



TITLE CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

At the request from my client Marathon Realty Private Limited (hereinafter referred to as "the owner"), I have investigated the title of owner with respect to land bearing Plot Nos. 28, 29, 30 and 31 situate lying and being at City Survey No. 551/13 admeasuring 11,455 sq. mtrs. (13,700 sq. yds) as per conveyance and now admeasuring 11,281.77 sq. mtrs. at Village - Nahur, Taluka Kurla, Mumbai Suburban District, within the limits of Municipal Corporation of Greater Mumbai situated at Madan Mohan Malviya Road, Mulund West, Mumbai - 400 080, within the registration District and Sub-District Mumbai Suburban (hereinafter referred to as the "Said Property") and more particularly described in the schedule hereunder written.

A. HISTORY OF TITLE

On perusal of the documents provided to me by the owner, I state that, by virtue of Deed of Conveyance dated 10th March, 1966 duly registered with the Sub-Registrar of Assurances at Mumbai under Serial No. 562 on 14th March, 1966 whereby, Minerva Dealers Private Limited (referred therein as "Vendor" of the First Part) and Mr. Pradyuman Harilal Trivedi and Mr. Ghanshyam Harilal Trivedi (referred therein as "Conforming Party" of the Second Part) sold the Said Property i.e. Plot Nos. 28, 29, 30 and 31 more particularly described in the Schedule hereunder to Chaganlal Khimaji and Company Limited.

B. TRANSFER OF RIGHTS IN FAVOUR OF CHHAGANLAL KHIMJI & CO.LTD

By an Articles of Agreement dated 25th September, 1972 executed between (i) Mr. Harilal Jatashankar Trivedi, and 15 others in their capacity as partners of the said Partnership Firm Known as M/s. Chhaganlal Khimaji & Company therein, whereby the business of the said Chhaganlal Khimaji & Co. Ltd. took over the business of the M/s Chhaganlal Khimaji & Company together with all the assets, properties, movable and immovable including the Said Property, and the debts, outstanding, liabilities and together with the benefit of all quotas, licenses, contracts, rights, benefits and advantages of whatsoever kind and nature pertaining to the business at or for a consideration and on the terms and conditions more particularly mentioned therein and on the basis of



that Registrar of Companies issued a Certificate of incorporation to "Chhaganlal Khimaji and Company Ltd." Became thus "owner" of the said property.

C. CHANGE OF NAME

M/s. Chhaganlal Khimaji and Company Limited was converted into Private Limited Company namely "Chhaganlal Khimji and Company Private Limited" on 21st November, 2008 and certificate of incorporation from Registrar of Companies was issued to this effect.

D. AMALGAMATION OF CHHAGANLAL KHIMJI & CO. LTD. WITH MRPL

Pursuant to the Scheme of the Amalgamation approved by the Hon'ble High Court Bombay Vide its Order dated 10th August, 2012 in the Companies Scheme Petition No. 308/2010 connected with Company Summons for the direction No. 852/11, U/s 391, 394 of Companies Act, 1956 with effect from appointed dated i.e. 1st April, 2010. The entire business and undertaking including all its properties and assets of whatsoever nature of Chhaganlal Khimaji and Company Private Limited i.e. "the said property" more particularly described in the schedules hereunder written are under the provisions of the aforesaid sections of the Companies Act, 1956 be transferred and / or deemed to be transferred and vested in the Marathon Realty Pvt. Ltd. so as to become the properties assets of the Marathon Realty Private Limited (hereinafter Marathon Realty Private Limited Company referred to as the "MRPL"). The said Scheme is duly adjudicated by the Collector of the Stamps, Mumbai on 26th November, 2012 vide its Certificate bearing No. ADJ/265/2012/211 u/s. 32 (1) (b) of the Bombay Stamps Act, 1958 and accordingly the same was registered with the Sub-Registrar of Kurla No. 1 under bearing No. KRL-1-11345 of 2012 on 4th December, 2012. Hence, MRPL became the owner of "the Said Property" more particularly described in the schedule hereunder.

E. DEVELOPMENT

The owner intend to Develop the said property which is described in the schedule hereunder written.

