photo Copy



49.	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;	Original (Common to all properties)
50.	Endorsement bearing No. LRF: (BE): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;	Original (Common to all properties)
51.	Khata Certificate and Khata Extract both dated 14.10.2011 issued by the office of the Bruhat Bengaluru Mahanagara Palike;	Photo Copy
52.	Receipt bearing No. 23242286531 dated 01.06.20023 issued by the BRMP;	Photo Copy
53.	Endorsement bearing No. KHB: LAO/382/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;	Original (Common to all properties)
54.	Endorsement bearing No. Bengaluru: SLAO/6926/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;	Original (Common to all properties)
55.	Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;	Original (Common to all properties)
56.	Work Order bearing No. BDA/Nayasa/DP-38/2016-17.380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority;	Original (Common to all properties)
57.	Relinquishment Deed dated 29.06.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;	Photo Copy (Certified Copy to be handed over) (Common to all properties)



58.	Modified Work Order bearing No. BDA/Nayosa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;		Original (Common to all properties)
59.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in C/D No. BDA13850) in the office of the Sub Registrar, BDA;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
60.	Encumbrance Certificate issued in respect of land bearing Survey No. 155/1 of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, for the period covering from 01.04.1957 to 31.03.1973:  01.04.1973 to 31.03.2004 01.04.2004 to 18.06.2013 01.06.2013 to 16.01.2014	Certified Copy	01.04.2004 to 18.06.2013 and 01.06.2013 to 16.01.2014: Certified Copy
61.	Encumbrance Certificates issued in respect of the land bearing Survey No. 155/1B for the period 01.01.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2004 to 22.04.2012, 01.04.2012 to 18.06.2013 and 01.03.2016 to 21.04.2019:  01.06.2013 to 16.01.2014 19.06.2013 to 23.07.2015	From 01.04.1960 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2004 to 22.04.2012, 01.04.2012 to 18.06.2013 - Certified Copy	01.03.2016 to 21.04.2019- Certified copy  19.06.2013 to 23.07.2015- Certified copy
62.	Encumbrance Certificates issued in respect of the land bearing HASH Khata No. 737/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 06.12.1994 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 21.03.2005, 01.04.2004 to	From 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 01.04.2004 to	19.06.2013 to 23.07.2015, 01.04.2016 to 21.04.2019 - Certified



	07.12.2011, 01.04.2012 to 18.06.2013, 01.06.2016 to 21.04.2019;  01.04.2004 to 22.04.2012, 01.04.2012 to 18.06.2013, 01.06.2013 to 16.01.2014, 19.06.2013 to 23.07.2015	06.12.1994 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004- Certified Copy	copy. Rest are photocopies.
63.	Encumbrance Certificates issued in respect of the land bearing HIASB Khata No. 738/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 06.12.1994 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 07.12.2011, 01.04.2012 to 18.06.2013, 01.06.2013 to 21.04.2019;  01.04.2004 to 22.04.2012, 01.06.2013 to 16.01.2014, 19.06.2013 to 23.07.2015	From 01.04.1980 to 17.03.1993, 18.03.1993 to 05.12.1994, 06.12.1994 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2012 to 18.06.2013 - Certified Copy	19.06.2013 to 23.07.2015- Certified copy. Rest are photocopies.
64.	Encumbrance Certificates issued in respect of the land bearing HIASB Khata No. 739/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2004 to 07.12.2011, 01.04.2012 to 18.06.2013, 01.06.2013 to 21.04.2019;  01.04.2004 to 22.04.2012, 01.06.2013 to 16.01.2014, 18.03.1993 to 05.12.1994	From 01.04.1980 to 17.03.1993, 18.03.1993 to 20.05.1997, 01.04.1997 to 20.10.1998, 01.04.1998 to 31.03.2004, 01.04.2012 to 18.06.2013, 01.06.2013 to 21.04.2019- Certified Copy	18.03.1993 to 05.12.1994- Certified copy. Rest are photocopies.



65.	Encumbrance Certificates issued in respect of the land bearing Municipal No 69 (PFD No. 73-63-69) for the period 01.04.2004 to 06.01.2012, 01.04.2012 to 14.11.2012, 15.11.2012 to 18.06.2013, 01.04.2013 to 31.03.2014, 01.04.2014 to 08.03.2016, 01.03.2016 to 21.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 22.05.2023;  01.04.2008 to 05.11.2011, 01.04.2010 to 14.11.2012, 01.06.2013 to 11.12.2013, 01.06.2013 to 16.01.2014, 01.04.2010 to 23.07.2015	Except for 01.04.2012 to 18.06.2013, rest are Certified Copies.	01.04.2004 to 06.01.2012, 01.04.2013 to 31.03.2014, 01.04.2010 to 23.07.2015, 01.04.2014 to 08.03.2016, 01.03.2016 to 21.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 22.05.2023- Certified copy
66.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. 5839 of 2010-11, in Book 1 and Stored in CD No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru.		Certified Copy (Common to all properties)
67.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited.		Original
68.	Discharge Deed dated 09.11.2015, registered as Document No. MLS-1-02751-2015-16 (stored in C.D. No. M.LSD112) on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
69.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. MLS-1-02759-2015-16 (stored in C.D. No. M.LSD113) on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;		Photo Copy
70.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412-		Photo Copy



	2018-19 (stored in C. D No. 1FBBD244) in the office of the Sub Registrar, Hebbala;	
71.	Management Representations in the form an Affidavit dated 03.11.2016 issued by Suruchi Properties Private Limited;	Photo Copy
72.	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;	Photo Copy
73.	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;	Original (Computer generated copy)
74.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 69 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 12.01.2024;	Certified Copy
75.	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in C/D No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;	Photo Copy
76.	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;	Photocopy
77.	Letter bearing No. 51141-A/11SL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;	Photo Copy
78.	Letter bearing No. 51141-B/11SL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;	Photo Copy
79.	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;	Photo Copy (Certified Copy to be handed over) (Common to all properties)



	<b>Additional Documents</b>		
80.	Notarized Power of Attorney executed by Sri Bolappa and others in favour of Sri P Ravindra Pai and Sri P Ashwin Pai pertaining to Sy. Nos. 155/1B- HASB Khata No. 737/1, 738/1 & 739/1- 27,000 Sq. Ft	Original	
81.	Settlement Agreement executed by M/s. Medical Society of South Kanara and Sri Bolappa and others pertaining to Sy. Nos. 155/1B- HASB Khata No. 737/1, 738/1 & 739/1- 27000 Sq. Ft	Original	
82.	Notarized Indemnity Bond executed by Sri Bolappa and others in favour of M/s Medical Relief Society of South Kanara pertaining to Sy. Nos. 155/1B – HASB Khata No. 737/1, 738/1 & 739/1 – 27,000 Sq. Ft	Original	



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**TITLE REPORT DATED 22.01.2024**  
**PROPERTY IX**  
**MUNICIPAL NO. 62 - (PID No. 73-63-62)**  
•-----•

 **TATVALEGAL**

**Bangalore**

**Advocates**

*[Restricted and Confidential]*



## TITLE REPORT

### A. Description of Property:

The objective of this due diligence exercise is to investigate title to the Property (*defined hereinafter*) described in Part B of this title Report ("the **Report**") based on review of the documents furnished to us, description whereof is given in Part D of this Report.

### B. Scope of Limitation:

The scope of our review and of this Report is subject to the following limitations:

- (i) While performing the review, we have assumed the (a) genuineness of all signatures, (b) accuracy and correctness of all information / representations provided / made to us, including the facts that are mentioned in agreements, executed copies of documents and government records, (c) authenticity of copies of all documents submitted to us as originals, (d) conformity of the copies or extracts submitted to us with the originals thereof, (e) correctness of all information provided to us in respect of the litigations in respect of the Property including the fact that no appeals or revisions have been filed in respect of the relevant suits / litigations and (f) compliance with all legal requirements by the parties concerned with the Property.
- (ii) We have only examined issues pertaining to the ownership of the Property and have not examined issues pertaining to (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Property; (b) business, regulatory and financial issues of the present or previous owners of the Property; and (c) other matters that do not directly affect the ownership of the Property.
- (iii) For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report.
- (iv) We have assumed that there are no outstanding / dues payable by the present / previous owners of the Property to any government / statutory authority (including any tax / cess dues) or local body and that the Property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws.
- (v) Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Property, as analyzed by us from the



information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report.

**C. Confidentiality:**

The contents of this Report are confidential. Neither this Report nor any of its contents may be disclosed to any person other than to the professional advisers, officers and employees of **Suruchi Properties Private Limited** who are directly involved in the proposed transaction relating to the Property. We accept no responsibility to any person other than to **Suruchi Properties Private Limited** in relation to the contents of this Report.

**D. Documents Examined:**

We have been provided with and have examined the photocopies of the documents listed in Annexure – A to this Report for the purpose of carrying out title due diligence on the Property.

**E. Description of Property:**

All that piece and parcel of the immovable property being the land originally bearing Municipal No. 62 (PID No. 73-63-62), measuring 20,802 square feet comprised in the land earlier bearing Survey No. 155/3 situated at Ward No. 73, Narayanappa Garden, Kodihalli, Bengaluru, now forming part of the amalgamated Municipal No. 64 (PID No. 73-63-64), New Ward No. 113, Kodihalli, Bengaluru, hereinafter referred to as "**Property IX**" (*Boundaries are not ascertainable from the documents provided*)

**F. Findings Based On Documents Examined:**

**1. Title:**

1. On perusal of the documents furnished to us, we note that the land bearing Municipal No. 62 measuring 20,802 square feet was part of the larger extent of the land bearing Survey No. 155/3 measuring 1 Acre 34 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru
2. We note that, Kodihalli is an Inam Village. On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 coming into force in respect of the lands situated at Kayam (Gutha Kodihalli Village vide its Notification dated 15.09.1956, all the lands including the land bearing Survey No. 155/3 of Kodihalli Village vested with the Government of Karnataka (Document No. 1).



3. On an application made by one Mr. S. Narayanappa (son of Mr. Ramaiah) for re-grant of wet land measuring 35 Guntas and garden land measuring 39 Guntas, he was registered as *Kadim Tenant* in respect of wet land measuring 35 Guntas and garden land measuring 39 Guntas comprised in Survey No. 155/3 of Kodihalli Village, under Section 4 of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954, in proceedings bearing No. Case 28 of 1957-58 dated 12.07.1958 before the court of Special Deputy Commissioner for Abolition of Inams, Bengaluru (Document No. 2). The aforementioned order does not specify any conditions with respect to the transferability of the said land.
4. We have been provided with the extract of Register VIII pertaining to land measuring 1 Acre 34 Guntas in the land hearing Survey No. 155/3 of Kodihalli Village standing in the name of Mr. S. Narayanappa (son of Mr. Ramaiah) showing the details of assessment payable to Government by Kadim, Permanent, Quasi-permanent and minor Inamdar, etc., (Document No. 3).
5. Mr. S. Narayanappa (son of Mr. Ramaiah) sold the land bearing Survey No. 155/3 measuring 1 Acre 34 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk in favour of Mr. Muniyellappa (son of Mr. Chikka Pullappa) under the Sale Deed dated 26.10.1963 (Document No. 4). Mr. Muniyellappa (son of Mr. Chikka Pullappa) conveyed the land bearing Survey No. 155/3 measuring 1 Acre 34 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk in favour of Mr. K. Bobbanna Reddy (son of late Mr. Kanchappa) under the Sale Deed dated 30.10.1963 (Document No. 5).
6. Mr. K. Bobbanna also transferred the land bearing Survey No. 155/3 measuring 1 Acre 34 Guntas in favour of Mr. Muniyellappa (son of Late Mr. Chikka Pullappa) vide Sale Deed dated 08.05.1969 (Document No. 6).
7. We have been provided with the Genealogical Tree of Mr. Muniyellappa issued by Village Accountant, H.A. Sanitary Board, Bengaluru details the names of his family members (Document No. 7), viz.,
  - a) Mr. Muniyappa (son of Mr. Muniyellappa), Mr. Muthappa, Mr. Ramu (sons of Mr. Muniyappa);
  - b) Mr. Papanna (son of Mr. Muniyellappa), Mr. Ramesh and Mr. Manju (sons of Mr. Papanna);
  - c) Mr. Rajappa (son of Mr. Muniyellappa) Master Girisha and Master Mohan (sons of Mr. Rajappa);
  - d) Mr. Krishnappa (son of Mr. Muniyellappa), Mr. Gopala and Mr. Ganapathi (sons of Mr. Krishnappa);
  - e) Mr. Srinivasa (son of Mr. Muniyellappa), Mr. Ananda, Master Prakasha and Master Nagaraj (sons of Mr. Srinivasa).



It is observed that, the names of daughters of Mr. Muniyellappa viz., Mrs. Chinna Munilakshamma, Mrs. Chikka Chinnamma, Mrs. Motamma, which are reflected in the Will dated 12.11.1971 referred below, are not indicated in the Genealogical Tree submitted to us. We have been informed that the genealogical tree reflecting the names of all the family members is not available.

8. Further, said Mr. Muniyellappa (son of Late Mr. Chikka Pullappa) executed a Will dated 12.11.1971 bequeathing all his properties including the land bearing Survey No. 155/3 measuring 1 Acre 34 Guntas of Kodihalli Village in favour of his children Mr. Muniyappa, Mr. Papanna, Mr. Rajappa, Mr. Krishnappa and Mr. Seenappa. Whereunder Mr. Muniyappa was allotted 34% Guntas in Survey Nos. 155 & 156, Mr. Krishnappa was allotted 30% Guntas in Survey No. 155 & 156, Mr. Rajappa was allotted 30% Guntas in Survey Nos. 155 & 156 and Mr. Papanna was allotted 30% Guntas and Mr. Seenappa alias Srinivas was allotted other properties (Document No. 8). Under the Will, Mr. Muniyellappa has stated that the Daughters are entitled to monies.

**Observation:** We have not seen any documents whereunder daughters were allotted their share in the properties belonging to their father Mr. Muniyellappa. In this regard, Suruchi Properties Private Limited ("Suruchi") has represented to us, that, the daughters of Mr. Muniyellappa viz., Mrs. Chinna Munilakshamma, Mrs. Chikka Chinnamma, Mrs. Motamma were married and given with movable properties such as sufficient gold jewellery and cash at the time of their marriage and till now have not raised any claims over the properties.

9. We note the Atlas dated 17.07.1973 issued in respect of the land bearing Survey No. 155/3 which shows the sub-divisions in the said survey number and we note that (a) holder of land bearing Survey No. 155/3E is shown as Mr. Muniyappa, (b) holder of land bearing Survey No. 155/3F is shown as Mr. Krishnappa and (c) holders of land bearing Survey No. 155/3G are shown as Mr. Muniyappa, Mr. Krishnappa, Mr. Rajappa & Mr. Papanna (Document No. 9).
10. Record of Rights, Tenancy and Crop Inspection ("RTCs") issued for the years 1975-76 to 1996-97 in respect of:
- Survey No.155/3E measuring 10 Guntas (including 1 Gunta of Kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, reflect Mr. Muniyappa (son of Mr. Muniyellappa) as the holder thereof (Document No. 10).
  - Survey No.155/3F measuring 6 Guntas of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru reflect Mr. Krishnappa (son of Mr. Muniyellappa) as the holder thereof (Document No. 11).



- (c) Survey No.155/3G measuring 7 Guntas (including 2 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru reflect Mr. Muniyappa, Mr. Krishnappa, Mr. Rajappa and Mr. Papanna (sons Mr. Muniyellappa) to be the joint holders of the said land (Document No. 12).

**Observation:** It is noted that Mr. Muniyellappa had purchased the entire extent of 1 Acre 34 Guntas in the land bearing Survey No. 155/3. However, the children of Mr. Muniyellappa have conveyed only a portion thereof (i.e., about 23 Guntas (including 2 Guntas of kharab). In this regard we have been informed by Sunehi that only the 23 Guntas transferred by children of Mr. Muniyellappa form part of the proposed Project Lands and the balance extent is situated to north of the Project Lands

11. Thereafter, it appears that the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB") and the said City Municipal Council, Hindustan Aeronautics Sanitary Board has allotted
- (a) HASB Khata No. 740/1 measuring 9407.50 square feet to the land bearing Survey No. 155/3E which was held by Mr. Muniyappa,
- (b) HASB Khata No. 740/2 measuring 5715 square feet to the land bearing Survey No. 155/3E, which was held by Mr. Krishnappa, and
- (c) HASB Khata No. 741/2 measuring 7860 square feet to the land bearing Survey No. 155/3G which was held jointly by the 4 sons of Mr. Muniyellappa.

In this regard, we note extract of the assessment list of the properties liable for tax issued by the HASB with respect to land bearing HASB Khata Nos. 740/1, 740/2 and 741/2 for the year 1988-89 which reflect the names of its owners as herein above mentioned (Document Nos. 12A to 12C).

12. Mr. Muniyappa (son of Late Mr. Muniyellappa) executed an Agreement of Sale dated 30.11.1988 agreeing to sell the land measuring 9407.50 Sq. Ft., in khata No. 740/1 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of G. M. S. Constructions Company Private Limited (Document No. 13). Subsequently, Mr. Muniyappa has personally, executed a Sale Deed dated 10.04.1990, conveying the land bearing HASB Khata No. 740/1 measuring 9407.50 square feet situated at Kodihalli Village, HA Sanitary Board, Bengaluru in favour of GMS Constructions Company Private Limited (Document No. 14). We note the Certificate dated 28.12.1993 issued by HASB certifying that land bearing HASB Khata No. 740/1 measuring 9407.50 Sq. Ft., situated in the land bearing Survey No. 155/3E of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk stands in the name of GMS Constructions (Document No. 15).
13. Thereafter, aforesaid G. M. S. Constructions Company Private Limited further conveyed the land bearing HASB Khata No. 740/1, measuring 9407.50 square feet situated at Kodihalli



Village, HA Sanitary Board, Bengaluru South Taluk, in favour of Medical Relief Society of South Kanara under Sale Deed dated 24.02.2000 (Document No. 16).

14. Mr. Krishnappa (son of Late Mr. Muniyellappa) entered into an Agreement of Sale dated 30.11.1988 agreeing to sell the land bearing HIASB Khata No. 740/2 measuring 5715 square feet situated at Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk in favour of G. M. S. Constructions Company Private Limited (Document No. 17). Mr. Krishnappa (son of Late Mr. Muniyellappa) personally executed a Sale Deed dated 10.04.1990, conveying the land bearing HIASB Khata No. 740/2 measuring 5715 square feet situated at Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of G. M. S. Constructions Company Private Limited (Document No. 18). We note the Certificate dated 28.12.1993 issued City Municipal Council, HASB certifying that the land bearing HIASB Khata No. 740/2 measuring 5715 square feet situated in the land bearing Survey No. 155/3F, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk stands in the name of GMS Constructions Company Private Limited (Document No. 19).
15. Thereafter, G. M. S. Constructions Company Private Limited executed Sale Deed dated 24.02.2000 conveying the land bearing HIASB Khata No. 740/2 measuring 5715 square feet situated at Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk in favour of Medical Relief Society of South Kanara under Sale Deed dated 24.02.2000 (Document No. 20).
16. Mr. Muniyappa (son of Late Mr. Muniyellappa) executed an Agreement of Sale dated 30.01.1988 agreeing to sell the land bearing HASB Khata No. 741/2 measuring 7860 square feet situated at Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of G. M. S. Constructions Company Private Limited (Document No. 21). Thereafter, Sale Deed dated 10.04.1990 was executed by Mr. Muniyappa conveying the land bearing HIASB Khata No. 741/2 measuring 7860 square feet in favour of G. M. S. Constructions Company Private Limited (Document No. 22). We note the Certificate issued by HIASB certifying that land bearing HASB Khata No. 741/2 measuring 7860 Sq. Ft. in the land bearing Survey No. 155/3G of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk stands in the name of GMS Constructions Company Private Limited (Document No. 23).

Observation: It is noted that the land bearing HIASB Khata No. 741/2 was standing in the joint names of all the 4 sons of Mr. Muniyellappa. However, only Mr. Muniyappa has executed the Sale Deed dated 10.04.1990 and not the other children. In this regard, the other sons have executed a registered Ratification Deed dated 15.10.2003 ratifying the act of Mr. Muniyappa.

17. G. M. S. Constructions Company Private Limited conveyed the land bearing HIASB Khata No. 741/2 measuring 7860 square feet situated at Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru in favour of Medical Relief Society of South Kanara under Sale Deed dated 24.02.2000 (Document No. 24).



18. Mr. Papanna, Mr. Rajappa and Mr. Krishnappa (sons of Late Mr. Muniyellappa), who had joined in the execution and registration of the Sale Deed dated 10.04.1990 in respect of land bearing HASB Khata No. 741/2, have executed and registered a Ratification Deed dated 15.10.2003 in favour of GMS Constructions Private Limited confirming that GMS Constructions Private Limited and its successors in title would be the owners of the land bearing HASB Khata No. 741/2 and stating that they do not have any right, title or interest in respect thereof (Document No. 25).
19. Medical Relief Society of South Kanara and Mr. Dayanand Pai have entered into an Agreement of Sale dated 09.03.2004 in respect of the land bearing Survey Nos. 156/2 to 156/6, 155/1A, 156/1, 155/1B, 146/1, 147/2, 155/1C, 155/1A, 148, 146/2, 146/3, 147/1, 143/3, 155/3 to 3G of Kodihalli Village bearing various HASB khata numbers admeasuring about 10 Acres (Document No. 26). Mr. P. Dayananda Pai has assigned his rights under the abovementioned Agreement of Sale dated 09.03.2004 in favour Suruchi Properties Private Limited ("Suruchi") by way of Nomination Agreement dated 09.03.2004 (Document No. 27).
20. Subsequently, the lands therein situated at Kodihalli Village including the aforesaid properties appears to have come within the administrative jurisdiction of the Bruhat Bengaluru Mahanagara Palike and the same were assessed for tax by the Bruhat Bengaluru Mahanagara Palike. We have been provided with Receipt bearing No. 53212 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of betterment charges in respect of the land bearing HASB Khata Nos. 740/2, 740/1, 741/2 measuring 20,904 square feet at the rate of Rs. 100 per square yard (Document No. 28).
21. We note the Special Notice bearing No. Ward/73/KTR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike which evidences that land bearing HASB Khata Nos. 741/2, 740/1 & 740/2 was allotted with Municipal No. 62, Ward No. 73 Narayanappa Garden, Kodihalli and khata in respect thereof stand in the name of Medical Relief Society of South Kanara (Document No. 29). The said notices also states that the said land has been assessed for tax from the year 1995-96 to 2005-06 and the amount to be paid in respect thereof.
22. In this regard, we note the Receipt bearing No 238796 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of tax in respect of Municipal No. 62 by Medical Relief Society of South Kanara for the 2<sup>nd</sup> half of 1995-96 till 2005-06 (Document No.30).

**Observation:** It has been represented that Medical Relief Society of South Kanara started paying property tax to the office of the Bangalore Mahanagara Palike, Bengaluru and that at the time of assessment made by the office of BMP, that BMP has physically measured the property and based on the measurement the assessment was fixed for the actual area on



ground and khata has been issued in respect of extent in possession of Medical Relief Society of South Kanara (i.e., 20,802 square feet)

23. Subsequently, Suruchi sought for the specific performance of Agreement of Sale and Nomination Agreement both dated 09.03.2004, mentioned in paragraph 19 above, before the Arbitral Tribunal consisting of sole arbitrator against Medical Relief Society of South Kanara and Mr. Dayanand Pai. The Arbitration Tribunal passed an Award on 30.11.2007 directing Suruchi to pay the due amounts to Medical Relief Society of South Kanara and Mr. P. Dayananda Pai and ordered / directed Medical Relief Society of South Kanara and Mr. P. Dayananda Pai to transfer *inter alia* Municipal No. 62 to Suruchi in terms of the Award (Document No. 31). We note that pursuant to the Award, the parties have not executed a separate conveyance deed. However, the Award dated 30.11.2007 has been registered along with the subsequent Minutes of the Meeting dated 28.02.2008 recorded by the Arbitrator which records (a) passing of consideration from Suruchi Properties Private Limited to Medical Relief Society of South Kanara, (b) delivery of physical possession and handing over of the original documents by Medical Relief Society of South Kanara and Mr. Dayanand Pai in favor of Suruchi Properties Private Limited. In this regard it is noted that the Arbitrator (acting on behalf of the claimant and the respondents) presented the Award for registration before the jurisdictional sub-registrar and the jurisdictional sub registrar has treated the same as an instrument of conveyance and has levied duty likewise. It is further noted that the instrument has been released by the jurisdictional sub-registrar after completing all the registration formalities.
24. Suruchi has entered into a Development Agreement dated 03.02.2011 with Salarpuria Realtors Private Limited to develop the land bearing various municipal numbers totally admeasuring 4,23,867 square feet (which includes land bearing Municipal No. 62 measuring 20802 square feet) situated at Kodihalli, Ward No. 75, Airport Road, Bengaluru on the terms and conditions set out therein (Document No. 32). Suruchi has executed and registered a General Power of Attorney dated 04.02.2011 authorising and appointing the developer, Salarpuria Realtors Private Limited as its attorney in respect of lands admeasuring 4,27,867 square feet to do various acts, deeds and things in the connection with the development of the lands in the manner as specified therein (Document No. 33). The power of attorney also entitles the attorney to raise and borrow loan or financial assistance by creating the equitable mortgage or security of the developer's share of receivables together with the undivided share right title and interest and ownership in the land.

## II. Revenue Records and Endorsements:

25. We note the Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura, to the effect that the R.T.C.'s issued in respect of the land bearing Survey Nos. 155/3Eto3G for the years 1969 to 1970 and 1997 to 2001 are not available and hence cannot be provided (Document No. 34).



26. We have been furnished with a map of Kodihalli Village which shows the location of the land bearing Survey No. 155 (Document No. 35).
27. Hissa Survey Tippany issued in respect of the land bearing Survey No. 155/3 and its subdivisions show the shape of the land and in the said survey number (Document No. 36).
28. Revision Settlement Akarbandh issued confirms the total extent in the land in Survey No. 155/3L to be 10 Guntas including 1 Gunta of kharab land, 155/3F to be 6 Guntas and 155/3G to be 7 Guntas including 1 Gunta of kharab respectively (Document No. 37).
29. The Tahasildar, Bengaluru East Taluk, Bengaluru has issued an Endorsement dated 18.04.2005 to the effect that no applications have been filed in respect of the land bearing Survey No. 155/3L, 155/3F and 155/3G under form 7 & 7(A) of the Karnataka Land Reforms Act, 1961 (Document No. 38).
30. The Assistant Commissioner's Office, Bengaluru North Taluk, has issued Endorsement dated 17.02.2012 to the effect that, as per the records maintained in the said office, no proceedings have been filed in respect of the land bearing Survey No. 155/3F, 155/3F and 155/3G under Sections 79(A) & 79(B) of the Karnataka Land Reforms Act, 1961 (Document No. 39).
31. We have not been furnished with an endorsement issued by the jurisdictional Assistant Commissioner stating that the Property IX does not come under the purview of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 and no proceedings have been filed / pending / disposed off in respect of the Property IX under the provisions of the said enactment. It has been represented that no applications have been filed under the provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of Property IX and in this regard Suruchi Properties Private Limited have not received any notice or intimation with respect to the same (Document No. 62).

### III. Khata and Tax Receipts:

32. We have been provided with the Khata Certificate and Khata Extract dated 14.10.2011 issued by Bruhat Bengaluru Mahanagara Palike ("BBMP") certifying the land bearing Municipal No. 62 measuring 20802 square feet situated at Ward No. 73, Kodihalli, Bengaluru stands in the name of Suruchi Properties Private Limited in their records (Document No. 40).
33. We have been provided with Receipts dated 25.11.1994 and 06.12.1995 issued by HASB which evidences the payment of property tax in respect of the land bearing HASB Khata Nos 740/1, 741/2 and 740/2 for the years 1990-91 and 1993-94, 1994-95 respectively (Document Nos. 40A and 40B).



34. We note the Receipt bearing No. 22233000277 dated 10.08.2023 issued by BBMP evidencing the payment of property tax in respect of Municipal No. 62 for the year 2022-23 by Suruchi (Document No. 41)
35. It is noted that, Suruchi appears to have made an application to the BBMP for the amalgamation of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot on the basis of the Modified Work Order dated 27.12.2021 sanctioned by the BDA referred to hereinafter and the B Kharab Realignment Order bearing No. F ND (E) CR/226/2017-18 dated 05.03.2019 passed by the Deputy Commissioner, Bengaluru District.
36. We have been provided with a Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP, wherein based on the documents submitted by Suruchi, BBMP has amalgamated the Khata of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot admeasuring 3,54,506 square feet and assigned it with Municipal No. 73-63-64 standing in the name of Suruchi and Mrs. Shyadhamma on certain terms and conditions morefully set out therein (Document No. 41A). The Special Notice further records that:
- (a) the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli shall stand cancelled in the records of BBMP.
- (b) The amalgamated single plot has been assessed for annual tax of Rs. 2,14,279.00 with effect from 01.10.2023.
- Observation:** We have not seen the Khata Certificate and Khata Extract issued by the BBMP in respect of the amalgamated Municipal No. 64 admeasuring 3,54,506 square feet situated at Ward No. 113, Narayanappa Garden, Kodihalli pursuant to the above mentioned Special Notice dated 17.01.2024. We have also not seen the B Kharab Realignment Order referred to above.
37. As per the assessment of Municipal No. 73-63-64 for tax set out in the Special Notice dated 17.01.2024 referred to above, we have been provided with the Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department which evidences the payment of property taxes for the land bearing Municipal No. 73-63-64 for the year 2023-24 (Document No. 41B).



**IV. Acquisitions:**

38. The Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru has issued an Endorsement dated 16.01.2013 to the effect that *inter alia* land bearing Survey No. 155/3E to H of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru is not notified for acquisition for any of its project as on the date of the issue of the said Endorsement (Document No. 42).
39. The Special Land Acquisition Officer-2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru has issued an Endorsement dated 23.01.2013 stating that *inter alia* land bearing Survey No. 155/3E to H situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru has not been acquired or notified for acquisition for any of projects of Karnataka Industrial Areas Housing Board as on the date of issue of the said endorsement (Document No. 43).
40. The Special Land Acquisition Officer, National Highway Authority of India has issued an Endorsement bearing No. LAQ/NH-7/HM/CR/51/7-18 dated 09.10.2017 stating that no survey numbers in Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru falls under the jurisdiction of National Highway Authority of India (Document No. 44).

