

REPORT ON TITLE

Re : Land bearing CTS No. 216 A admeasuring 19,888.30 square metres or thereabouts alongwith the office block consisting of ground floor and two upper floors admeasuring in aggregate admeasuring 25.554 sq. ft. built up area lying being and situate at Village Bandivali, Taluka Andheri, in Mumbai Suburban District situated at Patel Estate Road, Jogeshwari (West), Mumbai - 400 102 &

FSI/TDR benefits arising out all those pieces or parcels of land bearing CTS No. 216 B admeasuring 1580.5 sq. mtrs or thereabouts and land bearing CTS No. 216 C admeasuring 583.0 sq. mtrs. in all admeasuring 2163.50 sq. mtrs. or thereabouts lying being and situate at Village Bandivali, Taluka Andheri, in Mumbai Suburban District situated at Patel Estate Road, Jogeshwari (West), Mumbai - 400 102 (collectively referred to as the "Property")

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1. I have investigated title on behalf of Patel Land Developers Limited (now known as Bellissimo Land Dwellers Private Limited) ("**Company**") in respect of the captioned Property.
 2. For the purpose of this Report, I have perused revenue records viz. Property Cards, and other ancillary papers thereto, title documents such as Deed of Conveyance, Declarations, Mortgages etc., Search Report and Public Notice in respect of the said Property.
 3. On perusal thereof, I hereunder give my observations as follows:
 4. By a Deed of Conveyance dated 28th March 1956, and registered at the office of the Sub-Registrar of Assurances at Bombay under No.BOM-1879 of 1956 on 20.02.1957, made between Hirji Thakersey Patel, Prabhudas Ramji Patel and one Govind Bhagwan Patel (the then partners, carrying on the business in partnership under the firm name and style of "Jogeshwari Estates", and Vendors therein) of the one part and the Patel Engineering Limited (formerly known as Patel Engineering Company Limited) (hereinafter referred to as the "**Patel**

Engineering Limited") of the other part, the Vendors therein granted and conveyed unto the said Patel Engineering Limited, all those pieces or parcels of land and hereditaments admeasuring 3738 square yards or thereabouts and bearing Plot No. 23 (Survey No.6 Part), Plot No.24 ((Survey No.6 Part), Plot No.25 (Survey No.6 Part and Survey No.7 Part), Plot No.26 (Survey No.7 Hissa No.1 Part) and Plot No.27 (Survey No.2 Hissa No.1 (Part)) (hereinafter referred to as "**the First Land**") more particularly described in Schedule thereunder written for consideration and on terms, covenants and conditions stated therein.

5. By a Deed of Conveyance dated 28th March 1956, and registered at the office of the Sub-Registrar of Assurances at Bombay under No.1880 of 1956, made between Hirji Thakersey Patel, Prabhudas Ramji Patel and Govind Bhagwan Patel (the then partners of the said firm "Jogeshwari Estates", and Vendors therein) of the one part and the Patel Engineering Limited of the other part, the Vendors granted and conveyed unto the Patel Engineering Limited, all those pieces or parcels of land and hereditaments admeasuring 7152 square yards or thereabouts and bearing Plot No.28, comprise in then Survey Nos. 6 (part), 7(part) and 34 (part) (hereinafter referred to as "**the Second Land**") more particularly described in the Schedule thereunder written, for the consideration on terms, covenants and conditions stated therein.
6. By a Deed of Conveyance dated 25th November 1957, and registered at the office of the Sub-Registrar of Assurances at Bandra under No.1866 of 1957, made between Hirji Thakersey Patel, Prabhudas Ramji Patel and Govind Bhagwan Patel (the then partners of the said firm "Jogeshwari Estates", and Vendors therein) of the one part and the Patel Engineering Limited of the other part, the Vendors granted and conveyed unto the said Patel Engineering Limited all those pieces or parcels of land and hereditaments admeasuring 17393 square yards bearing Survey No.5 and Hissa No.1 (part), 6 (part), 7 Hissa No.1 (part) and 33 (part) (hereinafter referred to as "**the Third Land**") more particularly described in the **Schedule** thereunder written, for consideration and on terms, covenants and conditions stated therein.

For the sake of brevity the First Land, Second Land and Third Land are collectively referred as the said Land.