Presently we are concern with the title of Marathon Realty Pvt. Ltd. to the development on the land described in the schedule hereunder written, consisting of:



- a) Monte Vista – 2 level basement for PPL Parking Plus Lower Ground part for PPL Parking Plus Ground Plus 1st to 6th Part Plus 7th to 33rd Upper residential Floor.
- b) Monte Carlo - Residential building 2 level basement for PPL Parking Plus Lower Ground floor Part for PPL parking plus Ground Floor plus 1st to 4th partly Residential and partly Parking Floors plus 5th Service Floor plus 6th Floor Podium and amenities plus 7th to 43rd Floor and Proposed upto 47th Floors.
- c) Monte Plaza - (Commercial Building) – Ground Floor shops and First Commercial Floor and proposed Two Commercial Upper Floors
- d) Public Parking Lot : Lower Ground (Part) plus I to III Basement (beyond the building line of Monte Vista and Monte Carlo building)
- e) Parking: Lower Ground (Part) plus stilt plus 1 to 3 parking Floors having the provision of additional recreational space on top.
- f) Amenity Building: Ground Plus 1st Floor Plus Service Floor already handed over to Municipal Corporation Greater Mumbai (MCGM).

F. APPROVALS AND SANCTIONS

- I. By and under the letter dated 7th September, 2007 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted the Intimation of Disapproval for proposed building on the said property on the terms and conditions as specified therein.
- II. By and under the letter dated 13th December, 2007 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- III. By and under the letter dated 17th May, 2008 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan



Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.

- IV. By and under the letter dated 3rd March, 2009 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- V. By and under the letter dated 4th April, 2009 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- VI. By and under the letter dated 1st September, 2009 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- VII. By and under the letter dated 8th January, 2010 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- VIII. By and under the letter dated 28th January, 2010 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- IX. By and under the letter dated 9th February, 2011 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals)



(E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.

- X. By and under the letter dated 26th December, 2011 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- XI. By and under the letter dated 18th May, 2013 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- XII. By and under the letter dated 16th January, 2014 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- XIII. By and under the letter dated 28th February, 2014 bearing No. TPB/4312/414/P.K.99/2012/NV-11 addressed by Secretary, State of Maharashtra to The Commissioner, Brihan Mumbai Mahanagar Palika, the State has granted its approval for development of public parking Scheme on the City Survey No. 551/13 of Village Nahur, Madan Mohan Malviya Road, Mulund (West), Mumbai on the terms and conditions as specified therein.
- XIV. By and under the letter dated 29th March, 2014 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to Chhaganlal Khimji & Co. Private Limited, the Brihan Mumbai Mahanagar Palika has issued its permission for occupation for Wing 'B' (i.e Lower Ground (pt.) + Ground +



1st to 33rd Upper Floor) of the residential building and Wing 'C' amenity building for retail market (i.e Ground + 1st Floor + Service Floor) on the said property on the terms and conditions as specified therein.

- XV. By and under the letter dated 25th June, 2014 bearing No. Ch.E./627/MC/Roads & Tr./E-3 addressed by Chief Engineer (Roads & Traffic Department, Municipal Corporation of Greater Mumbai) to Marathon Realty Private Limited, the Municipal Corporation of Greater Mumbai has granted the LOI (Letter of Intent) for development of Public Parking Lot proposed under D C Regulation 33(24), on the said property on the terms and conditions as specified therein.
- XVI. By and under the letter dated 14th November, 2014 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.)-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- XVII. By and under the letter dated 27th January, 2016 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.)-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- XVIII. By and under the letter dated 25th May, 2016 bearing No. TPB/4312/414/P.K.99/2012/NV-12 addressed by Under Secretary, State of Maharashtra to the Commissioner of Brihan Mumbai Mahanagar Palika, Under Secretary informed that, as per the amendment carried out in DC Regulation 33(24) of Development Control Regulation 1991, in accordance with section 37(1AA)(C) dated 6th August, 2014, by the said letter informed the commissioner that the prevailing incentive FSI up to 40 % for proposed Public Parking Scheme is increased up to 50% and FSI Cap is enhanced from 2.5 to 3 as per the request made by Brihan Mumbai Mahanagar Palika by their letter dated 17th July, 2015.
- XIX. By and under the letter dated 25th October, 2016 bearing No. Ch.E./2031/MC/Roads & Tr. addressed by Chief Engineer (Roads & Traffic



Department, Municipal Corporation of Greater Mumbai) to Marathon Realty Private Limited, the Municipal Corporation of Greater Mumbai has granted its revised LOI (Letter of Intent) for development of Public Parking Lot proposed under D C Regulation 33(24), on the said property on the terms and conditions as specified therein.

