

Date: 21st November, 2023

To
Maharashtra Real Estate Regulatory Authority
6th & 7th floors
Housefin Bhavan
Plot No. C – 21, E – Block
Bandra Kurla Complex
Bandra (East)
Mumbai 400051

LEGAL TITLE REPORT

Sub: Title clearance report with respect to all that piece and parcel of land admeasuring 4451.56 square meters or thereabouts (as per the Indenture dated December 14, 1974) and 4265.50 square meters or thereabouts (as per property register cards) bearing CTS Nos. 418, 418/1 to 418/11 of village Deonar, taluka Kurla, Mumbai Suburban District, situate, lying and being at Deonar Farm Road, Chembur, Mumbai – 400088 ("**Land**") together with structures including a cottage bungalow known as 'Deonar Cottage', servant quarters and garage standing thereon (collectively as "**Structures**"), and bounded as under:

| | |
|--------------------------|--|
| On or towards the East: | Existing Nallah; |
| On or towards the West: | CTS No. 414, property formerly of Berozbai w/o Ardeshir Nareilwalla; |
| On or towards the North: | Existing Nallah; and |
| On or towards the South: | 13.40 meter wide Road. |

The Land and the Structures are hereinafter collectively referred to as the "**Property**".

1. We have investigated the title of the Property based on the request of Godrej Properties Limited ("**Company**").

(1) Description of Property:

All that piece and parcel of land admeasuring 4451.56 square meters or thereabouts (as per the Indenture dated December 14, 1974) and 4265.50 square meters or thereabouts (as per property register cards) bearing CTS Nos. 418, 418/1 to 418/11 of village Deonar, taluka Kurla, Mumbai Suburban District, situate, lying and being at Deonar Farm Road, Chembur, Mumbai – 400088 together with structures including a cottage bungalow known as 'Deonar Cottage', servant quarters and garage standing thereon, and bounded as under:

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| On or towards the East: | Existing Nallah; |
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On or towards the North: Existing Nallah; and
On or towards the South: 13.40 meter wide Road.

(2) The Documents pertaining to the Property:

We have perused the copies of the title documents of the Property, listed under the report annexed hereto as **Annexure "A"**, including the following:

Indenture of Conveyance dated February 16, 2023 registered with the Sub-registrar of Assurances under Serial No. KRL – 1/3434/2023 executed between Mr. Randhir Ranbir Raj Kapoor, Mrs. Rima Jain, Ms. Nitasha Nanda, Mr. Nikhil Nanda and Mrs. Neetu Rishi Kapoor and the Company.

(3) 7/12 Extract / Property Register Card:

The Property Register Card/s in respect of CTS Nos. 418, 418/1 to 418/11 of village Deonar, taluka Kurla issued by the concerned authority bears the name of the Company as the holder thereof.

(4) Search Report:

- Land Search Reports dated May 28, 2021 and July 4, 2023 issued by Mr. Ashish Javeri, Title Investigator for searches taken at the concerned office/s of the Sub-Registrar of Assurances; and
 - Other search reports as listed under the report, annexed hereto as **Annexure "A"**, hereto.
2. Upon perusal of the above-mentioned documents and all other relevant documents pertaining to the title of the Property, we are of the opinion that the title of the Company i.e., Godrej Properties Limited to the Property i.e., all that piece and parcel of land admeasuring 4451.56 square meters or thereabouts (as per the Indenture dated December 14, 1974) and 4265.50 square meters or thereabouts (as per property register cards) bearing CTS Nos. 418, 418/1 to 418/11 of village Deonar, taluka Kurla Mumbai Suburban District, situate, lying and being at Deonar Farm Road, Chembur, Mumbai – 400088 together with structures including a cottage bungalow known as 'Deonar Cottage', servant quarters and garage standing thereon is clear, marketable and without any encumbrance (except as disclosed hereunder):

(1) Qualifying comments/ remarks, if any – None

OWNERS OF THE LAND:

Godrej Properties Limited is the owner of the Property and has acquired such ownership rights vide a Deed of Conveyance dated February 16, 2023 registered with the Sub-registrar of Assurances under Serial No. KRL1 – 3434 – 2023.

3. The report reflecting the flow of title in respect of the Property is enclosed herewith as **Annexure "A"** hereto.



Dated this 21st day of November, 2023.



