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Writers' Names: **C.R. Muralidharan/ Vinuth Gowda**

Strictly Confidential

Dated: November 24, 2021

Casa Grande Garden City Builders Private Limited

Salma Bizhouse, No. 34/1, 4th Floor,
Meanee Avenue Road, Opp. Lakeside Hospital,
Ulsoor Road,
Bengaluru – 560 042.

REPORT ON TITLE TO PROPERTY

DESCRIPTION OF THE PROPERTIES:

1. All that piece and parcel of immoveable property being land duly converted for residential purposes, measuring an extent of 1 Acre comprised in Survey No. 1 of Doddabettahalli Village, Yelahanka Hobli, Bengaluru North (Additional) Taluk, Bengaluru Urban District, and bounded as follows:

On the East by : Land bearing Survey No. 56;

On the West by : Remaining portion of land bearing Survey No. 1;

On the North by : Land bearing Survey No. 57; and

On the South by : Road and thereafter remaining land bearing Survey No. 1.

The aforesaid immovable property is hereinafter referred to as the “**Property-A**”.

2. All that piece and parcel of immoveable property being land duly converted for residential purposes, measuring an extent of 3 Acres 2 Guntas comprised in Survey No. 56 of Doddabettahalli Village, Yelahanka Hobli, Bengaluru North (Additional) Taluk, Bengaluru Urban District, and bounded as follows:

On the East by : Remaining portion of land bearing Survey No. 56;

On the West by : Land bearing Survey No. 1;

On the North by : Land bearing Survey No. 57; and

On the South by : Land bearing Survey No. 55.

The aforesaid immovable property is hereinafter referred to as the “**Property-B**”.

The properties described hereinabove as 'Property-A' and 'Property-B' are totally admeasuring an extent 4 Acres 02 Guntas and are hereinafter collectively referred to as "**Composite Property**".

LIST OF DOCUMENTS REVIEWED:

In connection with the title scrutiny of the Composite Property, the following documents have been examined:

Sl. No.	PARTICULARS OF DOCUMENTS REVIEWED
1.	Public Auction Notice bearing Reference No. VG (Auction)CR/Publication/09/2008-09 dated 19.11.2008, issued by the Deputy Commissioner, Bengaluru District, seeking offers to purchase <i>inter alia</i> the lands, viz., (1) Survey No. 56, Block No. 3, measuring an extent of 3 Acres 32 Guntas; (2) Survey No. 56, Block No. 4, measuring an extent of 1 Acre 18 Guntas; (3) Survey No. 56, Block No. 6, measuring an extent of 3 Acres 29 Guntas; and (4) Survey No. 56, Block No. 8, measuring an extent of 3 Acres 10 Guntas, totally admeasuring an extent of 12 Acres 09 Guntas, situated at Doddabettahalli Village, in the form of bids;
2.	Possession Certificate bearing Reference No. LND/CR/41/2012-13 dated 27.08.2013, issued by the Tahsildar, Bengaluru North (Additional) Taluk and countersigned by: (i) the Revenue Inspector, Ramachandrapura Circle, Bengaluru North (Additional) Taluk; (ii) the Taluk Surveyor, Bengaluru North (Additional) Taluk; and (iii) the Village Accountant, Doddabettahalli Circle, Bengaluru North (Additional) Taluk, in respect of the land measuring an extent of 3 Acres 02 Guntas comprised in Survey No. 56 of Doddabettahalli Village, to and in favour of M/s. Umrah Developers;
3.	Possession Certificate bearing Reference No. LND/CR/41/2012-13; RI(Y)/CR/273/2014-15 dated 16.08.2014, issued by the Tahsildar, Bengaluru North (Additional) Taluk and countersigned by the Revenue Inspector, Ramachandrapura Circle, Bengaluru North (Additional) Taluk, in respect of the land measuring an extent of 1 Acre comprised in Survey No. 1 of Doddabettahalli Village, to and in favour of M/s. Umrah Developers;
4.	Survey Sketch prepared by the Taluk Surveyor, Bengaluru North (Additional) Taluk, demarcating the land measuring 1 Acre comprised in