**V. Land Conversion and Land Usage**

41. We have not been furnished with the Official Memorandum issued by the office of Deputy Commissioner, Bengaluru District, whereunder the Property IX was converted for non agricultural purposes. We have been informed that, no conversion has been obtained under the provisions of Law. However, please note, the Section 95 (2) of the Karnataka Land Revenue Act, 1964, specifically states that, regardless of what is stated in any other law, if an occupant seeks to divert the usage of an agricultural land, then such occupant will have to obtain permission from the office of the Deputy Commissioner.
42. It is represented to us, that, the Kodihalli Village (comprising of Property IX) came to be administered by Hindustan HASB. HASB acting as the Special Board / Town or City Municipal Council, distinct and independent from the bangalore district board and panchayats of Kodihalli has assessed these properties as non-agricultural properties and issued fresh khata numbers to the properties under its administration. Subsequently when it was found that HASB was acting without any statutory mandate, the Bruhat Bangalore Mahanagara Palike took over the administration of the properties which were being administered by the HASB. The Bruhat Bangalore Mahanagara Palike, did not nullify the actions taken by HASB (including issuing khata to unconverted lands) and they carried forward the same by issuing new municipal numbers to such unconverted lands.



43. In this regard, representatives of Suruchi Properties Private Limited have furnished a copy of an unreported division bench Judgment dated 14.06.2012 of the High Court of Karnataka in W.A. 17361-17363/2011 which has held that 'there is no necessity to obtain conversion from agricultural to non-agricultural, if the area comes within the town municipal council limits and the town municipal council has collected the developmental charges and is treating the property as a municipal property'. Representatives of Suruchi Properties Private Limited have represented that the BBMP is relying on the aforesaid division bench Judgment to approve plans in respect of unconverted properties falling within the jurisdiction of BBMP, for which khata's have been issued by BBMP. It has been further represented to us that, the Judgment dated 14.06.2012 of the division bench in the High Court of Karnataka has not been challenged or overruled as on date.
44. As per the Revised Master Plan 2015 of Bengaluru (Approved by the Government of Karnataka vide the G.O. No. UDD 540 BE/M.A SE 2004 dated 25.6.2007) ("RMP-2015"), the Land is classified as residential (main) use.
45. We been provided with and we note the Work Order hearing No. BDA/Nayosa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority ("BDA") along with sanctioned residential development plan to Suruchi with respect to the sanction of the proposed residential development proposed to be undertaken in the land bearing Survey Nos. 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (Document No. 45). In terms thereof, we note the Relinquishment Deed dated 29.05.2019 executed by Suruchi Properties Private Limited in favour of BDA relinquishing an extent of 4.407 square meters (i.e., about 47,419.3 square feet) for park and open spaces in the land bearing 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) of Kodihalli Village (Document No. 46).
46. It appears that there were some modifications in connection with the proposed residential development and accordingly Suruchi has applied for and obtained a Modified Work Order dated 27.12.2021 from the BDA and in terms thereof, BDA has sanctioned the modified residential development plan proposed to be undertaken by Suruchi in the land bearing Survey Nos. 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 08 Acres 5.35 Guntas (excluding 21 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk ("Project Lands") on the terms and conditions set out thereunder (Document No. 47). Some of the terms and conditions on which the sanction have been granted are as follows:



- (a) The developmental activities are to be undertaken in terms of the sanctioned development plan and the same shall not be changed without the prior permission of BDA.
  - (b) The area reserved for parks and buffer zone shall be used for the purposes for which they have been reserved and shall not be used for any other purposes.
  - (c) Sanction of the building plans will have to be obtained from BDA.
  - (d) The sanction provided by BDA shall be automatically cancelled if it is found that the applicant has misrepresented with respect to the ownership of the properties.
  - (e) 10% of the residential units shall be reserved for economically weaker section and low income group.
  - (f) Sewage treatment plant is required to be installed to ensure that untreated water is not released from the properties.
47. In connection with the above, we note the Rectification of Relinquishment Deed dated 17.07.2021 executed by Suruchi in favour of BDA whereunder the earlier area relinquished in favour of BDA was cancelled and Suruchi has relinquished an area of 3322 square meters in the properties for park and open spaces (Document No. 48).

#### VI. Litigation

48. Medical Relief Society of South Canara had filed a suit in O.S.No. 16548/2003 on the file of city civil judge, Mayo Hall, Bengaluru seeking permanent injunction against Mr. Ramesh (son of Mr. Pappanna), Mr. Muthappa (son of Mr. Muniyappa), Mr. Krishnappa and Others restraining them from interfering with the peaceful possession and enjoyment of Property IX and later the Parties arrived at a compromise and filed a compromise petition, under the compromise petition the defendants have acknowledged that plaintiff (i.e., Medical Relief Society of South Canara) is the owner of the property and that the defendants do not have any rights over the same and suit was decreed as per the compromise petition (Document No. 49). Pursuant to the above compromise, the defendants to the above suit viz., (a) Mr. Krishnappa (son of Late Mr. Muniyellappa) along with his sons Mr. K. Ramesh Babu, Mr. Ganesh Babu, (b) Mr. Muniyappa along with his son Mr. Muthappa, (c) Mr. Rajappa along with his sons Mr. Girish & Mr. Mohan, (d) Mr. Pappanna along with his sons Mr. Ramesh and Mr. P. Manjunath have executed and registered a Declaration Deed dated 06.10.2005 in favour of Medical Relief Society of South Kanara confirming that Medical Relief Society of South Kanara is the owner of the land bearing Survey Nos. 155/3E, 155/F & 155/G measuring about 21.13 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk and that they do not have any right, title or interest thereon (Document No. 50).
49. We have been informed by Suruchi that apart from the above (which have been disposed), there are no other litigations have been filed or pending in respect of Property IX.



**VII. Encumbrance / Charge:**

50. Encumbrance Certificate issued in respect of the land bearing Survey No. 155/3 for the period 01.04.1957 to 31.03.1973, 01.04.1973 to 31.03.2004, 01.04.2004 to 06.06.2013, 01.06.2013 to 20.11.2013, 20.11.2013 to 21.12.2013 reflect Sale Deeds dated 31.10.1965, 31.10.1965 & 08.05.1969 referred to hereinabove (Document No. 51).
51. Encumbrance Certificates issued in respect of the land bearing Survey Nos. 155/3E, 155/3F & 155/3G for the period 01.04.1960 to 31.03.1965, 01.04.1965 to 05.09.1996, 01.04.1996 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.01.2008 to 18.10.2010, 01.04.2004 to 06.01.2012, 07.01.2012 to 04.06.2013 and 20.11.2013 to 21.12.2013 reflect the Declaration Deed dated 07.10.2005 referred to herein above (Document No. 52).
52. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 740/2 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 29.05.1997, 01.04.1994 to 11.11.1999, 01.04.1999 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 20.10.11, 21.10.2011 to 01.06.2013, 01.06.2013 to 20.11.2013 and 20.11.2013 to 21.12.2013 reflect Sale Deeds dated 10.04.1990 and 09.05.2000 referred to hereinabove (Document No. 53).
53. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 740/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 29.05.1997, 01.04.1994 to 11.11.1999, 01.04.1999 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 20.10.11, 21.10.2011 to 01.06.2013, 01.06.2013 to 20.11.2013 and 20.11.2013 to 21.12.2013 reflect Sale Deeds dated 10.04.1990 and 09.05.2000 referred to hereinabove (Document No. 54).
54. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 741/2 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 29.05.1997, 01.04.2004 to 20.10.2011, 21.10.2011 to 01.06.2013, 01.06.2013 to 20.11.2013 and 20.11.2013 to 21.12.2013 do not reflect any transactions (Document No. 55).

**Observation:** We have not seen encumbrance certificates issued in respect of land bearing HASB Khata No. 741/2 for the period 01.04.1997 to 31.03.2004.

55. Encumbrance Certificates issued in respect of the land bearing Municipal No. 62 for the period 01.04.2005 to 31.03.2008, 01.04.2008 to 05.10.2011, 01.04.2010 to 14.11.2012, 01.04.2011 to 06.01.2012, 14.11.2012 to 04.06.2013, 01.04.2013 to 31.03.2014, 01.04.2014 to 07.02.2023, 01.04.2022 to 22.05.2023, 01.05.2023 to 25.10.2023 reflect Award dated 08.08.2008 and Development Agreement dated 04.02.2011 referred to herein above and Mortgage Deeds dated 29.11.2011, 14.03.2011, Memorandum of Entry dated 21.12.2019 referred to hereinbelow (Document No. 56).



56. Encumbrance Certificate issued in respect of the land bearing Municipal No. 62 in the land bearing Survey No. 156/1 of Kodihalli for the period 01.04.2004 to 10.01.2024 reflects the Joint Development Agreement dated 04.02.2011, referred to hereinabove and Mortgage Deed dated 14.03.2011, Discharge Deed dated 09.11.2015, Memorandum of Entry dated 06.10.2015, 21.02.2019 referred to herein below (Document No. 56A)

Observation: We have not seen encumbrance certificate in respect of Property IX from 10.01.2024. The encumbrance certificates provided to us do not reflect the registered Memorandum of Entries 02.08.2018 and 06.09.2023 referred to hereinafter.

57. We have been furnished with a Simple Mortgage Deed dated 14.03.2011 executed amongst Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses in favour of IDBI Trusteeship Services Ltd., which includes *inter alia* Municipal No. 62 (Document No. 57). It is observed that the Century Real Estate Holdings Private Limited, Century Shelters and Green Orchards Farm House, as mortgagors had mortgaged certain of other properties owned by them and Suruchi Properties Private Limited, had mortgaged the lands situated at Kodihalli (including Municipal No. 62) to secure the debentures issued by Century Real Estate Holdings Private Limited.
58. Subsequently, Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited entered into and executed an Escrow Agreement dated 16.09.2015 with respect to the custody of the title deeds in respect of the Properties (Document No. 58) which *inter-alia* included Municipal No. 62 measuring 20,802 square feet. It is observed that, pursuant to aforesaid Joint Development Agreement, Suruchi Properties Private Limited had handed over the original title deeds in respect of the properties to Salarpuria Realtors Private Limited and on the request made by the Suruchi Properties Private Limited, Salarpuria Realtors Private Limited, the Developer has agreed to deposit the title deeds pertaining to the project which *inter-alia* contains the title deeds of Municipal No. 62 measuring 20,802 square feet, with the escrow agent i.e., IL&FS Trust Company Limited (ITCI), and the parties have entered into the escrow agreement to record the terms and conditions, on which ITCI shall hold and safeguard the title deeds as trustee for the benefit of the parties as per the terms agreed under the said Agreement, subject to the duties, obligations and responsibilities mentioned there under.
59. It is noted that, in consideration of payment of entire amount in principal and interest due to the Debenture Holders on the Security of the Simple Mortgage Deed dated 14.03.2011, the Debenture Trustee, i.e., IDBI Trusteeship Services Limited has discharged and released *inter alia* Municipal No. 62 measuring 20,802 square feet and others properties free from all encumbrances and charges whatsoever in favour of Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses by executing a Discharge Deed dated 09.11.2015 (Document No. 59).



60. Suruchi Properties Private Limited.. has executed a Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 and registered on 11.11.2015 in favour of IDBI Trusteeship Services Limited whereunder Suruchi Properties Private Limited has created first and exclusive charge by way of equitable mortgage over the lands situated at Kodihalli (including Municipal No. 62) to secure debentures worth of Rs.620Crores issued by Century Joint Developments Private Limited (Document No. 60). We note that H&FS Trust Company Limited has joined in the execution of this memorandum to record the constructive delivery of the title deeds. We have been provided with No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited which evidences, that the debenture holder has confirmed that there are no amounts due and payable in respect of the non-convertible debentures worth of Rs. 620 Crores and that the same has been fully re-paid and on the basis of the same, IDBI Trusteeship Services Limited has provided its approval for the release of the securities including the charge created thereunder (Document No. 60A). We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.
61. Thereafter, it is noted that, Suruchi Properties Private Limited has executed and registered a Memorandum of Entry dated 02.08.2018 in favour of IDBI Trusteeship Services Limited wherein the pari passu charge was created over the lands situated at Kodihalli to secure an amount totally to Rs. 772 Crores of financial assistance availed by Century Real Estate Holdings Private Limited (comprising of (1) Rs. 125Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 27.03.2017, (2) Rs. 257 Crores – of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 29.06.2016 and (3) Rs. 390 Crores of term loan availed by Century Real Estate Holdings Private Limited under the Facility Agreement 03.07.2015) (Document No. 60B).
62. Suruchi Properties Private Limited has executed and registered a Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 (registered on 21.02.2019) in favour of IDBI Trusteeship Services Limited, whereunder the charge created on the lands situated at Kodihalli (including Municipal Nos. 62) by Suruchi Properties Private Limited has been extended on first ranking pari passu basis to secure (a) Century Joint Developments Private Limited's indebtedness of Rs. 1105Crores (comprising of (1) Rs. 620 Crores of non-convertible debentures of Century Joint Developments Private Limited (now released as detailed above) and (2) Rs. 485 Crores – of term loan availed by Century Joint Developments Private Limited under the Facility Agreement 30.07.2018) and (b) Century Real Estate Holdings Private Limited's indebtedness of Rs. 772 Crores (Document No. 61).
63. Thereafter we note (a) Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour of *inter-alia* Century Real Estate

Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 125 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 61A) and (b) Letter bearing No. 51141-B/TISL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 257 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no Dues certificates in respect thereof (Document No. 61B). IDBI Trusteeship Services Limited has provided their no-objection for filing CHG 4 with the concerned Registrar of Companies. We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.

**Observation:** We have been informed that no release deeds have been executed and registered evidencing the release of the mortgage created over the lands situated at Kodihalli, Bengaluru owned by Suruchi. It is noted that the mortgage created under the Memorandum of Entry dated 06.02.2019 for securing (a) the term loan of Rs. 390 Crores availed by Century Real Estate Holdings Private Limited and (b) the term loan of Rs. 485 Crores availed by Century Joint Development Agreements Private Limited was subsisting and not released under the above mentioned no due certificates.

64. Thereafter, we note the registered Memorandum of Entry dated 06.09.2023 whereunder Suruchi's entitlement in the lands situated at Kodihalli Village has been mortgaged by way of first ranking pari passu charge to secure (a) Rs. 485 Crores term loan availed by Century Joint Developments Private Limited (CJDPL) from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 30.07.2018, (b) Non-convertible debentures aggregating up to Rs. 325 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 12.12.2020, (c) Non-convertible debentures aggregating upto Rs. 700 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 22.09.2022, (d) Rs. 390 Crores term loan availed by Century Real Estate Holdings Private Limited from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 03.07.2018 (Document No. 61C).
65. We have been informed that, apart from the above Memorandum of Entry recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 (which has since been satisfied in entirety as detailed above), 02.08.2018 (which has been satisfied partially as detailed above), 06.02.2019 and 06.09.2023, which are still subsisting, there are no other mortgages, in respect of the Municipal No.62.

#### VIII. Contiguity, Inspection of Original Documents and Public Notice:

66. From the development plan and the title deeds (including the sale deed by which Suruchi has acquired and the khata which has been prepared thereafter) provided to us in respect of

Property IX for our scrutiny, it is not possible to ascertain if Property IX (viz., Municipal No. 67) are contiguous with the other lands forming part of the proposed project. The same needs to be ascertained by undertaking a physical survey. In this regard we have been informed that the Project Lands are contiguous and that an amalgamated khata has been issued by BBMP on the basis of the Modified Work Order dated 27.12.2021 issued by the BDA sanctioning the residential development plan which indicates that all the Project Lands form a contiguous parcel of land.

67. As part of our title scrutiny, we have undertaken inspection of the original documents in respect of Property IX which are in the custody of Vistra LTCI. (India) Limited (the escrow agent for Suruchi and Salarpuria Realtors Private Limited) and Suruchi. The list and the nature of the documents provided to our inspection is detailed in Annexure – B of this Report.
68. We have issued a Public Notice in an English daily 'The New Indian Express' and Kannada daily the 'Kannada Prabha' on 16.12.2023 inviting objections from the general public with respect to Suruchi's title over Property IX. As on 18.01.2024, we have not received any objections to the public notice issued.

#### G. CONCLUSION:

Subject to our observations made hereinabove, we are of the opinion that:

- (i) Suruchi Properties Private Limited, is the owner of Property IX, subject to the rights of Salarpuria Realtors Private Limited under the Development Agreement dated 03.02.2011; and
- (ii) Property IX is mortgaged in favour of WDH Trustee Services Limited pursuant to the Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 02.08.2018, 06.02.2019 and 06.09.2023.



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**ANNEXURE – A**  
**LIST OF DOCUMENTS EXAMINED**

<b>Sl. No.</b>	<b>Description of Documents</b>
1.	Notification bearing No. R.8347-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;
2.	Re-grant Order dated 12.07.1958 passed in Case No. 28 of 1957-58 by the Special Deputy Commissioner for Abolition of Inams, Bengaluru District,
3.	Extract of Register VIII with respect to <i>inter alia</i> the land reflecting the grant of an extent of 1 Acre 31 Guntas in Survey No. 155/3 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk.
4.	Sale Deed dated 26.10.1963, registered as Document No. 3741 of 1963-64, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;
5.	Sale Deed dated 30.10.1963, registered as Document No. 3742 of 1963-64, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;
6.	Sale Deed dated 08.05.1969, registered as Document No. 669 of 1969-70, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
7.	Genealogical Tree of Mr. Muniyellappa (son of Late Mr. Chikka Pullappa) authenticated by the Village Accountant, H.A. Sanitary Board.
8.	Will dated 12.11.1971, registered as Document No. 27 of 1971-72, in Book III, in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
9.	Atlas dated 17.07.1973 issued in respect of the land bearing Survey No. 155/3 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
10.	RTCs issued in respect of land bearing Survey No. 155/3L measuring 10 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1975-76 to 1996-97;
11.	RTCs issued in respect of land bearing Survey No. 155/3F measuring 6 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1975-76 to 1996-97;



12.	RTCs issued in respect of land bearing Survey No. 153/3G measuring 7 Guntas, situated at Kodihalli Village, Vartur Hobli, Bengaluru South Taluk for the years 1975-76 to 1996-97;
12A	Extract of Assessment List of the properties liable for tax issued by HASB for the year 1988-89 in respect of the land bearing HASB Khata No. 740/1 of Kodihalli Village;
12B	Extract of Assessment List of the properties liable for tax issued by HASB for the year 1988-89 in respect of the land bearing HASB Khata No. 741/2 of Kodihalli Village;
12C	Extract of Assessment List of the properties liable for tax issued by HASB for the year 1988-89 in respect of the land bearing HASB Khata No. 740/2 of Kodihalli Village.
13.	<i>(Unregistered)</i> Indenture of Agreement of Sale dated 30.11.1988 executed by and between Mr. Muniyappa (son of Late Mr. Muniyellappa) in favour of G. M. S. Constructions Company Private Limited;
14.	Sale Deed dated 10.04.1990, registered as Document No. 98 of 1990-91, in Book I in the office of the Sub Registrar, Bengaluru South Taluk;
15.	Certificate dated 28.12.1993 issued by Hindustan Aeronautics Sanitary Board ("HASB") Bengaluru;
16	Sale Deed dated 24.02.2000, registered as Document No. 930 of 2000-01, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru.
17.	<i>(Unregistered)</i> Indenture of Agreement of Sale dated 30.11.1988 executed by Mr. Krishnappa (son of Late Mr. Muniyellappa) in favour of G. M. S. Constructions Company Private Limited in respect of the land measuring 5715 Sq. Ft., in khata No. 740/2 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
18.	Sale Deed dated 10.04.1990 registered as Document No. 96 of 1990-91, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
19.	Certificate dated 28.12.1993 issued by HASB;
20.	Sale Deed dated 24.02.2000, registered as Document No. 928 of 2000-01, in Book I in the office of the Sub Registrar, Bengaluru South Taluk.
21.	<i>(Unregistered)</i> Indenture of Agreement of Sale dated 30.01.1988 executed by Mr. Muniyappa (son of Late Mr. Muniyellappa) in favour of G. M. S. Constructions Company



	Private Limited in respect of the land measuring 7860 Sq. Ft., in khata No. 741/2 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;
22.	Sale Deed dated 10.04.1990 registered as Document No. 102 of 1990-91, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
23.	Certificate dated 28.12.1993 issued by H/ASB,
24.	Sale Deed dated 24.02.2000 registered as Document No. 924 of 2000-01, in Book I in the office of the Sub Registrar, Bengaluru South Taluk;
25.	Rectification Deed dated 15.10.2003 registered as No. 16736 of 2003-04, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
26.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;
27.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Suruchi Properties Private Limited;
28.	Receipt bearing No. 53212 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike;
29.	Special Notice bearing No. Ward/73/KTR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;
30.	Receipt bearing No 238796 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;
31.	Award dated 30.11.2007, registered as Document No. VRT 1 01841 2008-09 (stored in C.D. No. VRTD31) on 08.08.2008, in the office of the Sub Registrar, Varthur;
32.	Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11, (stored in C.D.No.VRT1095) in the office of the Sub Registrar, Varthur;
33.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-1-00507-2010-11 (stored in C.D.No.VRT1095) in the office of the Sub Registrar, Varthur;
34.	Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk;
35.	Map of Kodihalli Village;
36.	Hissa Survey Tappany issued in respect of land bearing Survey No. 155/3 of Kodihalli Village;



37.	Revision Settlement Akurbandh issued with respect to Survey No. 155/3 of Kodihalli Village;
38.	Endorsement bearing No. LRF:CR.204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;
39.	Endorsement bearing No. LRF. (HF): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;
40.	Khata Certificate and Khata Extract both dated 14.10.2011 issued by the office of the Bruhat Bengaluru Mahanagara Palike;
40A	3 Receipts dated 25.11.1994 issued by HASB evidencing the payment of property tax for the year 1990-91 and 1993-94 in respect of the land bearing HASB Khata Nos. 740/1, 741/2 and 740/2 of Kodihalli Village.
40B	3 Receipts dated 06.12.1995 issued by HASB evidencing the payment of property tax for the year 1990-91 and 1994-95 in respect of the land bearing HASB Khata Nos. 740/1, 741/2 and 740/2 of Kodihalli Village;
41.	Receipt bearing No. 22233000277 dated 10.08.2022 issued by BBMP;
41A	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbhema Nagar Sub-Division, BBMP;
41B	Receipt bearing No. 23240908653 dated 17.01.2024 issued by the BBMP Revenue Department.
42.	Endorsement bearing No. KHIB- LAO/382/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;
43.	Endorsement bearing No. Bengaluru: SLAO/RTI/2005/2010-11 dated 31.12.2010 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;
44.	Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;
45.	Work Order bearing No. BDA/TPM/DLP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority;



46.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;
47.	Modified Work Order bearing No. BDA/Nayasa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;
48.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDA10850) in the office of the Sub Registrar, BDA;
49.	Compromise Petition and Order Sheet in a suit in O.S.No.16548/2003 on the file of City Civil Judge, Mayo Hall, Bengaluru;
50.	Declaration Deed dated 06.10.2005, registered as Document No. BAS-1-08510-2005-06 (stored in CD No. BASD189) in the office of the Sub Registrar, Bengaluru South;
51.	Encumbrance Certificate issued in respect of land bearing Survey No. 155/3 situated at Kudihalli Village, Varthur Hobli, Bengaluru South Taluk, from 01.04.1957 to 31.03.1973, 01.04.1973 to 31.03.2004, 01.04.2004 to 06.06.2013, 01.06.2013 to 20.11.2013, 20.11.2013 to 21.12.2013;
52.	Encumbrance Certificates issued in respect of the land bearing Survey Nos. 155/3E, 155/3F & 155/3G for the period 01.04.1960 to 31.03.1965, 01.04.1965 to 05.09.1996, 01.04.1996 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010, 01.04.2004 to 06.01.2012, 07.01.2012 to 04.06.2013 and 20.11.2013 to 21.12.2013;
53.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 740/2 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 29.05.1997, 01.04.1999 to 11.11.1999, 01.04.1999 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 20.10.11, 21.10.2011 to 01.06.2013, 01.06.2013 to 20.11.2013 and 20.11.2013 to 21.12.2013;
54.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 740/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 29.05.1997, 01.04.1994 to 11.11.1999, 01.04.1999 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 20.10.11, 21.10.2011 to 01.06.2013, 01.06.2013 to 20.11.2013 and 20.11.2013 to 21.12.2013;
55.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 741/2 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 29.05.1997, 01.04.2004 to 20.10.2011, 21.10.2011 to 01.06.2013, 01.06.2013 to 20.11.2013 and 20.11.2013 to 21.12.2013;
56.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 62 for the period 01.04.2005 to 31.03.2005, 01.04.2008 to 05.10.2011, 01.04.2010 to 14.11.2012,



	01.04.2011 to 06.01.2012, 14.11.2012 to 04.06.2013, 01.04.2013 to 31.03.2014, 01.04.2014 to 07.02.2021, 01.04.2022 to 22.05.2023, 01.05.2023 to 25.10.2023;
56A	Encumbrance Certificate issued in respect of the land bearing Municipal No. 62 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 10.01.2021,
57.	Simple Mortgage Deed dated 14.03.2011 executed by Century Real Estate Holdings Pvt. Ltd., Suruchi Properties Pvt. Ltd., and Others in favour of IDBI Trusteeship Services Ltd., which includes <i>inter-alia</i> Property IX registered as Document No. 5839 of 2010-11, in Book I and Stored in CD No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru.
58.	Lease Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and JL&FS Trust Company Limited in respect of <i>inter-alia</i> Property IX;
59.	Discharge Deed dated 09.11.2015 executed by IDBI Trusteeship Services Limited in favour of Suruchi Properties Private Limited and Others registered as Document No. 2751 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru,
60.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 executed by Suruchi Properties Pvt. Ltd., and Others in favour of IDBI Trusteeship Services Ltd., registered as Document No. 2759 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru,
60A	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;
60B	Memorandum of Entry dated 02.08.2018 ( <i>registered on 09.08.2018</i> ), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;
61.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 executed by Suruchi Properties Pvt. Ltd., and Others in favour of Piramal Capital & Housing Finance Limited., registered as Document No. HBB-1-03412 of 2018-19 (stored in C. D. No. HBB0241) in the office of the Sub Registrar, Hebbala, Bengaluru;
61A	Letter bearing No. 51741-A/MSL/OPR/2023-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;



61B	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
61C	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;
62.	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016;



**ANNEXURE – B  
ORIGINAL VERIFICATION**

<b>Sl. No.</b>	<b>Description of Documents</b>	<b>In custody of Vistra ITCL India Limited</b>	<b>In the Custody of Soruchi</b>
1.	Notification bearing No. R.8347-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;		Photo Copy
2.	Re-grant Order dated 12.07.1958 passed in Case No. 28 of 1957-58 by the Special Deputy Commissioner for Abolition of Inams, Bengaluru District;	Certified Copy <i>(Common to all documents)</i>	
3.	Extract of Register VIII with respect to <i>inter alia</i> the land reflecting the grant of an extent of 1 Acre 34 Guntas in Survey No. 15573 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;		Certified Copy <i>(Common to all documents)</i>
4.	Sale Deed dated 26.10.1963, registered as Document No. 3741 of 1963-64, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;	Certified Copy	
5.	Sale Deed dated 30.10.1963, registered as Document No. 3742 of 1963-64, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;	Certified Copy	
6.	Sale Deed dated 08.05.1969, registered as Document No. 669 of 1969-70, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru,	Certified Copy	
7.	Genealogical Tree of Mr. Muniyellappa (son of Late Mr. Chikka Pullappa) authenticated by the Village Accountant, H.A. Sanitary Board.	Photo Copy	
8.	Will dated 12.11.1971, registered as Document No. 27 of 1971-72, in Book III, in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru.	Photo Copy	

9.	Atlas dated : 7.07.1973 issued in respect of the land bearing Survey No. 155/3 situated at Kodihalli Village. Varthur Hobli, Bengaluru South Taluk,		Photo Copy
10.	RTCs issued in respect of land bearing Survey No. 155/3E measuring 10 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1975-76 to 1996-97;	Certified Copy	
11.	RTCs issued in respect of land bearing Survey No. 155/3F measuring 6 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1975-76 to 1996-97,	Certified Copy	
12.	RTCs issued in respect of land bearing Survey No. 155/3G measuring 7 Guntas, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1975-76 to 1996-97;	Certified Copy	
13.	(Unregistered) Indenture of Agreement of Sale dated 30.11.1988 executed by and between Mr. Muniyappa (son of Late Mr. Muniyellappa) in favour of G. M. S. Constructions Company Private Limited;	Original	
14.	Sale Deed dated 10.04.1990, registered as Document No. 98 of 1990-91, in Book I in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
15.	Certificate dated 28.12.1993 issued by Hindustan Aeronautics Sanitary Board ("HASB") Bengaluru;	Original	
16.	Sale Deed dated 24.02.2000, registered as Document No. 930 of 2000-01, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
17.	(Unregistered) Indenture of Agreement of Sale dated 30.11.1988 executed by Mr. Krishnappa (son of Late Mr. Muniyellappa) in favour of G. M. S. Constructions Company Private Limited in respect of the land measuring 57.5 Sq. Ft. in khata No. 140/2 of Kodihalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru;	Original	



18.	Sale Deed dated 10.04.1990 registered as Document No. 96 of 1990-91, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
19.	Certificate dated 28.12.1993 issued by HASB;	Original	
20.	Sale Deed dated 24.02.2000, registered as Document No. 928 of 2000-01, in Book I in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
21.	(Unregistered) Indenture of Agreement of Sale dated 30.01.1988 executed by Mr. Muniyappa (son of Late Mr. Muniyellappa) in favour of G. M. S. Constructions Company Private Limited in respect of the land measuring 7860 Sq. Ft., in khata No. 741/2 of Kodikalli Village, HA Sanitary Board, Bengaluru South Taluk, Bengaluru.		Photo Copy
22.	Sale Deed dated 10.04.1990 registered as Document No. 102 of 1990-91, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
23.	Certificate dated 28.12.1993 issued by HASB;	Original	
24.	Sale Deed dated 24.02.2000 registered as Document No. 924 of 2000-01, in Book I in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
25.	Ratification Deed dated 15.10.2003 registered as No. 16736 of 2003-04, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Photo Copy	
26.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;		Photo Copy
27.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Sunchi Properties Private Limited;		Photo Copy
28.	Receipt bearing No. 53212 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy

