



IC LEGAL

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Title Certificate

Re: ALL THOSE pieces and parcels of freehold land or ground bearing CTS No. 543 of Village Nahur (Greater Mumbai) Taluka Kurla, admeasuring in the aggregate 39,707.80 sq. mtrs or thereabouts (37,745.80 sq. mtrs. as per the Property Registered Cards), in the Registration Sub-District and District of Mumbai City and Mumbai Suburban.

1. We have investigated the title of Oberoi Constructions Limited (formerly known as Oberoi Construction Private Limited), a company incorporated under the Companies Act, 1956, and having its registered office at Commerz, 3rd Floor, International Business Park, Oberoi Garden City, Off Western Express Highway, Goregaon (East), Mumbai-400 063 (hereinafter referred to as the “**Owner**”) to all those pieces and parcels of freehold land or ground bearing CTS No. 543 of Village Nahur (Greater Mumbai) Taluka Kurla, admeasuring in the aggregate 39,707.80 sq. mtrs or thereabouts (37,745.80 sq. mtrs. as per the Property Registered Card), in the Registration Sub-District and District of Mumbai City and Mumbai Suburban and shown in red colour boundary lines on the plan annexed hereto and marked as **Annexure “1”** and more particularly described in the Schedule hereunder written (hereinafter referred to as the “**said Property**”).
2. For the purpose of investigation, we (i) caused a public notice to be published in the issues of Nav Shakti dated 9th October, 2014, Free Press Journal dated 9th October, 2014 and Janmabhumi dated 9th October, 2014 (being daily newspapers) inviting objections inter-alia in respect of the said Property and (ii) perused title deeds and revenue records pertaining to the title of the Owner to the said Property made

available to us. On perusal of documents, revenue records, and information given on enquiries, we set out hereafter our understanding of the Owner's title to the said Property.

3. By an Indenture of Conveyance dated 5th February, 1973 made and executed by and between CIBA of India Limited (hereinafter referred to as "CIBA") of the One Part and Burroughs Wellcome & Company (India) Private Limited (hereinafter referred to as "BWIPL") of the Other Part, and registered with the Sub Registrar of Assurances at Bombay under No. 344 of 1973, CIBA did thereby grant, convey and assure unto BWIPL, the said Property at and for the consideration and on the terms and conditions therein specified. The Property Register Card in respect of the said Property reflects the area as 37,745.80 square meters as against 39,707.80 square meters appearing in the said Indenture of Conveyance.
4. By an Order dated 2nd January, 1978 bearing no. ULC/B-126/IC/GAD/5549 (the Exemption Order) read with Addendum bearing No. ULC/B-126/IC/GAD/5607 dated 19th January, 1978 (the ULCRA Addendum) passed under sec 20(i) of the Urban land (Ceiling and Regulation) Act, 1976 (ULCRA), the Joint Director of Industries (ULC), exempted the said Property and certain other properties held by BWIPL for the purpose of industry upon the terms and conditions therein specified.
5. By a Certificate dated 23rd June, 1984 issued by the Registrar of Companies, the name of Burroughs Wellcome & Company (India) Private Limited was changed to Burroughs Wellcome & Company (India) Limited.

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6. By a Certificate dated 24th July, 1984 issued by the Registrar of Companies, Mumbai, the name Burroughs Wellcome & Co.(India) Limited was changed to Burroughs Wellcome (India) Limited (“**BWIL**”).
7. By an Order of Amalgamation dated 12th August, 2004 in Company Petition No. 496 of 2004 connected with Company Application No. 155 of 2004, the Hon’ble Bombay High Court sanctioned the Scheme of Amalgamation of BWIL with Glaxosmithkline Pharmaceuticals Limited (“**Glaxo**”) pursuant to which the entire undertaking of BWIL as defined therein (including the said Property) stood transferred and vested with Glaxo.
8. By an Order bearing No. C/ULC/D-V/WS-376/2005 dated 31st August, 2005 the Additional Collector of Competent Authority, ULC, Greater Mumbai granted Glaxo permission to sale and transfer the said Property in favour of the Owner herein.
9. By an Indenture of Conveyance dated 26th September, 2005 duly registered with the Sub Register of Assurances at Kurla under Serial No. BDR13-07889 of 2005 dated 10th October, 2005, Glaxo sold, transferred, conveyed and assured unto the Owner herein, the said Property on the terms and conditions mentioned therein.
10. On 20th December, 2005, the Conservator of Forest, Mumbai, issued a communication/directive to the Tahsildar, stating that the said Property had been recorded as private forest in the revenue records, and directed to hand over the said Property to the Forest Department.

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11. On 27th July, 2006, the Owner filed a writ petition being Writ Petition No.1957 of 2006 in the Hon'ble High Court at Bombay and challenged inter-alia the Mutation Entry Nos. 5079 and 993 and pencil entry in 7/12 extract.
12. By an Order dated 24th March, 2008, the Hon'ble High Court at Bombay dismissed inter-alia the Writ Petition No. 1957 of 2006 filed by the Owner.
13. Against the Order dated 24th March, 2008, the Owner filed a Special Leave Petition being SLP No. 11398/2008 in the Hon'ble Supreme Court of India.
14. On January 30, 2014, the Hon'ble Supreme Court of India delivered its final Judgment inter-alia in Civil Appeal No.1107 of 2014 (Arising out of S.L.P. (C) No.11398 of 2008) and inter-alia allowed all the Appeals and set aside the said Order dated 24th March, 2008, passed by the Hon'ble High Court at Bombay.
15. Against the Judgment dated January, 30th 2014, the State of Maharashtra filed a Review Petition in the Hon'ble Supreme Court of India. However the said Review Petition could not be registered as material defects were not removed by the State of Maharashtra and/or their Advocates.
16. The Municipal Corporation of Greater Mumbai ("MCGM"). has issued the Intimation of Disapproval dated 9th January, 2015 bearing no. CE/4853/BPES/AT and the Commencement Certificate dated 3rd July, 2015, bearing no. CE/4853/BPES/AT.

17. In these circumstances and subject to what is stated hereinabove, we are of the view that the Owner is the owner of the said Property and its title to the said Property is clear and marketable. We are also of the view that subject to what is stated hereinabove and subject to the plans for construction of the buildings being sanctioned and all approvals being obtained, the Owner shall become entitle to construct the building(s) on the said Property and sell the premises therein.

**The Schedule Above Referred To:
(being description of the Said Property)**

ALL THOSE pieces and parcels of freehold land or ground bearing CTS No. 543 of Village Nahur (Greater Mumbai) Taluka Kurla, admeasuring in the aggregate 39,707.80 sq. mtrs or thereabouts (37,745.80 sq. mtrs. as per the Property Registered Cards), in the Registration Sub-District and District of Mumbai City and Mumbai Suburban.

On or towards East : By Mumbai -Agra Road;

On or towards West : By Tansa Pipe Line;

On or towards North : By portion of land bearing CTS No.544 of Village Nahur;

On or towards South : By land bearing CTS No.541 of Village Nahur.

Dated this 10th day of July, 2015

For IC Legal



Partner