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NL/DJM/11235/ 7679/2018

TITLE CERTIFICATE

To,

EKTA WORLD PRIVATE LIMITED

401, Hallmark, Business Plaza,
Kalanagar, Bandra (East),
Mumbai 400 051

Sir,

Re: All that piece or parcel of land bearing City Survey No. E/185 admeasuring 1272 sq.yds equivalent to 1063.60 sq.mtrs ("**said Land**") at 16th Road, Khar, Taluka South Salsette in the Registration District of Bombay Suburban, together with the bungalow standing thereon known as "**Pervez Lodge**" ("**said Building**"). The said Land and the said Building are hereinafter collectively referred to as "**the said Property**".

A. INTRODUCTION

We have been requested by our client Ekta World Private Limited to investigate the title of (i) Darayus Behram Mowdawala, (2) Khushroo Behram Mowdawala (3) Najoo Maneck Mowdawala and (4) Malcom Maneck Mowdawala ("**the Owners**") to the said Property.

B. STEPS

We have undertaken the following steps for the investigation of the title to the said Property:-

1. Examined the original title deeds in respect of the said Property. Copies of the original title deed duly inspected by us is annexed hereto and collectively marked as **Annexure "A"**;
2. Examined copies of other deeds, documents and writings with respect to the said Property. Copies of the same are annexed hereto and marked as **Annexure "B"**;
3. Caused to undertake searches at the offices of the Sub-Registrar of Assurances at Mumbai at Bandra, Andheri, Khar and Jogeshwari;

4. Examined the Property Register Card dated 27th July, 2017 issued by the office of the City Survey Officer, Bandra with respect to the said Land.
5. Examined the revised Development Plan Remark dated 27th July, 2018 issued by the Municipal Corporation of Greater Bombay with respect to the said Land.
6. Examined the Development Plan Remark (Proposed) dated 22nd August, 2017 issued by the Municipal Corporation of Greater Mumbai with respect to the said Land.
7. We have raised Requisitions on Title. The same are duly answered by the Advocates of (i) Darayus Behram Mowdawala, (2) Khushroo Behram Mowdawala (3) Najoo Maneck Mowdawala and (4) Malcom Maneck Mowdawala.
8. We have sought to invite claims and objections by issuance of public notice in Economic Times (Mumbai Edition) dated 17th July, 2018 and Maharashtra Times (Mumbai Edition) on 18th July, 2018 with respect to the said Property.

C. DISCLAIMERS

For the purpose of this Report -

1. We have at the instructions of our client, conducted a title investigation of the said Property. It is expressly clarified that this Report is restricted only to ascertain the title of Daryus Mowdawala, Khushroo Mowdawala, Najoo Mowdawala and Malcolm Mowdawala to the said Property and does not address any other issue. We have not investigated nor opined on the development potential of the said Land.
2. For this Certificate we have, through our search clerk Mr. Shrinivas A. Chipkar, conducted searches at the relevant Offices of the Sub-Registrar of Assurances at Mumbai City, from the year 1931 upto 2018. We have been informed by our search clerk that for certain years, the records maintained by the Offices of the Sub-Registrar of Assurances are torn and mutilated and the Index-II records maintained in digital form have not been properly maintained. Searches at the Offices of the Sub-Registrar of Assurances are subject to the availability of records and also to records being torn and mutilated and maintained in an improper condition. We therefore disclaim any responsibility for consequences which may arise on account of such non-availability of records or on account of records being torn and mutilated or maintained improperly.
3. We have not formed any opinion on the approvals and sanctions granted / required from the concerned authorities for the development and/or construction on the said Land or any part thereof.

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4. Unless specifically stated otherwise in this Report, we have not verified whether the formalities which have a direct bearing on the enforceability of the contractual or other arrangements comprised in the documents furnished to us and/or the information provided to us have been complied with or not.
5. The accuracy of the Report necessarily depends on the documents furnished to us and the information provided to us, being true, complete and accurate and which we have assumed to be the case. We therefore disclaim any responsibility for any misinformation or incorrect or incomplete information arising out of the documents, responses and other information furnished to us. Save and except the documents specifically stated to have been examined by us in this Report, we have not examined any further deeds, documents or writings pertaining to the said Property.