29.	Special Notice bearing No. Ward/73/KTR552 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
30.	Receipt bearing No 238796 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
31.	Award dated 30.11.2007, registered as Document No. VRT-1-01841-2008-09 (stored in C.D. No. VRTD31) on 08.08.2008, in the office of the Sub Registrar, Varthur;	Original (Common to all properties)	
32.	Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11, (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;		Photo Copy
33.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-1-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;		Photo Copy
34.	Endorsement hearing No. RK.CR:1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk;		Original (Common to all properties)
35.	Map of Kodihalli Village;	Photo Copy	
36.	Hissa Survey Tippany issued in respect of land bearing Survey No. 155/3 of Kodihalli Village;		Photo Copy
37.	Revision Settlement Akarbandh issued with respect to Survey No. 155/3 of Kodihalli Village,		Photo Copy
38.	Endorsement bearing No LRF.CR 204 of 2004-05 dated 18/04/2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;		Original (Common to all properties)
39.	Endorsement bearing No. LRF: (BE): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru,		Original (Common to all properties)



40.	Khata Certificate and Khata Extract both dated 14.10.2011 issued by the office of the Bruhat Bengaluru Mahanagara Palike.		Photo Copy
41.	Receipt bearing No. 22233000277 dated 10.08.2022 issued by BBMP;		Photo Copy
42.	Endorsement bearing No. KIIB: LAO/382/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;		Original (Common to all properties)
43.	Endorsement bearing No. Bengaluru: SLAO/RTI/2005/2010-11 dated 31.12.2010 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;		Original (Common to all properties)
44.	Endorsement bearing No. LAQ/NI-7/FIM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;		Original (Common to all properties)
45.	Work Order bearing No. BDA/TPM/DLP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority;		Original (Common to all properties)
46.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
47.	Modified Work Order bearing No. BDA/Nayusa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;		Original (Common to all properties)
48.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDA10850) in the office of the Sub Registrar, BDA;		Photo Copy (Certified Copy to be handed over) (Common to all properties)

49.	Compromise Petition and Order Sheet in a suit in O.S No 16548/2003 on the file of City Civil Judge, Mayo Hall, Bengaluru,		Photo Copy
50.	Declaration Deed dated 06.10.2005, registered as Document No. BAS-1-08510-2005-06 (stored in CD No BASD189) in the office of the Sub Registrar, Bengaluru South;		Original
51.	Encumbrance Certificate issued in respect of land bearing Survey No. 155/3 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, from 01.04.1957 to 31.03.1973, 01.04.1973 to 31.03.2004, 01.04.2004 to 06.06.2013, 01.06.2013 to 20.11.2013, 20.11.2013 to 21.12.2013	Certified Copy	
52.	Encumbrance Certificates issued in respect of the land bearing Survey Nos 155/3E, 155/3F & 155/3G for the period 01.04.1960 to 31.03.1965, 01.04.1965 to 05.09.1996, 01.04.1996 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010 and 07.01.2012 to 04.06.2013; 01.04.2004 to 06.01.2012, 20.11.2013 to 21.12.2013	Certified Copy: 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 18.10.2010 and 07.01.2012 to 04.06.2013, 01.04.2004 to 06.01.2012, 20.11.2013 to 21.12.2013	01.04.1960 to 31.03.1965, 01.04.1996 to 31.03.2004 are Certified Copies. Rest are all photocopies.
53.	Encumbrance Certificates issued in respect of the land bearing HIASB Khata No. 740/2 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 29.05.1997, 01.04.1994 to 11.11.1999, 01.04.1998 to 31.03.2004, 01.04.2004 to 31.03.2005 and 01.04.2004 to 20.10.11, 21.10.2011 to 01.06.2013, 01.06.2013 to 20.11.2013, 20.11.2013 to 21.12.2013	Certified Copy	
54.	Encumbrance Certificates issued in respect of the land bearing HIASB Khata No. 740/1 for the period 01.04.1980 to 17.03.1993, 18.03.1993 to 29.05.1997, 01.04.1994 to	Certified Copy	

	11.11.1999, 01.04.1999 to 31.03.2001, 01.04.2004 to 31.03.2005 and 01.04.2004 to 20.10.11:		
55.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 741/2 for the period 18.03.1993 to 29.05.1997, 01.04.2004 to 20.10.2011; 01.04.1989 to 17.03.1993, 21.10.2011 to 01.06.2013, 01.06.2013 to 20.11.2013, 20.11.2013 to 21.12.2013	Certified Copy	
56.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 62 for the period 01.04.2008 to 05.10.2011, 01.04.2010 to 14.11.2012, 01.04.2011 to 06.01.2012, 14.11.2012 to 04.06.2013, 01.04.2013 to 31.03.2014, 01.04.2014 to 07.02.2023, 01.04.2022 to 22.05.2023, 01.05.2023 to 25.10.2023; 01.04.2005 to 31.03.2008, 01.04.2014 to 08.03.2016	Certified Copy: 01.04.2008 to 05.10.2011, 01.04.2010 to 14.11.2012, 01.04.2011 to 06.01.2012, 14.11.2012 to 04.06.2013, 01.04.2013 to 31.03.2014, 01.04.2005 to 31.03.2008	01.04.2014 to 07.02.2023, 01.04.2014 to 08.03.2016 : Certified Copy. Rest are photocopies.
57.	Simple Mortgage Deed dated 14.03.2011 executed by Century Real Estate Holdings Pvt. Ltd., Suruchi Properties Pvt. Ltd., and Others in favour of IDBI Trusteeship Services Ltd., which includes <i>inter-alia</i> Property IX registered as Document No. 5839 of 2010-11, in Book I and Stored in C.D No. BYPD 69 in the office Sub Registrar, Byatarayanapura, Bengaluru;		Certified Copy (Common to all properties)
58.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited in respect of <i>inter-alia</i> Property IX:		Original (Common to all properties)
59.	Discharge Deed dated 09.11.2015 executed by IDBI Trusteeship Services Limited in favour of Suruchi Properties Private Limited and Others registered as Document No. 2751 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 09.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;		Photo Copy (Certified Copy to be handed over) (Common to all properties)

60.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 executed by Suruchi Properties Pvt. Ltd., and Others in favour of IDBI Trusteeship Services Ltd., registered as Document No. 2759 of 2015-16, in Book I and Stored in C.D.No. MLSD112 on 11.11.2015 in the office of the Sub Registrar, Malleshwaram, Bengaluru;		Photo Copy
61.	Memorandum of Entry for Deposit of Title Deeds dated 06.07.2019 executed by Suruchi Properties Pvt. Ltd., and Others in favour of Piramal Capital & Housing Finance Limited., registered as Document No. HBB-I-03412 of 2018-19 (stored in C. D. No. HBBD244) in the office of the Sub Registrar, Hebbala, Bengaluru;		Photo Copy
62.	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016;		Photo Copy
63.	Special Notice bearing No. DA/113/K1R/2019/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbhooma Nagar Sub-Division, BBMP;		Photo Copy
64.	Receipt hearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department,		Original (Computer generated copy).
65.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 62 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 10.01.2024;		Certified Copy
66.	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-I-02528 2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;		Photo Copy
67.	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;		Photocopy
68.	Letter hearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy



69.	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by [DBI Trusteeship Services Limited:		Photo Copy
70.	Memorandum of Entry dated 06.09.2023, registered as Document No. M/S-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
<b>Additional Documents</b>			
71.	Extract of assessment list of properties liable for tax issued by HASB for the year 1988-89 in respect of the land bearing HASB Khata Nos. 740/1, 741/2, 740/2 (3 Nos);	Original	
72.	Receipt (3Nos.) dated 25.11.1994 issued by HASB evidencing payment of tax in respect of the land bearing HASB Khata Nos. 740/1, 741/2, 740/2 for the year 1990-91 and 1993-94;	Original	
73.	Receipt (3Nos.) dated 06.12.1995 issued by HASB evidencing payment of tax in respect of the land bearing HASB Khata Nos. 740/1, 741/2, 740/2 for the year 1994-95;	Original	
74.	Receipt dated 04.08.1989 issued by HASB evidencing payment of tax in respect of the land bearing HASB Khata No. 741/2, for the year 1988-89;	Original	
75.	Endorsement (3Nos) dated 24.10.1991 issued by HASB with respect to change of khata in respect of the land bearing HASB Khata Nos. 740/1, 741/2 and 740/2 of Kadihalli	Original	
76.	Endorsement dated 15.10.1994 issued by the Village Accountant, HASB with respect to non-availability of Mutation Registers;		
77.	Tippany issued in respect of the land bearing Survey No. 155 of Kadihalli Village.		Certified Copy



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**TITLE REPORT DATED 22.01.2024**  
**PROPERTY VIII**  
**MUNICIPAL NO. 62 - (PID No.73-S0-62)**

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 **TATVALEGAL**  
**Bangalore**  
**Advocates**  
*[Restricted and Confidential]*



## TITLE REPORT

### A. Description of Property:

The objective of this due diligence exercise is to investigate title to the Property (*defined hereinafter*) described in Part E of this title Report ("the Report") based on review of the documents furnished to us, description whereof is given in Part D of this Report.

### B. Scope of Limitation:

The scope of our review and of this Report is subject to the following limitations:

- (i) While performing the review, we have assumed the (a) genuineness of all signatures, (b) accuracy and correctness of all information / representations provided / made to us, including the facts that are mentioned in agreements, executed copies of documents and government records, (c) authenticity of copies of all documents submitted to us as originals, (d) conformity of the copies or extracts submitted to us with the originals thereof, (e) correctness of all information provided to us in respect of the litigations in respect of the Property including the fact that no appeals or revisions have been filed in respect of the relevant suits / litigations and (f) compliance with all legal requirements by the parties concerned with the Property.
- (ii) We have only examined issues pertaining to the ownership of the Property and have not examined issues pertaining to (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Property; (b) business, regulatory and financial issues of the present or previous owners of the Property; and (c) other matters that do not directly affect the ownership of the Property.
- (iii) For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report.
- (iv) We have assumed that there are no outstanding / dues payable by the present / previous owners of the Property to any government / statutory authority (including any tax / cess dues) or local body and that the Property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws.



- (v) Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Property, as analyzed by us from the information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report.

**C. Confidentiality:**

The contents of this Report are confidential. Neither this Report nor any of its contents may be disclosed to any person other than to the professional advisers, officers and employees of **Suruchi Properties Private Limited** who are directly involved in the proposed transaction relating to the Property. We accept no responsibility to any person other than to **Suruchi Properties Private Limited** in relation to the contents of this Report.

**D. Documents Examined:**

We have been provided with and have examined the photocopies of the documents listed in Annexure - A to this Report for the purpose of carrying out title due diligence on the Property.

**E. Description of Property:**

All that piece and parcel of the immoveable property being the land originally bearing Municipal No. 62 (PID No 73-50-62) measuring 10,890 square feet out of 11,050 square feet comprised in the land earlier bearing Survey No. 156/1 situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru, now forming part of the amalgamated Municipal No. 64 (PID No 73-63-64), New Ward No. 113, Kodihalli, Bengaluru, hereinafter referred to as "**Property VIII**"

*(Boundaries are not ascertainable from the documents provided)*

**F. Findings Based On Documents Examined:**

**I. Title:**

1. On perusal of the documents furnished to us, we note that, the land bearing Municipal No. 62 measuring 11,050 square feet is part of the land bearing Survey No. 156 measuring 39 Guntas (including 1 Gunta of kharah) situated at Kodihalli Village, Marthur Hobli (formerly Bengaluru South Taluk) Bengaluru East Taluk, Bengaluru.
2. On perusal of the documents provided to us, we note that, Kodihalli is situated is an Inam Village. On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 coming into



force in respect of the lands situated at Kayam Gutta Kodihalli Village vide its Notification dated 15.09.1956, all the lands including the land bearing Survey No. 156 of Kodihalli Village vested with the Government of Karnataka (Document No. 1).

3. On an application made by one Mr. S. Narayanappa (son of Mr. Ramaiah) for re-grant of wet land measuring 38 Guntas, he was registered as *Kadiri Tenant* in respect of land measuring 38 Guntas comprised in Survey No. 156 of Kodihalli Village, under Section 4 of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954, in proceedings bearing No. Case 28 of 1957-58 dated 12.07.1958 before the court of Special Deputy Commissioner for Abolition of Inams, Bengaluru (Document No. 2). The aforementioned order does not specify any restrictions with respect to the transferability of the said land.
4. We have been provided with the extract of Register VIII pertaining to land measuring 38 Guntas in Survey No. 156 of Kodihalli Village, in the name of Mr. S. Narayanappa (son of Mr. Ramaiah) showing the details of assessment payable to Government by Kadiri, Permanent, Quasi-permanent and minor Inamidar, etc., (Document No. 3).
5. Mr. S. Narayanappa (son of Mr. Ramaiah) sold an extent of 10 Guntas in the land bearing Survey No. 156 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk in favour of Mr. Motappa (son of Mr. Pillappa) under Sale Deed dated 30.01.1963 (Document No. 4). However, we have not seen any of the extract of entry made in the Mutation Register pursuant to the above sale deed. We have been informed that the same is not available.
6. Record of Rights, Tenancy and Crop Inspection ("RTCs") issued in respect of the land bearing Survey No.156 measuring 39 Guntas (including 1 Gunta of kharab) of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1976-77 to 1981-82 reflect Mr. Narayanappa as the holder of 18 Guntas, Mrs. Sharadamma as the holder of 10 Guntas and Mr. Motappa as the holder of 10 Guntas in the said land (Document No. 5).
7. We have been provided with the Hissa Survey Tippany dated 19.07.1973 issued in respect of land bearing Survey No.156 it reflects that the said Survey No.156 has been sub divided and assigned into Survey No. 156/1 to 156/6 (Document No. 6). We note that the land bearing Survey No. 156/1 measuring is 20 Guntas.
8. RTCs issued in respect of Survey No. 156/1 measuring 20 Guntas, of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk issued for the years 1982-83 to 1996-97 reflect Mr. Motappa (son of Mr. Pillappa) to be holder of 10 Guntas out of 20 Guntas in the said land.
9. Pursuant to the demise of Mr. Motappa, Entry No. IIC 16 of 1996-97 was made in the Inheritance Register whereunder khata in respect of the land bearing Survey No. 156/1 measuring 10 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk



was changed to the names of his sons viz , Mr. Muniyellappa, Mr. Muniseena, Mr. Muniga (@ Muniyappa, Mr. Munikrishna, Mr. Munirama and Mr. Chandrappa, jointly (Document No. 7).

**Observation:** We have been informed that the Genealogical Tree of Late Mr. Motappa is not available. In the absence of the same, it is not possible to ascertain the names of all his family members who would have had rights over the land bearing Survey No. 156/1.

10. Mr. Muniyellappa, Mr. Muniseena, Mr. Muniga (@ Muniyappa, Mr. Munikrishna, Mr. Munirama and Mr. Chandrappa (sons of Late Mr. Motappa) executed and registered an Agreement to Sell dated 10.09.1993 agreeing to sell half (½) share of undivided right title and interest in the land bearing Survey No. 156/1 measuring 10 Guntas, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru in favour of Land Links Associates. Pursuant thereto, they have also executed and registered a General Power of Attorney dated 10.09.1993 authorizing and appointing Mr. R. Venkatesh as their power of attorney holder in respect of half (½) share of undivided right title and interest in the land bearing Survey No. 156/1 measuring 10 Guntas (Document Nos. 8 & 9). The said General Power of Attorney authorizes the attorney to execute the sale deed and present them for registration on their behalf.
11. The above mentioned 6 sons of Late Mr. Motappa have executed and registered another Agreement to Sell dated 29.10.1993 agreeing to sell the remaining half (½) share of undivided right title and interest in the land bearing Survey No. 156/1 measuring 10 Guntas, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru in favour of Land Links Associates (Document No. 10). They have also executed and registered another General Power of Attorney dated 10.09.1993 (registered on 29.10.1993) authorizing and appointing Mr. R. Venkatesh as their attorney in respect of their ½ share in the land bearing Survey No. 156/1 measuring 10 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk (Document No. 11). The said General Power of Attorney authorizes the attorney to execute the sale deed and present them for registration on their behalf.
12. Mr. R. Venkatesh acting as the power of attorney holder of Mr. Muniyellappu, Mr. Muniseena, Mr. Muniga (@ Muniyappa, Mr. Munikrishna, Mr. Munirama and Mr. Chandrappa (sons of Late Mr. Motappa) conveyed the land bearing Survey No. 156/1 measuring 10 Guntas in favour of Mr. M. S. Mahadevaiah under the Sale Deed dated 17.04.1997 (Document No. 12). Entry No. MR 1/1997-98 made in Mutation Register records the execution and registration of Sale Deed dated 17.04.1997 and grant of permission for change of khata in respect of the land bearing Survey No. 156/1 measuring 10 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk to the name of Mr. M. S. Mahadevaiah (Document No. 13).



13. It is observed that, M/s Land Link Associates have not joined in the execution of the aforementioned Sale Deed dated 17.04.1997. However, we have been provided with an Affidavit dated 19.03.2013 sworn by M/s Land Link Associates, represented by its partner Mr. B.N. Chhabria to the effect that pursuant to the 2 agreements of sale, they have not created any third-party rights in respect of the land bearing Survey No. 156/1 and further that they do not have any right, title or interests in the said land and acknowledge that the said land is owned by Suruchi Properties Private Limited at present (Document No. 14).
14. It appears that, the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB"), Bengaluru and in this regard we note the Certificate dated 27.03.1996 issued by HASB certifying that the land bearing HASB Khata Nos. 966/2 & 967/3 is carved out of the land bearing Survey No. 156/1 of Kodihalli Village (Document No. 15). We have also been provided with the extract of Assessment List for the building and land liable for tax for the years 1987-88 issued by HASB for the land bearing HASB Khata Nos. 966/2 measuring 5525 square feet and 967/3 measuring 5525 square feet which reflects Mr. Mahadevaiah as the owner thereof (Document Nos. 16 & 17).
15. Mr. M. S. Mahadevaiah executed 2 Sale Deeds both dated 30.03.2000 conveying the land bearing HASB Khata No. 966/2 & 967/3 both admeasuring 5525 square feet each in favour of Medical Relief Society of South Kanara (Document Nos. 18 & 19).
16. Medical Relief Society of South Kanara and Mr. Dayanand Pai have entered into an Agreement of Sale dated 09.03.2004 in respect of the land bearing Survey Nos. 156/2 to 156/6, 155/1A, 156/1, 155/1B, 146/1, 147/2, 155/1C, 155/1A, 148, 146/2, 146/3, 147/1, 143/3, 155/3Eto3G of Kodihalli Village bearing various HASB khata numbers admeasuring about 10 Acres (Document No. 20). Mr. P. Dayananda Pai has assigned his rights under the abovementioned Agreement of Sale dated 09.03.2004 in favour Suruchi Properties Private Limited ("Suruchi") by way of Nomination Agreement dated 09.03.2004 (Document No. 21).
17. Subsequently, the lands therein situated at Kodihalli Village including the aforesaid properties appears to have come within the administrative jurisdiction of the Bengaluru Mahanagara Palike and the same were assessed for tax by the Bengaluru Mahanagara Palike. We have been provided with Receipt bearing No. 53210 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of betterment charges in respect of the land bearing HASB Khata Nos. 966/2 & 967/3 measuring 11050 square feet at the rate of Rs. 100 per square yard (Document No. 22).
18. We note the Special Notice bearing No. Ward/73/KTR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike which evidences that land bearing HASB Khata Nos. 966/2 & 967/3 was allotted with Municipal No. 62, Ward No. 73 Muniyellappa Garden.

Kodihalli and kbara in respect thereof stand in the name of Medical Relief Society of South Kanara (Document No. 23). The said notices also states that the said land has been assessed for tax from the year 1995-96 to 2005-06 and the amount to be paid in respect thereof.

19. In this regard, we note the Receipt bearing No 239056 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of tax in respect of Municipal No. 62 by Medical Relief Society of South Kanara for the 2<sup>nd</sup> half of 1995-96 till 2005-06 (Document No.24).

Observation: It has been represented that Medical Relief Society of South Kanara started paying property tax to the office of the Bangalore Mahanagara Palike, Bengaluru and that at the time of assessment made by the office of BMP, that BMP has physically measured the property and based on the measurement the assessment was fixed for the actual area on ground and khata has been issued in respect of extent in possession of Medical Relief Society of South Kanara (Document No. 53).

20. Subsequently, Suruchi sought for the specific performance of Agreement of Sale and Nomination Agreement both dated 09.03.2004 referred to paragraph 16 above, before the Arbitral Tribunal consisting of sole arbitrator against Medical Relief Society of South Kanara and Mr. Dayanand Pai. The Arbitration Tribunal passed an Award on 30.11.2007 directing Suruchi to pay the due amounts to Medical Relief Society of South Kanara and Mr. P. Dayananda Pai and ordered / directed Medical Relief Society of South Kanara and Mr. P. Dayananda Pai to transfer *inter alia* Municipal No. 62 to Suruchi in terms of the Award (Document No. 25). We note that pursuant to the Award, the parties have not executed a separate conveyance deed. However, the Award dated 30.11.2007 has been registered along with the subsequent Minutes of the Meeting dated 28.02.2008 recorded by the Arbitrator which records (a) passing of consideration from Suruchi Properties Private Limited to Medical Relief Society of South Kanara, (b) delivery of physical possession and handing over of the original documents by Medical Relief Society of South Kanara and Mr. Dayanand Pai in favor of Suruchi Properties Private Limited. In this regard it is noted that the Arbitrator (acting on behalf of the claimant and the respondents) presented the Award for registration before the jurisdictional sub-registrar and the jurisdictional sub registrar has treated the same as an instrument of conveyance and has levied duty likewise. It is also noted that the instrument has been released by the jurisdictional sub-registrar after completing all the registration formalities.

21. Suruchi has entered into a Development Agreement dated 03.02.2011 with Salarpuria Realtors Private Limited to develop the land hearing various municipal numbers totally admeasuring 4,23,867 square feet (which includes land hearing Municipal No. 62 measuring 11050 square feet) situated at Kodihalli, Ward No. 73, Airport Road, Bengaluru on the terms and conditions set out therein (Document No. 26). Suruchi has executed and registered a General Power of Attorney dated 04.02.2011 authorising and appointing the developer, Salarpuria Realtors Private Limited as its attorney in respect of lands admeasuring 4,27,867

square feet to do various acts, deeds and things in the connection with the development of the lands in the manner as specified therein (Document No. 27). The power of attorney also entitles the attorney to raise and borrow loan or financial assistance by creating the equitable mortgage on security of the developer's share of receivables together with the undivided share right title and interest and ownership in the land

**Observation:** It is to be noted that, Mr. M. S. Mahadevaiah had purchased only an extent of 10 Guntas in Survey No. 156/1 which is approximately 10890 Sq. Ft., from the legal heirs of late Mr. Motappa vide Sale Deed dated 17.04.1997. However, subsequently conveyed an extent of 11050 square feet in favor of Medical Relief Society of South Canara which is acquired by Suruchi Properties Private Limited and consequently Suruchi Properties Private Limited can claim title over an extent of 10890 square feet as against 11050 square feet.

In this regard it has been represented that 20 Guntas in the land bearing Survey No. 156/1 (i.e., 10 Guntas forming part of Property V and 10 Guntas forming part of Property VIII) forms part of the proposed Project Lands.

## II. Revenue Records and Endorsements

22. We have been provided with Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahasildar Bengaluru East Taluk, Krishnarajapura, to the effect that the RTCs issued in respect of the land bearing Survey No. 156/1 for the years 1971-72 to 1975-76 are not available and hence cannot be provided (Document No. 28).
23. We have not been provided the R.T.C's issued in respect of Survey No. 156/1 for the years 1997-98 to 2002-03. In this regard, we have been provided with Endorsement bearing No. RK.CR/413 of 2003-04 dated 23.10.2003 issued by the Office of Tahasildar Bengaluru East Taluk, Krishnarajapura, Bengaluru to the effect that the RTCs issued in respect of the land bearing Survey No. 156/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, for the years 1997-98 to 2002-03 are not available and hence cannot be provided (Document No. 29).
24. We have been furnished with a map of Kodihalli Village which shows the location of the land bearing Survey No. 156 (Document No. 30).
25. Hissa Survey Tippani issued in respect of land bearing Survey No. 156/1 to 156/6 of Kodihalli Village, shows the shape and boundaries of the land.
26. The Revision Settlement Akarbandh issued in respect of the land bearing Survey No. 156/1 confirms the total extent in the land bearing Survey No. 156/1 as 20 Guntas (Document No. 31).



27. The Tahasildar, Bengaluru East Taluk, Bengaluru has issued an Endorsement dated 18.04.2005 to the effect that no applications have been filed / pending / disposed off in respect of the land bearing Survey No. 56/1 under Form 7 & 7(A) of the Karnataka Land Reforms Act, 1961 (Document No. 32).
28. The Assistant Commissioner's Office, Bengaluru North Taluk, has issued endorsement dated 17.02.2017 to the effect that, as per the records maintained in the said office, no proceedings have been filed / pending / disposed off in respect of the land bearing Survey No. 156/1 under Sections 79(A) & 79(B) of the Karnataka Land Reforms Act, 1961 (Document No. 33).
29. We have not been furnished with an endorsement issued by the jurisdictional Assistant Commissioner stating that the Property VIII does not come under the purview of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 and no proceedings have been filed / pending / disposed off in respect of the Property VIII under the provisions of the said enactment. It has been represented that no applications have been filed under the provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of Property VIII and in this regard Suruchi Properties Private Limited have not received any notice or intimation with respect to the same.

### III. Khata and Tax Receipts:

30. We note the Khata Certificate and Khata Extract dated 14.10.2011 issued by the Bruhat Bengaluru Mahanagara Palike ("BBMP") certifying that the land bearing Municipal No. 62 measuring 11050 square feet situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru stands in the name of Suruchi Properties Private Limited (Document No. 34).
31. Receipt bearing No. 22233005776 dated 11.08.2022 issued by BBMP Revenue Department evidencing the payment of property tax in respect of the land bearing Municipal No. 62 for the year 2022-23 (Document No. 35).

### Observation:

32. It is noted that, Suruchi appears to have made an application to the BBMP for the amalgamation of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot on the basis of the Modified Work Order dated 27.12.2021 sanctioned by the BDA referred to hereinafter and the B Kharah Realignment Order bearing No. LND (1) CR/226/2017-18 dated 05.03.2019 passed by the Deputy Commissioner, Bengaluru District.



33. We have been provided with a Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by Assistant Revenue Officer, Jeevanbleema Nagar Sub Division, BBMP, wherein based on the documents submitted by Suruchi, BBMP has amalgamated the khata of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot admeasuring 3,54,506 square feet and assigned it with Municipal No. 73-63-64 standing in the name of Suruchi and Mrs. Sharadamma on certain terms and conditions morefully set out therein (Document No. 35A). The Special Notice further records that:

- (a) the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli shall stand cancelled in the records of BBMP.
- (b) The amalgamated single plot has been assessed for annual tax of Rs. 2,14,279.00 with effect from 01.10.2023

**Observation:** We have not seen the Khata Certificate and Khata Extract issued by the BBMP in respect of the amalgamated Municipal No. 64 admeasuring 3,54,506 square feet situated at Ward No. 113, Narayanappa Garden, Kodihalli pursuant to the above mentioned Special Notice dated 17.01.2024. We have also not seen the B Kharah Realignment Order referred to above.

34. As per the assessment of Municipal No. 73-63-64 for tax set out in the Special Notice dated 17.01.2024 referred to above, we have been provided with the Receipt bearing No. 23245908653 dated 17.01.2024 issued by the BBMP Revenue Department which evidences the payment of property taxes for the land bearing Municipal No. 73-63-64 for the year 2023-24 (Document No. 35B).

#### IV. Acquisitions:

35. The Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru has issued an Endorsement dated 16.01.2013 to the effect that *inter alia* land bearing Survey No. 156/1 of Kodihalli Village, Vardhur Hohli, Bengaluru East Taluk, Bengaluru is not notified for acquisition for any of its project as on the date of the issue of the said Endorsement (Document No. 36).

36. The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru has issued an Endorsement dated 23.01.2013 stating that *inter alia* land bearing Survey No. 156/1 situated at Kodihalli Village,



Varthur Hobli, Bengaluru East Taluk, Bengaluru has not been acquired or notified for acquisition for any of projects of Karnataka Industrial Areas Housing Board as on the date of issue of the said endorsement (Document No. 37)

37. The Special Land Acquisition Officer, National Highway Authority of India has issued an Endorsement bearing No. LAQ/NII-7/JIM/CR/51/17-18 dated 09.10.2017 stating that no survey numbers in Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru falls under the jurisdiction of National Highway Authority of India (Document No. 38).