Sl. No.	PARTICULARS OF DOCUMENTS REVIEWED
	Survey No. 1 of Doddabettahalli Village;
5.	Official Memorandum bearing Reference No. VJ(Ja.Dha)(U.A)/ Auction/CR/02/2006-07 dated 02.08.2018, issued by the Deputy Commissioner, Bengaluru District, according permission for the conversion in respect of the lands, viz., (i) Survey No. 1 measuring 1 Acre; and (ii) Survey No. 56 measuring 3 Acres 02 Guntas, totally admeasuring 4 Acres 02 Guntas, situated at Doddabettahalli Village, for the purpose of residential use, under the provisions of Section 95(2) of the Karnataka Land Revenue Act, 1964;
6.	Form No. 41 (Certificate of Sale of Immovable Property) bearing Reference No. Spl.DC/(EC)(NA)Auction.CR/02/2006-07 dated 09.12.2019, issued by the Deputy Commissioner, Bengaluru District, in favour of M/s. Umrah Developers, in respect of the lands, viz., (i) Survey No. 1 measuring 1 Acre; and (ii) Survey No. 56 measuring 3 Acres 02 Guntas, totally admeasuring 4 Acres 02 Guntas, situated at Doddabettahalli Village, and registered on 16.12.2019 as Document No. GAN-1-Part-III(a)-00001/2019-20, in Part III(a) of Book-1, stored in C.D. No. GAND-589, in the Office of the Sub-Registrar, Gandhinagar (Unit-1), Bengaluru;
7.	Extract of Record of Rights, Tenancy and Crop Inspection Certificate ('RTC'/ 'Pahani') in respect of the land bearing Survey No. 1 of Doddabettahalli Village, for the period 2020-21; and
8.	Extract of Record of Rights, Tenancy and Crop Inspection Certificate ('RTC'/ 'Pahani') in respect of the land bearing Survey No. 56 of Doddabettahalli Village, for the period 2020-21.

COMMENTS BASED ON DOCUMENTS EXAMINED:

Upon review of the aforesaid documents, it is observed as follows:

Title Flow:

1. It is noted that the Composite Property, viz., (1) the land measuring an extent of 1 Acre, viz., the Property-A, has been carved out from the larger extent of land measuring 21 Acres 29 Guntas comprised in Survey No. 1 of

Doddabettahalli Village; and (2) the land measuring an extent of 3 Acres 02 Guntas, viz., the Property-B, has been carved out from the larger extent of land measuring 7 Acres 19 Guntas comprised in Survey No. 56 of Doddabettahalli Village.

2. It transpires that the entire extent of lands comprised in Survey Nos. 1 and 56 of Doddabettahalli Village were originally categorized and classified as 'Sarakari Gomala'.
3. It is noted that the Principal Secretary, Revenue Department, Government of Karnataka, vide Government Order bearing Reference No. RD 265 LGB 2007(P6) dated 21.10.2008, accorded permission to the Deputy Commissioner, Bengaluru District, for the auction sale of *inter alia* the lands, viz., (1) Survey No. 56, Block No. 3, measuring an extent of 3 Acres 32 Guntas; (2) Survey No. 56, Block No. 4, measuring an extent of 1 Acre 18 Guntas; (3) Survey No. 56, Block No. 6, measuring an extent of 3 Acres 29 Guntas; and (4) Survey No. 56, Block No. 8, measuring an extent of 3 Acres 10 Guntas, totally admeasuring an extent of 12 Acres 09 Guntas, situated at Doddabettahalli Village. *We have, however, not been provided with copy of the said Government Order bearing Reference No. RD 265 LGB 2007(P6) dated 21.10.2008, issued by the Principal Secretary, Revenue Department, Government of Karnataka, for our examination. Please provide a copy of the said Government Order bearing Reference No. RD 265 LGB 2007(P6) dated 21.10.2008, for our examination.*

It is further observed that as per revenue records, it appears that Survey No. 56 of Doddabettahalli Village comprises of land measuring an extent of 7 Acres 19 Guntas, whereas the aforesaid Government Order bearing Reference No. RD 265 LGB 2007(P6) dated 21.10.2008 appears to have been issued in respect of the land measuring an extent of 12 Acres 09 Guntas in Survey No. 56 of Doddabettahalli Village.