Sagar Kadam
Partner
DSK Legal

Encl.: As above



Annexure "A"

Re: All that piece and parcel of land admeasuring 4451.56 square meters or thereabouts (as per the Indenture dated December 14, 1974) and 4265.50 square meters or thereabouts (as per property register cards) bearing CTS Nos. 418, 418/1 to 418/11 of village Deonar, taluka Kurla, Mumbai Suburban District, situate, lying and being at Deonar Farm Road, Chembur, Mumbai – 400088 ("**Land**") together with structures including a cottage bungalow known as 'Deonar Cottage', servant quarters and garage standing thereon (collectively as "**Structures**"), and bounded as under:

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| On or towards the East: | Existing Nallah; |
| On or towards the West: | CTS No. 414, property formerly of Berozbai w/o Ardeshir Nareilwalla; |
| On or towards the North: | Existing Nallah; and |
| On or towards the South: | 13.40 meter wide Road. |

The Land and the Structures are hereinafter collectively referred to as the "**Property**".

As per your instructions, we have investigated the title of the Property based on the request of the Company i.e., Godrej Properties Limited and for the same, perused copy of the documents listed in **Annexure "1"** hereto:

For the purposes of this Legal Title Report:

1. We have caused searches to be conducted by Mr. Ashish Javeri, Title Investigator, who has conducted independent searches/investigations in respect of the Property in the offices of the Registrar/Sub-Registrar of Assurances in Mumbai as well as the relevant land registries. We have relied on his report dated May 28, 2021 and the updated report dated July 4, 2023 and the same are separately provided. Upon perusal of the aforementioned reports, we note *inter-alia*, that a notice of lis pendens dated June 11, 2014 registered with the Sub-registrar of Assurances under Serial No. KRL – 4/5169/2014 has been filed in respect of Suit No. 745 of 2012 by Messrs. Zenith Enterprises against Zenith Park Co-operative Housing Society Limited before the Hon'ble High Court of Judicature at Bombay. Upon perusal of the papers and proceedings in respect of the aforesaid Suit No. 745 of 2012, we note that the said Suit does not pertain to the Property. Except the aforesaid lis pendens, the said reports do not reveal any adverse entries in respect of the Property.
2. We have caused searches to be conducted by Varsha V. Shenoy, Company Secretary, in the office of the Registrar of Companies in Mumbai in respect of the Company. We have relied on their report dated July 10, 2023, and the same is separately provided.
3. We have not caused any public notices to be issued in respect of the Property.
4. We have not opined on the development potential of the Property.
5. We have not carried out any physical inspection of the Property or any part thereof.
6. We have assumed the devolution of title of the Property on the basis of the documents provided to us.



7. Since verifying pending litigations in respect of properties becomes difficult due to various reasons including (i) litigations can be filed/instituted in various fora depending upon the relief claimed; and/or (ii) records of litigations maintained by courts and other authorities (judicial or otherwise) are not updated nor maintained descriptively and not easily available/accessible; and/or (iii) there are no registers maintained in respect of matters referred to arbitration, we have not conducted any searches before any court of law or before any other authority (judicial or otherwise) to verify whether the Property is subject matter of any litigation. In this regard, we have been informed by the representatives of the Company that there are no pending litigation/s in respect of the Property.
8. We have relied upon the Report on Title dated February 14, 2023 issued by Saraf & Partners, Law Offices in respect of the Property.
9. We have assumed that:
 - all documents submitted to us as photocopies or other copies of originals conform to the originals and all such originals are authentic and complete;
 - all signatures and seals on any documents submitted to us are genuine;
 - there have been no amendments or changes to the documents examined by us; and
 - the legal capacity of all natural persons are as they purport it to be.

Based on the aforesaid, we have to report as under:

FLOW OF TITLE:

- A. By an Indenture dated December 14, 1974 registered with the office of the Sub-Registrar of Assurances at Bombay under Serial no. BOM/S-4460 of 1974, Indrajit Chamanlal Parekh sold, transferred and conveyed the Property in favour of Ranbir Raj Kapoor, in the manner therein contained.
- B. Ranbir Raj died intestate on June 2, 1988 leaving behind him Mrs. Krishna Raj Kapoor (now deceased) ("**Krishna**"), Mrs. Rima Jain ("**Rima**"), Mr. Randhir Raj Kapoor ("**Randhir**"), Mrs. Ritu Nanda (now deceased) ("**Ritu**"), Mr. Rishi Raj Kapoor (now deceased) ("**Rishi**") and Mr. Rajiv Raj Kapoor (now deceased) ("**Rajiv**"), as his legal heirs and representatives, each of which were seized and possessed of and/or otherwise well and sufficiently entitled to their respective 1/6th undivided share, right, title and interest in the Property.
- C. Krishna died on October 1, 2018 leaving behind her Last Will and Testament dated April 7, 2018 registered with the Sub-registrar of Assurances under Serial No. KRL – 5/4749/2018 ("**Krishna's Will**"). By and under Krishna's Will, Krishna had *inter-alia*, bequeathed her 1/6th undivided share, right, title and interest in the Property in favour of Rima, Randhir, Ritu, Rishi and Rajiv, to be held by them in equal shares.
- D. Pursuant to a Petition No. 2932 of 2018 filed before the Hon'ble High Court of Judicature at Bombay ("**Hon'ble High Court**"), vide its Order dated December 19, 2018, the Hon'ble High Court granted probate in respect of Krishna's Will in favor of Mr. Manoj



Prakash Jain, Mr. Racherla Prasad Rao, and Mr. Rakesh Shrivastava (as executors to Krishna's Will).

- E. By and under a Deed of Transfer dated March 1, 2019, registered with the Sub-registrar of Assurances under Serial No. KRL – 3/2860/2019, Mr. Manoj Prakash Jain, Mr. Racherla Prasad Rao, and Mr. Rakesh Shrivastava (as executors to Krishna's Will) transferred Krishna's 1/6th undivided share, right, title and interest in the Property in favour of Rima, Randhir, Rishi, Ritu and Rajiv, to be held by them, each holding 1/5th undivided share, right, title and interest in the same.
- F. Ritu died on January 14, 2020 leaving behind her Last Will and Testament dated October 29, 2018 ("**Ritu's Will**"). By and under Ritu's Will, Ritu has *inter-alia*, bequeathed, her 1/5th share in the Property to her children (i) Mr. Nikhil Nanda ("**Nikhil**") and (ii) Ms. Nitasha Nanda ("**Nitasha**").
- G. Pursuant to a Testamentary Petition No. 1017 of 2020 filed before the Hon'ble High Court, vide its Order dated January 12, 2021, the Hon'ble High Court granted probate in respect of Ritu's Will in favor of Nikhil and Nitasha (as executor and executrix to Ritu's Will).
- H. By and under a Deed of Transfer dated July 23, 2022 registered with the Sub-registrar of Assurances under Serial No. KRL – 5/16679 of 2022, Nikhil and Nitasha (as executor and executrix to Ritu's Will) transferred Ritu's 1/5th undivided share, right, title and interest in the Property in favor of themselves, as beneficiaries under Ritu's Will, in the manner contained therein. Accordingly, Nikhil and Nitasha, each became entitled to 1/10th undivided share, right, title and interest in the Property.
- I. Rishi died on April 30, 2020 leaving behind his Last Will and Testament dated September 29, 2018 ("**Rishi's Will**"). As Rishi's Will does not make any specific mention of his 1/5th undivided share, right, title and interest in the Property, therefore, as per the residual clause of Rishi's Will, Rishi's 1/5th undivided share, right, title and interest in the Property was bequeathed to his wife, Mrs. Neetu Rishi Kapoor ("**Neetu**").
- J. Pursuant to a Petition No. 1673 of 2021 filed before the Hon'ble High Court, vide its Order dated September 20, 2021 granted probate in respect of Rishi's Will in favor of one Mr. Bimal Parekh (as the sole executor to Rishi's Will).
- K. By and under a Deed of Transfer dated July 25, 2022 registered with the Sub-registrar of Assurances under Serial No. KRL – 4/15686/2022, Mr. Bimal Parekh (as the sole executor to Rishi's Will) transferred Rishi's 1/5th undivided share, right, title and interest in the Property in favor of Neetu, in the manner contained therein. Accordingly, Neetu became entitled to Rishi's 1/5th undivided share, right, title and interest in the Property.
- L. Rajiv died intestate on February 9, 2021. Accordingly, Randhir and Rima, being the only surviving legal heirs of Rajiv filed a Testamentary Petition No. 1042 of 2021 before the Hon'ble High Court and vide its Order dated June 22, 2021, the Hon'ble High Court issued Letters of Administration in respect of the properties and credits of Rajiv.
- M. By and under a Deed of Transfer dated September 17, 2021 registered with the office of Sub-registrar of Assurances under Serial No. KRL – 4/17004/2021, Randhir and Rima (as the administrators of the Letters of Administration issued in respect of the properties and credits of Rajiv) transferred Rajiv's 1/5th undivided share, right, title and interest in the Property in favor of themselves, in the manner contained therein. Accordingly, Randhir



and Rima, became entitled to Rajiv's 1/5th undivided share, right, title and interest in the Property, in equal shares.