#### V. Land Conversion and Land Usage

38. We have not been furnished with the Official Memorandum issued by the office of Deputy Commissioner, Bengaluru District, whereunder the Property VII was converted for non agricultural purposes. We have been informed that, no conversion has been obtained under the provisions of Law. However, please note, the Section 95 (2) of the Karnataka Land Revenue Act, 1964, specifically states that, regardless of what is stated in any other law, if an occupant seeks to divert the usage of an agricultural land, then such occupant will have to obtain permission from the office of the Deputy Commissioner.
39. It is represented to us, that, the Kodihalli Village (comprising of Property VIII) came to be administered by Hindustan Aeronautics Sanitary Board ("HASB"). HASB acting as the Special Board / Town or City Municipal Council, distinct and independent from the bangalore district board and panchayats of Kodihalli has assessed these properties as non-agricultural properties and issued fresh khata numbers to the properties under its administration. Subsequently when it was found that HASB was acting without any statutory mandate, the Bruhat Bangalore Mahanagara Palike took over the administration of the properties which were being administered by the HASB. The Bruhat Bangalore Mahanagara Palike, did not nullify the actions taken by HASB (including issuing khata to unconverted lands) and they carried forward the same by issuing new municipal numbers to such unconverted lands
40. In this regard, representatives of Suruchi Properties Private Limited have furnished a copy of an unreported division bench Judgement dated 14.06.2012 of the High Court of Karnataka in W.A. 17361-17363/2011 which has held that 'there is no necessity to obtain conversion from agricultural to non-agricultural, if the area comes within the town municipal council limits and the town municipal council has collected the developmental charges and is treating the property as a municipal property'. Representatives of Suruchi Properties Private Limited have represented that the BBMP is relying on the aforesaid division bench Judgement to approve plans in respect of unconverted properties falling within the jurisdiction of BBMP, for which khata has been issued by BBMP. It has been further represented to us that, the



Judgement dated 14.06.2017 of the division bench in the High Court of Karnataka has not been challenged or overruled as on date

41. As per the Revised Master Plan 2015 of Bengaluru Approved by the Government of Karnataka vide the G.O. No. UDD 540 BEM AA SE 2004 dated 25.6.2007 ("RMP-2015"), the Land is classified as residential (main) use.
42. We been provided with and we note the Work Order bearing No. BDA Nayasa:DP 38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority ("BDA") along with sanctioned residential development plan to Suruchi with respect to the sanction of the proposed residential development proposed to be undertaken in the land bearing Survey Nos. 143/2,143/3, 146/1, 146/2, 146/3A 146/3B, 147/1, 147/2, 148,149, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (Document No. 39). In terms thereof, we note the Relinquishment Deed dated 29.05.2019 executed by Suruchi Properties Private Limited in favour of BDA relinquishing an extent of 4.407 square meters (i.e., about 47,419.3 square feet) for park and open spaces in the land bearing 143/2,143/3, 146/1, 146/2, 146/3A 146/3B, 147/1, 147/2, 148,149, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) of Kodihalli Village (Document No. 40).
43. It appears that there were some modifications in connection with the proposed residential development and accordingly Suruchi has applied for and obtained a Modified Work Order dated 27.12.2021 from the BDA and in terms thereof, BDA has sanctioned the modified residential development plan proposed to be undertaken by Suruchi in the land bearing Survey Nos. 143/3, 146/1, 146/2, 146/3A 146/3B, 147/1, 147/2, 148, 155/1A, 155/1B,155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 08 Acres 5.35 Guntas (excluding 27 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk ("Project Lands") on the terms and conditions set out thereunder (Document No. 41). Some of the terms and conditions on which the sanction have been granted are as follows.
- The developmental activities are to be undertaken in terms of the sanctioned development plan and the same shall not changed without the prior permission of BDA.
  - The area reserved for parks and buffer zone shall be used for the purposes for which they have been reserved and shall not be used for any other purposes.
  - Sanction of the building plans will have to be obtained from BDA.
  - The sanction provided by BDA shall be automatically cancelled if it is found that the applicant has misrepresented with respect to the ownership of the properties.



- (e) 10% of the residential units shall be reserved for economically weaker section and low income group.
- (f) Sewage treatment plant is required to be installed to ensure that untreated water is not released from the properties.
44. In connection with the above, we note the Rectification of Relinquishment Deed dated 17.07.2021 executed by Suruchi in favour of BDA whereunder the earlier area relinquished in favour of BDA was cancelled and Suruchi has relinquished an area of 3322 square meters in the properties for park and open spaces (Document No. 42).

#### **VI. Litigation**

45. It is observed that, the land bearing Survey No. 156/1 was notified for acquisition for the formation of a Golf – Cum Hotel Resort, near Bengaluru Airport vide a Preliminary Notification dated 29.12.1981 and pursuant thereto Final Notification dated 16.04.1983 was also passed. It is noted that, said acquisitions was challenged by several owners in Writ Petitions i.e., Mr. Muniyappa (son of Mr. Muni Yellappa) in WP No. 19812 of 1990, Mr. Muniyappa (son of Mr. Muni Yellappa) in WP No. 813 of 1990, Mr. Srinivas(=)Seenappa (son of Mr. Muni Yellappa) in WP No. 814 of 1990, Mr. Andiyappa (son of Mr. Dadda Pillappa) in WP No. 815 of 1990 and Mr. Muniyappa (son of Mr. Motappa) in WP No. 816 of 1990 before the Hon'ble High Court of Karnataka, Bengaluru. The Hon'ble High Court of Karnataka by its order dated 18.09.1991 in the said writ petitions 19812-816/1990 quashed the acquisition notifications and proceedings with regard to Property VIII and adjoining lands (Document Nos. 43 & 44).
46. We have been informed by Suruchi that apart from the above (which has been disposed), there are no other litigations have been filed or pending in respect of Property VIII.

#### **VII. Encumbrance / Charge:**

47. Encumbrance Certificates issued in respect of the land bearing Survey No. 156/1 for the period 01.04.1970 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 09.09.2008 to 28.01.2013 and 29.01.2013 to 03.06.2013 reflect the Agreements of Sale dated 10.09.1993 and 29.10. 2003 and Sale Deeds dated 27.04.1997 referred to hereinabove (Document No. 45).
48. Encumbrance Certificates issued in respect of the land bearing HUSB Khata No. 966/2 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.03.2016 to 23.04.2019 reflect Sale Deeds dated 31.03.2000 referred to hereinabove (Document No. 46).



**Observation:** We have not been provided with Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 966/2 for the period 01.04.1989 to 31.03.1993.

49. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 967/3 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 22.10.2011 to 31.05.2013, 01.06.2013 to 16.01.2014, 01.03.2016 to 23.04.2019 reflect Sale Deed dated 31.03.2000 referred to hereinabove (**Document No. 47**)
50. Encumbrance Certificates issued in respect of the land bearing Municipal No. 62 for the period 01.04.2004 to 31.03.2010, 01.04.2010 to 14.11.2012, 15.11.2012 to 04.06.2013, 01.06.2013 to 16.01.2014, 01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 11.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023 reflect Award dated 08.08.2008, Development Agreement dated 04.02.2011 referred to hereinabove and Mortgage Deeds dated 29.11.2011, 14.03.2011, Memorandum of Entry dated 06.11.2015 and Release Deed dated 09.11.2015 referred to herein below (**Document No. 48**).
51. Encumbrance Certificate issued in respect of the land bearing Municipal No. 62 in the land bearing Survey No. 156/1 of Kodihalli for the period 01.04.2004 to 10.01.2024 reflects the Joint Development Agreement dated 04.02.2011, referred to hereinabove and Mortgage Deed dated 14.03.2011, Discharge Deed dated 09.11.2015, Memorandum of Entry dated 06.10.2015, 21.02.2019 referred to herein below (**Document No. 48A**).

**Observation:** We have not seen encumbrance certificate in respect of Property VIII from 10.01.2024. The encumbrance certificates provided to us do not reflect the registered Memorandum of Entries 02.08.2018 and 06.09.2023 referred to hereinafter

52. We have been furnished with a Simple Mortgage Deed dated 14.03.2011 executed amongst Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses in favour of JDBI Trusteeship Services Ltd., which includes *inter-alia* Municipal No. 62 (**Document No. 49**). It is observed that the Century Real Estate Holdings Private Limited, Century Shelters and Green Orchards Farm House, as mortgagors had mortgaged certain of other properties owned by them and Suruchi Properties Private Limited, had mortgaged the lands situated at Kodihalli (including Municipal No. 62) to secure the debentures issued by Century Real Estate Holdings Private Limited.
53. Subsequently, Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and H.&S Trust Company Limited entered into and executed an Escrow Agreement dated 16.09.2015 with respect to the custody of the title deeds in respect of the Properties (**Document No. 50**) which *inter-alia* included Municipal No. 62 measuring 1,050 square feet. It is observed that, pursuant to aforesaid Joint Development Agreement, Suruchi Properties Private Limited had handed over the original title deeds in respect of the properties



to Salarpuria Realtors Private Limited and on the request made by the Suruchi Properties Private Limited, Salarpuria Realtors Private Limited, the Developer has agreed to deposit the title deeds pertaining to the project which inter-alia contains the title deeds of Municipal No. 62 measuring 11,050 square feet, with the escrow agent i.e., IL&FS Trust Company Limited (ITCL) and the parties have entered into the escrow agreement to record the terms and conditions, on which ITCL shall hold and safeguard the title deeds as trustee for the benefit of the parties as per the terms agreed under the said Agreement, subject to the duties, obligations and responsibilities mentioned there-under.

54. It is noted that, in consideration of payment of entire amount in principal and interest due to the Debenture Holders on the Security of the Simple Mortgage Deed dated 14.03.2011, the Debenture Trustee, i.e., IDBI Trusteeship Services Limited has discharged and released *inter alia* Municipal No. 62 measuring 11,050 square feet and others properties free from all encumbrances and charges whatsoever in favour of Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses by executing a Discharge Deed dated 09.11.2015 (Document No.51).
55. Suruchi Properties Private Limited, has executed a Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 and registered on 11.11.2015 in favour of IDBI Trusteeship Services Limited whereunder Suruchi Properties Private Limited has created first and exclusive charge by way of equitable mortgage over the lands situated at Kodihalli (including Municipal No. 62) to secure debentures worth of Rs.620 Crores issued by Century Joint Developments Private Limited (Document No. 52). We note that IL&FS Trust Company Limited has joined in the execution of this memorandum to record the constructive delivery of the title deeds. We have been provided with No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited which evidences, that the debenture holder has confirmed that there are no amounts due and payable in respect of the non-convertible debentures worth of Rs. 620 Crores and that the same has been fully re-paid and on the basis of the same, IDBI Trusteeship Services Limited has provided its approval for the release of the securities including the charge created thereunder (Document No. 52A). We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.
56. Thereafter, it is noted that, Suruchi Properties Private Limited has executed and registered a Memorandum of Entry dated 02.08.2018 in favour of IDBI Trusteeship Services Limited wherein the pari passu charge was created over the lands situated at Kodihalli to secure an amount totally to Rs. 772 Crores of financial assistance availed by Century Real Estate Holdings Private Limited (comprising of (1) Rs. 125 Crores of non convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 27.03.2017, (2) Rs. 257 Crores of non-convertible debentures of Century Real Estate

*Holdings Private Limited issued in terms of the Debenture Trust Deed 29.06.2016 and (3) Rs. 390 Crores of term loan availed by Century Real Estate Holdings Private Limited under the Facility Agreement 03.07.2018) (Document No. 52B).*

57. Suruchi Properties Private Limited has executed and registered a Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 (registered on 21.02.2019) in favour of IDBI Trusteeship Services Limited, whereunder the charge created on the lands situated at Kodihalli (including Municipal No. 62) by Suruchi Properties Private Limited has been extended on first ranking pari passu basis in secure (a) Century Joint Developments Private Limited's indebtedness of Rs. 1105 Crores (comprising of (1) Rs. 620 Crores of non-convertible debentures of Century Joint Developments Private Limited (now released as detailed above) and (2) Rs. 485 Crores – of term loan availed by Century Joint Developments Private Limited under the Facility Agreement 30.07.2018) and (b) Century Real Estate Holdings Private Limited's indebtedness of Rs. 772 Crores (Document No. 53).
58. Thereafter we note (a) Letter bearing No. 51141-A/TSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour of *inter alia* Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 125 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 53A) and (b) Letter bearing No. 51141-B/TSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 257 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 53B). IDBI Trusteeship Services Limited has provided their no-objection for filing CHG-4 with the concerned Registrar of Companies. We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.

Observation: We have been informed that no release deeds have been executed and registered evidencing the release of the mortgage created over the lands situated at Kodihalli, Bengaluru owned by Suruchi. It is noted that the mortgage created under the Memorandum of Entry dated 06.02.2019 for securing (a) the term loan of Rs. 390 Crores availed by Century Real Estate Holdings Private Limited and (b) the term loan of Rs. 485 Crores availed by Century Joint Development Agreements Private Limited was subsisting and not released under the above mentioned no due certificates.

59. Thereafter, we note the registered Memorandum of Entry dated 06.09.2023 whereunder Suruchi's entitlement in the lands situated at Kodihalli Village has been mortgaged by way of first ranking pari passu charge to secure (a) Rs. 485 Crores term loan availed by Century



Joint Developments Private Limited (CJDPL) from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 30.07.2018, (b) Non-convertible debentures aggregating up to Rs. 325 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 12.12.2020, (c) Non-convertible debentures aggregating upto Rs. 700 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 22.09.2022, (d) Rs. 390 Crores term loan availed by Century Real Estate Holdings Private Limited from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 03.07.2018 (Document No. 53C).

60. We have been informed that, apart from the above Memorandum of Entry recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 (which has since been satisfied in entirety as detailed above), 02.08.2018 (which has been satisfied partially as detailed above), 06.02.2019 and 06.09.2023 which are still subsisting there are no other mortgages, in respect of the Municipal No.62.

#### **VIII. Contiguity, Inspection of Original Documents and Public Notice:**

61. From the development plan and the title deeds (including the sale deed by which Suruchi has acquired and the khata which has been prepared thereafter) provided to us in respect of Property VIII for our scrutiny, it is not possible to ascertain in Property VIII (viz., Municipal No. 62) are contiguous with the other lands forming part of the proposed project. The same needs to be ascertained by undertaking a physical survey. In this regard we have been informed that the Project Lands are contiguous and that an amalgamated khata has been issued by BBMP on the basis of the Modified Work Order dated 27.12.2021 issued by the BDA sanctioning the residential development plan which indicates that the all the Project Lands form a contiguous parcel of land.
62. As part of our title scrutiny, we have undertaken inspection of the original documents in respect Property VIII which are in the custody of Vistra ITCL (India) Limited (the escrow agent for Suruchi and Salarpuria Realtors Private Limited) and Suruchi. The list and the nature of the documents provided to our inspection is detailed in Annexure – B of this Report.
63. We have issued a Public Notice in an English daily 'The New Indian Express' and Kannada daily the 'Kannada Prabha' on 16.12.2023 inviting objections from the general public with respect to Suruchi's title over Property VIII. As on 18.01.2024, we have not received any objections to the public notice issued.

#### **G. CONCLUSION:**

Subject to our observations made hereinabove we are of the opinion that:



- (i) Suruchi Properties Private Limited is the owner of Property VIII, subject to the rights of Salarpuria Realtors Private Limited under the Development Agreement dated 03.02.2011; and
- (ii) Property VIII is mortgaged in favour of IDBI Trusteeship Services Limited pursuant to the Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 08.02.2018, 06.02.2019 and 06.09.2023.



A handwritten signature in blue ink, appearing to be "S. Anurag", written over the stamp.

**TATVA LEGAL  
BANGALORE**

**ANNEXURE - A**  
**LIST OF DOCUMENTS EXAMINED**

Sl. No.	Description of Documents
1.	Notification bearing No. R.8347-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;
2.	Re-grant Order dated 12.07.1958 in Case No. 28 of 1957-58 passed by the Special Deputy Commissioner for Abolition of Inams, Bengaluru District.
3.	Extract of Register VIII under Section 11 with respect to <i>inter alia</i> the land bearing Survey No. 156/1 measuring 38 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
4.	Sale Deed dated 30.01.1963, registered as Document No. 6230/1962-63, stored in Book 1, Volume 374, at Pages 140 to 141 in the office of the Sub Registrar, Bengaluru South Taluk;
5.	RIU's issued in respect of the land bearing Survey No. (a) 156 measuring 38 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1976-77 to 1981-82, and (b) 156/1 measuring 29 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1982-83 to 1996-97;
6.	Hissa Survey Tippany dated 19.07.1973 issued in respect of land bearing Survey No.156 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
7.	Extract of Entry No. IHC. 16 of 1996-97 made in the Inheritance Register;
8.	Agreement to Sell dated 10.09.1993, registered as Document No. 2230 of 1992-93, in Book 1, Volume 3772, at Pages 80 to 84 on 20.09.1993, in the office of the Sub Registrar, Bengaluru South Taluk;
9.	General Power of Attorney dated 10.09.1993, registered as Document No. 319 of 193-94, in Book IV, at Pages 57 to 60 in the office of the Sub Registrar, Bengaluru South Taluk.
10.	Agreement to Sell dated 29.10.1993 registered as Document No. 2487 of 1993-94, in Book 1, Volume 3779, at Pages 116 to 130, in the office of the Sub Registrar, Bengaluru South Taluk;
11.	General Power of Attorney dated 29.10.1993, registered as Document No. 372 of 1993-94, in Book IV, Volume 17, at Pages 82 to 86, in the office of the Sub Registrar, Bengaluru South Taluk;



12.	Sale Deed dated 17.04.1997 registered as Document No. 291 of 1997-8. in Book 1. in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
13.	Extract of Entry No. MR 1/1997-98 made in Mutation Register;
14.	Affidavit dated 19.03.2013 sworn by M/s Land Links, represented by its partner Mr. B.N. Chiabbria;
15.	Certificate dated 27.03.1996 issued by HASB;
16.	Extract of Assessment List for the building and land liable for tax issued by HASB in respect of the land bearing HASB Khata No. 966/2 situated at Kodiballi Village;
17.	Extract of Assessment List for the building and land liable for tax issued by HASB in respect of the land bearing HASB Khata No. 967/3 situated at Kodiballi Village;
18.	Sale Deed dated 30.03.2000 registered as Document No. 9939 of 99-2000. in Book 1 in the office of the Sub Registrar, Bengaluru South Taluk;
19.	Sale Deed dated 30.03.2000 registered as Document No. 9941 of 99-2000. in Book 1 in the office of the Sub Registrar, Bengaluru South Taluk;
20.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;
21.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Suruchi Properties Pvt. Ltd.;
22.	Receipt bearing No. 53210 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike;
23.	Special Notice bearing No. Ward/73/KLR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;
24.	Receipt bearing No 239056 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;
25.	Award dated 10.11.2007, registered as Document No. VRT-1-01841-2008-09 (stored in C.D. No. VRTD31) on 08.08.2008, in the office of the Sub Registrar, Varthur.
26.	Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;

27.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D No.VRTD95) in the office of the Sub Registrar, Varthur.
28.	Endorsement bearing No. RK/CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahasildar Bengaluru East Taluk, Krishnarajapura;
29.	Endorsement bearing No. RK/CR/413 of 2003-04 dated 23.10.2003 issued by the office of the Tahasildar, Bengaluru East Taluk, Krishnarajapura;
30.	Map of Kodihalli Village;
31.	Revision Settlement Akarbandh issued with respect to Survey No. 156/1 of Kodihalli Village,
32.	Endorsement bearing No. LRF/CR/204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;
33.	Endorsement bearing No. LRF: (BE): CR: 1307 of 2011-12 dated 17.02.2013 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;
34.	Khata Certificate and Khata Extract dated 14.10.2011 issued by BBMP;
35.	Receipt bearing No. 22233005776 dated 11.08.2022 issued by BBMP Revenue Department;
35A	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;
35B	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;
36.	Endorsement bearing No. KHB: LAO/381/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;
37.	Endorsement bearing No. Bengaluru. SLAO/6928/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru,
38.	Endorsement bearing No. LAQ/NH-3/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;
39.	Work Order bearing No. BIDA/TPM/DLP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority;

40.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;
41.	Modified Work Order bearing No. BDA/Nayasa/DP-38/2016-17/SOI/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;
42.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA;
43.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf – Cum Hotel Resort, near Bengaluru Airport;
44.	Order dated 18.09.1991 passed in WS Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka quashing the acquisition notifications and proceedings with regard to Property VIII and adjoining lands;
45.	Encumbrance Certificates issued in respect of the land bearing Survey No. 156/1 for the period 01.04.1970 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 09.09.2008 to 28.01.2013 and 29.01.2013 to 02.06.2013;
46.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 966/2 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.03.2016 to 23.04.2019;
47.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 62 for the period 01.04.2004 to 31.03.2010, 01.04.2010 to 14.11.2012, 15.11.2012 to 04.06.2013, 01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 11.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023;
47A.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 62 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 30.01.2024;
48.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. BYP-1-05839-2010-11 (stored in CD No. BYPD 69) in the office Sub Registrar, Byatarayanapura, Bengaluru;
49.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and H.&FS Trust Company Limited;
50.	Discharge Deed dated 09.11.2015 registered as Document No. MLS-1-02751-2015-16 (stored in C.D.No. MLS0112) in the office of the Sub Registrar, Malleshwaram;



51.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. MLS-1-02759-2015-16 (stored in C.D.No. MLS0112) on 11.11.2015 in the office of the Sub Registrar, Malleshwaram;
51A	No Due Certificate dated 01.03.2021 issued by IDBI Trusteeship Services Limited;
51B	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;
52.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19 (stored in C. D. No. HBB0244) in the office of the Sub Registrar, Hebbala, Bengaluru;
52A	Letter bearing No. 51141-A/TSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
52B	Letter bearing No. 51141-B/TSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
52C	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;
53.	Management Representations in the form an Affidavit issued by Sunchi Properties Private Limited dated 03.11.2016;



**ANNEXURE – B  
ORIGINAL VERIFICATION**

Sl. No.	Description of Documents	Nature of Documents in custody of Vistra (ITCL)	Nature of Documents in custody of Suruchi
1.	Notification bearing No R 8347-I.S 63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;		Photo Copy
2.	Re-grant Order dated 12.07.1958 in Case No. 28 of 1957-58 passed by the Special Deputy Commissioner for Abolition of Inams, Bengaluru District;	Certified Copy (Common to all properties)	
3.	Extract of Register VIII under Section II with respect to <i>inter alia</i> the land bearing Survey No. 156/1 measuring 38 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk,		Certified Copy (Common to all properties)
4.	Sale Deed dated 30.01.1963, registered as Document No. 6230/1962-63, stored in Book I, Volume 374, at Pages 140 to 141 in the office of the Sub Registrar, Bengaluru South Taluk,	Certified copy	
5.	RTC's issued in respect of the land bearing Survey No. (a) 156 measuring 38 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1976-77 to 1981-82; and (b) 156/1 measuring 20 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1982-83 to 1996-97;	Certified copy	
6.	Hissa Survey Tippany dated 19.07.1973 issued in respect of land bearing Survey No.156 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;	Certified copy	



7.	Extract of Entry No. HIC 16 of 1996-97 made in the Inheritance Register;	Original	
8.	Agreement to Sell dated 10.09.1993, registered as Document No. 2230 of 1992-93, in Book I, Volume 3772, at Pages 80 to 84 on 20.09.1993, in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
9.	General Power of Attorney dated 10.09.1993, registered as Document No. 319 of 193-94, in Book IV, at Pages 57 to 60 in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
10.	Agreement to Sell dated 29.10.1993 registered as Document No. 2487 of 1993-94, in Book I, Volume 3779, at Pages 116 to 120, in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
11.	General Power of Attorney dated 29.10.1993, registered as Document No. 372 of 1993-94, in Book IV, Volume 17, at Pages 82 to 86, in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
12.	Sale Deed dated 17.04.1997 registered as Document No. 291 of 1997-8, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
13.	Extract of Entry No. MR 1/1997-98 made in Mutation Register;	Original	
14.	Affidavit dated 19.03.2013 sworn by M/s Land Links, represented by its partner Mr. B.N. Chabbra;	Original	
15.	Certificate dated 27.03.1996 issued by HASB,	Original	
16.	Extract of Assessment List for the building and land liable for tax issued by HASB in respect of the land bearing HASB Khata No. 966/2 situated at Kodiballi Village;	Original	



17.	Extract of Assessment List for the building and land liable for tax issued by HIASB in respect of the land bearing HIASB Khata No. 967/3 situated at Kodihalli Village;	Original	
18.	Sale Deed dated 30.03.2000 registered as Document No. 9939 of 99-2000, in Book I in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
19.	Sale Deed dated 30.03.2000 registered as Document No. 9941 of 99-2000, in Book I in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
20.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai.		Photo Copy
21.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Sureshi Properties Pvt. Ltd.;		Photo Copy
22.	Receipt bearing No. 53210 dated 16.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
23.	Special Notice bearing No. Ward/73/K1R852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
24.	Receipt bearing No. 239056 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
25.	Award dated 30.11.2007, registered as Document No. VRT-1-01841-2008-09 (stored in C.D. No. VRTD31) on 08.08.2008, in the office of the Sub Registrar, Varthur;	Original (Common to all properties)	
26.	Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur.		Photo Copy



27.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VR1195) in the office of the Sub Registrar, Varthur;		Photo Copy
28.	Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahasildar Bengaluru East Taluk, Krishnarajapura.		Original (Common to all properties)
29.	Endorsement bearing No. RK.CR:413 of 2003-04 dated 23.10.2003 issued by the office of the Tahasildar, Bengaluru East Taluk, Krishnarajapura;	Original	
30.	Map of Kodihalli Village;	Photocopy	
31.	Revision Settlement Akarbandh issued with respect to Survey No. 156/1 of Kodihalli Village,	Certified copy	
32.	Endorsement bearing No. LRF.CR.204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru.		Original (Common to all properties)
33.	Endorsement bearing No. LRF: (BE): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;		Original (Common to all properties)
34.	Khata Certificate and Khata Extract dated 14.10.2011 issued by BBMP;		Photo Copy
35.	Receipt bearing No. 22233005776 dated 11.08.2022 issued by BBMP Revenue Department;		Photo Copy
36.	Endorsement bearing No. KHB. LAO/381/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;		Original (Common to all properties)
37.	Endorsement bearing No. Bengaluru: SLAO:6928/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer 2 and		Original (Common to all properties)



	Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru:		
38.	Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India,		Original (Common to all properties)
39.	Work Order bearing No. BDA/IPM/DLP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority:		Original (Common to all properties)
40.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar,		Photo Copy (Certified Copy to be handed over) (Common to all properties)
41.	Modified Work Order bearing No. BDA/Nayasa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority:		Original (Common to all properties)
42.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
43.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf – Cum Hotel Resort, near Bengaluru Airport;		Certified Copy (Common to all properties)
44.	Order dated 18.09.1991 passed in WS Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka quashing the acquisition notifications and proceedings with regard to Property VIII and adjoining lands;		Photo Copy
45.	Encumbrance Certificates issued in respect of the land hearing Survey No. 156/1 for the period 01.04.1970 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 31.03.2008, 01.04.2008 to 28.01.2013 and 29.01.2013 to 03.06.2013; 01.06.2016 to 23.01.2019 -Nil	Certified copy	01.06.2016 to 23.04.2019- Certified copy



46.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 966/2 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.03.2016 to 23.04.2019;	From 01.04.1993 to 31.03.2004 - Certified copy	01.03.2016 to 23.04.2019, 01.04.2004 to 31.03.2005- Certified copy
47.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 967/3 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 22.10.2011 to 31.03.2013, 01.06.2013 to 16.01.2014, 01.03.2016 to 23.04.2019.	Certified Copy	01.03.2016 to 23.04.2019 : Certified Copy
48.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 62 for the period 01.04.2004 to 31.03.2010, 01.04.2010 to 14.11.2012, 15.11.2012 to 04.06.2013, 01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 11.01.2023, 01.01.2023 to 21.05.2023 and 01.05.2023 to 25.10.2023;  01.06.2013 to 16.01.2014 (Nil EC) 01.03.2016 to 03.05.2017 (Nil EC) 01.04.2022 to 22.05.2023 (Nil EC)	From 01.04.2004 to 31.03.2010, 01.04.2010 to 14.11.2012, 15.11.2012 to 04.06.2013 - Certified copy	01.04.2019 to 11.01.2023, 01.01.2023 to 21.05.2023- Certified copy. Rest are photocopies
49.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. BYP-1-05839-2010-11 (stored in CD No. BYPD 69) in the office Sub Registrar, Byatarayanapura, Bengaluru;		Certified Copy (Common to all properties)
50.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and H.&FS Trust Company Limited,	Original	
51.	Discharge Deed dated 09.11.2015 registered as Document No. M.S-1-02751-2015-16 (stored in C.D.No. M.SD112) in the office of the Sub Registrar, Malleshwaram;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
52.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. M.S-1-02759-2015-16 (stored in		Photo Copy



	C.D.No. MLSD112) on 11.11.2015 in the office of the Sub Registrar, Malleshwaram;		
53.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19 (stored in C. D. No. HB310244) in the office of the Sub Registrar, Hebbala, Bengaluru;		Photo Copy
54.	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016;		Photo Copy
55.	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbhooma Nagar Sub-Division, BBMP;		Photo Copy
56.	Receipt bearing No. 23243908652 dated 17.01.2024 issued by the BBMP Revenue Department;		Original (Computer generated copy)
57.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 62 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 10.01.2024;		Certified Copy.
58.	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;		Photo Copy
59.	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;		Photocopy
60.	Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
61.	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy



62.	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023-2-1, in the office of the Senior Sub Registrar, Malleshwaram;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
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**TITLE REPORT DATED 22.01.2024**  
**PROPERTY V**  
**MUNICIPAL NO. 57 - (PID No.73-50-57)**

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 **TATVALEGAL**  
**Bangalore**  
**Advocates**  
*[Restricted and Confidential]*



**TITLE REPORT****A. Description of Property:**

The objective of this due diligence exercise is to investigate title to the Property (*defined hereinafter*) described in Part E of this title Report ("the **Report**") based on review of the documents furnished to us, description whereof is given in Part D of this Report.

**B. Scope of Limitation:**

The scope of our review and of this Report is subject to the following limitations:

- (i) While performing the review, we have assumed the (a) genuineness of all signatures, (b) accuracy and correctness of all information / representations provided / made to us, including the facts that are mentioned in agreements, executed copies of documents and government records, (c) authenticity of copies of all documents submitted to us as originals, (d) conformity of the copies or extracts submitted to us with the originals thereof, (e) correctness of all information provided to us in respect of the litigations in respect of the Property including the fact that no appeals or revisions have been filed in respect of the relevant suits / litigations and (f) compliance with all legal requirements by the parties concerned with the Property.
- (ii) We have only examined issues pertaining to the ownership of the Property and have not examined issues pertaining to (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Property; (b) business, regulatory and financial issues of the present or previous owners of the Property; and (c) other matters that do not directly affect the ownership of the Property.
- (iii) For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report.
- (iv) We have assumed that there are no outstanding / dues payable by the present / previous owners of the Property to any government / statutory authority (including any tax / cess dues) or local body and that the Property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws.