4. Thereafter, the Deputy Commissioner, Bengaluru District, exercising the powers conferred under the provisions of Rule 12(2) of the Karnataka Land Grant Rules, 1969, had issued a Public Auction Notice bearing Reference No. VGPU(Auction)CR/09/2008-09 dated 19.11.2008, seeking offers to purchase *inter alia* the lands, viz., (1) Survey No. 56, Block No. 3, measuring an extent of 3 Acres 32 Guntas; (2) Survey No. 56, Block No. 4, measuring an extent of 1 Acre 18 Guntas; (3) Survey No. 56, Block No. 6, measuring an extent of 3 Acres 29 Guntas; and (4) Survey No. 56, Block No. 8, measuring

an extent of 3 Acres 10 Guntas, totally admeasuring an extent of 12 Acres 09 Guntas, situated at Doddabettahalli Village, in the form of bids (**Document No. 1**).

5. Pursuant thereto, in the public auction held on 03.12.2008 by the Assistant Commissioner (Enforcement Cell), PUC, Bengaluru District, M/s. Umrah Developers, a sole proprietary concern of Mr. Yusuf Shariff (also known as D. Babu) had quoted the highest bid amount/ sale price of Rs. 2,45,00,000/- (Rupees Two Crores and Forty Five Lakhs only) and became the final bidder in respect of the land measuring an extent 4 Acres 02 Guntas comprised in Survey No. 56 of Doddabettahalli Village. The said bid amount offered by M/s. Umrah Developers, being a sole proprietary concern of Mr. Yusuf Shariff, was duly accepted by the Government; and the Government had issued concurrence on the sale of the said land measuring an extent 4 Acres 02 Guntas comprised in Survey No. 56 of Doddabettahalli Village, to and in favour of M/s. Umrah Developers, vide Letter bearing Reference No. RD 1006 LGB 2008, dated 23.12.2008. *We have, however, not been provided with copy of the said Letter bearing Reference No. RD 1006 LGB 2008, dated 23.12.2008, issued by the Principal Secretary, Revenue Department, Government of Karnataka. Please provide a copy of the said Letter bearing Reference No. RD 1006 LGB 2008 dated 23.12.2008, for our examination.*
6. It is noted from the documents discussed herein that M/s. Umrah Developers had remitted the entire Bid Amount/ Sale Price of Rs. 2,45,00,000/- (Rupees Two Crores and Forty Five Lakhs only) to the Government as follows:
 - (i) A sum of Rs. 1,77,75,000/- (Rupees One Crore Seventy Seven Lakhs Seventy Five Thousand only), vide Challan bearing Reference No. 23348/8, dated 30.01.2009, issued by the State Bank of Mysore (now known as State Bank of India), Treasury Branch, Bengaluru;
 - (ii) A sum of Rs. 39,25,000/- (Rupees Thirty Nine Lakhs Twenty Five Thousand only), vide Challan bearing Reference No. 23348/8, dated 03.02.2009, issued by the State Bank of Mysore (now known as State Bank of India), Treasury Branch, Bengaluru; and
 - (iii) A sum of Rs. 88,00,000/- (Rupees Eighty Eight Lakhs only), vide Challan bearing Reference No. 63/401 dated 31.12.2009, issued by the State Bank of Mysore (now known as State Bank of India), Treasury Branch, Bengaluru.

We have, however, not been provided with copies of the aforesaid Challans, viz., (i) Challan bearing Reference No. 23348/8, dated 30.01.2009; (ii) Challan bearing Reference No. 23348/8, dated 03.02.2009; and (ii) Challan bearing Reference No. 63/401, dated 21.12.2009, all three issued by the State Bank of Mysore (now known as State Bank of India), Treasury Branch, Bengaluru. Please provide copies of the said Challans for our examination.

