

Khoni-88

ADDENDUM


Palava Dwellers Private Limited

(Ex-Parte)

Re.: Property bearing

Survey No.	Hissa No.	Area (sq.mtr.)
139	2A	20550

situate at Village Khoni, Taluka Kalyan and District Thane (hereinafter referred to as "**the said Property**").

1. Under the instructions of my clients, Palava Dwellers Private Limited (formerly known as Lodha Dwellers Pvt. Ltd.) ("**the Company**"), I have issued Title Report dated 27th March 2015 thereto in respect of the said Property.
2. After issuance of the said Reports, there are certain material developments and Mutation of Revenue record have taken place related to the Title of the said Property
3. With a view to incorporate such material developments and mutations so as to update the earlier Title Report, I hereby issue Addendum to the said Report as follows:
4. For the purpose of issuing this Addendum, I have perused the following revenue records and documents provided to me:
 - i. Village Extract form 7/12 (Record of Rights) in respect of the said Property;
 - ii. Mutation Entry No. 762, 1141, 1291 and 1398;
 - iii. Notification dated 22/08/2014 issued by Government of Maharashtra, Urban Development Department
 - iv. Declaration dated 11/06/2015 registered under Sr. No. KLN1-5067-2015
 - v. Declaration dated 05/07/2016 registered under Sr. No. KLN1-6757-2016
 - vi. Certificate dated 14/04/2017 issued by Shravan A. Gupta and Associates, the Practicing Company Secretary
5. From the perusal of the above revenue records and documents, while confirming my earlier Title Report dated 27th March 2015, I hereby further certify as follows: 

- i) As per Mutation Entry No. 762 dated 27/01/2004, it is recorded that pursuant to letter bearing No. Hakkanond/T-10, dated 07/12/2003 and 18/12/2003, issued by Tahsildar, Kalyan issued on account of computerization of land revenue records New Survey Number was assigned in respect of the said Property bearing Old Survey No. 139/2P as New Survey No. 139/2A.
- ii) The Mutation Entry No. 1141 dated 30/07/2012 records the transaction of Deed of Conveyance dated 13/07/2012 executed and registered under Sl. No. KLN1-5081-2012 with Sub-Registrar Kalyan by Achyut Gopal Bhagat & Others ('Vendor') in favour of Shri. Rahul Deepak Lodha (i.e. RDL) ('Purchaser') for the said Property.
- iii) The Mutation Entry No. 1291 dated 04/07/2014 records the transaction of Deed of Conveyance dated 25/06/2014 executed and registered under Sl. No. KLN1-4772-2014 with Sub-Registrar Kalyan by Shri. Rahul Deepak Lodha ('Vendor') in favour of Lodha Dwellers Pvt. Ltd. (i.e. LDPL) ('Purchaser') for the said Property.
- iv) The Government of Maharashtra by its Notification dated 22/08/2014 sanctioned the Special Township Project in respect of the land more particularly described in Schedule – A to the said Notification which includes the said Property in favour of the Company.
- v) By a Declaration dated 11/06/2015 executed and registered under Sl. No. KLN1-5067-2015 before the Sub-Registrar of Assurances at Kalyan executed by 1) Subhash Baban Thakare, 2) Sudam Narayan Thakare, (Deponents) in favour of Company the said Deponents have confirmed and ratified the transaction under the Conveyance Deed dated 30/07/2012 mentioned in my earlier report, in connection with the said Property.
- vi) By a Declaration dated 05/07/2016 executed and registered under Sl. No. KLN1-6757-2016 before the Sub-Registrar of Assurances at Kalyan executed by Harishchandra Raghunath Mhatre (Deponent) in favour of Company the said Deponent have confirmed and ratified the transaction under the Conveyance Deed dated 30/07/2012 mentioned in my earlier report, in connection with the said Property.
- vii) The Mutation Entry No. 1398 dated 14/12/2015 records that under the cover of letter bearing No. MASHA/T.10/Hakkanond/KV5439/15, dated 11/12/2015 issued by Tahsildar, Kalyan, the name of the Company who has purchased the said Property required to be entered on record of rights for the said Property. However, through oversight, the name of the authorized signatory / Director of the company was entered on the 7/12 extract of Property. Therefore, this mutation came to be passed

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to rectify the record of rights by deleting wrongly entered name of authorized signatory / Director to replace name of Company as a Landholder for the said Property.

- viii) Pursuant to the Fresh Certificate of Incorporation dated 6th May 2014 consequent to change of name issued by the Registrar of Companies, the name of the said Lodha Dwellers Private Limited has been changed to 'Palava Dwellers Private Limited.' (Mutation Entry No. 1399 dated 14/12/2015)
- ix) I have seen Certificate dated 14/04/2017 issued by Shravan A. Gupta and Associates, the Practicing Company Secretary to the effect that he has carried out an online Search through the official website of the Ministry of Corporate Affairs. The said Certificate inter alia indicates that there is no mortgage/charge on the said Property.
- x) The Company has informed me that no litigation is pending against the Company in respect of the Property.
- xi) I have perused the Village Extract Form 7/12 (Record of Rights) in respect of the said Property and I observe that the name of Company is recorded as owner of the Property. The Property is shown as Occupancy Class-I in the 7/12 extract.

6. **Conclusion**

- a) On taking into account of the aforesaid occurrences, I am once again of the opinion that Company is entitled to the said Property as an absolute Owner thereof and has complete development rights of the same free from any encumbrances.
- b) In view of the above my earlier Report on Title dated 27th March 2015 stands modified and be read and construed accordingly.

Dated this 17th day of April, 2017.


(Pradip Garach)

Advocate High Court Bombay