- (v) Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Property, as analyzed by us from the information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report.

**C. Confidentiality:**

The contents of this Report are confidential. Neither this Report nor any of its contents may be disclosed to any person other than to the professional advisers, officers and employees of **Suruchi Properties Private Limited** who are directly involved in the proposed transaction relating to the Property. We accept no responsibility to any person other than to **Suruchi Properties Private Limited** in relation to the contents of this Report.

**D. Documents Examined:**

We have been provided with and have examined the photocopies of the documents listed in Annexure – A to this Report for the purpose of carrying out title due diligence on the Property.

**E. Description of Property:**

All that piece and parcel of the immoveable property being the land originally bearing Municipal No. 57 (PLD No. 73-50-57), measuring 10,890 square feet comprised in the earlier land bearing Survey No. 156/1 situated at Ward No. 73, Mumyellappa Garden, Kodihalli, Bengaluru, now forming part of the amalgamated Municipal No. 64 (PID No. 73-63-64), New Ward No. 113, Kodihalli, Bengaluru, hereinafter referred to as "Property V"

**F. Findings Based On Documents Examined:****1. Title:**

1. On perusal of the documents furnished to us, we note that, the land bearing Municipal No. 57 measuring 10,890 square feet is part of the land bearing Survey No. 156 measuring 39 Guntas (including 1 Ganta ofkharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, (formerly Bengaluru South Taluk)
2. On perusal of the documents provided to us, we note that, Kodihalli is situated is an Inam Village. On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 coming into force in respect of the lands situated at Kayam Gutta Kodihalli Village vide its Notification



- dated 15.09.1956, all the lands including the land bearing Survey No. 156 of Kodihalli Village vested with the Government of Karnataka (Document No. 1).
3. On an application made by one Mr. S. Narayanappa (son of Mr. Ramaiah) for re-grant of wet land measuring 38 Guntas, he was registered as *Kadim Tenant* in respect of land measuring 38 Guntas comprised in Survey No. 156 of Kodihalli Village, under Section 4 of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954, in proceedings bearing No. Case 28 of 1957-58 dated 12.07.1958 before the court of Special Deputy Commissioner for Abolition of Inams, Bengaluru (Document No. 2). The aforementioned order does not specify any restrictions with respect to the transferability of the said land.
  4. We have been provided with the extract of Register VIII pertaining to land measuring 38 Guntas in Survey No. 156 of Kodihalli Village, in the name of Mr. S. Narayanappa (son of Mr. Ramaiah) showing the details of assessment payable to Government by Kadim, Permanent, Quasi-permanent and minor Inamdar, etc., (Document No. 3).
  5. Thereafter said Mr. S. Narayanappa (son of Mr. Ramaiah) sold the land measuring 10 Guntas in Survey No. 156 of Kodihalli Village in favour of Mr. Kuppiah (son of Mr. Bylappa) under the Sale Deed dated 30.01.1963 (Document No. 4).
  6. Mr. Kuppiah in turn conveyed the land bearing Survey No. 156 measuring 10 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk in favour of Mrs. Sharadamma (wife of Mr. Mariswamappa) under the Sale Deed dated 15.03.1971 (Document No. 5). However, we have not seen any of the extract of entries made in the Mutation Register recording the above sale deeds and accordingly the grant of permission to change the khata in the name of Mrs. Sharadamma. We have been informed that the same is not available.
  7. Record of Rights, Tenancy and Crop Inspection ("RTCs") issued in respect of the land bearing Survey No.156 measuring 39 Guntas (including 1 Gunta of kharah) of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1976-77 to 1981-82 reflect Mr. Narayanappa as the holder of 18 Guntas, Mrs. Sharadamma as the holder of 10 Guntas and Mr. Motappa as the holder of 10 Guntas in the said land (Document No. 6).
  8. We have been provided with the Hissa Survey Tippany dated 19.07.1973 issued in respect of land bearing Survey No.156 it reflects that the said Survey No.156 has been sub divided and assigned into Survey No. 156/1 to 156/6 (Document No. 7). We note that the land bearing Survey No. 156/1 measuring is 20 Guntas.
  9. RTCs issued in respect of Survey No.156/1 measuring 20 Guntas, of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk issued for the years 1982-83 to 1996-97 reflect Mr.



Matappa (son of Mr. Pillappa) and Mrs. Shardamma to be holders of 10 Guntas each in the said land (Document No. 8).

10. It appears that the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB") and the said HASB allotted the HASB Khata No.694 to the land held by Mrs. Shardamma as noted from the Special Notice dated \_\_.07.1971 issued by HASB (Document No. 9).

Observation: We have not been furnished with an extract of the Assessment List for the houses and land liable for taxation issued by HASB in respect of land bearing HASB Khata No. 694 standing in the name of Mrs. Shardamma. We have been informed that the same is not available

11. Subsequently, when the lands therein situated at Kodihalli Village including the aforesaid properties appears to have come within the administrative jurisdiction of the Bruhat Bengaluru Mahanagara Palike ("BBMP") and were assessed for tax by the Bruhat Bengaluru Mahanagara Palike. Pursuant to which, the land bearing HASB Khata No. 694 was allotted with the Municipal No. 57 (PID No. 73-50-57) as evidenced from the Letter bearing No. ARO(JBN)/RTL/PR/70 of 2011-12 dated 12.12.2011 issued by the BBMP regarding HASB numbers and PID numbers formed in Muniyellappa Garden, Kodihalli (Document No. 10). The letter further states that no special notices were issued and that only HASB entries have been taken into BBMP records.

12. We note the Khata Certificate dated 10.11.2006 issued by Bruhat Bengaluru Mahanagara Palike certifying that khata in respect of Municipal No. 57 (Old No. 694) (PID No. 73-50-57) situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Airport, Bengaluru stands in the name of Mrs. Sharadamma in the BBMP register (Document No. 11). We have been informed that said Mrs. Sharadamma started paying property tax to the office of the Bruhat Bengaluru Mahanagara Palike, Bengaluru. We have been informed that at the time of assessment made by the office of BBMP, that BBMP has physically measured the property and based on the measurement the assessment was fixed for the actual area on ground and khata has been issued in respect of extent.

13. Thereafter, Mrs. Sharadamma (wife of Mr. Mariswamappa) executed and registered a Joint Development Agreement dated 24.01.2011 for the development of the inter-alia land hearing Municipal No. 57 (earlier bearing HASB Khata No. 694) measuring 10890 square feet situated at Ward No. 73, Muniyellappa Garden, Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru (i.e., Property V), with Suruchi Properties Private Limited ("Suruchi"), for constructing multi storied apartment building with the ratio of 40% : 60% respectively, subject to certain terms and conditions mentioned therein. And it is also observed that, pursuant to the execution of Joint Development Agreement, Mrs.



Sharadamma had also executed a Power of Attorney of even date, appointing Suruchi as her power of attorney holder in relation to the development of Property V (Document Nos. 12 & 13).

14. Under the Joint Development Agreement dated 24.01.2011:
- (a) the developer is required to commence construction of the project within 9 months of obtaining plan sanction and complete the same within 48 months from the date of obtaining plan sanction.
  - (b) the parties have agreed to enter into an area sharing agreement on the sanction of the plans;
  - (c) the developer is entitled to assign the development of the said land to any third party such that the rights of Mrs. Sharadamma in no manner shall be affected.

The family members of Mrs. Sharadamma, viz., her husband Mr. Maniswamappa and children Mr. M. Narayanaswamy, Mr. M. Rahu, Mr. M. Nagaraj and Mr. M. Srinivas have signed as consenting witness in both Joint Development Agreement and Power of Attorney both dated 24.01.2011.

15. Suruchi has entered into a Development Agreement dated 03.02.2011 with Salarpuria Realtors Private Limited to develop the land bearing various municipal numbers totally admeasuring 4,23,867 square feet (which includes land bearing Municipal No. 62 measuring 1,050 square feet) situated at Kodihalli, Ward No. 73, Airport Road, Bengaluru on the terms and conditions set out therein (Document No. 14). Suruchi has executed and registered a General Power of Attorney dated 04.02.2011 authorising and appointing the developer, Salarpuria Realtors Private Limited as its attorney in respect of lands admeasuring 4,23,867 square feet to do various acts, deeds and things in the connection with the development of the lands in the manner as specified therein (Document No. 15). The power of attorney also entitles the attorney to raise and borrow loan or financial assistance by creating the equitable mortgage on security of the developer's share of receivables together with the undivided share right title and interest and ownership in the land.

**Observation:** It is noted that Mrs. Sharadamma has not given any sub-delegation powers to Suruchi under the power of attorney. In this regard Suruchi has represented to us that the Joint Development Agreement makes a provision for assignment of development rights to third party and the power of attorney gives the general right to do all acts, deeds and things in relation to the development of property V and that exercising the powers under the Power of Attorney, Suruchi Properties Private Limited have executed the joint development agreement in favor of Salarpuria Realtors Private Limited (Document No. 40).



However, notwithstanding the above, we have been informed that we have been informed by representatives of Suruchi that they are in discussions with Salarpuria Realtors Private Limited to cancel the Joint Development Agreement dated 04.02.2011.

16. Notwithstanding the above-mentioned Joint Development Agreement dated 24.01.2011 entered into with Suruchi, Mrs. Sharadamma has executed and registered a Gift Deed dated 18.10.2021 whereunder Property V has been gifted jointly in favour of her 4 sons viz., Mr. M. Narayanaswamy, Mr. M. Babu, Mr. M. Nagaraj and Mr. M. Srinivas (Document No. 16). It appears that there were certain errors in the above mentioned Gift Deed dated 18.10.2021, with respect to the manner in which Mrs. Sharadamma came to hold Property V, therefore, the parties thereto have executed and registered a Rectification Deed dated 30.10.2021 rectifying the said error (Document No. 17).

**Observation:** We note that the above mentioned Gift Deed dated 18.10.2021 executed in favour of the 4 sons of Mrs. Sharadamma, does not record that Mrs. Sharadamma has entered into a Joint Development Agreement dated 24.01.2011 in respect of Property V. In this regard, we have been informed that Suruchi would be entering into a registered supplementary joint development agreement with Mrs. Sharadamma and her sons wherein they will acknowledge the Joint Development Agreement and to capture the revised commercial terms with respect to the development of Property V.

## II. Revenue Records and Endorsements

17. Endorsement bearing No. RK.CR/413 of 2003-04 dated 23.10.2003 issued by the Office of Tahasildar Bengaluru East Taluk, Krishnarajapura, Bengaluru to the effect that the RTC's issued in respect of the land bearing Survey No. 156/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, for the years 1997-98 to 2002-03 are not available and hence cannot be provided (Document No. 18).
18. We have been furnished with a map of Kodihalli Village which shows the location of the land bearing Survey No. 156 (Document No. 19).
19. Hissa Survey Tippany issued in respect of land bearing Survey No. 156/1 of Kodihalli Village, shows the shape of the said land (Document No. 20).
20. The Revision Settlement Akarbandh issued in respect of the land bearing Survey No. 156/1 confirms the total extent in the said land to be 20 Guntas (Document No. 21).
21. The Tahasildar, Bengaluru East Taluk, Bengaluru has issued an Endorsement dated 18.04.2005 to the effect that no applications have been filed in respect of the land bearing Survey No. 156/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk under

Sections 48(1) form 7 and 7A of the Karnataka Land Reforms Act, 1961 (Document No. 22).

22. The Assistant Commissioner's Office, Bengaluru North Taluk, has issued endorsement dated 17.02.2012 to the effect that, as per the records maintained in the said office, no proceedings have been filed in respect of the land bearing Survey No. 156/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk under Sections 79(A) & 79(B) of the Karnataka Land Reforms Act, 1961 (Document No. 23).
23. We have not been furnished with an endorsement issued by the jurisdictional Assistant Commissioner stating that the land bearing Survey No. 156/1 does not come under the purview of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 and no proceedings have been filed / pending / disposed off in respect of the land bearing Survey No. 156/1 under the provisions of the said enactment. It has been represented that no applications have been filed under the provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of the land bearing Survey No. 156/1 and in this regard Suruchi Properties Private Limited have not received any notice or intimation with respect to the same.

### III. Khata and Tax Receipts:

24. Khata Certificate and Khata Extract dated 14.10.2011 issued by BBMP certifies that khata in respect of Property V is in the name of Mrs. Sharadamma in the BBMP Register (Document No. 24).
25. We have been informed that prior to the issue of khata by the BBMP, BBMP had levied betterment charges in respect of Property V from the owners in the year 2010 and on payment of the betterment charges, BBMP issued khata certificates and khata extracts in respect of Property V. We have not seen the receipts evidencing the payment of betterment charges in respect of Property V.
26. It is noted that, Suruchi along with Mrs. Sharadamma appears to have made an application to the BBMP for the amalgamation of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot on the basis of the Modified Work Order dated 27.12.2021 sanctioned by the BDA referred to hereinafter and the B Kharab Realignment Order bearing No. LND (F) CR/226/2017-18 dated 05.03.2019 passed by the Deputy Commissioner, Bengaluru District.
27. We have been provided with a Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by Assistant Revenue Officer, Jeevanbleema Nagar Sub-Division,

BBMP, wherein based on the documents submitted by Suruchi, BBMP has amalgamated the khata of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot admeasuring 3,54,506 square feet and assigned it with Municipal No. 73-63-64 standing in the name of Suruchi and Mrs. Sharadhamma on certain terms and conditions morefully set out therein (Document No. 24A). The Special Notice further records that:

- (a) the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli shall stand cancelled in the records of BBMP.
- (b) The amalgamated single plot has been assessed for annual tax of Rs. 2,14,279.00 with effect from 01 '0.2023.

**Observation:** We have not seen the Khata Certificate and Khata Extract issued by the BBMP in respect of the amalgamated Municipal No. 64 admeasuring 3,54,506 square feet situated at Ward No. 113, Narayanappa Garden, Kodihalli pursuant to the above mentioned Special Notice dated 17.01.2024. We have also not seen the B Kharab Realignment Order referred to above.

28. As per the assessment of Municipal No. 73-63-64 for tax set out in the Special Notice dated 17.01.2024 referred to above, we have been provided with the Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department which evidences the payment of property taxes for the land bearing Municipal No. 73-63-64 for the year 2023-24 (Document No. 24B).

#### IV. Acquisitions:

29. The Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru has issued an Endorsement dated 16.01.2013 to the effect that *inter alia* land bearing Survey No. 156/1 of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru is not notified for acquisition for any of its project as on the date of the issue of the said Endorsement (Document No. 25).
30. The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru has issued an Endorsement dated 23.01.2013 stating that *inter alia* land bearing Survey No. 156/1 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru has not been acquired or notified for



acquisition for any of projects of Karnataka Industrial Areas Housing Board as on the date of issue of the said endorsement (Document No. 26).

31. The Special Land Acquisition Officer, National Highway Authority of India has issued an Endorsement bearing No. LAQ/NH-7/HM/CR/S/17-18 dated 09.10.2017 stating that no survey numbers in Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru falls under the jurisdiction of National Highway Authority of India hence no acquisition has been effected (Document No. 27).

#### **V. Land Conversion and Land Usage**

32. We have not been furnished with the Official Memorandum issued by the office of Deputy Commissioner, Bengaluru District, whereunder the Property V was converted for non agricultural purposes. We have been informed that, no conversion has been obtained under the provisions of Law. However, please note, the Section 95 (2) of the Karnataka Land Revenue Act, 1964, specifically states that, regardless of what is stated in any other law, if an occupant seeks to divert the usage of an agricultural land, then such occupant will have to obtain permission from the office of the Deputy Commissioner.
33. It is represented to us, that, the Kodihalli Village (comprising of Property V) came to be administered by HASB. HASB acting as the Special Board / Town or City Municipal Council, distinct and independent from the bangalore district board and panchayats of Kodihalli has assessed these properties as non-agricultural properties and issued fresh khata numbers to the properties under its administration. Subsequently when it was found that HASB was acting without any statutory mandate, the Bruhat Bangalore Mahanagara Palike took over the administration of the properties which were being administered by the HASB. The Bruhat Bangalore Mahanagara Palike, did not nullify the actions taken by HASB (including issuing khata to unconverted lands) and they carried forward the same by issuing new municipal numbers to such unconverted lands.
34. In this regard, representatives of Suruchi Properties Private Limited have furnished a copy of an unreported division bench Judgement dated 14.06.2012 of the High Court of Karnataka in W.A. 17361-17363/2011 which has held that 'there is no necessity to obtain conversion from agricultural to non-agricultural, if the area comes within the town municipal council limits and the town municipal council has collected the developmental charges and is treating the property as a municipal property'. Representatives of Suruchi Properties Private Limited have represented that the BBMP is relying on the aforesaid division bench Judgement to approve plans in respect of unconverted properties falling within the jurisdiction of BBMP, for which khata has been issued by BBMP. It has been further represented to us that, the Judgement dated 14.06.2012 of the division bench in the High Court of Karnataka has not been challenged or overruled as on date.



35. As per the Revised Master Plan 2015 of Bengaluru (Approved by the Government of Karnataka vide the G.O. No. UDD 340 BEM AA SE 2004 dated 25.6.2007) ("RMP-2015"), the Land is classified as residential (main) use.
36. We been provided with and we note the Work Order hearing No. BDA/Nuyosa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority ("BDA") along with sanctioned residential development plan to Suruchi with respect to the sanction of the proposed residential development proposed to be undertaken in the land bearing Survey Nos. 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk (Document No. 28). In terms thereof, we note the Relinquishment Deed dated 29.05.2019 executed by Suruchi Properties Private Limited in favour of BDA relinquishing an extent of 4,407 square meters (i.e., about 47,119.3 square feet) for park and open spaces in the land bearing 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) of Kodihalli Village (Document No. 29).
37. It appears that there were some modifications in connection with the proposed residential development and accordingly Suruchi has applied for and obtained a Modified Work Order dated 27.12.2021 from the BDA and in terms thereof, BDA has sanctioned the modified residential development plan proposed to be undertaken by Suruchi in the land bearing Survey Nos. 143/2, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 08 Acres 5.35 Guntas (excluding 21 Guntas of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk ("Project Lands") on the terms and conditions set out thereunder (Document No. 30). Some of the terms and conditions on which the sanction have been granted are as follows:
- The developmental activities are to be undertaken in terms of the sanctioned development plan and the same shall not be changed without the prior permission of BDA.
  - The area reserved for parks and buffer zone shall be used for the purposes for which they have been reserved and shall not be used for any other purposes.
  - Sanction of the building plans will have to be obtained from BDA.
  - The sanction provided by BDA shall be automatically cancelled if it is found that the applicant has misrepresented with respect to the ownership of the properties.
  - 10% of the residential units shall be reserved for economically weaker section and low income group.



(f) Sewage treatment plant is required to be installed to ensure that untreated water is not released from the properties.

38. In connection with the above, we note the Rectification of Relinquishment Deed dated 17.07.2021 executed by Suruchi in favour of BDA whereunder the earlier area relinquished in favour of BDA was cancelled and Suruchi has relinquished an area of 3322 square meters in the properties for park and open spaces (Document No. 31).

#### VI. Litigation

39. It is observed that, the land bearing Survey No. 156/1 was notified for acquisition for the formation of a Golf – Cum Hotel Resort, near Bengaluru Airport vide a Preliminary Notification dated 29.12.1981 and pursuant thereto Final Notification dated 16.04.1983 was also passed. It is noted that, said acquisitions was challenged by several owners in Writ Petitions i.e., Mr. Muniyappa (son of Mr. Muni Yellappa) in WP No. 19812 of 1990, Mr. Muniyappa (son of Mr. Muni Yellappa) in WP No. 813 of 1990, Mr. Srinivas(Shanappa (son of Mr. Muni Yellappa) in WP No. 814 of 1990, Mr. Andiyappa (son of Mr. Dodda Pillappa) in WP No. 815 of 1990 and Mr. Muniyappa(son of Mr. Motappa) in WP No. 816 of 1990 before the Hon'ble High Court of Karnataka, Bengaluru. The Hon'ble High Court of Karnataka by its order dated 18.09.1991 in the said writ petitions 19812-816/1990 quashed the acquisition notifications and proceedings with regard to Property V and adjoining lands (Document Nos. 32 & 33).

40. We have been informed by Suruchi that apart from the above, there are no other litigations have been filed or pending in respect of Property V.

#### VII. Encumbrance / Charge

41. Encumbrance Certificates issued in respect of the land bearing Survey No. 156/1 measuring 10 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the period 01.04.1962 to 31.03.2004, 01.04.2004 to 09.09.2008, 09.09.2008 to 04.06.2013, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023 reflect Sale Deeds dated 30.01.1963 & 15.03.1971 referred to hereinabove (Document No. 34).

**Observation:** We have not been provided with Encumbrance Certificates issued in respect of the land bearing Survey No. 156/1 for the period 01.04.1950 to 31.03.1962.

42. Encumbrance Certificates issued in respect of the land bearing HIASB Khata No. 694 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 24.06.2011 and 01.03.2016 to 23.04.2019 reflect that no transactions have taken place in respect of the said land (Document No. 35).



43. Encumbrance Certificates issued in respect of the land bearing Municipal No. 57 for the period 01.04.2004 to 19.06.2013, 28.01.2011, 01.04.2008 to 23.01.2011, 24.01.2011 to 31.05.2013, 01.04.2014 to 08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 and 21.05.2023 to 25.10.2023 reflect Development Agreements dated 28.01.2011 & 04.02.2011, Mortgage Deed dated 14.03.2011 referred to hereinabove (Document No. 36).
44. Encumbrance Certificate issued in respect of the land bearing Municipal No. 57 in the land bearing Survey No. 1561 of Kodihalli for the period 01.01.2004 to 10.01.2024 reflect the Gift Deed dated 18.10.2021, Rectification Deed dated 30.10.2021, Joint Development Agreements dated 28.01.2011, 03.07.2011 referred to hereinabove and Mortgage Deed dated 14.03.2011, Memorandum of Entry dated 06.10.2015, 21.02.2019, Mortgage Deed dated 29.11.2011 and Discharge Deed dated 09.11.2015 referred to herein below (Document No. 36A).

**Observation:** We have not seen encumbrance certificate in respect of Property V from 10.01.2024. The encumbrance certificates provided to us do not reflect the registered Memorandum of Entries 02.08.2018 and 06.09.2023 referred to hereinafter .

45. We have been furnished with a Simple Mortgage Deed dated 14.03.2011 executed amongst Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses in favour of IDBI Trusteeship Services Ltd., which includes *inter-alia* Municipal No. 57 (Document No. 37). It is observed that the Century Real Estate Holdings Private Limited, Century Shelters and Green Orchards Farm House, as mortgagors had mortgaged certain of other properties owned by them and Suruchi Properties Private Limited, had mortgaged the lands situated at Kodihalli (including Municipal No. 57) to secure the debentures issued by Century Real Estate Holdings Private Limited.
46. Subsequently, Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited entered into and executed an Escrow Agreement dated 16.09.2015 with respect to the custody of the title deeds in respect of the Properties (Document No. 38) which *inter-alia* included Municipal No. 57 measuring 10,890 square feet. It is observed that, pursuant to aforesaid Joint Development Agreement, Suruchi Properties Private Limited had handed over the original title deeds in respect of the properties to Salarpuria Realtors Private Limited and on the request made by the Suruchi Properties Private Limited, Salarpuria Realtors Private Limited, the Developer has agreed to deposit the title deeds pertaining to the project which *inter alia* contains the title deeds of Municipal No. 57 measuring 10,890 square feet, with the escrow agent i.e., IL&FS Trust Company Limited (ITCL), and the parties have entered into the escrow agreement to record the terms and conditions, on which ITCL shall hold and safeguard the title deeds as trustee for the



benefit of the parties as per the terms agreed under the said Agreement, subject to the duties, obligations and responsibilities mentioned there-under

47. It is noted that, in consideration of payment of entire amount in principal and interest due to the Debenture Holders on the Security of the Simple Mortgage Deed dated 14.03.2011, the Debenture Trustee, i.e. IDBI Trusteeship Services Limited has discharged and released *inter alia* Municipal No. 57 measuring 10,890 square feet and others properties free from all encumbrances and charges whatsoever in favour of Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses by executing a Discharge Deed dated 09.11.2015 (Document No. 39).
48. Suruchi Properties Private Limited., has executed a Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 and registered on 11.11.2015 in favour of IDBI Trusteeship Services Limited whereunder Suruchi Properties Private Limited has created first and exclusive charge by way of equitable mortgage over the lands situated at Kodihalli (including Municipal No. 57) to secure debentures worth of Rs.620 Crores issued by Century Joint Developments Private Limited (Document No. 40). We note that H.&FS Trust Company Limited has joined in the execution of this memorandum to record the constructive delivery of the title deeds. We have been provided with No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited which evidences, that the debenture holder has confirmed that there are no amounts due and payable in respect of the non-convertible debentures worth of Rs. 620 Crores and that the same has been fully re-paid and on the basis of the same, IDBI Trusteeship Services Limited has provided its approval for the release of the securities including the charge created thereunder (Document No. 40A). We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a format deed recording the same has not been executed.
49. Thereafter, it is noted that, Suruchi Properties Private Limited has executed and registered a Memorandum of Entry dated 02.08.2018 in favour of IDBI Trusteeship Services Limited wherein the pari passu charge was created over the lands situated at Kodihalli to secure an amount totally to Rs. 772 Crores of financial assistance availed by Century Real Estate Holdings Private Limited (comprising of 1) Rs. 125 Crores of non convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 27.03.2017, 2) Rs. 237 Crores of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 29.06.2016 and 3) Rs. 390 Crores of term loan availed by Century Real Estate Holdings Private Limited under the Facility Agreement 03.07.2018) (Document No. 40B).
50. Suruchi Properties Private Limited has executed and registered a Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 (registered on 21.03.2019) in favour of IDBI



Trusteeship Services Limited, whereunder the charge created on the lands situated at Kodihalli (including Municipal Nos. 49,50 & 51/1) by Suruchi Properties Private Limited has been extended on first ranking pari passu basis to secure (a) Century Joint Developments Private Limited's indebtedness of Rs. 1105 Crores (comprising of (1) Rs. 629 Crores of non-convertible debentures of Century Joint Developments Private Limited (now released as detailed above) and (2) Rs. 485 Crores of term loan availed by Century Joint Developments Private Limited under the Facility Agreement 30.07.2018) and (b) Century Real Estate Holdings Private Limited's indebtedness of Rs. 772 Crores (Document No. 41).

51. Thereafter we note (a) Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour of *inter alia* Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 125 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 41A) and (b) Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 257 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 41B). IDBI Trusteeship Services Limited has provided their no-objection for filing CHG-4 with the concerned Registrar of Companies. We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.

**Observation:** We have been informed that no release deeds have been executed and registered evidencing the release of the mortgage created over the lands situated at Kodihalli, Bengaluru owned by Suruchi. It is noted that the mortgage created under the Memorandum of Entry dated 06.02.2019 for securing (a) the term loan of Rs. 390 Crores availed by Century Real Estate Holdings Private Limited and (b) the term loan of Rs. 485 Crores availed by Century Joint Development Agreements Private Limited was subsisting and not released under the above mentioned no due certificates.

52. Thereafter, we note the registered Memorandum of Entry dated 06.09.2023 whereunder Suruchi's entitlement in the lands situated at Kodihalli Village has been mortgaged by way of first ranking pari passu charge to secure (a) Rs. 485 Crores term loan availed by Century Joint Developments Private Limited (CJDPL) from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 30.07.2018, (b) Non-convertible debentures aggregating up to Rs. 325 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 12.12.2020, (c) Non-convertible debentures aggregating upto Rs. 700 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 22.09.2022, (d) Rs. 390 Crores term loan availed by Century Real Estate Holdings Private Limited from Piramal Capital &

Housing Finance Limited under the Facility Agreement dated 03.07.2018 (Document No. 41C).

53. We have been informed that, apart from the above Memorandum of Entry recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 (which has since been satisfied in entirety as detailed above), 02.08.2018 (which has been satisfied partially as detailed above), 06.02.2019 and 06.09.2023 which are still subsisting, there are no other mortgages, in respect of the Property V.

#### **VIII. Contiguity, Inspection of Original Documents and Public Notice:**

54. From the development plan and the title deeds (including the sale deed by which Suruchi has acquired and the khata which has been prepared thereafter) provided to us in respect of Property V for our scrutiny, it is not possible to ascertain if Property V (viz. Municipal No. 57) are contiguous with the other lands forming part of the proposed project. The same needs to be ascertained by undertaking a physical survey. In this regard we have been informed that the lands forming part of the project are contiguous and that an amalgamated khata has been issued by BBMP on the basis of the Modified Work Order dated 27.12.2021 issued by the BDA sanctioning the residential development plan which indicates that all the Project Lands form a contiguous parcel of land.
55. As part of our title scrutiny, we have undertaken inspection of the original documents in respect of Property V which are in the custody of Vistra ITCL (India) Limited (the escrow agent for Suruchi and Salarpuria Realtors Private Limited) and Suruchi. The list and the nature of the documents provided to our inspection is detailed in Annexure – B of this Report.
56. We have issued a Public Notice in an English daily 'The New Indian Express' and Kannada daily the 'Kannada Prabha' on 16.12.2023 inviting objections from the general public with respect to Suruchi's title over Property V. As on 18.01.2024, we have not received any objections to the public notice issued.

#### **G. CONCLUSION:**

Subject to our observations made hereinabove we are of the opinion that:

- (i) Subject to the rights of Salarpuria Realtors Private Limited vide Development Agreement dated 03.02.2011, Mr. M. Narayanaswamy, Mr. M. Babu, Mr. M. Nagaraj and Mr. M. Srinivas (sons of Mr. Mariswamappa and Mrs. Sharadamma) are the owners entitled to 40% of the undivided share of land (i.e., Property V) along with 40% of the super built up area, terrace area (exclusive or otherwise) garden area (exclusive or otherwise), common area, covered and uncovered car parking area with one covered car parking space in the basement as

per the terms of the Joint Development Agreement dated 24.01.2011 and **Suruchi Properties Private Limited**, as the developer is entitled to 60% of the undivided share of land (i.e., Property V) along with 60% of the super built up area, terrace area (exclusive or otherwise) garden area (exclusive or otherwise), common area, covered and uncovered car parking area as per the terms of the Joint Development Agreement dated 24.01.2011; and

- (ii) Property V is mortgaged in favour of IDBI Trusteeship Services Limited pursuant to the Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 02.08.2018, 06.02.2019 and 06.09.2023.

