

Ref No: TLP/28163/2020

25th November, 2020

To

Godrej Properties Limited

Godrej One, 5th Floor, Pirojshanagar

Eastern Express Highway, Vikhroli (East) Mumbai - 400 079

Sirs,

Description of Property: Land bearing CTS No. 24, 24/1, 24/2 and 24/3 situated at Village Chandivali, Taluka Kurla in the Registration sub-district of Mumbai Suburban as more particularly described in Schedule hereunder (hereinafter referred to as the "Property").

1. Instructions:

This 30 years title report has been specifically issued, upon instructions received from you and on perusal of the documents referred herein only and considering the specific purpose for the issuance of the same and our scope of work.

2. Search:

We have perused and relied on the search report, dated 29/10/2019, issued by Property Title Investigator Mr. N D Rane who has caused search of the properties for last 30 Years, i.e. from 1989 to 2019 in the office of the Sub Registrar office at Bandra and Mumbai. Also, the search from 1989 to 2020 has been taken by The Law Point through GRN- MH004517483202021E.

3. Documents Perused:

For the Report, we have perused the photocopies of documents, which are mentioned in Annexure-A hereto.

4. DEVOLUTION OF TITLE

By an Indenture dated 08/05/1962 registered at the office of the Sub-Registrar of Assurances at Bombay under Serial No Bom/2353 of 1962, the Vendors therein, with the

consent and confirmation of the Confirming Parties therein sold, transferred and conveyed unto and in favour of **Coates of India Limited ("CIL")** the Property, i.e. agricultural Land admeasuring 15,465 square yards equivalent to 12,930.71 square meters registered in the books of the Collector of Land Revenue in Chandivali under Survey No 13 (part) in village Chandivali, in the registration district and sub-district of Mumbai Suburban.

By a notification dated 1 February 1957 issued under Section 88 of MTAL Act, the State Government specified the area comprised in Greater Bombay immediately before the date of the commencement of the Greater Bombay Laws and the Bombay High Court (Declaration of Limits) (Amendment) Act, 1956 as being reserved for non-agricultural and industrial development which appears to apply to the Property. Hence the prohibition of Section 63 of MTAL Act does not apply to the said Property.

The said DIL has sold its right, title and interest in the said Property to Godrej Properties Limited and thereby executed a Deed of Sale in favour of Godrej Properties Limited. The said Deed of Sale is duly registered at the office of Sub- Registrar Office at Kurla, Mumbai at Serial No 3967/2020 dated 18/06/2020.

5. N/A ORDER

We are informed that the permission for non-agricultural use of the Property was issued vide order dated 30/12/1971 and 31/12/1981. Order copies are not available for perusal. We have been provided with the 7/12 extract in respect of the Property bearing Survey No. 13/2 admeasuring (H-A-P) 1-29-30 equivalent to 12,830 square meters dated 22 September 2017. The 7/12 extract records the name of CIL in the holder's column. The other rights column records that the Land has been converted to N.A. and has been assigned CTS number 24, 24/1, 24/2 and 24/3 and accordingly the revenue records have been updated to reflect the same.

6. CHANGE OF NAME OF CIL

CIL changed its name to DIC India Limited and accordingly the Registrar of Companies; West Bengal has issued a new Certificate of Incorporation consequent to change of name on **6 August 2004**.

7. REVENUE RECORDS

- A. KAMI JASTA PATRA (“KJP”)- We have been provided with a KJP concerning the Land bearing Survey No 13 (part) which corresponds to CTS No 24, 24/1, 24/2 and 24/3 admeasuring in aggregate 12,830.9 square meters.
- B. PROPERTY REGISTER CARD- We have been provided Property Register Card in respect of the Property bearing CTS Nos 24, 24/1 to 3 of Village Chandivali (hereinafter referred to as “Property Cards”). The Property Cards record the name of Godrej Properties Limited as the holder of the Property. The aggregate area of the Property as recorded on the Property Cards is 12,830.9 square meters.

8. SEARCHES AND INVESTIGATIONS

A. Search Report:

The Search Report records that no registered documents are reflecting for the period 1989 to 2020.

B. ROC Search Report

The ROC Search Report does not reflect any charge/mortgage in respect of the Property.

