

**REPORT ON TITLE**

Re: **Property comprised in land bearing various Survey numbers, Hissa numbers and admeasuring lying being and situated at Village Khoni Taluka Kalyan, District - Thane.**

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1. I have investigated the title of my clients Palava Dwellers Private Limited erstwhile known as Lodha Dwellers Private Limited ("**Company**") to the land bearing diverse Survey Numbers, Hissa Numbers, respective areas mentioned in Column "B", "C" and "D" in the Schedule hereunder written, lying being and situated at Village Khoni (hereafter collectively referred to as "**Larger Land**") acquired by my clients from the Original Landholders, whose names are mentioned in Column "A" of the said Schedule against their respective land, under the documents mentioned in Column "E" of the said Schedule.
2. For the purpose of investigation, I have perused and verified the following documents in connection to the said Larger Land.
  - a) 7/12 Extracts (Record of Rights) and 6/12 extracts (Mutation Entries) recorded thereon in respect of the said Larger Land and verified devolution of title devolved upon the respective Land Holders/Owners to their respective land.
  - b) Reviewed Originals and/or Certified true copies (as the case may be) of the relevant documents viz. Deed of Conveyance, Development Agreements, Agreements for Sale, Deed of Confirmations, and Powers of Attorney & other ancillary documents mentioned in the Column "E" executed and registered with concerned Sub-Registrar of Assurances by respective said Land Holders/Owners of Column "A" in favour of Lodha Dwellers Pvt. Ltd / Mahavir Build Estate Private Limited as Developers/ Purchasers as mentioned in the Column "F" of the Schedule hereto in connection with their respective Land acquired by said Company.
  - c) Permissions under Section 63 (1A) of Sub-Section (1) under Maharashtra Tenancy and Agricultural Land Act, 1948 and revalidation thereto issued by the Competent Authority, Department of Revenue and Forest, for acquisition of the said Larger Land for Special Township.
  - d) Mutation related to permissions under section 32G of Bombay Tenancy and Agricultural Land Act, 1948 for the relevant land which is tenanted by the protected tenants under the said Act which is forming part of Larger Land mentioned in the Schedule hereunder written.

3. Besides, I have gathered information and explanation in respect of the said Larger Land.
4. On perusal of the various (i) 7/12 extracts (Record of Rights), (ii) Mutation Entries (6/12 extracts), and information and explanation given to me as well as representation made in this behalf, in my view the said Landholders/Owners are entitled to their respective land which is covered under Larger Land as described in Schedule hereunder written, by inheritance and/or Purchase, as the case may be.
5. Those individual Landholders/Owners in Column "A" have executed and registered with the Sub-Registrar of Kalyan and Thane, separate and distinctive Agreements for Sale, Development Agreements, Conveyance Deeds, Powers of Attorney for Development and sale (as shown in Column "E" of Schedule hereto) in respect of their individual land comprised of Survey Numbers and Hissa Numbers mentioned in Column "B", "C" and "D" mentioned in the Schedule hereunder written along with incidental documents, Deeds of Confirmation, letter of possession thereto of their respective land with Lodha Dwellers Pvt. Ltd / Mahavir Build Estate Private Limited.
6. Pursuant to the said documents, the said Land Holders/Owners have handed over possession of their respective land to the said Purchasers / Developers.
7. By virtue of the aforesaid documents, I am opinion that Lodha Dwellers Private Limited and Mahavir Build Estate Private Limited are entitled to their respective Land (being collectively referred as the said Larger Land hereto) as absolute owners thereof and having complete development rights to carry out development thereon.
8. The Revenue Record viz. Record of Rights are mutated in favour of Lodha Dwellers Private Limited/Mahavir Build Estate Private Limited.
9. In the premises aforesaid, Lodha Dwellers Private Limited along with Mahavir Build Estate Private Limited have envisaged consolidated scheme of Development of Special Township on the said Larger Land and accordingly plans are submitted to MMRDA for necessary sanction.
10. By letter dated 19th June, 2013 Environmental Department has issued clearance to develop inter alia the said Larger Land by constructing building thereon on the terms and conditions stated therein. Thereafter, by another letter dated 21st February 2015 Environmental Department has amended the Environment Clearance in respect of the said Larger Land on terms and conditions stated therein.
11. Pursuant to the said Environmental Clearance, Maharashtra Pollution Control Board by its letter dated 20th January 2014 read with amended