7. It is noted that M/s. Umrah Developers had filed a Writ Petition bearing W.P. No. 50586 of 2012, before the Hon'ble High Court of Karnataka, at Bengaluru, against the Government of Karnataka, seeking directions to deliver possession of the land measuring an extent of 4 Acres 02 Guntas comprised in Survey No. 56 of Doddabettahalli Village that had been purchased by it pursuant to the public auction held on 03.12.2008. The Hon'ble High Court of Karnataka, vide Order dated 17.01.2013 had allowed said Writ Petition bearing W.P. No. 50586 of 2012, with a direction to the Government to handover possession in respect of the land measuring an extent of 4 Acres 02 Guntas comprised in Survey No. 56 of Doddabettahalli Village in favour of M/s. Umrah Developers, within four months from the date of the said order. *We have, however, not been provided with the copy of the said Order dated 17.01.2013 passed by the Hon'ble High Court of Karnataka in the Writ Petition bearing W.P. No. 50586 of 2012 for our examination. Please provide complete set of case papers pertaining to the Writ Petition bearing W.P. No. 50586 of 2012, along with a copy of the said Order dated 17.01.2013 passed by the Hon'ble High Court of Karnataka, for our examination.*
8. It is noted that the Government of Karnataka had failed to handover possession of the land measuring an extent of 4 Acres 02 Guntas comprised in Survey No. 56 of Doddabettahalli Village, in favour of M/s. Umrah Developers, within the period of four months as directed in the said Order dated 17.01.2013 passed by the Hon'ble High Court of Karnataka in the Writ Petition bearing W.P. No. 50586 of 2012. Consequent to the non-compliance of the said Order dated 17.01.2013 passed by the Hon'ble High Court of Karnataka in the Writ Petition bearing W.P. No. 50586 of 2012, M/s. Umrah Developers had filed a Civil Contempt Case bearing CCC No. 882 of 2013, before the Hon'ble High Court of Karnataka, at Bengaluru.
9. It is noted that during the pendency of the aforesaid Civil Contempt Case bearing CCC No. 882 of 2013 before the Hon'ble High Court of Karnataka, the Tahsildar, Bengaluru North (Additional) Taluk had handed over

possession of the land measuring an extent of 3 Acres 02 Guntas comprised in Survey No. 56 of Doddabettahalli Village, to and in favour of M/s. Umrah Developers, vide Possession Certificate bearing Reference No. LND/CR/41/2012-13 dated 27.08.2013 (**Document No. 2**). It is further noted that said Possession Certificate bearing Reference No. LND/CR/41/2012-13 dated 27.08.2013 was countersigned by: (i) the Revenue Inspector, Ramachandrapura Circle, Bengaluru North (Additional) Taluk; (ii) the Taluk Surveyor, Bengaluru North (Additional) Taluk; and (iii) the Village Accountant, Doddabettahalli Circle, Bengaluru North (Additional) Taluk. *It is noted that the said Possession Certificate bearing Reference No. LND/CR/41/2012-13 dated 27.08.2013 also draws reference to: (i) Memorandum bearing Reference No. VJ(Jaridala)(SD)/ Auction/CR/02/2006-07 dated 07.03.2009, issued by the Deputy Commissioner, Bengaluru District; (ii) Memoranda (3 Nos.) bearing Reference No. LND/CR/41/2012-13, dated 06.08.2013, 14.08.2013 and 23.08.2013; and (iii) Survey Sketch dated 27.08.2013, prepared by the Taluk Surveyor, Bengaluru North (Additional) Taluk. We have not been provided with copies of the said documents for our examination. Please provide copies of the same for our examination.*

