

B.VENKAT REDDY
Advocate

Plot No.110, 1st Floor,
Nava Nirman Nagar,
Road No.71, Jubilee Hills,
Hyderabad-500033
Cell: +91-9848712442

Email: avjnlawassociates@gmail.com

To
M/s AQUA SPACE DEVELOPERS PVT. LTD.,
My Home Hub, Madhapur, Hyderabad.

Date: 18-05-2022

Sir,

Sub:- **LEGAL OPINION** on the title in respect of the subject property
herein – furnished herewith – Reg.

##

I. DESCRIPTION OF THE SUBJECT PROPERTY:

All that the land totally admeasuring **80,750.64 Sq.yds or Ac.16-684 Cents** (comprising of Plot No.3 admeasuring 37,452 Sq.yds or Ac.7-738 Cents & Plot No.4 admeasuring 43,298.64 Sq.yds or Ac.8-946 Cents) in Sy.Nos.239 & 240 in "NEOPOLIS Layout", situated at Kokapet Village, Gandipet Mandal, Ranga Reddy District, Telangana (hereinafter to be referred as "Project Land"), which is being developed into a Multi-Storied Residential Apartment Complex known as **NISHADA** consisting of:-

- (a) Eight (8) Towers each Tower consisting of 4 Basements + Ground + 44 Upper Floors comprising of Residential Flats;
- (b) Amenity Block (Club House) consisting of 4 Basements + Ground + 4 Upper Floors and Temple.

II. NAME OF THE CAPTIONED OWNER AND DEVELOPER/PROMOTER:

M/s AQUA SPACE DEVELOPERS PVT. LTD. [PAN: AAHCA0369E], a Company incorporated under the Companies Act, 1956 and having its Registered Office at H.No.1-123, 8th Floor, Block-3, My Home Hub, Madhapur, Hyderabad-500081, Telangana, represented by its **Director: Sri Jupally Vinod**, S/o Dr. Sri J.Rameswar Rao, aged 38 years, Occ: Business, R/o H.No.8-2-293/82/NG/53, Plot No.53, Nandagiri Hills Co-operative Housing Society, Jubilee Hills, Hyderabad-500033, Telangana.

III. LIST OF DOCUMENTS PERUSED BY ME:

Sl. No.	Description of the document	Date of document	Xerox/ Original verified

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1.	Memo No.77603/Assn.V(2)/1996-10 issued by the Government of Andhra Pradesh in respect of the land in Sy.Nos.239 & 240 of Kokapet Village.	17-11-1999	Xerox
2.	Panchanama conducted by the Mandal Revenue Officer, Rajendranagar Mandal, Ranga Reddy District in respect of the land in Sy.Nos.239 & 240 of Kokapet Village.	06-01-2000	Xerox
3.	G.O.Ms.No.85 (MA&UD) Department issued by the Government of Andhra Pradesh.	28-02-2011	Xerox
4.	G.O.Ms.No.242 (MA&UD) Department issued by the Government of Telangana.	09-09-2019	Xerox
5.	G.O.Ms.No.13 Industries & Commerce (IP&INF) Department issued by the Government of Telangana.	10-06-2021	Xerox
6.	Notification for Bids bearing RC.No.1944/EMU/KKPT/HMDA/2019 issued by the Hyderabad Metropolitan Development Authority.	15-06-2021	Xerox
7.	Confirmation -cum- Allotment Letter bearing Lr.No.1944-3/3/EMU/KKPT/HMDA/2019 issued by the Hyderabad Metropolitan Development Authority in favour of M/s Aqua Space Developers Pvt. Ltd. in respect of Plot No.3 of Kokapet Village, Gandipet Mandal, Ranga Reddy District.	30-07-2021	Xerox
8.	Confirmation -cum- Allotment Letter bearing Lr.No.1944-5/4/EMU/KKPT/HMDA/2019 issued by the Hyderabad Metropolitan Development Authority in favour of M/s Aqua Space Developers Pvt. Ltd. in respect of Plot No.4 of Kokapet Village, Gandipet Mandal, Ranga Reddy District.	30-07-2021	Xerox
9.	Notice bearing Lr.No.1944-3/3/EMU/KKPT/HMDA/2019 issued by the Hyderabad Metropolitan Development Authority to M/s Aqua Space Developers Pvt. Ltd. in respect of Plot No.3 of Kokapet Village, Gandipet Mandal, Ranga Reddy District.	24-09-2021	Xerox
10.	Notice bearing Lr.No.1944-5/4/EMU/KKPT/HMDA/2019 issued by the Hyderabad Metropolitan Development Authority	24-09-2021	Xerox