Letter of Consent dated 23rd December 2015, has granted consent to establish and/or develop the Special Township Project in a phase-wise manner on the said Larger Land, on terms and conditions stated therein.

12. Further, notification dated 1<sup>st</sup> January 2014 issued under Maharashtra Regional Town Planning Act by Government of Maharashtra with Accompaniment a SCHEDULE - A providing regulations for development of Special Township Project in area under the sanctioned development plan which contains inter alia Regulation (2) provides for Special Concessions. Under sub-clause (a) of the said Regulation (2) that the land which is forming part of the Special Township Project will become ipso facto non-agriculture as soon as the Special Township scheme is notified and sanctioned in as much as such land deemed to have been converted in non-agriculture and no separate permission will be required and will be assessed from the date of sanction accordingly.
13. Pursuant to the Certificate of Incorporation dated 6th May 2014 issued by the Registrar of Companies, the name of Lodha Dwellers Private Limited has been changed to Palava Dwellers Private Limited. Accordingly, Revenue Record of the said Larger Land were mutated in the name of Palava Dwellers Private Limited
14. By Order dated 16th January 2015 in Company Scheme Petition No.639 and 640 of 2014 Mahavir Build Estate Private Limited and other companies amalgamated with Palava Dwellers Private Limited with effect from February 17, 2015. Under the said Order, the entire business and undertaking of Mahavir Build Estate Private Limited including but not limited to land, building, investments, loans, advances, approvals, permissions, rights, obligations have been transferred to and vested in Palava Dwellers Private Limited on terms and conditions stated therein. Consequently, Palava Dwellers Private Limited became entitled to the Land owned by Mahavir Build Estate Private Limited in terms of the said Order. Accordingly, Revenue Record of the said Land owned by Mahavir Build Estate Private Limited came to be mutated in the name of Palava Dwellers Private Limited
15. I have not taken independent Search of litigation filed for and against the said Company in respect of the said Larger Land. The Company has informed me that there are following litigations pending:-
  - (i) A Regular Civil Suit No.284 of 2015 has been filed by Shankar Raghunath Mhatre (Plaintiff) against Navnath Rajaram Patil and Others (Defendants) before Civil Judge (Junior Division) Kalyan. In the said Suit, Mahavir Build Estate Private Limited has been made Party Defendant No.10. The subject matter of the suit is suit land viz. land bearing Survey Nos.61, 62/D, and 63/2 of Village Khoni alleged to be in possession of Plaintiff and as such Plaintiff is seeking relief for declaration and permanent injunction under the

provision of Section 34 and 38 of Specific Relief Act. In any event, there is no adverse order passed in the said Suit which restrict the rights of the Mahavir Build Estate Private Limited to deal with the aforesaid land and construction thereon.