7. Over a period of time, the First Land, Second Land and Third Land were allotted City Survey Numbers 216, 216/1 to 10 and admeasured 22,051.80 sq. mtrs of Village Bandivali Taluka Andheri, District-Mumbai Suburban District.
8. As per the amalgamation and sub-division order of the Collector, Mumbai Suburban District, dated November 18, 2003, the CTS Nos. 216, 216/1 to 10 totally admeasuring 22,051.8 square metres or thereabouts was amalgamated into one CTS No. i.e. CTS No. 216 and subsequently the amalgamated CTS No. 216 was sub-divided as under:

New CTS No.	Area	Particulars
216A	19,888.3 sq. mts.	Patel Engineering Limited
216B	1,580.5 sq. mts.	D.P. Road
216C	583 sq. mts.	Set Back Portion

9. In the Order dated 5th May 2005, passed by City Survey officer, City Survey office, Andheri, it is mentioned that there is minor difference in the area mentioned on the PR Cards of CTS Nos. 216, 216/1 to 10 and actual measurement of plot area and at this juncture it is difficult to carry out the process of area correction or rectification and thus after following up due process and issuing the notices to the owners and others, the area of the plots bearing CTS No 216 A, 216 B and 216 C was asserted and confirmed by the City Survey officer as per the order of Collector dated 18th November, 2003.
10. Pursuant to the order dated 5th May, 2005, passed by the City Survey Officer, it was confirmed that the area of CTS Nos.216A is 19888.30 sq. mtrs CTS No.216B is 1580.5 sq. mtrs. and CTS No.216C is 583 sq. mtrs. and it was ordered that necessary changes be effected in the revenue records and new Property Cards should be prepared and the respective areas be recorded against the name of Patel Engineering Limited (for CTS No. 216A) and the Municipal Corporation of Greater Mumbai (CTS Nos. 216-B and 216-C).



11. I am provided with the Property Cards all dated 05.10.2017 in respect of the said Property. I have noted that the Property Card in respect of CTS No.216A admeasuring 19888.3 sq. mtrs. has been duly mutated and stands in the name of Patel Engineering Company Limited. With regard to Property card of CTS No.216B and 216C, it is noted that said Property cards are transferred in the name of Municipal Corporation of Greater Mumbai for the purpose of DP Road and Set back as the same are handed over by Patel Engineering Company Limited on 31.12.2011.
12. By an Order dated 21st May, 2002 passed by the Development Commissioner (Ind.) & Ex-officio Secretary to Government, Urban Development Department, it has been ordered that the Patel Engineering Company Limited does not hold any surplus vacant land bearing CTS Nos.216/1 to 216/10 corresponding to Survey No.5/1 (p), 6, 7 Hissa No. 1(p), 33(p) and 34(p) and therefore the provisions of chapter III of the ULC Act, 1976 are not applicable to the Land.
13. The name of Patel Engineering Company Limited had been changed to Patel Engineering Limited, with effect from 09/12/1999 as evidenced by a Fresh Certificate of Incorporation, consequent upon the change of name, dated 9th December 1999 issued by the Registrar of Companies, Mumbai.
14. I have caused Mr. D.K. Patil, Title Investigator to take the required searches in respect of the CTS No 216A, 216B and 216C in the Offices of Sub-Registrar of Assurances at Mumbai and Bandra for the period from 1956 to 2017 (62 years). Under the Search Report issued by the said Title Investigator inter alia mentions Deed of Conveyances dated 28th August 1956 and Deed of Conveyance dated 25th November 1957 and Deed of Conveyance dated 12th May 1961 whereby Patel Engineering acquired land bearing Survey Nos.5/1 Part, 6, 7 (Part), 33 (Part) and 34 (P art) from Hirji Thackersey Patel and Others. There are additional documents registered in respect of the said Property as hereinafter mentioned:-
 - (a) Declaration dated 07.09.2010 made by Patel Engineering Company Limited and registered under No.BDR-4/8464/2010 on 08.09.2010 declaring therein that they have handed over Property bearing CTS

No.216B admeasuring 1580.50 sq. mtrs to Municipal Corporation of Greater Mumbai for DP Road;

- (b) Declaration dated 19.11.2011 made by Patel Engineering Company Limited and registered under No.BDR-9/10366/2011 on 29.11.2011 declaring therein that they have handed over Property bearing CTS No.216C admeasuring 583.0 sq. mtrs to Municipal Corporation of Greater Mumbai for Set Back.


Save and except mortgages referred hereinafter, there are no adverse documents found which affect title of Patel Engineer Limited to the said Property.