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	to M/s Aqua Space Developers Pvt. Ltd. in respect of Plot No.4 of Kokapet Village, Gandipet Mandal, Ranga Reddy District.		
11.	G.O.Ms.No.125 Revenue (ASSN.II) Department issued by the Government of Telangana.	22-12-2021	Xerox
12.	Proceedings bearing Prcogs.No.LCI/5550/2021 issued by the Collector, Ranga Reddy District.	22-12-2021	Xerox
13.	Sale Deed executed by District Collector, Ranga Reddy District represented by the Tahsildar, Gandipet Mandal, Ranga Reddy District in favour of M/s Aqua Space Developers Pvt. Ltd. bearing registered document No.143 of 2022 with the office of Sub-registrar, Gandipet (in respect of Plot No.3).	05-01-2022	Xerox
14.	Sale Deed executed by District Collector, Ranga Reddy District represented by the Tahsildar, Gandipet Mandal, Ranga Reddy District in favour of M/s Aqua Space Developers Pvt. Ltd. bearing registered document No.145 of 2022 with the office of Sub-registrar, Gandipet (in respect of Plot No.4).	05-01-2022	Xerox
15.	Additional Mortgage executed by M/s Aqua Space Developers Pvt. Ltd. in favour of the Commissioner, Hyderabad Metropolitan Development Authority (HMDA) bearing registered document No.5403 of 2022 with the office of Sub-Registrar, Gandipet.	25-04-2022	Xerox
16.	Simple Mortgage executed by M/s Aqua Space Developers Pvt. Ltd. in favour of the Commissioner, Hyderabad Metropolitan Development Authority (HMDA) bearing registered document No.5404 of 2022 with the office of Sub-Registrar, Gandipet.	25-04-2022	Xerox
17.	Building Permit bearing Technical Approval No.5/SKP/PLG/HMDA/2022 issued by the Hyderabad Metropolitan Development Authority (HMDA) in favour of M/s Aqua Space Developers Pvt. Ltd. for construction of Multi-storied Residential Apartment Complex.	13-05-2022	Xerox
18.	Sanctioned and Approved Plan bearing Technical Approval No.5/SKP/PLG/HMDA/2022 issued by the Hyderabad Metropolitan Development	13-05-2022	Xerox

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	Authority (HMDA) in favour of M/s Aqua Space Developers Pvt. Ltd. for construction of Multi-storied Residential Apartment Complex.		
19.	Statement of Encumbrance on Property (in respect of Plot No.3) for the period from 01-01-1983 to 11-05-2022 issued by the office of Sub-Registrar, Gandipet.	12-05-2022	Xerox
20.	Statement of Encumbrance on Property (in respect of Plot No.4) for the period from 01-01-1983 to 11-05-2022 issued by the office of Sub-Registrar, Gandipet.	12-05-2022	Xerox

IV. BRIEF HISTORY OF THE SUBJECT PROPERTY TRACED OUT FROM THE AVAILABLE DOCUMENTS:

On perusal of **documents at Sl.Nos.13 & 14** of the above index i.e., Sale Deeds both dated 05-01-2022 bearing registered document Nos.143 of 2022 & 145 of 2022, from the recitals therein, it is evident that originally the State Government was the absolute owner and possessor of the larger extents of land in various survey numbers including the land in Sy.Nos.239 & 240 of Kokapet Village, the then Rajendranagar Mandal, now within the limits of Gandipet Mandal, Ranga Reddy District, Telangana and the State Government decided to handover possession of the said land to the then Hyderabad Urban Development Authority (HUDA), now known as Hyderabad Metropolitan Development Authority (HMDA) while permitting the Authority to conduct public auction for sale of Plots/land in the said survey numbers and accordingly the Government issued a **Memo No.77603/Assn.V(2)/1996-10, dated 17-11-1999** [i.e., **document at Sl.No.1** of the above index] directing the District Collector to handover advance physical possession of the land in Sy.Nos.239 & 240 of Kokapet Village to HUDA and in pursuance of the same, the Mandal Revenue Officer, Rajendranagar has conducted a **Panchanama on 06-01-2000** [i.e., **document at Sl.No.2** of the above index] and handed over the physical possession of the said land to HUDA/HMDA.

