

FORMAT-A

Circular No. (28/2021)

To
Maha RERA,
Housefin Bhavan,
Plot No. C - 21,
Bandra Kurla Complex,
Bandra (East),
Mumbai 400051.

LEGAL TITLE REPORT

Sub.: Title Clearance Certificate with respect to ALL THAT pieces and parcels

Village	Survey No. / Hissa No.	Area (in Sq.mtrs.) or thereabout	Defined Term
Khoni	35/6 (Part)	1360	First Property
Khoni	35/7 (Part)	2630	Second Property
Khoni	35/4A (Part)	4050	Third Property
Khoni	172/1 (Part)	4500	Fourth Property
Khoni	172/2 (Part)	680	Fifth Property
Khoni	35/9 (Part)	2830	Sixth Property
Khoni	173/(Part)	8600	Seventh Property
Khoni	172/3 (Part)	180	Eighth Property
Total Area		24830	

and "First Property" to "Eighth Property" totally admeasuring 24830 sq.mtrs. or thereabout lying being and situate at Village Khoni, Taluka Kalyan and District Thane hereinafter referred to as the "the said Property".

1) I have investigated the title of all that said First Property to Eighth Property at the request of my client, Macrotech Developers Limited formerly known as Lodha Dwellers Private Limited / Palava Dwellers Private Limited / Lodha Developers Private Limited / Lodha Developers Limited a company incorporated under the Companies Act, 1956 and now deemed to be incorporated under the Companies Act, 2013, having its registered office at 412, Floor- 4, 17G, Vardhaman Chamber, Cawasji Patel Road, Horniman Circle, Fort, Mumbai-400 001 ("Company") as the Owner / Developer, as the case may be, of the same. On the basis and relying upon the perusal of relevant photocopies of Title documents; Orders/Permissions, Notification for acquirement of the said property and development; Revenue Records as uploaded on Portals of <https://bhulekh.mahabhumi.gov.in/>; Search Data of Manual Search conducted in Offices of concerned Sub Registrar; Online Search on the Portal of Inspector General of Registration (IGR) for the Land Record; Online Search on the portal of Ministry of Company Affairs (MCA) for charges created by Macrotech Developers Limited in respect of the said First Property to Eighth Property and Orders and Certificates with respect to re-organisation and re-structuring in relation to the Company, I have to state as follows:

2) **Description of the Property** All that pieces and parcels of Property detailed whereof are as follows :-

Village	Survey No. / Hissa No.	Area (in Sq.mtrs.) or thereabout
Khoni	35/6 (Part)	1360
Khoni	35/7 (Part)	2630
Khoni	35/4A (Part)	4050
Khoni	172/1 (Part)	4500
Khoni	172/2 (Part)	680
Khoni	35/9 (Part)	2830
Khoni	173/Part	8600
Khoni	172/3 (Part)	180
Total Area		24830

aggregating in all 24830 sq.mtrs. or thereabout, lying, being and situated at Village Khoni, Taluka Kalyan and District Thane (hereinafter referred to as "the said Property").

3) **Document of acquirement of Property**

- 1) Development Agreement dated 09/01/2007 executed and registered under Sr. No. KLN4-147-2007 with the office of Sub Registrar Kalyan-4, between 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil and 10) Krishna Bapu Patil and Lodha Dwellers Private Limited for development of the property bearing Survey No. 35/4A, 35/6 and 35/7 in Village Khoni;
- 2) Power of Attorney dated 09/01/2007 executed and registered under Sr. No. KLN4-149-2007 with the office of Sub Registrar Kalyan-4, between 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil and 10) Krishna Bapu Patil in favour of Lodha Dwellers Private Limited to carry out development of the property bearing Survey No. 35/4A, 35/6 and 35/7 in Village Khoni;
- 3) Conveyance Deed dated 27/11/2009 executed and registered under Sr. No. KLN1-8129-2009 with the office of Sub Registrar Kalyan-1, by and between 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil, 10) Krishna Bapu Patil, 11) Devu Vithu Farad, 12) Shantaram Vithu Farad, 13) Balkrishna Vithu Farad, 14) Bhagubai Kundalik Bhoir, 15) Leelabai Chandar Pingale, 16) Dhondubai Sakharam Sakhre, 17) Shobha Bhagya Thakare, 18) Sharad Bhagya Thakare, 19) Jagan Tukaram Thakare, 20) Fulabai Tukaram Thakare, 21) Neerabai Bharat Thakare and 22) Janu Bhagya Dalvi in favour of