16. Subsequently, by and under Lease Deed dated 16th September 2015 executed and registered under No.KLN4-6287/2015 with the Sub-Registrar of Assurances at Kalyan read with Deed of Lease dated 10.11.2016, by Palava Dwellers Private Limited as the Lessor of the One Part and Lodha Estate Private Limited as the Lessee of the Other Part and as amended, whereunder the Lessor has demised unto Lessee the Project Land more particularly described in Schedule thereunder written forming a part of the Larger Land for premium and rent on terms, conditions and covenants stated therein to carry out development on the said Project Land and also deal with and dispose of premises in the building constructed thereon.
17. By Unilateral Indenture of Mortgage dated 5th January 2018 executed between Palava Dwellers Private Limited (Mortgagor 1), Lodha Estate Private Limited (Mortgagor 2), Samvara Buildtech Private Limited (Mortgagor 3) and Microtec Constructions Private Limited (Mortgagor 4) AND Lodha Estate Private Limited (Borrower 1) and Samvara Buildtech Private Limited (Borrower 2) of the One Part and Housing Development Finance Corporation Limited (HDFC) of the Other Part and registered under Serial No.KLN2-385 of 2018 where under HDFC has granted credit facility to Borrower No.1 and 2 on the security of certain land which inter alia includes Land comprised in Survey Nos. 53/1B, 63/1B, 62/D and 53/2A1 (forming part of the said Larger Land) including premises in the buildings constructed thereon together with receivables and accounts more particularly mentioned in the Part A, Part C and Part E of Schedule-3 thereunder written belonged to Mortgagor 1 and 2, on terms and conditions stated therein.
18. By an under Order dated 11.01.2018 National Company Law Tribunal Mumbai Bench has granted sanction to the composite Scheme of Amalgamation and Arrangement under section 230 to 232 of Companies Act 2013, on the terms and conditions stated in the said Order and the said Scheme. Pursuant to the said Order dated 11.01.2018 and as per the corporate arrangement of amalgamating Companies, Palava Dwellers Private Limited is now entitled to the Larger Land as absolute Owner in terms thereof.
19. In the premises aforesaid, I am of opinion that Palava Dwellers Private Limited is now solely and exclusively entitled to the Larger Land mentioned in the Schedule hereunder written as absolute Owners thereof with right to deal with and dispose of the Units in the buildings being constructed on the said Larger Land.

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**THE SCHEDULE ABOVE REFERRED TO :**

<b>Sr. No.</b>	<b>Name of the Landholder / Owner (A)</b>	<b>Survey No. (B)</b>	<b>Hissa No. (C)</b>	<b>Area in sq. mtrs. (D)</b>	<b>Name of the Documents &amp; Regn. No and Date (E)</b>	<b>Name of the Developer / Purchaser (F)</b>
1	Ramchandra Kachru Kalan	53	1B	5000	Deed of Conveyance dated 13/06/2013 registered under No.KLN1-4731/2013  Power of Attorney dated 13/06/2013 registered under No. KLN1-267/2013	Lodha Dwellers Private Limited  (now known as Palava Dwellers Private Limited)
2	Krishna Aambo Bhoir, Goma Aambo Bhoir, Abhimanyu Aambo Bhoir, Suresh Aambo Bhoir, Waman Aambo Bhoir, Droupadabai Suresh Thombare Alias Droupata Suresh Thombare  And Ramesh Chango Bhoir, Ganesh Chango Bhoir	53	2A1	610	Deed of Conveyance dated 19/04/2014 registered under No.KLN1-3061/2014  Power of Attorney dated 19/04/2014 registered under No.KLN1-3062/2014	Lodha Dwellers Private Limited  (now known as Palava Dwellers Private Limited)
3	Navnath Rajaram Patil, Prakash Maruti Patil, Balaram Maruti Patil, Indubai Maruti Patil  And Rajlaxmi Realtors Private Limited	61 63	0 2	33990 11100	Agreement for Sale dated 26/09/2007 registered under No.KLN4-5243/2007  Power of Attorney dated 26/09/2007 registered under No.KLN4-26/2007  Power of Attorney dated 26/09/2007 registered under No.KLN4-27/2007	Mahavir Build Estate Private Limited  (now merged with Palava Dwellers Private Limited)
	Navnath Rajaram Patil, Prakash Maruti Patil, Balaram Maruti Patil, Indubai Maruti Patil, Tarabai Dattu Mhatre, Parvatibai Vasant Patil, Leelabai Dashrath Gaikar, Neerabai Bala Choudhary, Nandabai Kailash Patil, Paresh Kailash Patil, Sanjay Maruti Patil, Krishna Maruti Patil, Jeevan Maruti Patil, Mandabai Sagar Patil, Chandabai Mukund Choudhary,				Deed of Conveyance dated 20/08/2009 registered under No.KLN1-5628/2009	Mahavir Build Estate Private Limited  (now merged with Palava Dwellers Private Limited)