- XX. By and under the letter dated 3rd April, 2017 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.
- XXI. By and under the letter dated 20th February, 2018 bearing No. CE/4789/BPES/AT addressed by Executive Engineer (Building Proposals) (E.S.).-II, Brihan Mumbai Mahanagar Palika to M/s Matrix, the Brihan Mumbai Mahanagar Palika has granted its approval for amended plan for proposed building on the said property on the terms and conditions as specified therein.

G. MORTGAGES AND CHARGES

- a) By indenture of Mortgage dated 26th March, 2008 executed and entered between Owners Chhaganlal Khimaji & Company Limited and IDBI Trusteeship Services Ltd., a security Trustee acting for and on behalf of LIC Housing Finance Limited (LICHFL) registered in the office of Sub-Registrar Suburban bearing Serial No. BDR14-01976-2008 registered on 28th March, 2008, whereby the owners had mortgaged with the Bank the said property which is described in the schedule therein and the same is more particularly described in schedule herein. However, there are no restrictions on the Owner in transferring or selling units / premises / flats in the said buildings named as Monte Vista and Monte Carlo to be constructed on the said property Chhaganlal Khimaji and Company Ltd.
- b) The aforesaid loan had repaid by the Chhaganlal Khimaji and Company Ltd. on 18th August, 2011 and the same was confirmed by the said "LICHFL" by their letter dated 20th August, 2011. Accordingly, Deed of Reconveyance was executed between IDBI Trusteeship Services Ltd., a security Trustee acting for and on behalf of LIC Housing Finance Limited (LICHFL) with Chhaganlal Khimaji and Company Pvt. Ltd on 25th August, 2011 and the



same was registered with the Sub-Registrar of Assurances, Kurla bearing Serial No. BDR14/06389/2011 on 25th August, 2011.

- c) By the indenture of Mortgage dated 10th August, 2011 ("the said Mortgage Deed") executed and entered by ICICI Home Finance Company Limited and having its Registered Office and its Corporate Office at ICICI Bank Towers, Bandra Kurla Complex, Mumbai 400 051 ("the Said ICICIFHCL") and the same was registered in the Sub-Registrar of Assurances, Kurla-2 at Serial No. BDR7/7102/2011 dated 16th September, 2011 whereby, Chhaganlal Khimaji and Company Limited mortgaged the property more particularly described in the schedule therein. However, there are no restrictions on the Owners in transferring or selling units / premises / flats in the said buildings named as Monte Vista and Monte Carlo to be constructed on the said property.
- d) The ICICI Home Finance Company Limited by their letter dated 7th February, 2014 issued the No Dues Certificate whereby they confirm that loan amount disbursed by them to Marathon Realty Private Limited has been fully repaid and there are no dues outstanding.
- e) By the indenture of Mortgage dated 23rd September, 2014 ("the said Mortgage Deed") executed and entered by ICICI Bank Limited, having its Registered Office at Landmark, Race Course Circle, Vadodara 390 007 and its Corporate Office at ICICI Bank Towers, Bandra Kurla Complex, Mumbai 400 051 ("the Said Bank") and the same was registered in the Sub-Registrar of Assurances, Kurla-1 at Serial No. KRL1/8534/2014 dated 24th September, 2014 whereby, Marathon Realty Private Limited mortgaged the property more particularly described in the schedule therein. However, there are no restrictions on the Owners in transferring or selling units / premises / flats in the said buildings named as Monte Vista and Monte Carlo to be constructed on the said property.
- f) By the indenture of Mortgage dated 25th April, 2017 ("the said Mortgage Deed") executed and entered by ICICI Bank Limited, having its Registered Office at ICICI Bank Tower, Near Chakli Circle, Old Padra Road, Vadodara, , 390 007, Gujarat and its Corporate Office at ICICI Bank Towers, Bandra Kurla Complex, Mumbai 400 051 ("the Said Bank") and the same was registered in the Sub-Registrar of Assurances, Mumbai City No. 2 at Serial No. BBE2/5740/2017 dated 25th April, 2017 whereby, 1) Marathon Realty



Private Limited and 2) Marathon Nextgen Realty Limited mortgaged the property more particularly described in the schedule therein. However, there are no restrictions on the Owners in transferring or selling units / premises / flats in the said buildings named as Monte Vista, Monte Carlo and Monte Plaza to be constructed on the said property.