D. CHAIN OF TITLE

1. By and under a Form HH Agreement dated 28th December, 1931 executed between the Mamlatdar, South Salsette of the One Part and the Darashaw Maneckshaw Marshall and Dhanbai Darashaw Marshall ("**Original Purchasers**") of the Other Part under the provisions of Rule 43 of the Maharashtra Land Revenue Rules, 1921, the said Land was agreed to be granted, conveyed and transferred to the Original Purchasers for the consideration and on the terms and conditions stated therein.
2. The Owners have informed us that permission was given by Salsette Government Officer to the Original Purchasers to occupy the said Land and pursuant to that the Original Purchasers built a bungalow thereon known as 'Pervez Lodge'.
3. By and under Articles of Agreement dated 26th April, 1943 executed between the Original Purchasers, (therein referred to as 'the Vendors') of the One Part and Sorabji Darashaw Mowdawalla ("**Sorabji**") (therein referred to as 'the Purchaser') of the Other Part, the Original Purchasers agreed to sell the said Property to Sorabji for the consideration and on the terms and conditions mentioned therein.
4. By and under a Deed of Conveyance dated 16th July, 1943 registered before the Office of the Sub-Registrar of Assurances at Bandra under Serial No. 954 of 1943 and executed between the Original Purchasers (therein referred to as 'the Vendors') of One Part and Sorabji and Perinbai Sorabji Mowdawalla ("**Perinbai**") (therein collectively referred to as 'the Purchasers') of the Other Part, the Original Purchasers sold, transferred, conveyed, granted and assured unto Sorabji and Perinbai all their right, title and interest in the said Property i.e. all that piece and parcel of land or ground being (i) Plot No. 510-B (of Town Planning Scheme No. VII of Khar) admeasuring 955

square yards (ii) Plot No. 2 of Town Planning Scheme No. VI of Khar admeasuring 37 square yards (iii) Part of Plot No. 510-A admeasuring 146 square yards (iv) Part of Plot No. 511 admeasuring 111 square yards and (v) Plot No. 11 of Town Planning Scheme No. VI of Khar admeasuring 23 square yards, in aggregate admeasuring 1272 sc. yards or thereabouts equivalent to 1063.60 square meters bearing City Survey No. E/185 lying, being and situate at 16th Road, Khar, Taluka South Salsette, in the Registration District of Bombay Suburban and Sub-District of Bombay City together with the said Building standing thereon for the consideration and on the terms and conditions as stated therein.

5. By and under a Deed of Rectification dated 17th February, 1944 registered before the Office of the Sub-Registrar of Assurances at Bandra under Serial No. 228 of 1944 between the Original Purchasers (therein referred to as 'the Vendors') of the One Part and Sorabji and Perinbai (therein referred to as 'the Purchasers') of the Other Part, the schedule as provided in the Deed of Conveyance dated 16th July, 1943 was rectified to reflect the correct boundaries of the said Property.
6. By and under a Sanad dated 30th June, 1948, issued under Section 133 of the Bombay Land Revenue Code, the Enquiry Officer (Government of Bombay) confirmed the occupancy of Sorabji with respect to the said Property subject to payment of Rs. 28.10/annum to the Land Revenue Officer and on the terms and conditions as stated therein.
7. As per the Will dated 28th June, 1970 of Perinbai, Perinbai declared that she has no right, title and interest in the said Property and whilst the said Property was purchased by her husband, Sorabji, her name was added by way of convenience only.
8. By and under a Deed of Gift dated 29th March, 1974 registered before the Office of the Sub-Registrar of Assurances at Bombay under Serial No. 1173 of 1974 executed between Sorabji (therein referred to as 'the Donor') of One Part and Darayus Eehram Mowdawalla ("Darayus") and Khushroo Behram Mowdawalla ("Khushroo") (therein collectively referred to as 'the Donees') of the Other Part (being the grandsons of Sorabji), Sorabji out of natural love and affection gifted his right, title and interest being 1/3rd share in the said Property to Darayus and Khushroo in equal shares as tenants-in-common (that is 1/6th to each of them).
9. By and under a Deed of Gift dated 26th February, 1975 registered before the Office of the Sub-Registrar of Assurances at Bombay under Serial No. 911 of 1975 executed between Sorabji (therein referred to as 'the Donor') of the One Part and Najoo Maneck Mowdawalla ("Najoo") and Malcolm Maneck Mowdawalla ("Malcolm") (through his

father and legal guardian Maneck Sorabji Mowdawalla) (therein collectively referred to as 'the Donees') of the Other Part, Sorabji out of natural love and affection gifted his further 1/3rd share in the said Property to his daughter-in-law, Najoo and grandson, Malcolm in equal shares as tenants-in-common (that is 1/6th to each of them).