C. Proceedings before the Collector:

- i. From perusal of the petition in respect of the PIL No 143 of 2016 we note that the same was filed by one Bhushan Samant against the Chief Minister and others before the High Court of Judicature, Bombay inter alia praying that the Hon’ble Court direct the judicial or special investigation team to enquire into the issue of the Khoti Land as the Respondents therein have failed to follow the Khoti Abolition Act, 1949 and other relevant provisions of law to acquire the lands in village Chandivali bearing CTS Nos 4 and 6 (old Kopari Survey No 10,11,12,13 and 14) admeasuring 444 acres 3 Gunthas which belonged to the Khot Ismail Yusuf Trust. By an order dated 21 October 2016, the Hon’ble Court observed that in the event rule is issued in the proceedings, the Court will be taking upon them the exercise which has to be done by concerned revenue authorities and only thereafter would it be just and proper for the Court to consider the matter. Therefore, the PIL was disposed of with a direction to the Collector, Mumbai Suburban District to consider the representation of the Petitioner therein and make an enquiry with reference to the factual situation and dispose of the matter within a time frame. The Hon’ble Court further directed that the PIL should be

treated as the representation and be disposed of within four months from the date of receipt of a copy of the order along with the PIL and all annexures thereto. DIL is not a party to the aforesaid PIL.

- ii. From a perusal of the Contempt Petition filed by Bhushan Samant in 2018, i.e. 68 of 2018 in PIL No 143 of 2016, we note that according to the Bombay High Court order dated 21 October 2016, the Sub Divisional Officer (“SDO”) issued notices to only 23 out of the 28 parties mentioned in the list of landowners/developers recorded in the aforesaid PIL, calling upon them to provide documents evidencing their ownership of their respective lands. We note that DIL did not form part of the 23 persons to whom notice was issued. Mr. Bhushan Samant after that persuaded the SDO to issue notices to the remaining 5 parties, including DIL. Pursuant to it, a notice was given to DIL which only called upon DIL to remain present on a specified date. Bhushan Samant has further contended that the Collector and the SDO have not taken adequate steps within the timeframe stipulated under order dated 21 October 2016 and therefore had filed the aforesaid Contempt Petition. From the status available on the website of the Hon’ble Bombay High Court it appears that the said Contempt Petition is not heard till now.
- iii. From a letter dated 30 May 2018 issued by the Collector to Mr. Bhushan Datta Samant it is observed that the matter was closed for orders however as the Collector who heard the matter was transferred, Bhushan Datta Samant was asked to attend the office of the Collector on 29 June 2018 for a hearing and submit his say in the matter.
- iv. It is also observed that the SDO had vide its letter dated 27 June 2019 submitted his Report to the Collector in respect of Khoti lands in various villages which *inter alia* includes village Chandivali. From the excerpt about village Chandivali, it is seen that the same does not refer to CTS No. 24, 24/1, 24/2 and 24/3, which is a subject matter of this Report. The excerpt further refers to consent terms filed in Suit No. 75 of 1953 filed between the Amrutlal Sheth family and Sir Mohammad Yusuf. The lands belonging to Sir Mohammad Yusuf and to the Amrutlal family were reflected in the annexures to the consent term. Further, the Collector has vide his letter dated 18 December 2019 addressed to the SDO in response to the SDO’s letter dated 27 June 2019, informed the SDO that the Report submitted by the SDO is incomplete on various aspects and does not give a clear picture about the lands *inter alia* situated in village Chandivali and has called upon the SDO to submit a detailed report to the Collector on the expected

measures to be taken in respect of the Khoti land. We are not aware if any further report has been filed by the SDO and if any order has been passed by the Collector.

9. Public Notice:

A Public Notice dated 16 October 2019 was issued in Times of India, Classified Edition (English Edition) and in Maharashtra Times (Marathi Edition) calling for the third party claims to the said Property, and we have been informed that no claims have been received.

11. ROC Search Report

As per debtor based search report for immovable property, firstly about DIL and after that Godrej Properties Ltd, in respect of Central Registry of Securitization Asset Reconstruction and Security Interest of India, through search Ref no 151600765883079, dated 22/09/2020, we observed no encumbrance regarding said property.

12. Legal audit report


The legal audit report submitted by the Cubic Tree Technology Solutions Pvt Ltd., is checked and verified as per available online MCA records.

13. We have not conducted any survey or site inspection of the Property and advice you to independently carry out the same.

14. CONCLUSION: -

After narrating the facts as aforesaid, it can be stated that **Godrej Properties Limited** is the absolute owner of the said Property and has acquired the right, title and interest over the Property, free from encumbrances, subject to what is stated above.

Hence, this Report accordingly.


Omprakash Jha 25/11/2020
Partner –The Law Point