H. PUBLIC NOTICES

Public Notices was published in the English Newspaper in Free Press Journal dated 14th December, 2009 and in one regional newspaper issues of Navshakti (Marathi) dated 14th December, 2009, whereby the Chhaganlal Khimaji and Company Ltd. invited claims in respect of the said property. With regard to Public Notice and Chhaganlal Khimaji and Company Ltd. had not received any claim or objection to the title to the said property of Chhaganlal Khimaji and Company Ltd.

The Title search was to be taken in the office of Sub-registrar of Mumbai Suburban and have perused of the title deeds, documents, Agreement, Orders and Writings Notes of searches from time to time taken at the offices of The Talathi City Survey and Sub-Registrar of Assurances at Kurla and Bombay in respect of the said property.

I. LITIGATION

A. The Monte Vista Residence Welfare Association and Anr. filed the Consumer Complaint bearing No. 207 of 2015 against Marathon Realty Private Limited formerly known as M/s Chhaganlal Khimji & Company Private Limited and its director 1) Mr. Mayur Shah and 2) Mr. Chetan Shah and also against The Executive Engineer, (Building Proposals) Municipal Corporation of Greater Mumbai (MCGM) for the various reliefs setout in the said complaint. The said complaint was finally decided by the Hon'ble State Consumer Disputes Redressal Commission, Mumbai by its order dated 10th February, 2016.

B. The Marathon Realty Private Limited being aggrieved by the said order dated 10th February, 2016 passed by Hon'ble State Consumer Disputes Redressal Commission, Mumbai filed the First Appeal, before the Hon'ble National Consumer Dispute Redressal Commission, New Delhi and challenged the impugned order by First Appeal No. 205 of 2016. The Hon'ble National Consumer Dispute Redressal Commission, New Delhi by



its order dated 9th March, 2016 stayed the impugned order passed by Hon'ble State Consumer Disputes Redressal Commission, Mumbai on 10th February, 2016 in Consumer Complaint No. 207 of 2015 and passed the following order.

"Heard Id. Counsel for the appellant

Authorized representative of Respondent No.1 appeared as caveator

Ld Counsel for Respondent Nos. 4 and 5 accepts notice on behalf of Respondent No. 4 and 5 and he further submitted that he would be filing his vakalatnama today with the Registry.

Issue notice to Respondent No. 2 and 3

Operation of impugned order is stayed subject to depositing sum of Rs. 2,50,000/- (Rupee Two Lacs Fifty Thousands) with the State Commission within four weeks which may be kept in FDR initially for a period of one year.

Adjourned for admission hearing on 14.09.2016".

The said First Appeal is pending before the Hon'ble National Consumer Dispute Redressal Commission, New Delhi.

- C. The Monte Vista Residence Welfare Association and Anr being aggrieved by the order dated 10th February, 2015 passed by Hon'ble State Consumer Disputes Redressal Commission, Mumbai in Consumer Complaint No. 207 of 2015, filed the First Appeal No.530 of 2016 before Hon'ble National Consumer Dispute Redressal Commission, New Delhi and said First Appeal is pending for adjudication.
- D. The Monte Vista Welfare Association and Anr filed the Miscellaneous Application No. 415 of 2015 before Hon'ble State Consumer Disputes Redressal Commission, Mumbai allegedly claiming that Marathon Realty Private Limited violated the order dated 15th May, 2015 and 16th May, 2015 passed by Hon'ble State Consumer Disputes Redressal Commission, Mumbai in Consumer Complaint No. 207 of 2015.
- E. The Marathon Realty Private Limited being aggrieved by the order dated 22nd July, 2016 passed by Hon'ble State Consumer Disputes Redressal Commission, Mumbai in Miscellaneous Application No. 415 of 2015 filed the First Appeal No. 1211 of 2016 before the Hon'ble National Consumer Dispute Redressal Commission, New Delhi and Hon'ble National Consumer



Dispute Redressal Commission, New Delhi by its order dated 27th September, 2016 stayed the impugned order dated 22nd July, 2016.

J. GENERAL:

- I. The Lower Ground (Part) plus I to III Basement (beyond the building line of Monte Vista and Monte Carlo building) will be transferred to Brihan Mumbai Mahanagar Palika, under the Public Parking Scheme under the D C Regulation 33(24) as per the sanction granted by State Government by their letter dated 28th February, 2014 and 25th May, 2016 and as per the LOI (Letter of Intent) issued by Chief Engineer (Road and Traffic Department) of Municipal Corporation of Greater Mumbai dated 25th June, 2014 bearing No. Ch. E/627/MC/Roads & Tr./E-3 and dated 25th October, 2016 bearing No. Ch. E/2031/MC/Roads & Tr.
- II. In so far as the said property referred in the schedule of the property herein under written, I had issued the Title Certificates dated 7th February, 2013. On instructions of the Marathon Realty Private Limited, I am issuing this Title Certificate with an intention that my Title Certificate dated 7th February, 2013 be superseded by this Title Certificate. Accordingly, my Title Certificate dated 7th February, 2013 be treated as cancelled.