It is further evident that the State Government issued orders in **G.O.Ms.No.85, (MA&UD) Dept., dated 28-02-2011** [i.e., **document at Sl.No.3** of the above index], wherein, it was clarified and ratified the auctions conducted by the HUDA/HMDA from time to time and further clarified that all the sale proceeds realized on sale of lands/plots by the HUDA/HMDA are Government receipts and not receipts of HUDA/HMDA as the said Authority is only the agent of the Government and all the transactions conducted by the HUDA/HMDA are on behalf of the State Government. Further the Government has ratified the action of HUDA/HMDA in having credited the amounts from time to time so realized on sale of lands/plots mentioned in the references in the said order to the consolidated fund of the State treating the same as the Government receipts and also permitted the HUDA/HMDA to utilize the funds realized on sale of lands/plots for implementation of projects and development works as directed by the Government from time to time.

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It is further evident from the recitals of the said Sale Deeds that in pursuance thereof, the District Collector handed over the possession of the land in Sy.Nos.239 & 240 of Kokapet Village to HUDA under a cover of Panchanama dated 06-01-2000 and consequently, based on the orders issued in G.O.Ms.No.242 MA&UD (Plg.I) Department, dated 09-09-2019 and G.O.Ms.No.13, I&C (IP & INF) Department, dated 10-06-2021 [i.e., **documents at Sl.No.4 & 5** of the above index], the Hyderabad Metropolitan Development Authority (HMDA) being a nodal agency on behalf of the State Government has issued notification for bids dated 15-06-2021 [i.e., **document at Sl.No.6** of the above index] through website inviting bids for purchase and for development of **Plot No.3** admeasuring **7.738 Acres** and **Plot No.4** admeasuring **8.946 Acres** in **Survey Nos.239 & 240** in "**NEOPOLIS LAYOUT**" situated at **Kokapet Village**, Gandipet Mandal, Ranga Reddy District, Telangana, on multiple use zone basis and consequently the e-Auction was conducted on 15-07-2021 through M/s MSTC India Limited (GIE), in which the captioned owner hereinabove viz., M/s Aqua Space Developers Private Limited emerged as a highest bidder for the **Plot No.3** admeasuring **7.738 Acres** and **Plot No.4** admeasuring **8.946 Acres**, which totally admeasuring Ac.16-684 Cents and the same was confirmed vide Confirmation -cum- Allotment Letters both dated 30-07-2021 [i.e., **documents at Sl.Nos.7 & 8** of the above index] confirming the receipt of part of the bid amount from M/s Aqua Space Developers Private Limited and it is further evident that in pursuance thereof, the HMDA issued two Notices bearing Lr.Nos.1944-3/3/EMU/HMDA/KKPT/2019 & 1944-5/4/EMU/HMDA/KKPT/2019, both dated 24-09-2021 [i.e., **documents at Sl.Nos.9 & 10** of the above index] informing that out of the total bid amount of Rs.281,66,32,000/- in respect of the Plot No.3, the bidder has paid Rs.97,94,88,560/- and out of the total bid amount of Rs.350,68,32,000/- in respect of Plot No.4, the bidder has paid Rs.120,72,54,560/- and further directed the bidder to pay the balance bid amount of Rs.183,71,43,440/- pertaining to Plot No.3 and Rs.229,95,77,440/- pertaining to Plot No.4 and accordingly the bidder has paid the same to the account of HMDA from time to time.