Pradip Garach

Advocate

High Court, Bombay

Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 35/6 admeasuring 1360 sq.mtrs. or thereabout in Village Khoni;

- 4) Conveyance Deed dated 03/07/2012 executed and registered under Sr. No. KLN1-4699-2012 with the office of Sub Registrar Kalyan -1, by and between 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil, 10) Kailas Krishna Patil, 11) Kantabai Shripat Mhatre, 12) Shantabai Krishna Patil, 13) Dattatray Atamaram Kathavale, 14) Tukaram Atamaram Kathavale, 15) Motiram Gopinath Kathavale, 16) Shivaji Gopinath Kathavale, 17) Anna Gopinath Kathavale, 18) Janabai Motiram Shelar, 19) Sonabai Hari Wakurle, 20) Mankubai Atamaram Tembhe, 21) Krishnabai Shantaram Kor, 22) Leelabai Ananta Bhoir, 23) Shevantabai Ananta Kathavale, 24) Balaram Pandurang Kathavale, 25) Sitaram Pandurang Kathavale, 26) Dilip Pandurang Kathavale, 27) Suman Damodar Dabhane, 28) Pushpa Harishchandra Dagde, 29) Narayan Vitthal Dabhane, 30) Archana Bapu Kathavale, 31) Darshana Bapu Kathavale, 32) Rupali Bapu Kathavale, 33) Surekha Anil Patil, 34) Harishchandra Kundalik Kathavale, 35) Madhukar Kundalik Kathavale, 36) Vilas Kundalik Kathavale, 37) Kusum Rajaram Tembhe, 38) Nanda Ashok Walimbe, 39) Avinash Vishnu Kathavale, 40) Vanmala Vishnu Kathavale, 41) Chhaya Rajaram Mope, 42) Sadhana Deepak Kor, 43) Sarita Arun Patil, 44) Vasanti Sunil Tarmale, 45) Neelam Mahesh Walimbe, 46) Shriram Atamaram Kathavale, 47) Shankar Atamaram Kathavale, 48) Gajanan Atamaram Kathavale, 49) Indubai Baban Shelar, 50) Heerabai Sadanand Bhoir, 51) Neerabai Gaikar, 52) Bhimabai Bhagwan Desale, 53) Shakuntala Pandurang Kathavale, 54) Ramesh Vitthal Dabhane, 55) Ramchandra Maruti Kathavale, 56) Narayan Maruti Kathavale, 57) Bhanudas Maruti Kathavale and 58) Gangubai Dinanath Shirose in favour of Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 35/7 admeasuring 2630 sq.mtrs. or thereabout in Village Khoni;
- 5) Conveyance Deed dated 05/04/2013 executed and registered under Sr. No. KLN1-2512-2013 with the office of Sub Registrar Kalyan -1, by and between 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Jayshri Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Kamini Kaluram Patil, 9) Pushpa Kaluram Patil for herself and natural guardian of Sr. No. 7 and 8, 10) Kailas Krishna Patil, 11) Kantabai Shripat Mhatre, 12) Shantabai Krishna

Patil, 13) Tukaram Rama Kalekar, 14) Shriram Pandurang Darge, 15) Suresh Pandurang Darge and 16) Sharad Pandurang Darge in favour of Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 35/4A admeasuring 4050 sq.mtrs. or thereabout in Village Khoni.