K. CERTIFICATION

Pursuance to Title Search Report dated 3rd March, 2008 issued by M/s S.N.Gupta & Co. Advocates and Title Search Report dated 6th February, 2013 and 18th July, 2017 given by Mr. Chandrakant Kamble, the Search Clerk, I am of the opinion that Marathon Realty Private Limited has a clear and Marketable Title over the same and I am therefore of the opinion that the said freehold property (more particularly described in schedule hereunder) is clear and marketable subject to lien of the ICICI Bank Limited vide Indenture of Mortgage Deed dated 23rd September, 2014 registered in the Sub-Registrar of Assurances, Kurla-1 at Serial No. KRL1/8534/2014 dated 24th September, 2014 and I further certify that the owner is authorized to develop the land more particularly described in the schedule hereunder and construct the buildings to be known as Monte Vista, Monte Carlo Monte Plaza, Public Parking Lot and Parking Building and further certify that the owner is authorized to sell units / Flats / premises in the said buildings on ownership basis as contemplated in Real Estate Regulation and Development Act, 2016.



While perusing the property card with respect to the said property, I found that the name of the previous owner i.e. Chhaganlal Khimaji and Company Ltd. is appearing on the Property Card and I therefore, opine that the title of Marathon Realty Pvt. Ltd. is undisputed.

SCHEDULE FOR FREEHOLD PROPERTY
MENTIONED HEREINABOVE

All that piece and parcel of land admeasuring 11455 sq. mtrs. (13700 sq.yds) as per conveyance and now admeasuring 11,281.77 sq. mtrs. bearing Plot Nos. 28, 29, 30 and 31 bearing City Survey Nos. 551/13 of Village – Nahur, Taluka – Kurla, Mumbai Suburban District, within the limits of Municipal Corporation of Greater Mumbai Situated at Madan Mohan Malaviya Road, Mulund (West) Mumbai and within the registration District and Sub-District Mumbai Suburban.

Dated this 16th Day of March, 2018

Prasanna S Tare
Advocate



NO ENCUMBRANCE CERTIFICATE

Sub : All that piece and parcel of land admeasuring 11455 sq. mtrs. (13700 sq. yds) as per conveyance and now admeasuring 11,281.77 sq. mtrs. bearing Plot Nos. 28, 29, 30 and 31 bearing City Survey Nos. 551/13 of Village – Nahur, Taluka – Kurla, Mumbai Suburban District, within the limits of Municipal Corporation of Greater Mumbai Situated at Madan Mohan Malaviya Road, Mulund (West) Mumbai and within the registration District and Sub-District Mumbai Suburban being developed.

After going through the relevant documents of title such as Property Cards and the Agreements executed between the parties viz. owners and the developers, and the financial accounts maintained by them, I hereby certify that by and under Indenture of Mortgage dated 24th September, 2014 registered with Sub Registrar of Assurances at Kurla-1 bearing No. KRL1/8534/2014 ("the said Indenture of Mortgage") executed between Marathon Realty Private Limited therein referred to as Mortgagor of the One Part and ICICI Bank Limited, therein referred to as Mortgagee of the Other part, Marathon Realty Private Limited had mortgaged the said property with the Bank which is described in the Schedule therein and By and under Indenture of Mortgage dated 25th April, 2017 registered with Sub-Registrar of Assurances at Mumbai City No. 2 bearing No. BBE2/5740/2017 ("the said Indenture of Mortgage") executed between 1) Marathon Realty Private Limited therein referred to as Mortgagor No. 1 and 2) Marathon Nextgen Realty Limited therein referred to as Mortgagor No. 2 of the One Part and ICICI Bank Limited, therein referred to as Mortgagee of the Other part, 1) Marathon Realty Private Limited and 2) Marathon Nextgen Realty Limited (Mortgagor No. 1 had mortgaged the said property with the Bank which is described in the Schedule therein, save and except there is no other encumbrance of any nature whatsoever on the said Land which is under development as per approvals granted by the Planning Authority.

Dated this 16th Day of March, 2018

Prasanna Tare
Advocate