It is further evident that the HMDA vide Lr.No.1944/EMU/KKPT/H/2021, dated 02-12-2021, requested the Special Chief Secretary to the Government of Telangana, Revenue Department to provide the power and authorization to any authority to execute and register the Sale Deed/s on behalf of the Government in respect of the said plots (in the NEOPOLIS Layout) and in pursuance of the same, the Government of Telangana represented by its Chief Secretary vide G.O.Ms.No.125, Revenue (ASSN.II) Dept., dated 22-12-2021 [i.e., **document at Sl.No.11** of the above index] permitted and authorized the District Collector, Ranga Reddy District to execute the Sale Deeds in favour of the successful bidders by himself or by the person authorized by him on behalf of the Government and further in pursuance of the same, the District Collector, Ranga Reddy District vide Orders dated 22-12-2021 in Procs.No.LC1/5550/2021 [i.e., **document at Sl.No.12** of the above index] permitted, authorized and empowered the Tahsildar, Gandipet Mandal, Ranga Reddy District to execute and register the Sale Deed/s in favour of the successful bidders of the plots in the said layout including the Subject Plots.

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It is further evident that in pursuance of the above, the District Collector, Ranga Reddy District, Telangana executed two (2) Sale Deeds both dated 05-01-2022 in favour of **M/s Aqua Space Developers Pvt. Ltd. [i.e., Captioned Company herein]** duly alienating, conveying and transferring the subject land herein and the same were registered as document Nos.143 of 2022 & 145 of 2022 with the office of Sub-Registrar, Gandipet [i.e., document Nos.13 & 14 of the above index] and in terms of the same, the subject land herein is alienated for the purpose of development of Multiple Use Zone for commercial, Residential, Retail and entertainment with no requirement of further reclassification of land use and the captioned company herein viz., **M/s Aqua Space Developers Pvt. Ltd.** either itself or by forming into SPV or its successors-in-interest shall be solely responsible for the purpose of design, development, construction, marketing, operation and maintenance of the project on the said land and entitled to make constructions and develop the land into Multiple use Zone and it is further stipulated in the Sale Deeds that the subject property herein with all its privileges, easements and benefits attached thereto shall stand absolutely vested in the captioned company herein.

On perusal of **document at Sl.No.15** of above index, i.e., Additional Mortgage dated 25-04-2022 bearing registered document No.5403 of 2022, it is evident from therein that in compliance of the G.O.Ms.No.8 MA dt.13-10-2014, the captioned company herein executed the Deed of Simple Mortgage and handed over the **5%** proposed built-up area in Tower-1 – 5th Floor (Part), 6th Floor and 7th Floor and in Tower-2 – 5th Floor, 6th Floor and 7th Floor and in Tower-3 – 5th Floor, 6th Floor and 7th Floor (Part) and in Tower-4 – 5th Floor and 6th Floor and in Tower-5 – 5th Floor and 6th Floor and in Tower-6 – 5th Floor and 6th Floor and in Tower-7 – 5th Floor and 6th Floor and in Tower-8 – 5th Floor and 6th Floor of the Residential Building mortgaged in favour of the Commissioner, Hyderabad Metropolitan Development Authority. In case the captioned company herein violates any of the terms and conditions of the sanctioned plans, the captioned company herein thereby authorized the Commissioner, HMDA to dispose of the 5% of total built-up area admeasuring 25,809.46 Sq.mts or 30,867.86 Sq.yds or 2,77,810.7 Sq.ft [out of total built-up area admeasuring 5,15,583.89 Sq.mts or 6,16,633.2 Sq.yds or 55,49,698.8 Sq.ft] as mentioned in area statement table and recover the said special impact fee in the event of the captioned company fails to pay such installments as agreed by it and the captioned company has no objection of whatsoever nature.

On perusal of document at **Sl.No.16** of above index, i.e., Simple Mortgage dated 25-04-2022 bearing registered document No.5404 of 2022, it is evident from therein that in compliance of the G.O.Ms.No.86 MA dt.31-03-2006, G.O.Ms.No.171 MA dt.19-04-2006 & G.O.Ms.No.623 MA dt.01-12-2006, G.O.Ms.No.168 MA dt.07-04-2012, the captioned company herein had handed over **10%** area in Tower-1 – Ground Floor, 1st Floor, 2nd Floor, 3rd Floor, 4th Floor and 5th Floor (Part) and in Tower-2 – Ground Floor, 1st Floor, 2nd Floor, 3rd Floor and 4th Floor and Tower-3 – Ground Floor, 1st Floor, 2nd Floor, 3rd Floor, 4th Floor and in Tower-4 – Ground Floor, 1st Floor, 2nd Floor, 3rd Floor, 4th Floor and 5th Floor and in Tower-5 – Ground Floor, 1st Floor, 2nd Floor, 3rd Floor and 4th Floor and in Tower-6 – Ground Floor, 1st Floor, 2nd Floor, 3rd Floor, 4th Floor and in Tower-7 – Ground Floor, 1st Floor, 2nd Floor, 3rd Floor and 4th Floor and in Tower-8 – Ground