15. Patel Engineering Limited had mortgaged the said CTS No 216A, 216B and 216C to (i) Axis Bank Limited vide Mortgage dated 24th March 2011 registered under No. BDR-9-2886/2011, (ii) CTS No.216A to Dena Bank vide Mortgage dated 5th September 2012 registered under No. BDR-9-7609/2012 and (iii) CTS No.216A to ICICI Bank vide mortgage dated 13th December 2013 registered under No. BDR-17-1752/2014.
16. In the case of mortgage debts of Axis Bank, I have been furnished with the copy of Deed of Release dated 30th July 2012 executed by the Axis Bank in favour of the Patel Engineering Limited and duly registered under No.BDR-3-6474 of 2012, which inter alia records the repayment of the mortgage debts in full by the Patel Engineering Limited and release of the CTS No 216A, 216B and 216C by the Axis Bank to the Patel Engineering Limited in the manner therein contained
17. In the case of mortgage debts of ICICI Bank, I also have been furnished by Deed of Re-Conveyance dated 7th November 2017 executed by the ICICI Bank in favour of the Patel Engineering Limited and duly registered under No.BDR-17-10323 of 2017, which inter alia records the repayment of the mortgage debts in full by the Patel Engineering and re-conveyance of CTS No.216A by the ICICI Bank to the Patel Engineering Limited in the manner therein contained


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18. In case of mortgage debts of Dena Bank Limited, I have been furnished by Deed of Release dated 14th December 2017 executed by the Dena Bank in favour of the Patel Engineering Limited and duly registered under No.BDR-4-10984 of 2017, which inter alia records the repayment of the mortgage debts in full by the Patel Engineering in the manner therein contained.
19. M/s. Tatva Legal, Advocates and Solicitors have got published Public Notice in Newspaper viz.Maharashtra Times and Times of India of 29th September 2017, while investigating title of the said Property. Pursuan to the said Public Notice, I am informed that there was no adverse claims in connection with the said Property from any person or persons.
20. In the background and circumstances as aforesaid, by Deed of Conveyance dated 14th December 2017 executed and registered under Serial No.BDR4-10986/2017 with the Office of Sub-Registrar of Assurances at Andheri-2 Patel Engineering Limited ("**Vendor**") in favour of Patel Land Developers Limited ("**Purchaser**") whereunder the Vendor inter alia sold, conveyed, transferred and assured to and unto the Purchaser all that piece and parcel of land together with structure standing thereon, bearing CTS No.216A admeasuring 19888.3 sq. metres or thereabouts along with benefits in the form of FSI/TDR for the Property bearing CTS No.216B admeasuring 1580.5 sq. mtrs or thereabouts (earmarked for DP Road) and Property bearing CTS No.216C admeasuring 583 sq. mtrs or thereabouts (earmarked for Set back") which are more particularly described in Second, Third and Fourth Schedule thereunder written, for valuable consideration and on terms, covenants and conditions stated therein.
21. Pursuant thereto, by a Power of Attorney dated 14th December 2017 executed and registered under Serial No.BDR4-10987/2017 with the Office of Sub-Registrar of Assurances at Andheri-2 by Patel Engineering Limited ("**Vendor**") in favour of Patel Land Developers Limited ("**Purchaser**") conferring upon the Purchaser all and any of the powers and authorities to do and carry out acts, deeds, matters and things for and on their behalf in connection with the said Property.

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22. Pursuant to the Certificate of Incorporation dated 27th December 2017 issued by Registrar of Companies under Rule 29 of the Companies (Incorporation) Rules, 2014, the name of Patel Land Developers Limited has been changed to Bellissimo Land Dwellers Limited.
23. By Deed of Mortgage dated 23rd NOVEMBER 2017 executed and registered under No. 11521/2017 between Patel Land Developers Private Limited as a Mortgagor of the One Part and Dena Bank as the Mortgagee of the Other Part, the Mortgagee has provided credit facilities in the form of Term Loan on Security of the Property bearing CTS No.216A together with building and structures standing thereon as well as all Receivables of the Mortgagor from the sale of the Project building to be constructed on the said Property on terms and conditions stated therein. 
24. On the basis of and subject to what is stated hereinabove, I am of the opinion that Bellissimo Land Dwellers Limited (formerly known as Patel Land Developers Limited), pursuant to the Deed of Conveyance dated 14th December 2017, are entitled to the said Property as absolute Owner thereof and its title is clear and marketable to the same.

Dated this 29th day of December 2017



(Pradip Garach)

Advocate High Court, Bombay