6) Development Agreement dated 21/08/2006 executed and registered under Sr. No. KLN3-3173-2006 with the office of Sub Registrar Kalyan-4, between 1) Manjulabai Sitaram Thakare, 2) Balu Pandurang Wakurle, 3) Appa Santu Sorkhade, 4) Dattatray Bhiva Sorkhade and 5) Shivaji Krishna Sorkhade and Lodha Dwellers Private Limited for development of the property bearing Survey No. 172/1 in Village Khoni;

7) Conveyance Deed dated 16/07/2009 executed and registered under Sr. No. KLN1-4877-2009 with the office of Sub Registrar Kalyan-1, by and between 1) Manjulabai Sitaram Thakare, 2) Balu Pandurang Wakurle, 3) Appa Santu Sorkhade, 4) Dattatray Bhiva Sorkhade, 5) Shivaji Krishna Sorkhade, 6) Suman Pandurang Wakurle, 7) Janabai Sukeer Wakurle, 8) Jaya Gajanan Kalekar, 9) Archana Gurunath Thombare, 10) Ashwini Nitin Shinde, 11) Vidya Bhoir, 12) Aparna Sukir, 13) Sudha Sukir Wakurle, 14) Damu Bhiwa Sorkhade, 15) Vithabai Barku Shirose and 16) Bebi Dattu Jadhav in favour of Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 172/1 admeasuring 4500 sq.mtrs. or thereabout in Village Khoni;

8) Agreement for Sale dated 30/12/2009 executed and registered under Sr. No. KLN1-9031-2009 with the office of Sub Registrar Kalyan-1, between 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale, 4) Gangubai Dinanath Shirose, 5) Dattu Atamaram Kathavale, 6) Tukaram Atamaram Kathavale, 7) Balaram Pandurang Kathavale, 8) Sitaram Pandurang Kathavale, 9) Dilip Pandurang Kathavale, 10) Pushpa Harishchandra Dagade, 11) Surekha Anil Patil, 12) Archana Bapu Kathavale, 13) Darshana Bapu Kathavale, 14) Rupali Bapu Kathavale, 15) Narayan Vitthal Dabhane, 16) Barkubai Vitthal Dabhane, 17) Sanjay Ramchandra Shiroshe, 18) Motiram Gopinath Kathavale, 19) Shivaji Gopinath Kathavale, 20) Anna Gopinath Kathavale, 21) Janabai Motiram Shelar, 22) Sonabai Hari Wakhurle, 23) Mankubai Atamaram Tembhe, 24) Krishnabai Shantaram Kor, 25) Leelabai Ananta Bhoir, 26) Harishchandra Kundalik Kathavale, 27) Madhukar Kundalik Kathavale, 28) Vilas Kundalik Kathavale, 29) Avinash Vishnu Kathavale, 30) Vanmala Vishnu Kathavale, 31) Kusum Rajaram Tembhe, 32) Nanda Ashok Walimbe, 33) Chhaya Rajaram Mope, 34) Sadhana Deepak Kore, 35) Sarita

Vishnu Kathavale and 36) Neelam Mahesh Walimbe, and Lodha Dwellers Private Limited to sell and development of the property bearing Survey No. 35/9, 172/2 and 173/0 in Village Khoni;