   
TATVA LEGAL  
BANGALORE

**ANNEXURE - A**  
**LIST OF DOCUMENTS EXAMINED**

<b>Sl. No.</b>	<b>Description of Documents</b>
1.	Notification bearing No. R 8347-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;
2.	Order dated 12.07.1958 passed in Case No. 28 of 1957-58 by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District;
3.	Extract of Register VIII with respect to <i>inter alia</i> the land reflecting the grant of an extent of 38 Guntas in Survey No. 156 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
4.	Sale Deed dated 30.01.1963, registered as Document No. 6230, in Book I, Volume 374, at Pages 140 to 141 in the office of the Sub Registrar, Bengaluru South Taluk;
5.	Sale Deed dated 15.03.1971, registered as Document No. 5793 of 1970-71, in Book I, Volume 861, at Pages 43 to 44 in the office of the Sub Registrar, Bengaluru South Taluk,
6.	RTCs issued in respect of the land bearing Survey No. 156 measuring 39 Guntas (including 1 Gunta of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, for the years 1976-77 to 1981-82;
7.	Hissa Survey Tippyany dated 19.07.1973 issued in respect of land bearing Survey No.156 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;
8.	RTCs issued in respect of the land bearing Survey No. 156/1 measuring 20 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, for the years 1981-82 to 1996-97;
9.	Special Notice dated __ 07 1971 issued by IIASB,
10.	Letter bearing No. ARO(JBN):R11/PR/70 of 2011-12 dated 12.12.2011 issued by the BBMP;
11.	Khata Certificate dated 16.11.2006 issued by BBMP
12.	Joint Development Agreement dated 24.01.2011, registered as Document No. VRI-1-06878-2010-11 (stored in CD No. VRTD94) on 28.01.2011 in the office of the Sub Registrar, Varthur;



13.	General Power of Attorney dated 24.01.2011, registered as Document No. VRT-4-00488-2010-11 (stored in CD No. VRTD94) on 28.01.2011 in the office of the Sub Registrar, Varthur;
14.	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;
15.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;
16.	Gift Deed dated 18.10.2021, registered as Document No. INR-1-06257-2021-22 (stored in CD No. INRD920) in the office of the Sub Registrar, Indira Nagar;
17.	Rectification Deed dated 30.10.2021, registered as Document No. INR-1-06794-2021-22 (stored in CD No. INRD928) in the office of the Sub Registrar, Indira Nagar;
18.	Endorsement bearing No. RK CR/413 of 2003-04 dated 23.10.2003 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura, Bengaluru,
19.	Map of Kodihalli Village;
20.	Hissa Survey Tippany issued in respect of land bearing Survey Nos.156 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk,
21.	Revision Settlement Akarbandh issued with respect to Survey No. 156 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk,
22.	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;
23.	Endorsement bearing No. LRF: (BE): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;
24.	Khata Certificate and Khata Extract dated 14.10.2011 issued by HBMP in respect of the land bearing Municipal No. 57, ward No. 73, Kodihalli, Bengaluru,
24A	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbhema Nagar Sub-Division, BBMP;
24B	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;



25.	Endorsement bearing No. KHB: LAO/381/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Kamataka Housing Board, Bengaluru;
26.	Endorsement bearing No Bengaluru: 5LAO/6928/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Kamataka Industrial Areas Development Board, Bengaluru;
27.	Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;
28.	Work order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution bearing No. BDA/TPM/DLP-38/2016-17/380/2019-20 dated 11.06.2019;
29.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;
30.	Modified Work Order bearing No. BDA/Nayasa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;
31.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01129-2021-22 (stored in CD No. BDA0850) in the office of the Sub Registrar, BDA;
32.	Preliminary Notification & Final Notification issued by the Government of Kamataka for formation of Golf – Cum Hotel Resort, near Bengaluru Airport;
33.	Order dated 18.09.1991 passed in WS Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Kamataka quashing the acquisition notifications and proceedings with regard to Property V and adjoining lands.
34.	Encumbrance Certificates issued in respect of the land bearing Survey No. 156/1 measuring 10 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the period 01.04.1962 to 31.03.2004, 01.04.2004 to 09.09.2008, 09.09.2008 to 04.06.2013, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023;
35.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 694 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 24.06.2011 and 01.03.2016 to 23.04.2019;
36.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 57 situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru for the period 01.04.2004 to 19.06.2013, 28.01.2011, 01.04.2008 to 23.01.2011, 24.01.2011 to 31.05.2013, 01.04.2014 to



	08.03.2016, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 and 21.05.2023 to 25.10.2023;
36A	Encumbrance Certificate issued in respect of the land bearing Municipal No. 57 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 10.01.2024;
37.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. BYP-1-05839-2010-11 (stored in CD No. BYPD 69) in the office Sub Registrar, Byatarayanapura, Bengaluru;
38.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited;
39.	Discharge Deed dated 09.11.2015 registered as Document No. MLS-1-02751-2015-16 (stored in C.D.No. MLSD112) in the office of the Sub Registrar, Malleshwaram;
40.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. MLS-1-02759-2015-16 (stored in C.D.No. MLSD112) on 11.11.2015 in the office of the Sub Registrar, Malleshwaram;
40A	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;
40B	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;
41.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19 (stored in C. D. No. HBBD244) in the office of the Sub Registrar, Hebbala, Bengaluru;
41A	Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
41B	Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
41C	Memorandum of Entry dated 06.09.2023, registered as Document No. M.L.S.-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;
42.	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016;



**ANNEXURE – B  
ORIGINAL VERIFICATION**

Sl. No.	Description of Documents	Nature of Documents in custody of Vistra (ITCL)	Nature of Documents in custody of Suruchi
1.	Notification bearing No. R.8347-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;		Photo Copy
2.	Order dated 12.07.1958 passed in Case No. 28 of 1957-58 by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District;	Certified copy	
3.	Extract of Register VIII with respect to <i>inter alia</i> the land reflecting the grant of an extent of 38 Guntas in Survey No. 156 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;	Certified copy	
4.	Sale Deed dated 30.01.1963, registered as Document No. 6230, in Book 1, Volume 374, at Pages 140 to 141 in the office of the Sub Registrar, Bengaluru South Taluk;		Certified Copy
5.	Sale Deed dated 15.03.1971, registered as Document No. 5793 of 1970-71, in Book 1, Volume 861, at Pages 43 to 44 in the office of the Sub Registrar, Bengaluru South Taluk;		Certified Copy
6.	RTCs issued in respect of the land bearing Survey No. 156 measuring 39 Guntas (including 1 Gunta of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, for the years 1976-77 to 1981-82;	Certified copy	
7.	Diessa Survey Tippany dated 19.07.1973 issued in respect of land bearing Survey No.156 situated at		Certified Copy



	Kodihalli Village, Varthur Hobli, Bengaluru South Taluk:		
8.	RTCs issued in respect of the land bearing Survey No. 156/1 measuring 20 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, for the years 1981-82 to 1996-97.	Certified copy	
9.	Special Notice dated __.07.1977 issued by HASB;		Photo Copy
10.	Letter bearing No. ARO(JBN):RTI/PR/70 of 2011-12 dated 12.12.2011 issued by the BBMP,		Photo Copy
11.	Khata Certificate dated 10.11.2009 issued by BBMP	Original	
12.	Joint Development Agreement dated 24.01.2011, registered as Document No. VRT-1-06878-2010-11 (stored in CD No. VRTD94) on 28.01.2011 in the office of the Sub Registrar, Varthur;		Certified Copy (Original stated to be with IT Department)
13.	General Power of Attorney dated 24.01.2011, registered as Document No. VRT-4-00488-2010-11 (stored in CD No. VRTD94) on 28.01.2011 in the office of the Sub Registrar, Varthur;		Photo Copy (Original stated to be with IT Department)
14.	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;		Photo Copy
15.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;		Photo Copy
16.	Endorsement bearing No. RK,CR/413 of 2003-04 dated 23.10.2003 issued by the Office of Tahasildar Bengaluru East Taluk, Krishnarajapura, Bengaluru;		Photo Copy
17.	Map of Kodihalli Village;	Photo Copy	



18.	Elissa Survey Tippyany issued in respect of land bearing Survey Nos.156 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk.		Photo Copy
19.	Revision Settlement Akarbandh issued with respect to Survey No. 156 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;	Certified Copy	
20.	Endorsement bearing No. LRF:CR:304 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;		Original (Common to all properties)
21.	Endorsement bearing No. LRF: (BH): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;		Original (Common to all properties)
22.	Khara Certificate and Khara Extract dated 14.10.2011 issued by BBMP in respect of the land bearing Municipal No. 57, ward No. 73, Kodihalli, Bengaluru;		Photo Copy
23.	Endorsement bearing No. KHIB: LAO/381/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;		Original (common to all properties)
24.	Endorsement hearing No. Bengaluru: SLAO/6928/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;		Original (common to all properties)
25.	Endorsement bearing No. LAQ/NH-7/HM/CR/S1/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;		Original (common to all properties)
26.	Work order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution bearing No. BDA/TPM/DLP-38/2016-17/380/2019-20 dated : 1.06.2019;		Original (common to all properties)



27.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-I-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
28.	Modified Work Order bearing No. BDA/Nayasa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;		Original (common to all properties)
29.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-I-01120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
30.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf - Cum Hotel Resort, near Bengaluru Airport;		Certified Copy (common to all properties)
31.	Order dated 18.09.1991 passed in WS Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka quashing the acquisition notifications and proceedings with regard to Property V and adjoining lands;		Photo Copy
32.	Encumbrance Certificates issued in respect of the land bearing Survey No. 15671 measuring 10 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the period 01.04.1962 to 31.03.2004, 01.04.2004 to 09.09.2008, 09.09.2008 to 04.06.2013, 01.03.2016 to 23.01.2019, 01.04.2019 to 12.01.2023;	Certified copy	01.03.2016 to 23.04.2019. 01.04.2019 to 12.01.2023: Photo Copy
33.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 694 for the period 01.04.1980 to 31.03.2004, 01.04.2004 to 24.06.2011 and 01.03.2016 to 23.04.2019;	Certified copy	01.03.2016 to 23.04.2019: Photo Copy
34.	Encumbrance Certificates issued in respect of the land bearing Municipal No. 57 situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru for the	01.04.2004 to 19.06.2013 -	01.04.2014 to 08.03.2016. 01.03.2016 to



	period 01.04.2004 to 19.06.2013, 01.01.2008 to 23.01.2011, 24.01.2011 to 31.05.2013, 01.03.2016 to 23.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 and 21.05.2023 to 25.10.2023; 01.04.2014 to 08.03.2016	Certified copy	23.04.2019, 01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 - Certified Copies. Rest are all photo copies
35.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. BVP-1-05839-2010-11 (stored in C/D No. BYPD 69) in the office Sub Registrar, Bysarayanapura, Bengaluru;		Certified Copy (Common to all properties)
36.	Escrow Agreement dated 16.09.2015 executed by and between Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited;		Original (common to all properties)
37.	Discharge Deed dated 09.11.2015 registered as Document No. MLS-1-02751-2015-16 (stored in C.D.No. MLSD112) in the office of the Sub Registrar, Malleshwaram;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
38.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. MLS-1-02759-2015-16 (stored in C.D.No. MLSD112) on 11.11.2015 in the office of the Sub Registrar, Malleshwaram;		Photo Copy
39.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19 (stored in C. D. No. HBBD244) in the office of the Sub Registrar, Hebbala, Bengaluru;		Photo Copy
40.	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016;		Photo Copy
41.	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;		Photo Copy



42.	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;		Original (Computer generated copy).
43.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 57 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 10.01.2024;		Certified Copy
44.	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAN10312) in the office of the Sub Registrar, Gandhi Nagar;		Photo Copy
45.	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;		Photocopy
46.	Letter bearing No. 51141-A/11SL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
47.	Letter bearing No. 51141-B/11SL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
48.	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;		Photo Copy
49.	Special Notice bearing No. DA/113/KIR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevantheema Nagar Sub-Division, BBMP;		Photo Copy
50.	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;		Original (Computer generated copy).
51.	Gift Deed dated 18.10.2021, registered as Document No. INR-1-06257-2021-22 (stored in CD No. INRD920) in the office of the Sub Registrar, Indira Nagar;		Certified Copy



52.	Rectification Deed dated 30.10.2021, registered as Document No. INR-1-06794-2021-22 (stored in CD No. INRD928) in the office of the Sub Registrar, Indira Nagar:		Certified Copy
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**TITLE REPORT DATED 22.01.2024**  
**PROPERTY IV**  
**MUNICIPAL NO. 56 - (PID No.73-50-56)**

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**A. Description of Property:**

The objective of this due diligence exercise is to investigate title to the Property (*defined hereinafter*) described in Part E of this title Report ("the **Report**") based on review of the documents furnished to us, description whereof is given in Part D of this Report.

**B. Scope of Limitation:**

The scope of our review and of this Report is subject to the following limitations:

- (i) While performing the review, we have assumed the (a) genuineness of all signatures, (b) accuracy and correctness of all information / representations provided / made to us, including the facts that are mentioned in agreements, executed copies of documents and government records, (c) authenticity of copies of all documents submitted to us as originals, (d) conformity of the copies or extracts submitted to us with the originals thereof, (e) correctness of all information provided to us in respect of the litigations in respect of the Property including the fact that no appeals or revisions have been filed in respect of the relevant suits / litigations and (f) compliance with all legal requirements by the parties concerned with the Property.
- (ii) We have only examined issues pertaining to the ownership of the Property and have not examined issues pertaining to (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Property; (b) business, regulatory and financial issues of the present or previous owners of the Property; and (c) other matters that do not directly affect the ownership of the Property.
- (iii) For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report.
- (iv) We have assumed that there are no outstanding / dues payable by the present / previous owners of the Property to any government / statutory authority (including any tax / cess dues) or local body and that the Property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws.



- (v) Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Property, as analyzed by us from the information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report.

**C. Confidentiality:**

The contents of this Report are confidential. Neither this Report nor any of its contents may be disclosed to any person other than to the professional advisers, officers and employees of **Suruchi Properties Private Limited** who are directly involved in the proposed transaction relating to the Property. We accept no responsibility to any person other than to **Suruchi Properties Private Limited** in relation to the contents of this Report.

**D. Documents Examined:**

We have been provided with and have examined the photocopies of the documents listed in Annexure – A to this Report for the purpose of carrying out title due diligence on the Property.

**E. Description of Property:**

All that piece and parcel of the immovable property being the land originally bearing Municipal No. 56 (PID No. 73-50-56) measuring 19,602 square feet comprised in the earlier land bearing Survey No. 156/2 to 156/6 situated at Muniyellappa Garden, Kodihalli, Ward No. 73, Bengaluru, now forming part of the amalgamated Municipal No. 64 (PID No. 73-63-64), New Ward No. 113, Kodihalli, Bengaluru, hereinafter referred to as '**Property IV**' (Boundaries are not ascertainable from the documents provided)

**F. Findings Based On Documents Examined:**

**I. Title:**

1. On perusal of the documents furnished to us, we note that, the land bearing Municipal No. 56 measuring 19,602 square feet is part of the land bearing Survey No. 156 measuring 39 Guntas (including 1 Gunta of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru.
2. On perusal of the documents provided to us, we note that, Kodihalli is situated in an Inam Village. On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 coming into



force in respect of the lands situated at Kayam Gutta Kodihalli Village vide its Notification dated 15.09.1956, all the lands including the land bearing Survey No. 156 of Kodihalli Village vested with the Government of Karnataka (Document No. 1)

3. On an application made by one Mr. S. Narayanappa (son of Mr. Ramaiah) for re-grant of wet land measuring 38 Guntas, he was registered as *Kadim Tenant* in respect of land measuring 38 Guntas comprised in Survey No. 156 of Kodihalli Village, under Section 4 of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954, in proceedings bearing No. Case 28 of 1957-58 dated 12.07.1958 before the court of Special Deputy Commissioner for Abolition of Inams, Bengaluru (Document No. 2). The aforementioned order does not specify any restrictions with respect to the transferability of the said land.
4. We have been provided with the extract of Register VIII pertaining to land measuring 38 Guntas in Survey No. 156 of Kodihalli Village, in the name of Mr. S. Narayanappa (son of Mr. Ramaiah) showing the details of assessment payable to Government by Kadim, Permanent, Quasi-permanent and minor *Inamdar*, etc. (Document No. 3).
5. Thereafter said Mr. S. Narayanappa (son of Mr. Ramaiah) sold the land measuring 18 Guntas in Survey No. 156 of Kodihalli Village in favour of Mr. Muniyellappa (son of Mr. Ramaiah) under the Sale Deed dated 26.10.1963 (Document No. 4). Said Mr. Muniyellappa (son of Mr. Ramaiah) in turn conveyed same land in favour of Mr. K. Babanna Reddy (son Late Mr. Kenchappa) under the Sale Deed dated 30.10.1963 (Document No. 5). However, we have not seen any of the extract of entries made in the Mutation Register recording the above sale deeds and accordingly the grant of permission to change the *khata* to the name of Mr. Muniyellappa and later to the name of Mr. K. Babanna Reddy.
6. Thereafter said Mr. K. Babanna Reddy (son Late Mr. Kenchappa) sold the land measuring 18 Guntas in Survey No. 156 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk in favour of Mr. Muniyellappa (son of Mr. Chikka Puttappa) under the Sale Deed dated 08.05.1969 (Document No. 6).

**Observation:** We have not seen any of the extract of entries made in the Mutation Register recording the above sale deed and accordingly the grant of permission to change the *khata* to the name of Mr. Muniyellappa (son of Chikka Puttappa). We have been informed that the same is not available.

7. Record of Rights, Tenancy and Crop Inspection ("RTCs") issued in respect of the land bearing Survey No.156 measuring 39 Guntas (including 1 Gunta of kharab) of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1976-77 to 1981-82 reflect Mr.



Narayanappa as the holder of 18 Guntas, Mrs. Sharadamma as the holder of 10 Guntas and Mr. Motappa as the holder of 10 Guntas in the said land (Document No. 7).

8. Further, said Mr. Muniyellappa, (son of Late Mr. Chikka Pullappa) executed a Will dated 12.11.1971 bequeathing all his properties including the land bearing Survey No. 156 measuring 18 Guntas of Kodihalli Village (Document No. 8). Under the said Will,
- (a) land measuring 21 Guntas in Survey No. 155-156 was allotted to the share of Mr. Muniyappa.
  - (b) land measuring 21 Guntas in Survey No. 155-156, was allotted to the share of Mr. Rajappa.
  - (c) land measuring 21 Guntas in Survey No. 155-156 was allotted to the share of Mr. Papanna; and
  - (d) land measuring 21 Guntas in Survey No. 155-156 was allotted to the share of Mr. Krishnappa.

Mr. Muniyellappa under the Will has stated that his 3 daughters were provided their share in the properties in the form of money time to time and also at their time of marriage.

**Observation:** Suruchi Properties Private Limited ("Suruchi") has represented to us, that, the daughters of Mr. Muniyellappa viz., Mrs. Chinna Munilakshamma, Mrs. Chikka Chinnamma, Mrs. Motamma were married and given with movable properties such as sufficient gold jewelries and cash at the time of their marriage and till now have not raised any claims over the properties. In case, if any claims or objections are received, the same shall be cleared and settled by Suruchi (Document No. 79).

9. It appears that on the demise of Mr. Muniyellappa, Will executed by Mr. Muniyellappa has taken effect.

**Observation:** We have not been provided with the Death Certificate of Mr. Muniyellappa. We have been informed that the same is not available.

10. We have been furnished with the Genealogical tree of Mr. Muniyellappa reflecting the names of his family members issued by the Village Accountant, H. A. Sanitary Board, Bengaluru (Document No. 9), viz.,
- a) Mr. Muniyappa (son of Mr. Muniyellappa), Mr. Muthappa & Mr. Ramu (sons of Mr. Muniyappa);
  - b) Mr. Papanna (son of Mr. Muniyellappa), Mr. Ramesh & Mr. Manju (sons of Mr. Papanna);
  - c) Mr. Rajappa (son of Mr. Muniyellappa), Master Girisha & Master Mohan (sons of Mr. Rajappa);
  - d) Mr. Krishnappa (son of Mr. Muniyellappa), Mr. Gopala & Mr. Ganapathi (sons of Mr. Krishnappa);



e) Mr. Srinivasa (son of Mr. Muniyellappa), Mr. Ananda, Master Prakasha & Master, Nagaraj (sons of Mr. Srinivasa).

It is observed that, the names of daughters of Mr. Muniyellappa viz., Mrs. Chinna Muralakshamma, Mrs. Chikka Chinnamma, Mrs. Motamma, as ascertained from Will dated 12.11.1971 referred below, are not indicated in the Genealogical Tree submitted to us. We have been informed that the genealogical tree reflecting the names of all the family members is not available.

11. We have been provided with the Hissa Survey Tippany dated 19.07.1973 issued in respect of land bearing Survey No.156 it reflects that the said Survey No.156 has been sub-divided and assigned into Survey No. 156/1 to 156/6 (Document No. 10). While the aforementioned Will dated 12.11.1971 does not record the sub-divisions of Survey No. 155-156, it is noted that RTC's issued in respect of the land bearing Survey Nos. 156/2 to 6 for the years 1976-77 reflect their respective holders and the same is detailed below.
12. RTC's issued in respect of Survey No.156/2 measuring 3 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1976-77 to 1996-97 reflect the names of Mr. Muniyappa as the holder thereof and later the name of Mr. K.N. Yellappa (Document No. 11).
13. RTC's issued in respect of Survey No. 156/3 measuring 3 Guntas situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1976-77 to 1996-97 reflect the names of Mr. Krishnappa and later the name of Mr. K.N. Yellappa to be the holders thereof (Document No. 12).
14. RTC's issued in respect of Survey No.156/4 measuring 3 Guntas, of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years 1976-77 to 1996-97 reflect the name of Mr. Rajappa to be the owner and holder (Document No. 13).
15. R.T.C.'s in respect of Survey No.156/5 measuring 3 Guntas of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk issued for the years 1976-77 to 1996-97 reflect the name of Mr. Papanna to be the owner and holder thereof (Document No. 14).
16. R.T.C.'s in respect of Survey No.156/6 measuring 6 Guntas and 1 Gunta of kharab of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, issued for the years 1976-77 to 1996-97 reflect Mr. Muniyappa, Mr. Krishnappa, Mr. Rajappa and Mr. Papanna as the joint holders of the said land (Document No. 15).



17. Mr. M. Muniyappa, Mr. M. Krishnappa, Mr. M. Rajappa and Mr. M. Papanna (all sons of Late Mr. Muniyellappa) executed and registered four different Agreement to Sell dated 13.08.1993, 16.08.1993, 30.08.1993, 07.09.1993 in favour of Land Links Associates agreeing to sell 1/4<sup>th</sup> share of undivided right title and interest each in the land bearing Survey No. 156/2 to 156/6 measuring 18 Guntas, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru (Document Nos. 16 to 19).
18. Pursuant thereto, Mr. M. Muniyappa, Mr. M. Papanna, Mr. M. Krishnappa and Mr. M. Rajappa (all sons of Late Mr. Muniyellappa) executed and registered three different General Power of Attorney dated 13.08.1993, 16.08.1993, 30.08.1993 appointing Mr. Ravishankar (son of Mr. Venkata Krishna) as their attorney in respect of the land bearing Survey Nos. 156/2 to 156/6 measuring 18 Guntas (Document Nos. 20 to 22).
19. Subsequently, the said Mr. M. Muniyappa, Mr. M. Papanna, Mr. M. Krishnappa and Mr. M. Rajappa (all sons of Late Mr. Muniyellappa) executed another set of General Powers of Attorney dated 07.09.1993 appointing Mr. R. Venkatesh (son of Mr. M. V Ramanna) as their attorney in respect of the aforementioned property. The above mentioned General Power of Attorney dated 07.09.1993 has been revoked by Mr. M. Muniyappa, Mr. M. Papanna, Mr. M. Krishnappa and Mr. M. Rajappa under the Cancellation of General Power of Attorney dated 09.03.1995 (Document Nos. 23 & 24). It is observed that the attorney (i.e., Mr. R. Venkatesh) is not a party to the aforementioned Cancellation of General Power of Attorney executed by Mr. M. Muniyappa, Mr. M. Papanna, Mr. M. Krishnappa and Mr. M. Rajappa.
20. It appears that Mr. R. Venkatesh was not aware of the cancellation of the power of attorney. Mr. R. Venkatesh acting as POA Holder of Mr. M. Muniyappa, Mr. M. Krishnappa, Mr. M. Rajappa and Mr. M. Papanna (all sons of Late Mr. Muniyellappa) executed four different Sale Deeds dated 19.07.1995, 21.07.1995, 27.07.1995 and 29.07.1995 in favour of Mr. K. N. Yellappa conveying their 1/4<sup>th</sup> share of undivided right title and interest each in the land bearing Survey No. 156/2 to 156/6 measuring 18 Guntas, i.e., 4½ Guntas each, situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, Bengaluru (Document Nos. 25 to 28). Extract of Entry No. MR 5 of 1995-96 made in the Mutation Register records the aforesaid Sale Deeds and also the grant of permission for change of khata in respect of the land bearing Survey Nos. 156/2to6 to the name of Mr. K. N. Yellappa (Document No. 29). It is observed that the Land Links have signed all those Sale Deeds as Consenting Witness confirming the sale transaction in favour of Mr. K. N. Yellappa.
21. It appears that, certain disputes arose between Mr. K N Yellappa and Mr. M. Muniyappa, Mr. M. Papanna, Mr. M. Rajappa, Mr. M. Krishnappa & Mr. V. Ravishankar the following suit have been filed and disposed in terms as follows:
- (a) OS No. 189 of 1997: Mr. Yellappa filed a suit for declaration of title in respect of Survey Nos.156/2 to 156/6 measuring 18 Guntas of Kodihalli Village against Mr.

M. Muniyappa, Mr. M. Papanna, Mr. M. Rajappa, Mr. M. Krishnappa and including Mr. V. Ravishankar before the City Civil Judge Bengaluru (Document No.30). We note that Mr. Ravishankar was acting as the power of attorney holders of defendant Nos.1 to 4(viz., Mr. M. Muniyappa, Mr. M. Papanna, Mr. M. Rajappa, Mr. M. Krishnappa). During the pendency of suit the parties have arrived for the compromise and have filed a compromise petition on 05.02.1997 whereunder Mr. Ravishankar (acting for himself and as a power of attorney holder of defendant Nos.1 to 4) have confirmed that Mr. K.N. Yellappa is the absolute owner of Survey Nos.156/2 to 156/6 measuring 18 Guntas of Kodihalli Village and they do not have any rights, title and interest over Property and the said suit was decreed in terms of compromise on 03.03.1997 (Document No. 31).

- (b) O.S.No.16525 of 2003: Mr. K. N. Yellappa filed one more suit for declaration of title in respect of Survey Nos.156/2 to 156/6 measuring 18 Guntas of Kodihalli Village before the City Civil Judge Mayohall Bengaluru against Mr. M. Muniyappa, Mr. M. Papanna, Mr. M. Rajappa, Mr. M. Krishnappa (all sons of Late Mr. Muniyellappa) and their children (i.e., Mr. Muthappa, son of Mr. M. Muniyappa, Mr. P. Ganesh and Mr. Manjunath (sons of Mr. M. Papanna), Mr. R. Girish and Mr. Mullan (sons of Mr. M. Rajappa), Mr. K. Ramesh Babu and Mr. Ganesh Babu (sons of Mr. M. Krishnappa) (Document No. 32). In the said suit we note that all the defendants have appeared personally and through their power of attorney holder. During the pendency of suit, the parties have arrived for the compromise and filed a compromise petition on 07.10.2005 and the suit was decreed on 24.10.2005 in terms of the compromise petition filed (Document No.33). Under the said compromise, all the defendants have acknowledged and confirmed that:

- (i) Mr. K.N. Yellappa is the absolute owner of Survey Nos.156/2 to 156/6 measuring 18 Guntas of Kodihalli Village and they do not have any rights, title and interest over the same
- (ii) The defendants have acknowledged that the power of attorney granted in favour of Mr. R. Venkatesh was coupled with interest and could not have been revoked unilaterally and further that the cancellation deeds have no effect.
- (iii) The defendants have acknowledged the execution of the 4 Sale Deeds by Mr. Venkatesh in favour of Mr. K.N. Yellappa in respect of Property IV and further have ratified all the acts, deeds and things done by their power of attorney holder Mr. R. Venkatesh in this regard and further that they do not have any manner right title or interest in the land bearing Survey Nos. 156/2 to 156/6 and that Mr. K.N. Yellappa is in possession thereof.