10. Thereafter, the Civil Contempt Case bearing CCC No. 882 of 2013, filed by M/s. Umrah Developers was disposed of by the Hon'ble High Court of Karnataka, vide Order dated 23.09.2013, with a specific direction to the Government of Karnataka to hand over the remaining extent of land measuring 1 Acre to M/s. Umrah Developers, within four months from the date of the said order. *We have, however, not been provided with copy of the said Order dated 23.09.2013 passed by the Hon'ble High Court of Karnataka in the Civil Contempt Case bearing CCC No. 882 of 2013 for our examination. Please provide complete set of case papers pertaining to the Civil Contempt Case bearing CCC No. 882 of 2013, along with a copy of the said Order dated 23.09.2013 passed by the Hon'ble High Court of Karnataka, for our examination.*
11. It is noted that the Government of Karnataka had again failed to handover possession of the remaining extent of land measuring 1 Acre comprised in Survey No. 56 of Doddabettahalli Village, in favour of M/s. Umrah Developers, within the period of four months as directed in the said Order dated 23.09.2013 passed by the Hon'ble High Court of Karnataka in the Civil Contempt Case bearing CCC No. 882 of 2013. Consequent to the non-compliance of the said Order dated 23.09.2013 passed by the Hon'ble High

Court of Karnataka in the Civil Contempt Case bearing CCC No. 882 of 2013, M/s. Umrah Developers had filed another Civil Contempt Case bearing CCC No. 991 of 2014, before the Hon'ble High Court of Karnataka, at Bengaluru, against the Government of Karnataka.

12. It is noted that during the pendency of the aforesaid Civil Contempt Case bearing CCC No. 991 of 2014, the Tahsildar, Bengaluru North (Additional) Taluk, had conducted a detailed survey of the land which was auctioned and it was found that the remaining extent of land measuring 1 Acre which was auctioned and for which the sale was confirmed in favour of M/s. Umrah Developers is comprised in the adjacent Survey No. 1 of Doddabettahalli Village; and had accordingly submitted a Report thereof to the Special Deputy Commissioner, Bengaluru District. Upon examination of the said Report of the Tahsildar, the Special Deputy Commissioner, Bengaluru District, vide Official Memorandum bearing Reference No. Spl.DC(E.Cell)NA/CR/02/2006-07 dated 07.08.2014, had issued a direction to the Tahsildar, Bengaluru North (Additional) Taluk, to hand over the land measuring an extent of 1 Acre comprised in Survey No. 1 of Doddabettahalli Village in favour of M/s. Umrah Developers. *We have, however, not been provided with copies of: (i) Survey Report prepared by the Tahsildar, Bengaluru North (Additional) Taluk; and (ii) Official Memorandum bearing Reference No. Spl.DC(E.Cell)NA/CR/02/ 2006-07 dated 07.08.2014 issued by the Special Deputy Commissioner, Bengaluru District, for our examination. Please provide copies of the same, for our examination.*
13. Thereafter, pursuant to the direction issued by the Special Deputy Commissioner, Bengaluru District, under the Official Memorandum bearing Reference No. Spl.DC(E.Cell)NA/CR/02/2006-07 dated 07.08.2014, the Tahsildar, Bengaluru North (Additional) Taluk, had handed over possession of the said remaining extent of land measuring 1 Acre comprised in Survey No. 1 of Doddabettahalli Village in favour of M/s. Umrah Developers, vide Possession Certificate bearing Reference No. LND/CR/41/2012-13; RI(Y)/CR/273/2014-15 dated 16.08.2014 (**Document No. 3**). It is noted that said Possession Certificate bearing Reference No. LND/CR/41/2012-13 dated 27.08.2013 was countersigned by the Revenue Inspector, Ramachandrapura Circle, Bengaluru North (Additional) Taluk. We have also been provided with copy of the Survey Sketch prepared by the Taluk Surveyor, Bengaluru North (Additional) Taluk, demarcating the said land measuring an extent of 1 Acre comprised in Survey No. 1 of Doddabettahalli Village (**Document No. 4**).