	Changunabai Maruti Patil  And Rajlaxmi Realtors Private Limited					
4	Balu Hiru Jumare and Balaram Hiru Jumare  And Dilip Balaram Jumare, Motiram Balu Jumare	62	A	23800	Agreement for Sale dated 27/03/2008, registered under Serial No. KLN4-01802-2008  Power of Attorney dated 27/03/2008 registered under Serial No.126 of 2008  Power of Attorney dated 27/03/2008 registered under Serial No.127 of 2008  Deed of Conveyance dated 24/06/2008 registered under No. KLN3-03631-2008 for area admeasuring 12000 sq. mtrs.  Deed of Conveyance dated 03/09/2010 registered under No. KLN1-07435-2010 for area admeasuring 5800 sq. mtrs.  Power of Attorney dated 03/09/2010 registered under Serial No.277 of 2010 on 03/09/2010  Deed of Conveyance dated 07/05/2013 registered under No. KLN1-03424-2013 on 07/05/2013 for area admeasuring 5800 sq. mtrs.	Lodha Dwellers Private Limited (now known as Palava Dwellers Private Limited)
5	Shantabai Balkrishna More, Sunil Balkrishna More, Nirmala Balu Hazare, Sulochana Sudhakar Varde, Shakuntala Govind Bankar, Ranjana Ramesh Patil, Archana Atmaram Bhoir, Suvarna Shailesh Baimare, Nirmalabai alias Leela Janu Khane, Pushpabai Balaram Farad, Bebibai Vasudev Patil, Kamal Baliram More, Anil Baliram More, Ashok Baliram More, Anita	62	C	5060	Agreement to Sale dated 19/10/2007 registered under No.KLN4-5586/2007  Power of Attorney dated 19/10/2007 registered under No.48/2007  Power of Attorney dated 19/10/2007 registered under No.49/2007  Deed of Conveyance dated 17/09/2008 registered under No.KLN1-7025/2008	Mahavir Build Estate Private Limited  (now merged with Palava Dwellers Private Limited)

	Sharad Shirke And Rajlaxmi Realtors Private Limited					
6	Ajit Baliram More				Deed of Confirmation dated 22/10/2007 registered under No.KLN4-5594/2007	Mahavir Build Estate Private Limited (now merged with Palava Dwellers Private Limited)
	Balu Hiru Jumare and Balaram Hiru Jumare				Deed of Confirmation dated 07/05/2013 registered under No.KLN1-3425/2013 Power of Attorney dated 07/05/2013 registered under No.200/2013	Mahavir Build Estate Private Limited (now merged with Palava Dwellers Private Limited)
7	Navnath Rajaram Patil,Prakash Maruti Patil,Jivan Maruti Patil,Balaram Maruti Patil,Indubai Maruti Patil,Mandabai Sagar Patil,Nandabai Kailas Patil	62	D	6470	Agreement for Sale dated 21/06/2010 registered under No.KLN1-05057/2010 Power of Attorney dated 21/06/2010 registered under No.192/2010 Power of Attorney dated 25/06/2010 registered under No.200/2010	Lodha Dwellers Private Limited (now known as Palava Dwellers Private Limited)
	Paresh Kailash Patil and Nandabai Kailash Patil (for self and guardian of Paresh)				Deed of Confirmation dated 25/06/2010 registered under No.KLN1-5332/2010 Power of Attorney dated 25/06/2010 registered under No.205/2010	Lodha Dwellers Private Limited (now known as Palava Dwellers Private Limited)
	Tarabai Dattu Mhatre, Parvatibai Vasant Patil, Leelabai Dashrath Gaikar, Neerabai Bala Choudhary, Sanjay Maruti Patil, Krishna Maruti Patil, Chandabai Mukund Choudhary, Changuna Maruti Patil and Parvatibai Vasant Patil					Deed of Confirmation dated 25/06/2010 registered under No.KLN-1-5233/2010