10. Mrs. Perinbai Mowdawala died on 8th February, 1976. In view of the same, and in view of the Gift Deed dated 29th March, 1974 and 26th February, 1975 (as recited in paragraph no. 8 and 9 above) by and under letter dated 11th September, 1976 Sorabji made an application to the City Survey Officer, requesting it to update the revenue records by deleting the name of Perinbai and adding the name of the Vendors herein as co-owners of the said Property along with Sorabji such that each of the Vendors were entitled to 1/6th share and Sorabji was entitled to 1/3rd share in the said Property.
11. Mr. Sorabji Mowdawala expired on 15th June, 1980. In view of the same, by and under a letter dated 30th July, 1981, Behram Sorabji Mowdawalla ("Behram") and Maneck Sorabji Mowdawalla ("Maneck") made an application to the City Survey Officer, requesting it that since they are the only legal heirs of deceased Sorabji the revenue records be updated to reflect that the share of Sorabji (being 1/3rd in the said Property) stands vested in Behram and Maneck in equal share (that is each of them are entitled to 1/6th share).
12. Maneck expired on 1st May, 1983. He was survived by (i) his wife, Najoo (ii) his son, Malcolm and (iii) his daughter, Delna Mowdawala. Delna Mowdawala has unconditionally relinquished her share in the said Property in favour of Najoo and Malcolm. In view of the same, by and under a letter dated 16th December 1983, Najoo and Malcolm made an application to the City Survey Officer, requesting it to update the records to reflect that the share of Maneck (being 1/6th in the said Property) stands vested in Najoo and Malcolm in equal share (that is each of them are entitled to 1/12th share).
13. Behram expired on 10th April, 1989. He was survived by (i) his wife Mani Behram Mowdawalla (ii) his son, Darayus and (iii) his son Khushroo. Mani Mowdawala has unconditionally relinquished her share in the said Property in favour of both the sons, being Darayus and Khushroo. In view of the same, by and under a letter dated 24th April, 1989, Darayus and Khushroo made an application to the City Survey Officer, requesting it to update the records to reflect that the share of Behram (being 1/6th in the said Property) stands vested in Darayus and Khushroo in equal share (that is each of them are entitled to 1/12th share).

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14. By virtue of the aforesaid, the Owners became (in equal proportions) absolutely seized and possessed of or otherwise well and sufficiently entitled to the said Property.
15. The said Property is included in the Town Planning Scheme No. VII of Khar Village. As per the Town Planning Scheme No. VI of Khar sanctioned by the Government of Maharashtra vide its Notification dated 14th December, 1937 bearing reference no. 589/33, the original Survey No. 30/6 was accorded Final Plot Nos. 2 and 11 admeasuring 38 square yards and 23 square yards, respectively.
16. By and under letter dated 4th June, 1943 from G.B. Oza, Engineer, Architect & Surveyors to M.T. Chhaya, Advocate High Court, G.B. Oza *inter alia* states that on inspection of the files for Plot No. 511 and official records of Plot No. 510B it was discovered that:
 - (i) Plot No. 510-B originally admeasured 955 square yards;
 - (ii) Land bearing original Survey No. 30/6 and Final Plot No. 2 (of T.P.S VI) admeasuring 37 square yards was permitted to be added to Plot No. 510B by the Collector to make up for 20-0" front open space;
 - (iii) Part of Plot No. 510A admeasuring 146 square yards was permitted to be added to Plot No. 510B vide Collectors letter dated 26th April, 1930 bearing reference no. C.7/1345 to keep an open space of 10-0" for motor on the south of the building and passage;
 - (iv) Part of Plot No. 511 admeasuring 134 square yards 111 square yards was adjusted with Plot No. 11 of T.P.S VI as areas 111 and 23 square yards and the area of 111 square yards was added to Plot No. 510B to make up for the 3/4th open space required as per building bye-laws; and
 - (v) Plot No. 11 admeasuring 23 square yards was added to Plot No. 510B.

Thus, the final Plot No. 510-B stood admeasuring 1272 square yards (955 + 37 + 146 + 111 + 23).

E. PROPERTY REGISTER CARD

The Property Register Card dated 27th July, 2017 for CTS No. E/185 reflects the name of Darayus Mowdawala, Khushroo Mowdawala, Najoo Mowdawala and Malcolm Mowdawala, as the holders of the said Land in equal proportions. The area of the said Land is reflected as 1,063.6 square meters. The said Land is subject to the category

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'C' tenure i.e. payment of assessment to Government under the Maharashtra Land Revenue Code, 1966.