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Floor, 1st Floor, 2nd Floor, 3rd Floor and 4th Floor and mortgaged the same in favour of the Commissioner, Hyderabad Metropolitan Development Authority. In case the captioned company herein violates any of the terms and conditions of the sanctioned plans, the captioned company herein thereby authorized the Metropolitan Commissioner, HMDA to dispose of the 10% of the total built-up area of 5,15,583.89 Sq.mts or 6,16,633.2 Sq.yds or 55,49,698.86 Sq.ft as the case may be by way of sale after duly removing the violated/deviated portions if any such action is initiated by the Commissioner, HMDA for the violations committed by the captioned company, it has no objection of whatsoever.

On perusal of **documents at Sl.Nos.17 & 18** of the above index, i.e., Permit and Sanctioned Plan dated 13-05-2022, it is evident that the captioned company herein submitted application/s to the Hyderabad Metropolitan Development Authority (HMDA) seeking permit for construction of Multi-storied Residential Apartment Complex on the subject project land herein and consequently, the HMDA granted Permit and Sanction bearing Technical Approval No.5/SKP/PLG/HMDA/2022, dated 13-05-2022 and named the said Complex as **"NISHADA"** which is consisting of:-

- (i) Eight (8) Towers each Tower consisting of 4 Basements + Ground + 44 Upper Floors comprising of Residential Flats;
- (ii) Amenity Block (Club House) consisting of 4 Basements + Ground + 4 Upper Floors and Temple.

On perusal of **documents at Sl.Nos.19 & 20** of the above index, i.e., Two Statements of Encumbrance on Property both dated 12-05-2022, it is evident from therein that there are no registered charges or encumbrances of whatever kind in respect of the subject property herein for the period from 01-01-1983 to 11-05-2022.

V. CONCLUSION: On perusal of all the documents referred to above and also on the basis of detailed discussion supra, I am ultimately of the opinion that the captioned company hereinabove viz., **M/s Aqua Space Developers Pvt. Ltd.** is the absolute owner and possessor of the land totally admeasuring **80,750.64 Sq.yds or Ac.16-684 Cents** (comprising of Plot No.3 admeasuring 37,452 Sq.yds or Ac.7-738 Cents and Plot No.4 admeasuring 43,298.64 Sq.yds or Ac.8-946 Cents) in Sy.Nos.239 & 240 in "NEOPOLIS Layout, situated at Kokapet Village, Gandipet Mandal, Ranga Reddy District, Telangana [i.e., Subject Project Land herein] and further the link/flow of title is also traced out ultimately in favour of the Captioned Company hereinabove and all the documents referred to above do not suffer from any sort of legal infirmities and thus the captioned company herein has also obtained Permit and Sanctioned Plan described above from the HMDA for construction of the Multi-storied Residential Apartment Complex under the name and style of **"NISHADA"** on the subject project land herein in compliance of all the relevant provisions of the statutes and rules made there-under.

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I am of further opinion that after the project is registered with the competent Authority under the provisions of the Real Estate (Regulation and Development) Act, 2016, the captioned company hereinabove is authorized, empowered and entitled to alienate all the Residential Flats/Apartments to any of the prospective purchasers and receive sale consideration and it is further entitled to execute Agreements of Sale/Sale Deed/s in respect of all the Residential Flats in the entire project (developed on the subject project land herein) in favour of the prospective purchasers and upon purchase of the same, such prospective purchasers will acquire valid, legal and marketable title in and over such Residential Flats/Apartments and however the captioned owner/company hereinabove is bound to adhere to the various terms and conditions stipulated in the Permit and Sanctioned Plan issued by the HMDA Authorities for construction of the Multi-storied Residential Apartment Complex and only on complying with all such conditions and upon completion of the construction of the said Multi-storied Residential Apartment Complex, the said Authority will further issue an Occupancy Certificate.

This Legal Opinion is given accordingly and all the documents furnished to me are returned herewith



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Advocate