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	Navnath Rajaram Patil, Tarabai Dattu Mhatre, Parvatibai Vasant Patil, Leelabai Dashrath Gaikar, Neerabai Bala Choudhary, Prakash Maruti Patil, Sanjay Maruti Patil, Krishna Maruti Patil, Jivan Maruti Patil, Balaram Maruti Patil, Indubai Maruti Patil, Mandabai Sagar Patil, Chandabai Mukund Choudhary, Changunabai alias Changuna Maruti Patil Paresh Kailash Patil and Nandabai Kailash Patil (for self and guardian of Paresh)				Deed of Conveyance dated 21/07/2010 registered under No. KLN1-6083/2010	Lodha Dwellers Private Limited (now known as Palava Dwellers Private Limited)
8	Ramchandra Kacharu Kalan	53	1B	5000	Deed of Conveyance dated 13/06/2013 registered under No.KLN1-4375/2013 Power of Attorney dated 13/06/2013 registered under No. KLN1-267/2013	Lodha Dwellers Private Limited (now known as Palava Dwellers Private Limited)
9	Arun Rambhau Mhathre, Sunita Arun Mhathre, Rambhau Shankar Mhathre	63 63 64	1C 1B 1C	20000 1600 6400	Deed of Conveyance dated 15/03/2011 registered under No.KLN1-02527/2011 Power of Attorney dated 15/03/2011 registered under No. KLN1-150/2011	Lodha Dwellers Private Limited (now known as Palava Dwellers Private Limited)
10	Bhagwan Hari kalan, Sapana Savalaram Kalan, Anita savalaram kalan, Bantya Savalaram Kalan, Suresh Savalaram Kalan, Sushila Savalaram Kalan And Krishna Hari kalan Rajlaxmi Realtors Pvt Ltd (Confirming Parties) & Hari Maruti Kalan	64	1B	6400	Agreement for Sale dated 01/10/2007 registered under No.KLN4-05302/2007 Power of Attorney dated 01/10/2007 registered under No. KLN4-05303/2007 Power of Attorney dated 01/10/2007 registered under No. KLN4-05304/2007 Deed of Conveyance dated 11/03/2008 registered under No.KLN3-1614/2008 Deed of Confirmation dated 08/10/2007 registered under No.KLN4-05380/2007	Mahavir Build Estate Private Limited (now merged with Palava Dwellers Private Limited)



11	Bhagya Pandurang Thakare, Taibai Waman Thakare, Ganesh Waman Thakare, Manish Waman Thakare, Manjulabai Rambhau Thakare, Rohidas Rambhau Thakare, Pintu Rambhau Thakare, Chintaman Gopal Kalokhe, Parshuram Gopal Kalokhe, Sambhaji Gopal Kalokhe, Ramesh Gopal Kalokhe, Sunanda Balaram Pharad,  And  Ashok Buvaji Thakare, Lahu Ganpat Thakare Kanta Vishnu Thakare, Yogesh Ashok Thakare, Jagdish Laxman Thakare, Sandeep D. Thakare, Vasant D Thakare, Sharad Bhagawan Thakare, Pushapa Ashok Thakare	63 64	1A 1A	7670 37950	Agreement for Sale dated 26/09/2011 registered under No.KLN1-09304/2011  Power of Attorney dated 26/09/2011 registered under No.362/2011  Deed of Conveyance dated 22/02/2012 registered under No.KLN1-01259/2012  Power of Attorney dated 22/02/2013 registered under No.13/2013  Deed of confirmation dated 22/02/2013 registered under No.KLN5-947/2013	Lodha Dwellers Private Limited  (now known as Palava Dwellers Private Limited)

Dated this 14<sup>th</sup> day of August 2018

  
 (Pradip Garach)  
 Advocate High Court, Bombay