- (c) Pursuant thereto all the aforesaid defendants have executed a Deed of Declaration dated 06.10.2005 in favour of Mr. K. N. Yellappa confirming that Mr. K N Yellappa is the absolute owner of the land bearing Survey Nos. 156/2 to 156/6 and also, confirming that they have settled all the disputes in terms of the compromise (Document No. 34)
22. It appears that, the municipal administration of the Kodihalli Village had been handed over to a special board distinct from the grama panchayat known as the "Hindustan Aeronautics Sanitary Board" (in short "HASB"). We note 5 Certificates all dated 30.03.1996 the said City Municipal Council, Hindustan Aeronautics Sanitary Board allotted, certifying that:
- i) Khata No. 955/1 is carved out of the land bearing Survey No. 156/6,
  - ii) Khata No. 956/2 is carved out of the land bearing Survey No. 156/5,
  - iii) Khata No.957/2 is carved out of the land bearing Survey No. 156/4,
  - iv) Khata No.958/3 is carved out of the land bearing Survey No. 156/3,
  - v) Khata No.959/4 is carved out of the land bearing Survey No. 156/2, all situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk (Document No. 35).
23. The said Mr. K. N. Yellappa conveyed the land bearing HASB Khata No.955/1 measuring 8040 Sq. Ft., comprised in Survey No. 156/6, No. 956/2 measuring 3300 Sq. Ft., comprised in Survey No. 156/5, No.957/2 measuring 3300 Sq. Ft., comprised in Survey No. 156/4, No.958/3 measuring 3300 Sq. Ft., comprised in Survey No. 156/3, No.959/4 measuring 3300 Sq. Ft., comprised in Survey Nos. 156/2 to 156/6, all situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk in favour of Medical Relief Society Of South Kanara under five different Sale Deeds all dated 30.03.2000 (Document Nos. 36 to 40).
24. Medical Relief Society of South Kanara and Mr. Dayanand Pai have entered into an Agreement of Sale dated 09.03.2004 in respect of the land bearing Survey Nos. 156/2 to 156/6, 155/1A, 156/1, 155/1B, 146/1, 147/2, 155/1C, 155/1A, 148, 146/2, 146/3, 147/1, 143/3, 155/3Eto3G of Kodihalli Village bearing various HASB khata numbers admeasuring about 10 Acres (Document No. 41). Mr. P. Dayananda Pai has assigned his rights under the abovementioned Agreement of Sale dated 09.03.2004 in favour Suruchi Properties Private Limited ("Suruchi") by way of Nomination Agreement dated 09.03.2004 (Document No. 42).
25. Subsequently, when the lands therein situated at Kodihalli Village including the aforesaid properties appears to have come within the administrative jurisdiction of the Bengaluru Mahanagara Palike and were assessed for tax by the Brnhat Bengaluru Mahanagara Palike. In this regard, we have been provided with the Receipt bearing No. 53221 dated 16.01.2006 issued by Bengaluru Mahanagara Palike evidencing the payment of betterment charges in

- respect of the land bearing HASB Khata Nos.955/1, 956/2, 957/2, 958/3 and No.959/4 at the rate of Rs. 100 per square yard (Document No. 43).
26. We note the Special Notice bearing No. Ward/73/KLR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike which evidences that land bearing HASB Khata Nos.955/1, 956/2, 957/2, 958/3 and No.959/4 measuring 19602 square feet was allotted with Municipal No. 56, Ward No. 73 Muniyellappa Garden, Kodihalli and Khata in respect thereof stand in the name of Medical Relief Society of South Canara (Document No. 44). The said notices also states that the said land has been assessed for tax from the year 1995-96 to 2005-06 and the amount to be paid in respect thereof.
27. In this regard, we note the Receipt bearing No. 239055 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike evidencing the payment of tax in respect of Municipal No. 56 by Medical Relief Society of South Canara for the 2<sup>nd</sup> half of 1995-96 till 2005-06 (Document No. 45).
28. Subsequently, Suruchi Properties Pvt. Ltd., sought for the specific performance of Agreement of Sale and Nomination Agreement both dated 09.03.2004 referred to in paragraph 24 above, before the Arbitral Tribunal which consisted of sole Arbitrator against Medical Relief Society of South Canara and Mr. Dayanand Pai. The said Tribunal passed an Award on 30.11.2007 directing Suruchi Properties Pvt. Ltd., to pay the due amounts to Medical Relief Society of South Canara and Mr. P. Dayananda Pai. Further said Tribunal also ordered / directed Medical Relief Society of South Canara and Mr. P. Dayananda Pai to transfer the Property IV to Suruchi Properties Pvt. Ltd., in terms of the Award (Document No. 46). We note that pursuant to the Award, the parties have not executed a separate conveyance deed. However, the Award dated 30.11.2007 has been registered along with the subsequent Minutes of the Meeting dated 28.02.2008 recorded by the Arbitrator which records (a) passing of consideration from Suruchi Properties Private Limited to Medical Relief Society of South Canara, (b) delivery of physical possession and handing over of the original documents by Medical Relief Society of South Canara and Mr. Dayanand Pai in favor of Suruchi Properties Private Limited. In this regard it is noted that the Arbitrator (acting on behalf of the claimant and the respondents) presented the Award for registration before the jurisdictional sub-registrar and the jurisdictional sub registrar has treated the same as an instrument of conveyance and has levied duty likewise. It is noted that the instrument has been released by the jurisdictional sub-registrar after completing all the registration formalities.
29. Suruchi has entered into a Development Agreement dated 03.02.2011 with Salarpuria Realtors Private Limited to develop the land bearing various municipal numbers totality admeasuring 4,23,867 square feet (which includes land bearing Municipal No. 56) situated at Kodihalli, Ward No. 73, Airport Road, Bengaluru on the terms and conditions set out

therein (Document No. 47) Suruchi has executed and registered a General Power of Attorney dated 04.02.2011 authorising and appointing the developer, Salarpuria Realtors Private Limited as its attorney in respect of lands admeasuring 4,27,867 square feet to do various acts, deeds and things in the connection with the development of the lands in the manner as specified therein (Document No. 48). The power of attorney also entitles the attorney to raise and borrow loan or financial assistance by creating the equitable mortgage on security of the developer's share of receivables together with the undivided share right title and interest and ownership in the land.

## II. Revenue Records and Endorsements

30. Endorsement bearing No. RK.CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura, to the effect that the R.T.C.'s issued in respect of the land bearing Survey No. 156/2 to 6 for the years 1969 to 1970 and 1997 to 2001 are not available and hence cannot be provided (Document No. 49).
31. We have been furnished with a map of Kodihalli Village which shows the location of the land bearing Survey No. 156 (Document No. 50).
32. The Revision Settlement Akarbandh issued in respect of the land bearing Survey No. 156/2 to 156/6 confirms the total extent in the land bearing Survey No. 156/2 to 156/6 (Document No. 51).
33. The Tahasildar, Bengaluru East Taluk, Bengaluru has issued an Endorsement dated 18.04.2005 to the effect that no applications have been filed in respect of the land bearing Survey Nos. 156/2 to 156/6 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk under Sections 48(1) of the Karnataka Land Reforms Act, 1961 (Document No. 52).
34. The Assistant Commissioner's Office, Bengaluru North Taluk, has issued endorsement dated 17.02.2012 to the effect that, as per the records maintained in the said office, no proceedings have been filed in respect of the the land bearing Survey Nos. 156/2 to 156/6 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk under Sections 79(A) & 79(B) of the Karnataka Land Reforms Act, 1961 (Document No. 53).
35. We have not been furnished with an endorsement issued by the jurisdictional Assistant Commissioner stating that the land bearing Survey Nos. 156/2 to 156/6 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk does not come under the purview of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 and no proceedings have been filed / pending / disposed off in respect thereof under the provisions of the said enactment. It has been represented that no applications have been filed

under the provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect of the land bearing Survey Nos. 156/2 to 156/6 of Kodihalli Village, Varthur Hobli, Bengaluru South Taluk and in this regard Suruchi Properties Private Limited have not received any notice or intimation with respect to the same

### III. Khata and Tax Receipts:

36. Khata Certificates and Khata Extracts 14.10.2011 issued by the Bruhat Bengaluru Mahanagara Palike ("BBMP") certifying that the land bearing Municipal No. 56 measuring 19,602 square feet situated at Ward No. 73, Muniyellappa Garden, Kodihalli, Bengaluru stands in the name of Suruchi Properties Private Limited (Document No. 54).
37. Receipt bearing No. 22233000344 dated 10.08.2022 issued by BBMP Revenue Department evidencing the payment of property tax in respect of the land bearing Municipal No. 56 for the year 2022-23 (Document No. 55).
38. It is noted that Suruchi appears to have made an application to the BBMP for the amalgamation of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot on the basis of the Modified Work Order dated 27.12.2021 sanctioned by the BDA referred to hereinafter and the B Kharab Realignment Order bearing No. 1.ND (F) CR/226/2017-18 dated 05.03.2019 passed by the Deputy Commissioner, Bengaluru District.
39. We have been provided with a Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by Assistant Revenue Officer, Jeevanbhreena Nagar Sub-Division, BBMP, wherein based on the documents submitted by Suruchi, BBMP has amalgamated the khata of the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli into one single plot admeasuring 3,54,506 square feet and assigned it with Municipal No. 73-63-64 standing in the name of Suruchi and Mrs. Sharadamma on certain terms and conditions meticulously set out therein (Document No. 55A). The Special Notice further records that:
  - (a) the land bearing Municipal Nos. 49, 50, 51/1, 54, 55, 56, 57, 58, 59, 62 situated at Muniyellappa Garden, Kodihalli and the land bearing Municipal Nos. 60, 61, 62, 65, 66, 67, 68, 69, 70, 71 situated at Narayanappa Garden Kodihalli shall stand cancelled in the records of BBMP.

- (b) The amalgamated single plot has been assessed for annual tax of Rs. 2,14,279.00 with effect from 01.10.2023.

**Observation** We have not seen the Khata Certificate and Khata Extract issued by the BBMP in respect of the amalgamated Municipal No. 64 admeasuring 3,54,506 square feet situated at Ward No. 113, Narayanappa Garden, Kodihalli pursuant to the above mentioned Special Notice dated 17.01.2024. We have also not seen the B Kharab Realignment Order referred to above.

40. As per the assessment of Municipal No. 73-63-64 for tax set out in the Special Notice dated 17.01.2024 referred to above, we have been provided with the Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department which evidences the payment of property taxes for the land bearing Municipal No. 73-63-64 for the year 2023-24 (**Document No. 55B**).

#### **IV. Acquisitions:**

41. The Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru has issued an Endorsement dated 16.01.2013 to the effect that *inter alia* land bearing Survey No. 156/2 to 6 of Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru is not notified for acquisition for any of its project as on the date of the issue of the said Endorsement (**Document No. 56**).
42. The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru has issued an Endorsement dated 23.01.2013 stating that *inter alia* land bearing Survey No. 156/2 to 6 situated at Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru has not been acquired or notified for acquisition for any of projects of Karnataka Industrial Areas Housing Board as on the date of issue of the said endorsement (**Document No. 57**).
43. The Special Land Acquisition Officer, National Highway Authority of India has issued an Endorsement bearing No. LAQ/NH-7/HM/CR/51/17-18 dated 09.10.2017 stating that no survey numbers in Kodihalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru fall under the jurisdiction of National Highway Authority of India hence no acquisition has been effected (**Document No. 58**).

#### **V. Land Conversion and Land Usage**

44. We have not been furnished with the Official Memorandum issued by the office of Deputy Commissioner, Bengaluru District, whereunder the Property IV was converted for non



agricultural purposes. We have been informed that, no conversion has been obtained under the provisions of Law. However, please note, the Section 95 (2) of the Karnataka Land Revenue Act, 1964, specifically states that, regardless of what is stated in any other law, if an occupant seeks to divert the usage of an agricultural land, then such occupant will have to obtain permission from the office of the Deputy Commissioner.

45. It is represented to us, that, the Kodihalli Village (comprising of Property IV) came to be administered by Hindustan Aeronautics Sanitary Board ("HASB"). HASB acting as the Special Board / Town or City Municipal Council, distinct and independent from the Bangalore district board and panchayats of Kodihalli has assessed these properties as non-agricultural properties and issued fresh khata numbers to the properties under its administration. Subsequently when it was found that HASB was acting without any statutory mandate, the Bruhat Bangalore Mahanagara Palike took over the administration of the properties which were being administered by the HASB. The Bruhat Bangalore Mahanagara Palike, did not nullify the actions taken by HASB (including issuing khata to unconverted lands) and they carried forward the same by issuing new municipal numbers to such unconverted lands.
46. In this regard, representatives of Suruchi Properties Private Limited have furnished a copy of an unreported division bench Judgement dated 14.06.2012 of the High Court of Karnataka passed in W.A. 17361-17363/2011 which has held that 'there is no necessity to obtain conversion from agricultural to non-agricultural, if the area comes within the town municipal council limits and the town municipal council has collected the developmental charges and is treating the property as a municipal property'. Representatives of Suruchi Properties Private Limited have represented that the BBMP is relying on the aforesaid division bench Judgement to approve plans in respect of unconverted properties falling within the jurisdiction of BBMP, for which khata has been issued by BBMP. It has been further represented to us that, the Judgement dated 14.06.2012 of the division bench in the High Court of Karnataka has not been challenged or overruled as on date.
47. As per the Revised Master Plan 2015 of Bangalore (Approved by the Government of Karnataka vide the G.O. No. UDD 540 BEM/AA SE 2004 dated 25.6.2007) ("RMP-2015"), the land bearing Survey Nos. 156 is classified as residential (main) use.
48. We been provided with and we note the Work Order bearing No. BDA/Nayosa/DP-38/2016-17/380/2019-20 dated 11.06.2019 issued by the Bangalore Development Authority ("BDA") along with sanctioned residential development plan to Suruchi with respect to the sanction of the proposed residential development proposed to be undertaken in the land bearing Survey Nos. 145/2, 145/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/1E, 155/3E, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totalling admeasuring 10 Acres 34.60 Guntas (excluding 34 Guntas of kharab) situated at Kodihalli

Village, Vanthur Hobli, Bengaluru East Taluk (Document No. 59). In terms thereof, we note the Relinquishment Deed dated 29.05.2019 executed by Suruchi Properties Private Limited in favour of BDA relinquishing an extent of 4.407 square meters (i.e., about 47,419.3 square feet) for park and open spaces in the land bearing 143/2, 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 149, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 10 Acres 24.60 Guntas (excluding 34 Guntas of kharab) of Kodihalli Village (Document No. 60).

49. It appears that there were some modifications in connection with the proposed residential development and accordingly Suruchi has applied for and obtained a Modified Work Order dated 37.12.2021 from the BDA and in terms thereof, BDA has sanctioned the modified residential development plan proposed to be undertaken by Suruchi in the land bearing Survey Nos. 143/3, 146/1, 146/2, 146/3A, 146/3B, 147/1, 147/2, 148, 155/1A, 155/1B, 155/3E, 155/3F, 155/3G, 156/1, 156/2, 156/3, 156/4, 156/5, 156/6 totally admeasuring 08 Acres 5.35 Guntas (excluding 21 Guntas of kharab) situated at Kodihalli Village, Vanthur Hobli, Bengaluru East Taluk ("**Project Lands**") on the terms and conditions set out thereunder (Document No. 61). Some of the terms and conditions on which the sanction have been granted are as follows:

- (a) The developmental activities are to be undertaken in terms of the sanctioned development plan and the same shall not be changed without the prior permission of BDA.
- (b) The area reserved for parks and buffer zone shall be used for the purposes for which they have been reserved and shall not be used for any other purposes.
- (c) Sanction of the building plans will have to be obtained from BDA.
- (d) The sanction provided by BDA shall be automatically cancelled if it is found that the applicant has misrepresented with respect to the ownership of the properties.
- (e) 10% of the residential units shall be reserved for economically weaker section and low income group.
- (f) Sewage treatment plant is required to be installed to ensure that untreated water is not released from the properties.

50. In connection with the above, we note the Rectification of Relinquishment Deed dated 17.07.2021 executed by Suruchi in favour of BDA whereunder the earlier area relinquished in favour of BDA was cancelled and Suruchi has relinquished an area of 3322 square meters in the properties for park and open spaces (Document No. 62).

#### VI. Litigation:

51. It is observed that, the land bearing Survey No. 156/2 to 156/6 was notified for acquisition for the formation of a Golf – Cum Hotel Resort, near Bengaluru Airport vide a Preliminary Notification dated 29.12.1981 and pursuant thereto Final Notification dated 16.04.1983 was

also passed. It is noted that, said acquisitions was challenged by several owners in Writ Petitions i.e., Mr. Muniyappa (son of Mr. Muniyellappa) in WP No. 19812 of 1990, Mr. Muniyappa (son of Mr. Muni Yellappa) in WP No. 813 of 1990, Mr. Srinivas@Seenappa (son of Mr. Muni Yellappa) in WP No. 814 of 1990, Mr. Audiyyappa (son of Mr. Dodda Pillappa) in WP No. 815 of 1990 and Mr. Muniyappa (son of Mr. Morappa) in WP No. 816 of 1990 before the Hon'ble High Court of Karnataka, Bengaluru. The Hon'ble High Court of Karnataka by its order dated 18.09.1991 in the said writ petitions '9812-816/1990 quashed the acquisition notifications and proceedings with regard to Property IV and adjoining lands (Document Nos. 63 & 64).

52. **OS No. 4986/2006 filed before the Court of City Civil Judge at Bengaluru:** Mr. L.A. Mohammed (plaintiff) have filed a suit for specific performance of an Agreement of Sale dated 07.03.2003 against Mr. Muniyappa, Mr. Papanna, Mr. Rajappa, Mr. Krishna (sons of Mr. Muniyellappa), Mr. K.N. Yellappa, M/s Land Links Associates, Mr. V. Ravishankar and Mr. B.N. Chabbaria in respect of the land bearing Survey Nos. 156/2, 156/3, 156/4 & 156/5 & 156/6 measuring 19602 Sq. Ft., situated at Muniyellappa Garden, Kudihalli, Ward No. 73, Bengaluru (which is presently Municipal No. 56). The Plaintiff has filed this suit for the specific performance of an Agreement of Sale dated 07.03.2003 entered into with Mr. Muniyappa, Mr. Papanna and Mr. Rajappa (sons of Mr. Muniyellappa). The plaintiff has contended that he is ready and willing to the performance his part of the contract and that Mr. Muniyappa, Mr. Papanna, Mr. Krishna and Mr. Rajappa are colluding with the other defendants to deprive the plaintiff of his right in the aforementioned property.
53. Mr. K.N. Yellappa (Defendant No. 5) has filed his written statement to the effect that:
- (i) Mr. Muniyappa, Mr. Papanna, Mr. Krishna and Mr. Rajappa have entered into registered agreements to sale dated 30.8.1993, 7.9.1993, 13.8.1993 and 16.8.1993 with defendant No. 5 and pursuant thereto have also executed and registered powers of attorney in favour of Mr. Ravishankar and Mr. R. Venkatesh to complete sale transaction and Mr. R. Venkatesh acting as the power of attorney holder executed Sale Deeds dated 19.7.1995, 21.7.1995, 27.7.1995 and 29.7.1995 in favour of Defendant No. 5 and that Defendant No. 5 has in-turn conveyed the same to Medical Relief Society of South Canara.
  - (ii) Defendant No. 5 has further contended that the aforementioned sale deeds in the year 1995 was confirmed in the compromise arrived at between the parties in OS Nos. 189 of '997 on 3.3.1997 & 16525 of 2003 on 24.10.2005 and that since the execution of the sale deed the Defendant No. 5 has been in possession of the said property. Defendant No. 5 has further contended that the Mr. Muniyappa, Mr. Papanna, Mr. Rajappa, Mr. Krishna did not have a right on 07.03.2003 to execute an agreement to sell in favour of the plaintiff as they were no longer the owner of the Property.

54. We note from the Order Sheet provided that:
- (i) the Court on 14.7.2006 granted temporary injunction against the defendants and their men from selling, encumbering or otherwise alienating the Property in favour of third parties, which is continuing as on date.
  - (ii) the Court observed that in the agreement, it was stated that the possession of the property has been delivered and the stamp duty was not paid as per Article 5(e)(i) read with Article 20 of Schedule I of the Karnataka Stamp Act, 1957 and therefore the Court vide., its Order 9.3.2017 directed the plaintiff to pay the stamp duty and the penalty on the agreement of sale.
  - (iii) the plaintiffs have filed a Writ Petition bearing No. 23050/2017 before the High Court of Karnataka against the order with respect to payment of stamp duty. The High Court of Karnataka has granted stay of the proceedings in the above suit till further orders.
  - (iv) Mr. Krishnappa, one of the defendants has passed away and the Plaintiff had not brought the legal representatives on record even after sufficient time was granted and the suit was abated as against Defendant No. The Plaintiff has filed Writ Petition bearing No. 23049/2017 before the High Court of Karnataka against the said order. The High Court of Karnataka passed an Order dated 12.07.2019 in the writ petition granting stay on further proceedings in OS No. 4986 of 2006 (Document Nos. 65 to 67).

**Observation:** We have been informed that since neither Suruchi Properties Private Limited nor its predecessor in title viz., Medical Relief Society of South Kanara is a party to the said suit as they have not been impleaded as defendants to the said suit. However, the said suit would be contested by Mr. K.N. Yellappa, the predecessor in title of the company.

The plaintiff is claiming to have derived rights under an agreement executed in the year 2003 by the owners (viz., Mr. Muniyappa, Mr. Papanna, Mr. Rajappa, Mr. Krishna), whereas the said owners had conveyed the property in favour of Defendant No. 5 (i.e., Mr. K.N. Yellappa) in the year 1995 and subsequently have confirmed that Defendant No. 5 is the owner of the Property under compromise petition filed and in decree drawn in terms thereof in OS Nos. 189 of 1997 on 3.3.1997 & 16525 of 2003 on 24.10.2005. The Defendant No. 5 had further conveyed the Property in favour of Medical Relief Society of South Kanara under 4 different Sale Deeds all dated 31.3.2000.

No clarification has been provided as to whether the temporary injunction granted by the Court on 21.07.2006 has been vacated subsequently.

55. We have been informed by Suruchi that apart from the above, there are no other litigations filed or pending in respect of Property IV.



**VII. Encumbrance / Charge:**

56. Encumbrance Certificates issued in respect of the land bearing Survey Nos. 156/2 to 156/6 for the period 01.04.1970 to 11.11.1996, 12.11.1996 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 17.10.2010, 17.10.2010 to 18.02.2013, 19.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014 reflect Sale Agreements dated 13.08.1993, 18.08.1993, 01.09.1993 and 07.09.1993, Sale Deeds dated 19.07.1995, 27.07.1995, 29.07.1995, 19.07.1995 referred to herein above (Document No. 68).

**Observation:** We have not seen the Encumbrance Certificates issued in respect of the land bearing Survey No. 156/2 to 156/6 for the period 01.04.1950 to 31.03.1970,

57. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 955/1 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013, 19.02.2013 to 03.06.2013 and 01.06.2013 to 23.01.2014 reflect that no transactions have taken place in respect of the said property for the aforementioned period (Document No. 69).

58. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 957/2 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013, 19.02.2013 to 03.06.2013 and 01.06.2013 to 23.01.2014 reflect that no transactions have taken place in respect of the said property for the aforementioned period (Document No. 70).

**Observation:** We have not seen the encumbrance certificates issued in respect of the land bearing HASB Khata Nos. 955/1 and 957/2 for the period 01.04.1980 to 31.03.1993.

59. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 958/3 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013, 19.02.2013 to 03.06.2013 and 01.06.2013 to 23.01.2014 reflect Sale Deed dated 30.03.2000 referred to herein above (Document No. 71).

60. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 959/4 for the period 01.01.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013, 19.02.2013 to 03.06.2013 and 01.06.2013 to 23.01.2014 reflect Sale Deed dated 30.03.2000 referred to herein above (Document No. 72).

**Observation:** We have not seen the encumbrance certificates issued in respect of the land bearing HASB Khata Nos. 958/3 and 959/4 for the period 01.04.1980 to 31.03.1993.



61. Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 956/2 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 20.10.2011 to 18.02.2013, 19.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014 reflect Sale Deed dated 30.03.2000 referred to herein above (Document No. 73).

**Observation:** We have not seen the encumbrance certificates issued in respect of the land bearing HASB Khata Nos. 958/3 and 959/4 for the period 01.04.1980 to 31.03.1993.

62. We have been provided with encumbrance certificates issued in respect of land bearing Municipal No. 56 for the period 01.04.2005 to 31.03.2008, 01.04.2008 to 05.01.2011, 01.04.2010 to 14.11.2012, 14.11.2012 to 04.06.2013, 01.06.2013 to 23.01.2014, 01.04.2019 to 12.01.2023 and 01.01.2023 to 21.05.2023 which reflect the Mortgage Deed dated 14.03.2011, Memorandum of Entries dated 06.10.2015 and 06.02.2019 referred to hereinbelow and Award dated 08.08.2008, Joint Development Agreement dated 03.02.2011 referred to hereinabove (Document No. 74).

63. Encumbrance Certificate issued in respect of the land bearing Municipal No. 56 in the land bearing Survey No. 156/2 of Kodihalli for the period 01.04.2004 to 10.01.2024 reflect the Joint Development Agreement dated 03.02.2011 referred to hereinabove and Memorandum of Entry dated 06.10.2015, 21.02.2019, Mortgage Deed dated 29.11.2011 and Discharge Deed dated 09.11.2015 referred to herein below (Document No. 74A).

We have not seen encumbrance certificate in respect of Property IV from 10.01.2024. The encumbrance certificates provided to us do not reflect the registered Memorandum of Entries 02.08.2018 and 06.09.2023 referred to hereinafter.

64. We have been furnished with a Simple Mortgage Deed dated 14.03.2011 executed amongst Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses in favour of IDBI Trusteeship Services Ltd., which includes *inter-alia* Municipal 56 measuring 19602 square feet (Document No. 75). It is observed that Century Real Estate Holdings Private Limited, Century Shelters and Green Orchards Farm House, as mortgagors had mortgaged certain of other properties owned by them and Suruchi Properties Private Limited, had mortgaged the lands situated at Kodihalli (including Municipal No. 56) to secure the debentures issued by Century Real Estate Holdings Private Limited.

65. Subsequently, Suruchi Properties Private Limited, Salarpuria Realtors Private Limited and IL&FS Trust Company Limited executed an Escrow Agreement dated 16.09.2015 with respect to the custody of the title deeds in respect of the Properties (Document No. 76) which *inter-alia* included Municipal 56 measuring 19602 square feet. It is observed that, pursuant to aforesaid Joint Development Agreement, Suruchi Properties Private Limited had



handed over the original title deeds in respect of the properties to Salarpuria Realtors Private Limited and, on the request made by the Suruchi Properties Private Limited, Salarpuria Realtors Private Limited has agreed to deposit the title deeds pertaining to the project which inter-alia contains the title deeds of Municipal 56 measuring 19602 square feet, with the escrow agent i.e., IL&FS Trust Company Limited (ITCL) and the parties have entered into the escrow agreement to record the terms and conditions on which ITCL shall hold and safeguard the title deeds as trustee for the benefit of the parties as per the terms agreed under the said Agreement, subject to the duties, obligations and responsibilities mentioned thereunder.

66. It is noted that, in consideration of payment of entire amount in principal and interest due to the Debenture Holders on the security of the Simple Mortgage Deed dated 14.03.2011, the Debenture Trustee, i.e., IDBI Trusteeship Services Limited has discharged and released *inter alia* Municipal 56 measuring 19602 square feet and others properties free from all encumbrances and charges whatsoever created in favour of Century Real Estate Holdings Pvt. Ltd., Century Shelters, Suruchi Properties Pvt. Ltd., and Green Orchards Farm Houses by executing a Discharge Deed dated 09.11.2015 (Document No. 77).
67. Suruchi Properties Private Limited, has executed a Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015 and registered on 11.11.2015 in favour of IDBI Trusteeship Services Limited whereunder Suruchi Properties Private Limited has created first and exclusive charge by way of equitable mortgage over the lands situated at Kodihalli (including Municipal No. 56) to secure debentures worth of Rs.620 Crores issued by Century Joint Developments Private Limited (Document No. 78). We note that IL&FS Trust Company Limited has joined in the execution of this memorandum to record the constructive delivery of the title deeds. We have been provided with No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited which evidences, that the debenture holder has confirmed that there are no amounts due and payable in respect of the non-convertible debentures worth of Rs. 620 Crores and that the same has been fully re-paid and on the basis of the same, IDBI Trusteeship Services Limited has provided its approval for the release of the securities including the charge created thereunder (Document No. 78A). We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.
68. Thereafter, it is noted that, Suruchi Properties Private Limited has executed and registered a Memorandum of Entry dated 02.08.2018 in favour of IDBI Trusteeship Services Limited wherein the *pari passu* charge was created over the lands situated at Kodihalli to secure an amount totally to Rs. 772 Crores of financial assistance availed by Century Real Estate Holdings Private Limited (comprising of (i) Rs. 125 Crores of non-convertible debentures of

Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 27.03.2017, (2) Rs. 257 Crores – of non-convertible debentures of Century Real Estate Holdings Private Limited issued in terms of the Debenture Trust Deed 29.06.2016 and (3) Rs. 390 Crores of term loan availed by Century Real Estate Holdings Private Limited under the Facility Agreement 03.07.2018) (Document No. 78B).

69. Suruchi Properties Private Limited has executed and registered a Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019 (registered on 21.02.2019) in favour of IDBI Trusteeship Services Limited, whereunder the charge created on the lands situated at Kodihalli (including Municipal No. 56) by Suruchi Properties Private Limited has been extended on first ranking pari passu basis to secure (a) Century Joint Developments Private Limited's indebtedness of Rs. 1105 Crores (comprising of (1) Rs. 620 Crores of non-convertible debentures of Century Joint Developments Private Limited (now released as detailed above) and (2) Rs. 485 Crores – of term loan availed by Century Joint Developments Private Limited under the Facility Agreement 30.07.2018) and (b) Century Real Estate Holdings Private Limited's indebtedness of Rs. 772 Crores (Document No. 79).
70. Thereafter we note (a) Letter bearing No. 51141-A/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour of *inter alia* Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 125 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 79A) and (b) Letter bearing No. 51141-B/ITSL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited in favour Century Real Estate Holdings Private Limited and Suruchi stating that the non-convertible debentures aggregating to Rs. 257 Crores has been paid in full and that Piramal Capital and Housing Finance Limited has issued no dues certificates in respect thereof (Document No. 79B). IDBI Trusteeship Services Limited has provided their no-objection for filing CHG-4 with the concerned Registrar of Companies. We have been informed that the said non-convertible debentures have been redeemed and the charge created for securing the same has been discharged, however a formal deed recording the same has not been executed.

Observation We have been informed that no release deeds have been executed and registered evidencing the release of the mortgage created over the lands situated at Kodihalli, Bengaluru owned by Suruchi. It is noted that the mortgage created under the Memorandum of Entry dated 06.02.2019 for securing (a) the term loan of Rs. 390 Crores availed by Century Real Estate Holdings Private Limited and (b) the term loan of Rs. 485 Crores availed by Century Joint Development Agreements Private Limited was subsisting and not released under the above mentioned no due certificates.