9) Power of Attorney dated 30/12/2009 executed and registered under Sr. No. 280/2009 with the office of Sub Registrar Kalyan-1, between 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale, 4) Gangubai Dinanath Shirose, 5) Dattu Atamaram Kathavale, 6) Tukaram Atamaram Kathavale, 7) Balaram Pandurang Kathavale, 8) Sitaram Pandurang Kathavale, 9) Dilip Pandurang Kathavale, 10) Pushpa Harishchandra Dagade, 11) Surekha Anil Patil, 12) Archana Bapu Kathavale, 13) Darshana Bapu Kathavale, 14) Rupali Bapu Kathavale, 15) Narayan Vitthal Dabhane, 16) Barkubai Vitthal Dabhane, 17) Sanjay Ramchandra Shirose, 18) Motiram Gopinath Kathavale, 19) Shivaji Gopinath Kathavale, 20) Anna Gopinath Kathavale, 21) Janabai Motiram Shelar, 22) Sonabai Hari Wakhurle, 23) Mankubai Atamaram Tembhe, 24) Krishnabai Shantaram Kor, 25) Leelabai Ananta Bhoir, 26) Harishchandra Kundalik Kathavale, 27) Madhukar Kundalik Kathavale, 28) Vilas Kundalik Kathavale, 29) Avinash Vishnu Kathavale, 30) Vanmala Vishnu Kathavale, 31) Kusum Rajaram Tembhe, 32) Nanda Ashok Walimbe, 33) Chhaya Rajaram Mope, 34) Sadhana Deepak Kore, 35) Sarita Vishnu Kathavale and 36) Neelam Mahesh Walimbe, in favour of 1) Rajendra Lodha and 2) Bhaskar Kamat to carry out development of the property bearing Survey No. 35/9, 172/2 and 173/0 in Village Khoni;

10) Conveyance Deed dated 12/07/2010 executed and registered under Sr. No. KLN1-5714-2010 with the office of Sub Registrar Kalyan-1, by and between 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale, 4) Gangubai Dinanath Shirose, 5) Dattu Atamaram Kathavale, 6) Tukaram Atamaram Kathavale, 7) Balaram Pandurang Kathavale, 8) Sitaram Pandurang Kathavale, 9) Dilip Pandurang Kathavale, 10) Pushpa Harishchandra Dagade, 11) Surekha Anil Patil, 12) Archana Bapu Kathavale, 13) Darshana Bapu Kathavale, 14) Rupali Bapu Kathavale, 15) Narayan Vitthal Dabhane, 16) Shankar Atamaram Kathavale, 17) Shreeram Atamara Kathavale, 18) Motiram Gopinath Kathavale, 19) Shivaji Gopinath Kathavale, 20) Anna Gopinath Kathavale, 21) Janabai Motiram Shelar, 22) Sonabai Hari Wakhurle, 23) Mankubai Atamaram Tembhe, 24) Krishnabai Shantaram Kor, 25) Leelabai Ananta Bhoir, 26) Harishchandra Kundalik Kathavale, 27) Madhukar Kundalik Kathavale, 28) Vilas Kundalik Kathavale, 29) Avinash Vishnu Kathavale, 30) Vanmala Vishnu Kathavale, 31)

Kusum Rajaram Tembhe, 32) Nanda Ashok Walimbe, 33) Chhaya Rajaram Mope, 34) Sadhana Deepak Kore, 35) Sarita Vishnu Kathavale, 36) Neelam Mahesh Walimbe, 37) Indubai Baban Shelar, 38) Heerabai Sadanand Bhoir, 39) Neerabai Gaikar, 40) Bhimabai Bhagwan Desale, 41) Suman Damodar Dabhane, 42) Vasanti Sunil Tarmale, 43) Ramesh Vitthal Dabhane, 44) Shakuntala Pandurang Kathavale, 45) Gajanan Atamaram Kathavale and 46) Shevantabai Gopinath Kathavae in favour of Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 35/9 admeasuring 2830 sq.mtrs. or thereabout, 172/2 admeasuring 680 sq.mtrs. or thereabout and 173/0 admeasuring 8600 sq.mtrs. or thereabout in Village Khoni;

11) Agreement for Sale dated 27/06/2011 executed and registered under Sr. No. KLN1-6717-2011 with the office of Sub Registrar Kalyan-1, between 1) Devu Vithu Farad, 2) Shantaram Vithu Farad, 3) Balkrishna Vithu Farad, 4) Bhagubai Kundalik Bhoir, 5) Leelabai Chandar Pingale, 6) Dhondubai Sakharam Sakhare, 7) Shobha Bhagya Thakare, 8) Sharad Bhagya Thakare, 9) Janu Bhagya Dalvi, 10) Neerabai Bharat Thakare, 11) Jagan Tukaram Thakare and 12) Fulabai Tukaram Thakare and Lodha Dwellers Private Limited to sell and development of the property bearing Survey No. 172/3 in Village Khoni;