F. CONCLUSION

In view of the above, we hereby certify that the title of (i) Darayus Behram Mowdawala, (2) Khushroo Behram Mowdawala (3) Najoo Maneck Mowdawala and (4) Malcom Maneck Mowdawala, to the said Property is clear and marketable.

THE SCHEDULE HEREINABOVE REFERRED TO

(Description of the said Property)

All that piece and parcel of land or ground bearing City Survey No. E/185 being Plot No. 510-B (of Town Planning Scheme No. VII of Khar) admeasuring 1272 sq. yards or thereabouts equivalent to 1063.6 square meters lying, being and situate at 16th Road, Khar, Taluka South Salsette, in the Registration District of Bombay Suburban and Sub-District of Mumbai City together with a Bungalow standing thereon known as "Pervez Lodge" comprising Ground plus 2 (two) upper floors and bounded as follows -

- On or towards North : By CTS No. 189 of Town Planning Scheme No. VI
On or towards South : By Plot No. 509 bearing CTS No. E/184
On or towards East : By Plot No. 511 under C.T.S No. E/186
On or towards West : By 16th Road, Khar

Dated this 31st day of August, 2018.

For Wadia Ghandy & Co.


Partner

ANNEXURE "A"**(LIST OF ORIGINAL DOCUMENTS PERUSED)**

1. Articles of Agreement dated 26th April, 1943 executed between the Original Purchasers, (therein referred to as 'the Vendors') of the One Part and Sorabji Darashaw Mowdawalla ("Sorabji") (therein referred to as 'the Purchaser') of the Other Part.
2. Letter dated 4th June, 1943 from G.B. Oza, Engineer, Architect & Surveyors to M.T. Chhaya, Advocate High Court along with plan of the said Property annexed thereto.
3. Deed of Conveyance dated 16th July, 1943 registered before the Office of the Sub-Registrar of Assurances at Bandra under Serial No. 954 of 1943 and executed between the Original Purchasers (therein referred to as 'the Vendors') of One Part and Sorabji Darashaw Mowdawalla and Perinbai Sorabji Mowdawalla (therein referred to as 'the Purchasers') of the Other Part.
4. Deed of Rectification dated 17th February, 1944 registered before the Office of the Sub-Registrar of Assurances at Bandra under Serial No. 228 of 1944 between the Original Purchasers (therein referred to as 'the Vendors') of the One Part and Sorabji and Perinbai (therein referred to as 'the Purchasers') of the Other Part
5. Sanad dated 30th June, 1948, issued under Section 133 of the Bombay Land Revenue Code, the Enquiry Officer (Government of Bombay) confirming the occupancy of Sorabji with respect to the said Property.
6. Last Will and Testament of Perin Sohrabji Mowdawala dated 28th June, 1970.
7. Deed of Gift dated 29th March, 1974 registered before the Office of the Sub-Registrar of Assurances at Bombay under Serial No. 1173 of 1974 executed between Sohrabji Darashaw Mowdawala (therein referred to as 'the Donor') of One Part and Darayus Behram Mowdawalla and Khushroo Behram Mowdawalla (therein referred to as 'the Donees') of the Other Part.
8. Deed of Gift dated 26th February, 1975 registered before the Office of the Sub-Registrar of Assurances at Bombay under Serial No. 911 of 1975 executed between Sorabji Darashaw Mowdawalla (therein referred to as 'the Donor') of the One Part and Najoo Maneck Mowdawalla and Malcolm Maneck Mowdawalla (minor, through his father and legal guardian Maneck Sorabji Mowdawalla) (therein collectively referred to as 'the Donees') of the Other Part.
9. Letter dated 11th September, 1976 addressed by Sohrabji Mowdawala to the City Survey Officer.
10. Letter dated 30th July, 1981, addressed by Behram Sorabji Mowdawala and Maneck Sorabji Mowdawalla to the City Survey Officer.