71. Thereafter, we note the registered Memorandum of Entry dated 06.09.2023 whereunder Suruchi's entitlement in the lands situated at Kodihalli Village has been mortgaged by way of first ranking pari passu charge to secure (a) Rs. 485 Crores term loan availed by Century Joint Developments Private Limited (CJDPL) from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 30.07.2018, (b) Non-convertible debentures aggregating up to Rs. 325 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 12.12.2020, (c) Non-convertible debentures aggregating upto Rs. 700 Crores issued by CJDPL in terms of the Debenture Trust Deed dated 22.09.2022, (d) Rs. 390 Crores term loan availed by Century Real Estate Holdings Private Limited from Piramal Capital & Housing Finance Limited under the Facility Agreement dated 03.07.2018 (Document No. 79C)
72. We have been informed that, apart from the above Memorandum of Entry recording the Mortgage by Deposit of Title Deeds dated 06.10.2015(which has since been satisfied in entirety as detailed above), 02.08.2018(which has been satisfied partially as detailed above), 06.02.2019 and 06.09.2023 which are still subsisting, there are no other mortgages, in respect of Municipal 56.

#### **VIII. Contiguity, Inspection of Original Documents and Public Notice:**

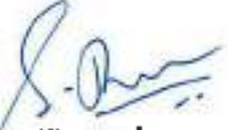
73. From the development plan and the title deeds (including the sale deed by which Suruchi has acquired and the khata which has been prepared thereafter) provided to us in respect of Property IV for our scrutiny, it is not possible to ascertain if Property IV (viz., Municipal No. 56) are contiguous with the other lands forming part of the proposed project. The same needs to be ascertained by undertaking a physical survey. In this regard we have been informed that the lands forming part of the project are contiguous and that an amalgamated khata has been issued by BBMP on the basis of the Modified Work Order dated 27.12.2021 issued by the BDA sanctioning the residential development plan which indicates that the all the Project Lands form a contiguous parcel of land.
74. As part of our title scrutiny, we have undertaken inspection of the original documents in respect Property IV which are in the custody of Vistra ITCL (India) Limited (the escrow agent for Suruchi and Salarpuria Realtors Private Limited) and Suruchi. The list and the nature of the documents provided to our inspection is detailed in Annexure – B of this Report.
75. We have issued a Public Notice in an English daily 'The New Indian Express' and Kannada daily the 'Kannada Prabha' on 16.12.2023 inviting objections from the general public with respect to Suruchi's title over Property IV. As on 18.01.2024, we have not received any objections to the public notice issued.



**G. CONCLUSION:**

Subject to our observations made hereinabove in general including the outcome of litigations detailed in Part VI, we are of the opinion that:

- (i) Suruchi Properties Private Limited, is the owner of Property IV, subject to the rights of Safarpuria Realtors Private Limited under the Development Agreement dated 03.02.2011; and
- (ii) Property IV is mortgaged in favour of IDBI Trusteeship Services Limited pursuant to the Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 02.08.2018, 06.02.2019 and 06.09.2023.

  
  
TATVA LEGAL  
BANGALORE

**ANNEXURE – A**  
**LIST OF DOCUMENTS EXAMINED**

Sl. No.	Description of Documents
1.	Notification bearing No. R.8747-L.S.63-56-2 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954;
2.	Order dated 12.07.1958 in Case No. 28 of 1957-58 passed by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District;
3.	Extract of Register VIII under Section II with respect to <i>inter alia</i> the land reflecting the grant of an extent of 38 Guntas in Survey No. 156/1 situated at Kodihalli Village;
4.	Sale Deed dated 26.10.1963 registered as Document No. 3741 of 1963-64, in Book I, Volume 421, at Pages 147 to 150 in the office of the Sub Registrar, Bengaluru South Taluk;
5.	Sale Deed dated 30.10.1963, registered as Document No. 3742 of 1963-64, in Book I, Volume 423, at Pages 24 to 27 in the office of the Sub Registrar, Bengaluru South Taluk;
6.	Sale Deed dated 08.05.1969 registered as Document No. 668 of 1969-70, in Book I, Volume 759, at Pages 160 to 162 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
7.	RTCs issued in respect of the land bearing Survey No. 156 measuring 39 Guntas (including 1 Ganta of kharab) situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk, for the years 1976-77 to 1981-82;
8.	Will dated 12.11.1971, registered as Document No. 27 of 1971-72, in Book III, Volume 5, at Pages 39 to 45 in the office of the Sub Registrar, Bengaluru South Taluk.
9.	Genealogical Tree of Mr. Muniyellappa, (son of Mr. Chukka Puttappa) issued by the Village Accountant, HASB;
10.	Hissa Survey Tippany dated 19.07.1973 issued in respect of land bearing Survey No. 156 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;



11.	RTC's issued in respect of land bearing Survey No. 156/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years for the years 1976-77 to 1996-97;
12.	RTC's issued in respect of land bearing Survey No. 156/3 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years for the years 1976-77 to 1996-97;
13.	RTC's issued in respect of land bearing Survey No. 156/4 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years for the years 1976-77 to 1996-97;
14.	RTC's issued in respect of land bearing Survey No. 156/5 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years for the years 1976-77 to 1996-97;
15.	RTC's issued in respect of land bearing Survey No. 156/6 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years for the years 1976-77 to 1996-97.
16.	Agreement to Sell dated 13.08.1993, registered as Document No. 1948 of 1993-94, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
17.	Agreement to Sell dated 16.08.1993 registered as Document No. 1958 of 1993-94, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
18.	Agreement to Sell dated 30.08.1993 registered as Document No. 2046 of 1993-94, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
19.	Agreement to Sell dated 07.09.1993 registered as Document No. 2141 of 1993-94, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
20.	General Power of Attorney dated 13.08.1993 registered as Document No. 271 of 1993-94, in Book IV, Volume No. 17, Page No. 55 to 58 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;
21.	General Power of Attorney dated 16.08.1993 registered as Document No. 273 of 1993-94, in Book IV, Volume No. 17, page No. 62 to 65 in the office of the Sub Registrar, Bengaluru South Taluk;
22.	General Power of Attorney dated 30.08.1993 registered as Document No. 290 of 1993-94, in Book IV, Volume No. 17, page No. 138 to 142 in the office of the Sub Registrar, Bengaluru South Taluk;



23.	General Power of Attorney dated 16.08.1993 registered as Document No. 301 of 1993-94, in Book IV, Volume No. 17, page No. 187 to 190 in the office of the Sub Registrar, Bengaluru South Taluk;
24.	Cancellation of General Power of Attorney dated 09.03.1995 registered as Document No. 35 of 1995-96, in Book IV, Volume No. 17, page No. 128 & 129 in the office of the Sub Registrar, Bengaluru South Taluk;
25.	Sale Deed dated 19.07.1995, registered as Document No. 3057 of 1995-96, in Book I, Volume 4205, at Pages 2 to 9 in the office of Sub Registrar, Bengaluru South Taluk;
26.	Sale Deed dated 21.07.1995, registered as Document No. 3092 of 1995-96, in Book I, Volume 4205, at Pages 10 to 17 in the office of Sub Registrar, Bengaluru South Taluk;
27.	Sale Deed dated 27.07.1995, registered as Document No. 3237 of 1995-96, in Book I, Volume 4205, at Pages 17 to 24 in the office of Sub Registrar, Bengaluru South Taluk, Bengaluru;
28.	Sale Deed dated 19.07.1995, registered as Document No. 3285 of 1995-96, in Book I, Volume 4205, at Pages 25 to 32 in the office of Sub Registrar, Bengaluru South Taluk, Bengaluru;
29.	Extract of Entry No. MR 5 of 1995-96 made in the Mutation Register;
30.	Plaint filed OS No. 189 of 1997 before the City Civil Judge Bengaluru;
31.	Compromise Petition and Decree drawn in O S No.189 of 1997 on the file of City Civil Judge Bengaluru;
32.	Plaint filed in O.S.No.16525 of 2003 on the file of City Civil Judge Mayohall Bengaluru;
33.	Compromise Petition in O.S.No.16525 of 2003 on the file of City Civil Judge Mayohall Bengaluru;
34.	Deed of Declaration dated 06.10.2005, registered as Document No. BAS-1-08499-2005-06 (stored in C. D. No. BASD189) on 07.10.2005 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;



35.	5 Nos. Certificate dated 30.03.1996 issued by Hindustan Aeronautics Sanitary Board ("HASIB") Bengaluru;
36.	Sale Deed dated 30.03.2000, registered as Document No. 9936 of 99-2000, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;
37.	Sale Deed dated 30.03.2000, registered as Document No. 9938 of 99-2000, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;
38.	Sale Deed dated 30.03.2000, registered as Document No. 9940 of 99-2000, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;
39.	Sale Deed dated 30.03.2000, registered as Document No. 9942 of 99-2000, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;
40.	Sale Deed dated 30.03.2000, registered as Document No. 9944 of 99-2000, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk.;
41.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pai;
42.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Suruchi Properties Pvt. Ltd;
43.	Receipt bearing No. 53221 dated 16.01.2006 issued by Bengaluru Mahanagara Palike;
44.	Special Notice bearing No. Ward/73/KTR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;
45.	Receipt bearing No 239055 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;
46.	Award dated 30.11.2007, registered as Document No. VRT-1-01841-2008-09 (stored in C.D.No. VRTD31) on 08.08.2008, in the office of the Sub Registrar, Varthur;
47.	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;
48.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;

49.	Endorsement hearing No. RK/CR/1246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura;
50.	Map of Kodihalli Village;
51.	Revision Settlement Akarbandh issued with respect to Survey No. 156/1 to 156/6 of Kodihalli Village;
52.	Endorsement hearing No. LRF/CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;
53.	Endorsement bearing No. LRF: (BL): CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru;
54.	Khata Certificate and Khata Extract issued by BBMP
55.	Receipt hearing No. 22233000344 dated 10.08.2022 issued by BBMP Revenue Department;
55A	Special Notice bearing No. DA/113/KTR/209/2022-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;
55B	Receipt bearing No. 23243908653 dated 17.01.2024 issued by the BBMP Revenue Department;
56.	Endorsement hearing No. KHB.LAD/382/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru.
57.	Endorsement bearing No. Bengaluru:SLAO/6926/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;
58.	Endorsement bearing No. LAC/NI-7/HM/CR/51/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;
59.	Work Order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution bearing No. BDA/TPM/DLP-38/2016-17/380/2019-20 dated 11.06.2019;



60.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;
61.	Modified Work Order hearing No. BDA/Nayosa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;
62.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021-22 (stored in CD No. BDAD850) in the office of the Sub Registrar, BDA;
63.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf Cum Hotel Resort, near Bengaluru Airport;
64.	Order dated 18.09.1991 passed in WP Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka;
65.	Plaint, written statement and Order Sheet in O S No 4986 of 2006 filed in the Court of City Civil Judge at Bengaluru;
66.	Petition filed and Order Sheet of W.P. No. 23050/2017 before the High Court of Karnataka;
67.	Petition filed and Order Sheet of W.P. No. 23049/2017 before the High Court of Karnataka;
68.	Encumbrance Certificates issued in respect of the land bearing Survey Nos. 156/2 to 156/6 for the period 01.04.1970 to 11.11.1996, 12.11.1996 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 17.10.2010, 17.10.2010 to 18.02.2013, 19.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014;
69.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 955/1 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013, 19.02.2013 to 03.06.2013 and 01.06.2013 to 23.01.2014;
70.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 957/3 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013, 19.02.2013 to 03.06.2013 and 01.06.2013 to 23.01.2014;



71.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 954/3 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013, 19.02.2013 to 03.06.2013 and 01.06.2013 to 23.01.2014;
72.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 954/4 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013, 19.02.2013 to 03.06.2013 and 01.06.2013 to 23.01.2014;
73.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 956/2 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013, 19.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014;
74.	Encumbrance Certificates issued in respect of land bearing Municipal No. 56 for the period 01.04.2005 to 31.03.2008, 01.04.2008 to 05.01.2011, 01.01.2010 to 14.11.2012, 14.11.2012 to 04.06.2013, 01.06.2013 to 23.01.2014, 01.04.2019 to 12.01.2023 and 01.01.2023 to 21.05.2023;
74A	Encumbrance Certificate issued in respect of the land bearing Municipal No. 56 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 10.01.2024,
75.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. BYP-1-05839-2010-11 (stored in C.D.No. BYPD 69) in the office Sub Registrar, Byatarayanapura, Bengaluru;
76.	Escrow Agreement dated 16.09.2015 executed by and between Sunchi Properties Private Limited, Salarpuria Realtrax Private Limited and IL&FS Trust Company Limited;
77.	Discharge Deed dated 09.11.2015 registered as Document No. MLS-1-02751-2015-16 (stored in C.D.No. MLSDI 12) in the office of the Sub Registrar, Malleshwaram;
78.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. MLS-1-02759-2015-16 (stored in C.D.No. MLSDI 12) on 11.11.2015 in the office of the Sub Registrar, Malleshwaram;
78A	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;



78B	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar,
79.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19 (stored in C. D. No. HBB0244) in the office of the Sub Registrar, Hebbala, Bengaluru,
79A	Letter bearing No. 51141-A/TISL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
79B	Letter bearing No. 51141-B/TISL/OPR/2022-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;
79C	Memorandum of Entry dated 06.09.2023, registered as Document No. MLS-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;
80.	Management Representations in the form an Affidavit issued by Sunehi Properties Private Limited dated 03.11.2016;



**ANNEXURE – B  
ORIGINAL VERIFICATION**

Sl. No.	Description of Documents	Nature of Document in custody of Vistra (ITCL)	Nature of Document in custody of Suruchi
1.	Notification bearing No. R.R347-I, S.63-56-3 dated 15.09.1956, issued by the Government of Karnataka in respect of the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954.		Photo Copy
2.	Order dated 12.07.1958 in Case No. 28 of 1957-58 passed by The Special Deputy Commissioner for Abolition of Inams, Bengaluru District;	Certified Copy	
3.	Extract of Register VIII under Section II with respect to <i>inter alia</i> the land reflecting the grant of an extent of 38 Guntas in Survey No. 156/I situated at Kodihalli Village;		Certified Copy (Common to all properties)
4.	Sale Deed dated 26.10.1963 registered as Document No. 3741 of 1963-64, in Book I, Volume 421, at Pages 147 to 150 in the office of the Sub Registrar, Bengaluru South Taluk;	Certified Copy	
5.	Sale Deed dated 30.10.1963, registered as Document No. 3742 of 1963-64, in Book I, Volume 423, at Pages 24 to 27 in the office of the Sub Registrar, Bengaluru South Taluk;	Certified Copy	
6.	Sale Deed dated 08.05.1969 registered as Document No. 668 of 1969-70, in Book I, Volume 759, at Pages 160 to 162 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Certified Copy	
7.	RTC's issued in respect of the land bearing Survey No. 156 measuring 39 Guntas (including 1 Gunta of Kharab) situated at Kodihalli Village, Varthur Hobli.		Photo Copy



	Bengaluru South Taluk, for the years 1976-77 to 1981-82;		
8.	Will dated 12.11.1971, registered as Document No. 27 of 1971-72, in Book III, Volume 5, at Pages 39 to 45 in the office of the Sub Registrar, Bengaluru South Taluk;	Photo Copy	
9.	Genealogical Tree of Mr. Muniyellappa, (son of Mr. Chikka Punappa) issued by the Village Accountant, HASB;		Photo Copy
10.	Hissa Survey Tippany dated 19.07.1973 issued in respect of land bearing Survey No.156 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk;	Certified Copy (Common to few properties)	
11.	RTCs issued in respect of land bearing Survey No. 156/2 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years for the years 1976-77 to 1996-97;	Certified Copy	
12.	RTCs issued in respect of land bearing Survey No. 156/3 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years for the years 1976-77 to 1996-97;	Certified Copy	
13.	RTCs issued in respect of land bearing Survey No. 156/4 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years for the years 1976-77 to 1996-97;	Certified Copy	
14.	RTCs issued in respect of land bearing Survey No. 156/5 situated at Kodihalli Village, Varthur Hobli, Bengaluru South Taluk for the years for the years 1976-77 to 1996-97;	Certified Copy	
15.	RTCs issued in respect of land bearing Survey No. 156/6 situated at Kodihalli Village, Varthur Hobli,	Certified Copy	



	Hengaluru South Taluk for the years for the years 1976-77 to 1996-97,		
16.	Agreement to Sell dated 13.08.1993, registered as Document No. 1948 of 1993-94, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Certified Copy	
17.	Agreement to Sell dated 16.08.1993 registered as Document No. 1958 of 1993-94, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Certified Copy	
18.	Agreement to Sell dated 30.08.1993 registered as Document No. 2046 of 1993-94, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Certified Copy	
19.	Agreement to Sell dated 07.09.1993 registered as Document No. 2141 of 1993-94, in Book I in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Certified Copy	
20.	General Power of Attorney dated 13.08.1993 registered as Document No. 271 of 1993-94, in Book IV, Volume No. 17, Page No. 55 to 58 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;		Certified Copy
21.	General Power of Attorney dated 16.08.1993 registered as Document No. 273 of 1993-94, in Book IV, Volume No. 17, page No. 62 to 65 in the office of the Sub Registrar, Bengaluru South Taluk,		Certified Copy
22.	General Power of Attorney dated 30.08.1993 registered as Document No. 290 of 1993-94, in Book IV, Volume No. 17, page No. 138 to 142 in the office of the Sub Registrar, Bengaluru South Taluk;		Certified Copy
23.	General Power of Attorney dated 16.08.1993 registered as Document No. 301 of 1993-94, in Book	Certified Copy	



	IV, Volume No. 17, page No. 187 to 190 in the office of the Sub Registrar, Bengaluru South Taluk;		
24.	Cancellation of General Power of Attorney dated 09.03.1995 registered as Document No. 35 of 1995-96, in Book IV, Volume No. 17, page No. 128 & 129 in the office of the Sub Registrar, Bengaluru South Taluk,		Photo Copy
25.	Sale Deed dated 19.07.1995, registered as Document No. 3057 of 1995-96, in Book I, Volume 4205, at Pages 2 to 9 in the office of Sub Registrar, Bengaluru South Taluk;	Original	
26.	Sale Deed dated 21.07.1995, registered as Document No. 3092 of 1995-96, in Book I, Volume 4205, at Pages 10 to 17 in the office of Sub Registrar, Bengaluru South Taluk;	Original	
27.	Sale Deed dated 27.07.1995, registered as Document No. 3237 of 1995-96, in Book I, Volume 4205, at Pages 17 to 24 in the office of Sub Registrar, Bengaluru South Taluk, Bengaluru.	Original	
28.	Sale Deed dated 19.07.1995, registered as Document No. 3285 of 1995-96, in Book I, Volume 4205, at Pages 25 to 32 in the office of Sub Registrar, Bengaluru South Taluk, Bengaluru;	Original	
29.	Extract of Entry No. MR 5 of 1995-96 made in the Mutation Register;		Photo Copy
30.	Plaint filed OS No. 189 of 1997 before the City Civil Judge Bengaluru;		Certified Copy
31.	Compromise Petition and Decree drawn in O.S.No.189 of 1997 on the file of City Civil Judge Bengaluru;		Certified Copy



32.	Plaint filed in O.S.No.16525 of 2003 on the file of City Civil Judge Maynahall Bengaluru;		Certified Copy
33.	Compromise Petition in O S No 16525 of 2003 on the file of City Civil Judge Maynahall Bengaluru;		Photo Copy
34.	Deed of Declaration dated 06.10.2005, registered as Document No. BAS-1-08499-2005-06 (stored in C. D. No. BASD189) on 07.10.2005 in the office of the Sub Registrar, Bengaluru South Taluk, Bengaluru;	Certified Copy	
35.	5 Nos. Certificate dated 30.03.1996 issued by Hindustan Aeronautics Sanitary Board ("HASB") Bengaluru;	Original	
36.	Sale Deed dated 30.03.2000, registered as Document No. 9936 of 99-2000, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
37.	Sale Deed dated 30.03.2000, registered as Document No. 9938 of 99-2000, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
38.	Sale Deed dated 30.03.2000, registered as Document No. 9940 of 99-2000, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk.	Original	
39.	Sale Deed dated 30.03.2000, registered as Document No. 9942 of 99-2000, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk;	Original	
40.	Sale Deed dated 30.03.2000, registered as Document No. 9944 of 99-2000, in Book I, in the office of the Sub Registrar, Bengaluru South Taluk,;	Original	
41.	Unregistered Agreement of Sale dated 09.03.2004 executed by Medical Relief Society of South Canara in favour of Mr. P. Dayananda Pat;		Photo Copy



42.	Unregistered Nomination Agreement dated 09.03.2004 executed by Mr. P. Dayananda Pai in favour of Suruchi Properties Pvt. Ltd.		Photo Copy
43.	Receipt bearing No. 51221 dated 16.01.2006 issued by Bengaluru Mahanagara Palike;		Photo Copy
44.	Special Notice bearing No. Ward:73/KTR852 of 2004-05 dated 17.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
45.	Receipt bearing No. 239053 dated 20.01.2006 issued by the Bengaluru Mahanagara Palike;		Photo Copy
46.	Award dated 30.11.2007, registered as Document No. VRT-1-01841-2008-09 (stored in C.D.No. VRTD31) on 08.08.2008, in the office of the Sub Registrar, Varthur;	Original	
47.	Joint Development Agreement dated 03.02.2011, registered as Document No. VRT-1-07093-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;		Photo Copy
48.	General Power of Attorney dated 04.02.2011, registered as Document No. VRT-4-00507-2010-11 (stored in C.D.No.VRTD95) in the office of the Sub Registrar, Varthur;		Photo Copy
49.	Endorsement bearing No. KK.CR/246 of 2010-11 dated 26.11.2010 issued by the Office of Tahsildar Bengaluru East Taluk, Krishnarajapura;		Original (Common to all properties)
50.	Map of Kodihalli Village;	Photo Copy	
51.	Revision Settlement Akarbandh issued with respect to Survey No. 156/1 to 156/6 of Kodihalli Village;	Certified Copy	
52.	Endorsement bearing No. LRF:CR:204 of 2004-05 dated 18.04.2015 issued by the Tahsildar, Bengaluru East Taluk, Bengaluru;		Original (Common to all properties)



53.	Endorsement bearing No. LRF (BE) CR: 1307 of 2011-12 dated 17.02.2012 issued by the office of Assistant Commissioner, Bengaluru North Taluk, Bengaluru.		Original (Common to all properties)
54.	Khata Certificate and Khata Extract issued by BBMP		Photo Copy
55.	Receipt bearing No. 22213000344 dated 10.08.2022 issued by BBMP Revenue Department.		Photo Copy
56.	Endorsement bearing No. KIIB/LAQ/382/2012-13 dated 16.01.2013 issued by the office of Special Land Acquisition Officer, Karnataka Housing Board, Bengaluru;		Original (Common to all properties)
57.	Endorsement bearing No. Bengaluru.SLAQ/6926/2012-13 dated 23.01.2013 issued by the office of The Special Land Acquisition Officer -2 and Public Information Officer, Karnataka Industrial Areas Development Board, Bengaluru;		Original (Common to all properties)
58.	Endorsement bearing No. LAQ/NH-THM/CR/SI/17-18 dated 09.10.2017 issued by the Special Land Acquisition Officer, National Highway Authority of India;		Original (Common to all properties)
59.	Work Order and Residential Development plan sanctioned by the Bangalore Development Authority vide its Resolution hearing No. BDA/TPM/DI P-38/2016-17/380/2019-20 dated 11.06.2019;		Original (Common to all properties)
60.	Relinquishment Deed dated 29.05.2019, registered as Document No. BDA-1-00843-2019-20 stored in CD No. BDA346 in the office of the Sub Registrar;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
61.	Modified Work Order bearing No. BDA/Nayosa/DP-38/2016-17/501/2021-22 dated 27.12.2021 issued by the Bangalore Development Authority;		Original (Common to all properties)



62.	Rectification to Relinquishment Deed dated 17.07.2021, registered as Document No. BDA-1-01120-2021 22 (stored in CD No. BDAID85U) in the office of the Sub Registrar, BDA;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
63.	Preliminary Notification & Final Notification issued by the Government of Karnataka for formation of Golf - Cum Hotel Resort, near Bengaluru Airport;		Certified Copy (Common to all properties)
64.	Order dated 18.09.1991 passed in WP Nos.19812-816 of 1990 on the file of The Hon'ble High Court of Karnataka;		Photo Copy
65.	Plaint, written statement and Order Sheet in O.S.No.4986 of 2006 filed in the Court of City Civil Judge at Bengaluru;		Certified Copy
66.	Petition filed and Order Sheet of W P No. 23050/2017 before the High Court of Karnataka;		Certified Copy
67.	Petition filed and Order Sheet of W P No. 23049/2017 before the High Court of Karnataka;		Certified Copy
68.	Encumbrance Certificates issued in respect of the land bearing Survey Nos. 156/2 to 156/6 for the period 01.04.1970 to 11.11.1996, 01.04.2004 to 31.03.2005, 01.04.2005 to 24.09.2008, 01.04.2008 to 17.10.2010;  12.11.1996 to 31.03.2004, 17.10.2010 to 18.02.2013, 19.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014	Certified Copy	
69.	Encumbrance Certificates issued in respect of the land bearing HUSB Khata No. 955/1 for the period 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013 and 19.02.2013 to 03.06.2013;  01.04.1993 to 31.03.2004, 01.06.2013 to 23.01.2014	Certified Copy	
70.	Encumbrance Certificates issued in respect of the land bearing HUSB Khata No. 957/2 for the period 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011,	Certified Copy	

	21.10.2011 to 18.02.2013 and 19.02.2013 to 03.06.2013; 01.04.1993 to 31.03.2004, 01.06.2013 to 23.01.2014;		
71.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 958/3 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013 and 19.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014;	Certified Copy	
72.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 959/4 for the period 01.04.1993 to 31.03.2004, 01.04.2004 to 31.03.2005, 01.04.2004 to 21.10.2011, 21.10.2011 to 18.02.2013 and 19.02.2013 to 03.06.2013; 01.06.2013 to 23.01.2014;	Certified Copy	
73.	Encumbrance Certificates issued in respect of the land bearing HASB Khata No. 956/2 for the period 01.04.2004 to 31.03.2005; 01.04.1993 to 31.03.2004, 01.04.2004 to 21.10.2011, 20.10.2011 to 18.02.2013, 19.02.2013 to 03.06.2013, 01.06.2013 to 23.01.2014.	Certified Copy	
74.	Encumbrance Certificates issued in respect of land bearing Municipal No. 56 for the period 01.01.2005 to 31.03.2008, 01.04.2008 to 05.01.2011, 01.01.2010 to 14.11.2012, 14.11.2012 to 04.06.2013, 01.06.2013 to 23.01.2014, 01.04.2019 to 12.01.2023 and 01.01.2023 to 21.05.2023;	Certified Copy	01.04.2019 to 12.01.2023, 01.01.2023 to 21.05.2023 ; Certified Copy
75.	Simple Mortgage Deed dated 14.03.2011, registered as Document No. BVP-1-05839-2010-11 (stored in CD No. BYPD 69) in the office Sub Registrar, Byatarayanapura, Bengaluru;		Certified Copy (Common to all properties)
76.	Escrow Agreement dated 16.09.2015 executed by and between Sunehi Properties Private Limited, Salarpuria Realtors Private Limited and H&FS Trust Company Limited;		Original



77.	Discharge Deed dated 09.11.2015 registered as Document No. MLS-1-02751-2015-16 (stored in C.D.No. MLSD:12) in the office of the Sub Registrar, Malleshwaram,		Photo Copy (Certified Copy to be handed over) (Common to all properties)
78.	Memorandum of Entry Recording the Mortgage by Deposit of Title Deeds dated 06.10.2015, registered as Document No. MLS-1-02759-2015-16 (stored in C.D.No. MLSD:12) on 11.11.2015 in the office of the Sub Registrar, Malleshwaram;		Photo Copy
79.	Memorandum of Entry for Deposit of Title Deeds dated 06.02.2019, registered as Document No. HBB-1-03412 of 2018-19 (stored in C. D. No. HBB0244) in the office of the Sub Registrar, Hebbala, Bengaluru;		Photo Copy
80.	Management Representations in the form an Affidavit issued by Suruchi Properties Private Limited dated 03.11.2016;		Photo Copy
81.	Special Notice bearing No. DA/113/KTR/209/2023-24 dated 17.01.2024 issued by the Assistant Revenue Officer, Jeevanbheema Nagar Sub-Division, BBMP;		Photo Copy
82.	Receipt bearing No. 232/3908653 dated 17.01.2024 issued by the BBMP Revenue Department;		Original (Computer generated copy).
83.	Encumbrance Certificate issued in respect of the land bearing Municipal No. 56 situated at Kodihalli, Bengaluru for the period 01.04.2004 to 10.01.2024;		Certified Copy
84.	Memorandum of Entry dated 02.08.2018 (registered on 09.08.2018), registered as Document No. GAN-1-02528-2018-19 (stored in CD No. GAND312) in the office of the Sub Registrar, Gandhi Nagar;		Photo Copy



85.	No Due Certificate dated 04.03.2021 issued by IDBI Trusteeship Services Limited;		Photocopy
86.	Letter bearing No. 51141-A/ITSL/OPR/2023-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
87.	Letter bearing No. 51141-B/ITSL/OPR/2023-23 dated 14.11.2022 issued by IDBI Trusteeship Services Limited;		Photo Copy
88.	Memorandum of Entry dated 06.09.2023, registered as Document No. MIS-1-02353-2023-24, in the office of the Senior Sub Registrar, Malleshwaram;		Photo Copy (Certified Copy to be handed over) (Common to all properties)
	<b>Additional Documents</b>		
89.	Extract of list of assessment of land and buildings liable for taxes for the year 1988-89 issued by HASB in respect of the land bearing HASB Nos. 955/1, 956/2, 957/2, 958/3 & 959/4 (5 Nos).	Certified Copy	
90.	Receipts (5 Nos) dated 30.12.1993 issued by HASB evidencing payment of taxes in respect of land bearing HASB Nos. 955/1, 956/2, 957/2, 958/3 & 959/4 for the year 1993-94;	Original	
91.	Pakka Book in respect of the land bearing Survey No. 156 of Kudihalli Village		Certified Copy