- N. In view of the aforesaid, Randhir, Rima, Nikhil, Nitasha and Neetu, have become entitled to the Property, in the following manner:

| Sr. No. | Name of owner/holder | % of the undivided share, right, title and interest in the Property |
|---------|----------------------|---|
| 1. | Randhir | 3/10 |
| 2. | Rima | 3/10 |
| 3. | Nikhil | 1/10 |
| 4. | Nitasha | 1/10 |
| 5. | Neetu | 1/5 |

- O. By and under a Deed of Conveyance dated February 16, 2023 registered with the Sub-registrar of Assurances under Serial No. KRL1 – 3434 – 2023, Randhir, Rima, Nikhil, Nitasha and Neetu sold, transferred, conveyed and assigned their respective undivided shares, rights, title and interests in the Property in favor of the Company, for the consideration and on the terms and conditions contained therein. In view thereof, the Company is entitled to the Property, as the owner thereof.

TITLE:

In view of the aforesaid, the Company's title to the Property is clear and marketable.

**SCHEDULE REFERRED TO HEREINABOVE
(DESCRIPTION OF THE PROPERTY)**

All that piece and parcel of land admeasuring 4451.56 square meters or thereabouts (as per the Indenture dated December 14, 1974) and 4265.50 square meters or thereabouts (as per property register cards) bearing CTS Nos. 418, 418/1 to 418/11 of village Deonar, taluka Kurla, Mumbai Suburban District, situate, lying and being at Deonar Farm Road, Chembur, Mumbai – 400088 together with structures including a cottage bungalow known as 'Deonar Cottage', servant quarters and garage standing thereon, and bounded as under:

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| On or towards the West: | CTS No. 414, property formerly of Berozbai w/o Ardeshir Nareilwalla; |
| On or towards the North: | Existing Nallah; and |
| On or towards the South: | 13.40 meter wide Road. |

This report is based on the provisions of applicable law, prevailing at the present time and the facts of the matter, as we understand them to be. Our understanding is based upon and limited to the information provided to us. Any variance of facts or of law may cause a corresponding change in our report.



[Handwritten signature]

Annexure 1
List of title documents in respect of the Property

1. Copy of Last Will and Testament dated April 7, 2018 registered with the Sub-registrar of Assurances under Serial No. KRL – 5/4749/2018.
2. Copy of Order dated December 19, 2018 granted in Petition No. 2932 of 2018 filed before the Hon'ble High Court.
3. Copy of Deed of Transfer dated March 1, 2019, registered with the Sub-registrar of Assurances under Serial No. KRL – 3/2860/2019.
4. Copy of Last Will and Testament dated October 29, 2018 of Mrs. Ritu Nanda (now deceased).
5. Copy of Order dated January 12, 2021 granted in Testamentary Petition No. 1017 of 2020 filed before the Hon'ble High Court.
6. Copy of Deed of Transfer dated July 23, 2022 registered with the Sub-registrar of Assurances under Serial No. KRL – 5/16679 of 2022.
7. Copy of Last Will and Testament dated September 29, 2018 of Mr. Rishi Kapoor (now deceased).
8. Copy of Order dated September 20, 2021 granted in Petition No. 1673 of 2021 filed before the Hon'ble High Court.
9. Copy of Deed of Transfer dated July 25, 2022 registered with the Sub-registrar of Assurances under Serial No. KRL – 4/15686/2022.
10. Copy of Order dated June 22, 2021 granted in Testamentary Petition No. 1042 of 2021 filed before the High Court.
11. Copy of Deed of Transfer dated September 17, 2021 registered with the office of Sub-registrar of Assurances under Serial No. KRL – 4/17004/2021.
12. Copy of Deed of Conveyance dated February 16, 2023 registered with the Sub-registrar of Assurances under Serial No. KRL1 – 3434 – 2023.
13. Copy of Property register cards.
14. Land search reports dated May 28, 2021 and July 4, 2023.
15. ROC search report dated July 10, 2023.