14. It is noted that pursuant to handing over possession of the reaming extent of land measuring 1 Acre comprised in Survey No. 1 of Doddabettahalli Village in favour of M/s. Umrah Developers, the Hon'ble High Court of Karnataka, had closed the aforesaid Civil Contempt Case bearing CCC No. 991 of 2014, vide Order dated 18.08.2014. *We have, however, not been provided with copy of the said Order dated 18.08.2014 passed by the Hon'ble High Court of Karnataka in Civil Contempt Case bearing CCC No. 991 of 2014 for our examination. Please provide complete set of case papers pertaining to the Civil Contempt Case bearing CCC No. 991 of 2014, along with a copy of the said Order dated 18.08.2014, passed by the Hon'ble High Court of Karnataka, for our examination.*
15. Thereafter, the Deputy Commissioner, Bengaluru District, exercising the powers conferred under the Section 177 of the Karnataka Land Revenue Act, 1964 read with Rule 124(4) of the Karnataka Land Revenue Rules, 1966, confirmed the sale in respect of the lands, viz., (i) Survey No. 1, measuring an extent of 1 Acre; and (ii) Survey No. 56, measuring an extent of 3 Acres 02 Guntas, totally admeasuring an extent of 4 Acres 02 Guntas, situated at Doddabettahalli Village, to and in favour of M/s. Umrah Developers, and issued Form No. 41 (Certificate of Sale of Immovable Property) dated 21.07.2018 in respect of the said lands, viz., (i) Survey No. 1 measuring an extent of 1 Acre; and (ii) Survey No. 56 measuring an extent of 3 Acres 02 Guntas, totally admeasuring an extent of 4 Acres 02 Guntas, situated at Doddabettahalli Village, to and in favour of M/s. Umrah Developers. *We have, however, not been provided with copy of the said Form No. 41 (Certificate of Sale of Immovable Property) dated 21.07.2018, issued by the Deputy Commissioner, Bengaluru District, for our examination. Please provide a copy of the same, for our examination.*
16. It is noted that the lands, viz., (i) Survey No. 1, measuring an extent of 1 Acre; and (ii) Survey No. 56, measuring an extent of 3 Acres 02 Guntas, totally admeasuring an extent of 4 Acres 02 Guntas, situated at Doddabettahalli Village, are earmarked as Residential Zone under the prevailing Revised Master Plan (RMP) – 2015 of the Bengaluru Development Authority. Accordingly, the Deputy Commissioner, Bengaluru District, upon receipt of requisite conversion fine, vide Official Memorandum bearing Reference No. VJ(Ja.Dha)(U.A)/ Auction/CR/02/2006-07 dated 02.08.2018 (**Document No. 5**), had accorded permission for conversion in respect of the lands, viz., (i) Survey No. 1, measuring an extent of 1 Acre; and (ii) Survey

No. 56, measuring an extent of 3 Acres 02 Guntas, totally admeasuring an extent of 4 Acres 02 Guntas, situated at Doddabettahalli Village, for the purpose of residential use. *The said Official Memorandum bearing Reference No. VJ(Ja.Dha)(U.A)/ Auction/CR/02/2006-07 dated 02.08.2018 also refers to another Official Memorandum bearing Reference No. VJ(Ja.Dha)(U.A)/ Auction/CR/02/2006-07 dated 16.12.2015, which has not been provided for our examination. Please provide a copy of the same, for our examination.*

In relation to the aforesaid conversion of land, it is observed that the Deputy Commissioner had not referred to the provisions under which he had exercised the powers to accord permission for conversion of the land in terms of the aforesaid Official Memorandum dated 02.08.2018.

17. It is gathered from the aforesaid Official Memorandum bearing Reference No. VJ(Ja.Dha)(U.A)/ Auction/CR/02/2006-07 dated 02.08.2018, issued by the Deputy Commissioner, Bengaluru District, that M/s. Umrah Developers had paid the requisite conversion fine under the Challans bearing: (i) Reference No. 3 dated 21.01.2009; and (ii) Reference No. 113 dated 07.01.2010; and phodi fee under the Challans bearing: (i) Reference No. 4 dated 21.01.2009; and (ii) Reference No. 114 dated 07.01.2010, issued by the State Bank of Mysore (now known as State Bank of India), Treasury Branch, Bengaluru. *We have, however, not been provided with copies of the aforesaid Challans bearing: (i) Reference No. 3 dated 21.01.2009; and (ii) Reference No. 113 dated 07.01.2010; and phodi fee under the Challans bearing: (i) Reference No. 4 dated 21.01.2009; and (ii) Reference No. 114 dated 07.01.2010, issued by the State Bank of Mysore (now known as State Bank of India), Treasury Branch, Bengaluru, for our examination. Please provide copies of the same, for our examination.*
18. It is noted from the documents that in view of the subsequent conversion of the said lands, the earlier Form No. 41 (Certificate of Sale of Immovable Property) dated 21.07.2018 was cancelled. Thereafter, the Deputy Commissioner, Bengaluru District, exercising the powers conferred under Section 177 of the Karnataka Land Revenue Act, 1964 read with Rule 124(4) of the Karnataka Land Revenue Rules, 1966, had again confirmed the sale in respect of the lands, viz., (i) Survey No. 1, measuring an extent of 1 Acre; and (ii) Survey No. 56, measuring an extent of 3 Acres 02 Guntas, totally admeasuring an extent of 4 Acres 02 Guntas, situated at Doddabettahalli Village, to and in favour of M/s. Umrah Developers, under a fresh Form No. 41 (Certificate of Sale of Immovable Property) bearing Reference No. Spl.DC/(EC)(NA) Auction.CR/02/2006-07 dated 09.12.2019, and registered