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11. Letter dated 30th July, 1981, addressed by (i) Darayus Behram Mowdawala, (ii) Khushroo Behram Mowdawala, (iii) Najoo Maneck Mowdawala, and (iv) Malcolm Maneck Mowdawala to the City Survey Officer.
12. Letter dated 30th July, 1981, addressed by Behram S. Mowdawalla, and Maneck S. Mowdawala to the City Survey Officer.
13. Letter dated 16th December 1983 addressed by Najoo Maneck Mowdawala, and Malcolm Maneck Mowdawala to the City Survey Officer.
14. Letter dated 24th April, 1989 addressed by Darayus Behram Mowdawala and Khushroo Behram Mowdawala to the City Survey Officer.
15. Death Certificate of Maneck Mowdawala issued by the MCGM bearing reference no. 19574
16. Death Certificate of Behram Mowdawala issued by the MCGM bearing reference no. 588.
17. Receipt dated 14th May, 1984 evidencing payment of non-agricultural assessment by Behram Mowadawala.
18. Notice dated 12th March, 2001 for payment of land revenue under section 168 of Maharashtra Land Revenue Code, from Circle Officer, Bandra addressed to Sorabji Mowdawala.
19. Notice dated 12th November, 2008 for payment of land revenue under section 168 of Maharashtra Land Revenue Code, from Circle Officer, Bandra addressed to Sorabji Mowdawala.
20. Receipt dated 4th December, 2008 bearing reference no. 0178391 evidencing payment of non-agricultural assessment to the tune of Rs. 513/- being the amount payable for 9 (Nine) years for the period from 2000-2009.
21. Special Notice dated 24th December, 2012 under section 162 (2) of the Mumbai Municipal Corporation Act, 1888 bearing reference no. HW9786 for the assessment year 2010-2011.
22. Property Tax bill dated 26th December, 2012 issued by Brihanmumbai Mahanagar Palika bearing bill no. 384362 addressed to Sorabji Mowdawala.
23. Complaint lodged by Sorabji Mowdawala against the capital value assessment fixed by MCGM under its letter dated 24th December, 2012.
24. Special Notice dated 23rd May, 2015 under section 162 (2) of the Mumbai Municipal Corporation Act, 1888 bearing reference no. HW29489 for the assessment year 2015-2016.

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25. Two Property Tax bills dated 29th May, 2017 issued by Brihanmumbai Mahanagar Palika bearing bill nos. 201710BIL06419985 and 201720BIL06419987 addressed to Sorabji Mowdawala.
26. Receipt dated 24th August, 2017 bearing reference no. 55991 issued by Brihanmumbai Mahanagar Palika with respect to bill nos. 201710BIL06419985 and 201720BIL06419987
27. Proposed Development Plan 2034 Remarks dated 22nd August 2017 bearing reference no. CHE/1266/D.P.Rev. issued by Municipal Corporation of Greater Mumbai with respect to the said Land.
28. Letter dated 14th September, 2017 bearing reference no. Dy. Ch. E/5209/Traffic from the Dy. Chief Engineer (Traffic) (MCGM), with respect to issuance of regular line remarks/road remarks for the said Land.

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ANNEXURE "B"**(LIST OF COPIES OF OTHER DOCUMENTS/LETTERS/WRITINGS PERUSED)**

1. Form HH Agreement dated 28th December, 1931 executed between the Mamlatdar, South Salsette of the One Part and the Darashaw Maneckshaw Marshall and Dhanbai Darashaw Marshall ("Original Purchasers") of the Other Part.
2. Intimation of Disapproval dated 1st June, 1965 bearing no. G.B./II/2160/A of 1965-1966 issued by the Municipal Corporation of Greater Mumbai in favour of Sohrabji D. Mowdawala
3. Letter dated 7th December, 1976 from Sorabji Darashaw Mowdawalla addressed to the Additional Collector and Competent Authority (Urban Ceiling), thereby filing Section 6(1) Statement under the provisions of the ULC Act with respect to the said Land.
4. Town Planning Scheme No. VI of Khar sanctioned with effect from 7th May, 1941 vide Government Notification dated 31st March, 1941 bearing reference no. 589/33 along with Form No. A i.e. Redistribution and Valuation Statement prepared by the Arbitrator under the provisions of Bombay Town Planning Act, 1915 and Final Scheme Plan No. 2, 3 and 4.
5. Death Certificate of Perinbai Mowdawala issued by the MCGM.
6. Property Register Card dated 27th July, 2017 issued by the office of the City Survey Officer, Bandra with respect to the said Land
7. Revised Development Plan Remark dated 27th July, 2018 issued by the Municipal Corporation of Greater Bombay with respect to the said Land.
8. Plot Plan dated 25th April, 1930 approved by the Collector, Bombay Suburban District.
9. Plan of the property bearing Survey No. 30 being Final Plot No. 11 (Part)admeasuring 37.67 square meters certified by an Architect on 21st July, 1930.
10. The true copy of the amended City Survey Plan dated 14th May, 1931 approved by the Salsette Development Officer.
11. The true copy of the layout plan of the said Property approved by the Municipal Corporation of Greater Mumbai under letter dated 23rd November, 1964 bearing reference no. 6BII/2160/AA.
12. Block Plan of the said Property dated 9th August, 1978 certified by Parelkar Dallas, Chartered Architects.