on 16.12.2019, as Document No. GAN-1-Part-III(a)-00001/2019-20, in Part III(a) of Book-1, stored in C.D. No. GAND-589, in the Office of the Sub-Registrar, Gandhinagar (Unit-1), Bengaluru (**Document No. 6**).

It is to be noted that the aforesaid provisions, viz., Section 177 of the Karnataka Land Revenue Act, 1964 and Rule 124(4) of the Karnataka Land Revenue Rules, 1966, under which the Deputy Commissioner, Bengaluru District, had exercised the powers to confirm the sale by way of public auction in respect of the Property in favour of M/s. Umrah Developers, relate to sales made for realization of land revenue and other public demands under Chapter XIV of the Karnataka Land Revenue Act, 1964.

We have, however, not been made available with any Circular/ Order of the State Government which confers powers for sale of Government lands by way of public auction under the aforesaid provisions, viz., Section 177 of the Karnataka Land Revenue Act, 1964 read with Rule 124(4) of the Karnataka Land Revenue Rules, 1966.

19. In the aforementioned manner, it is gathered that M/s. Umrah Developers had acquired the Composite Property, viz., (i) Survey No. 1, measuring an extent of 1 Acre; and (ii) Survey No. 56, measuring an extent of 3 Acres 02 Guntas, totally admeasuring an extent of 4 Acres 02 Guntas, situated at Doddabettahalli Village, pursuant to the sale by public auction in its favour.

Khatha/ Municipal Records and Property Taxes:

20. It is noted from the revenue records available online that the Khatha in respect of the Composite Property, viz., (i) Survey No. 1, measuring an extent of 1 Acre; and (ii) Survey No. 56, measuring an extent of 3 Acres 02 Guntas, totally admeasuring an extent of 4 Acres 02 Guntas, situated at Doddabettahalli Village, has been registered in the name of M/s. Umrah Developers, as per the Entry bearing M.R. No. T8/2020-21 made in the Mutation Register. *We have, however, not been provided with copy of extract of the said Entry bearing M.R. No. T8/2020-21 made in the Mutation Register for our examination. Please provide a copy of the same for our examination.*
21. It is noted that, presently, the Composite Property comes within the municipal jurisdiction of Bruhat Bengaluru Mahanagara Palike. *Please provide copies of the following documents issued by the Bruhat Bengaluru Mahanagara Palike in respect of the Property:*

- (i) *Special Notice assessing the Composite Property to the property taxes and assigning municipal number to the Composite Property in the name of M/s. Umrah Developers;*
- (ii) *Khatha Certificate in respect of the Composite Property in the name of M/s. Umrah Developers;*
- (iii) *Khatha Extract in respect of the Composite Property in the name of M/s. Umrah Developers;*
- (iv) *Receipt evidencing the payment of Betterment/ Improvement Charges in respect of the Composite Property; and*
- (v) *Receipts evidencing the payment of upto date property taxes in respect of the Composite Property.*

Revenue and Survey Records:

- 22. We have been provided with copy of extract of Record of Rights, Tenancy and Crop Inspection Certificate ('RTCs'/ 'Pahani') in respect of the land bearing Survey No. 1 of Doddabettahalli Village, for the period 2020-21 (**Document No. 7**). It is gathered from the said RTC for the period 2020-21, that the name of M/s. Umrah Developers is reflected in Column No. 9 (i.e., ownership) and Column No. 12(2) (i.e., occupancy).
- 23. We have been provided with copy of extract of Record of Rights, Tenancy and Crop Inspection Certificate ('RTCs'/ 'Pahani') in respect of the land bearing Survey No. 56 of Doddabettahalli Village, for the period 2020-21 (**Document No. 8**). It is gathered from the said RTC for the period 2020-21, that the name of M/s. Umrah Developers is reflected in Column No. 9 (i.e., ownership) and Column No. 12(2) (i.e., occupancy).
- 24. From the survey records, viz., Village Map of Doddabettahalli Village (available online), the location, shape and boundaries of the larger extent of land comprised in Survey Nos. 1 and 56 can be gathered. *Please provide copies of the Village Map of Doddabettahalli Village and extract of the Karnataka Revision Settlement Akarbandh issued in respect of the land bearing Survey Nos. 1 and 56 of Doddabettahalli Village, for our examination.*

Encumbrance Certificate:

- 25. We have not been provided with any Encumbrance Certificates issued in respect of the Composite Property. *Please provide the Encumbrance Certificates issued in respect of the land comprised in Survey Nos. 1 and 56*

of Doddabettahalli Village for the period covering from 01.04.2008 till date, for our examination.

26. It will be advisable to:

- (a) Obtain and secure sub-division/ phodi of the lands, viz., (i) Survey No. 1, measuring an extent of 1 Acre; and (ii) Survey No. 56, measuring an extent of 3 Acres 02 Guntas, situated at Doddabettahalli Village; and obtain separate Sub-Survey Numbers to the said extent of lands held by M/s. Umrah Developers.
- (b) Procure details of litigations/ revenue proceedings, if any, pending as on date or adjudicated in the recent past, agreements of sale, charges, mortgages created/ released and encumbrances created/ released, if any, in respect of the Composite Property till date.
- (c) Undertake a scrutiny and verification of all original title deeds and related original revenue documents with respect to the Composite Property.
- (d) Issue a Public Notice calling for any claims or objections regarding the proposed transaction in respect of the Composite Property in any one leading English newspaper and one Kannada language newspaper.

DISCLAIMER:

This Report is provided on the basis of review and examination of photocopies of the various documents of title and does not purport to certify the authenticity of such documents. This Report is subject to our comments stated herein above. This Report is further subject to scrutiny and verification of all original documents of title pertaining to the Property and referred to herein. This Report is limited to ascertaining the legal right, title and interest of the present owner/s based on the representations of the said owner/s.

For the purposes of this Report, we have assumed that the photocopies of the several documents and deeds examined by us are genuine and authentic; that the existence, capacity and authority of each of the parties to enter into and perform their respective obligations under the said title documents is undisputable; and that there are no facts or circumstances in existence and no events have occurred which have rendered the title documents void or voidable or capable of being rescinded for any fraud or misrepresentation on the part of any party.

CONCLUSION:

On a review and analysis of the documents/ information furnished to us and subject howsoever to our comments stated herein above and verification of additional documents sought hereinbelow, we are of the *prima facie* view that **M/s. Umrah Developers**, a sole proprietary concern of Mr. Yusuf Shariff @ D. Babu, having its place of business at No. 22/1, Miller Tank Bund Road, Kaveriyappa Layout, Bengaluru – 560 052, appears to be vested with rights over the immoveable properties, viz., (i) Survey No. 1, measuring an extent of 1 Acre; and (ii) Survey No. 56, measuring an extent of 3 Acres 2 Guntas, totally admeasuring an extent of 4 Acres 02 Guntas, situated at Doddabettahalli Village, Yelahanka Hobli, Bengaluru North (Additional) Taluk, Bengaluru Urban District, pursuant to the auction sale of the said lands in its favour.



DUA ASSOCIATES

Advocates & Solicitors

Bengaluru