12) Power of Attorney dated 27/06/2011 executed and registered under Sr. No. 283/2011 with the office of Sub Registrar Kalyan -1, between 1) Devu Vithu Farad, 2) Shantaram Vithu Farad, 3) Balkrishna Vithu Farad, 4) Bhagubai Kundalik Bhoir, 5) Leelabai Chandar Pingale, 6) Dhondubai Sakharam Sakhare, 7) Shobha Bhagya Thakare, 8) Sharad Bhagya Thakare, 9) Janu Bhagya Dalvi, 10) Neerabai Bharat Thakare, 11) Jagan Tukaram Thakare and 12) Fulabai Tukaram Thakare in favour of Lodha Dwellers Private Limited to carry out development of the property bearing Survey No. Survey No. 172/3 in Village Khoni;

13) Conveyance Deed dated 22/12/2011 executed and registered under Sr. No. KLN1-11754-2011 with the office of Sub Registrar Kalyan-1, by and between 1) Devu Vithu Farad, 2) Shantaram Vithu Farad, 3) Balkrishna Vithu Farad, 4) Bhagubai Kundalik Bhoir, 5) Leelabai Chandar Pingale, 6) Dhondubai Sakharam Sakhare, 7) Shobha Bhagya Thakare, 8) Sharad Bhagya Thakare, 9) Janu Bhagya Dalvi, 10) Neerabai Bharat Thakare, 11) Jagan Tukaram Thakare and 12) Fulabai Tukaram Thakare in favour of Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 172/3 admeasuring 180 sq.mtrs. or thereabout in Village Khoni;

related to the acquirement of Ownership rights for the said respective First Property to Eighth Property.

4) **7/12 Extract**

- i) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhum.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the First Property comprised in Survey No. 35/6 in Khoni Village. The Tenure of the First Property is shown as Occupancy Class-1.
- ii) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhum.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Second Property comprised in Survey No. 35/7 in Khoni Village. The Tenure of the Second Property is shown as Occupancy Class-1.
- iii) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhum.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Third Property comprised in Survey No. 35/4A in Khoni Village. The Tenure of the Third Property is shown as Occupancy Class-1.
- iv) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhum.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Fourth Property comprised in Survey No. 172/1 in Khoni Village. The Tenure of the Fourth Property is shown as Occupancy Class-1.
- v) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhum.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Fifth Property comprised in Survey No. 172/2 in Khoni Village. The Tenure of the Fifth Property is shown as Occupancy Class-1.
- vi) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhum.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Sixth Property comprised in Survey No. 35/9 in Khoni Village. The Tenure of the Sixth Property is shown as Occupancy Class-1.
- vii) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhum.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Seventh Property comprised in Survey No. 173/0 in Khoni Village. The



Tenure of the Seventh Property is shown as Occupancy Class-1.

viii) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhumi.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Eighth Property comprised in Survey No. 172/3 in Khoni Village. The Tenure of the Eighth Property is shown as Occupancy Class-1.

5) **Search Report for 30 years from 1992 to 2024 (32 years)** My client has taken search through its department on Online Portals of Inspector of General Registration (IGR Maharashtra) website for the year 2002 to 2024. Besides, my client has also taken manual search for the year 1992 to 2001. There is no registered document evidencing creation of adverse interest in the said First Property to Eighth Property.

ROC Search Report dated 02/05/2024 issued by Sharatkumar Shetty & Associates, Practising Company Secretary for Searches taken at Registrar of Companies on Macrotech Developers Limited.

6) On the basis of and relying upon the perusal photocopies of relevant (i) Title documents; (ii) Revenue Records as uploaded on Portals of <https://bhulekh.mahabhumi.gov.in/>; (iii) Orders/Permissions, Notification for acquirement of the said property (iv) Search Data of Search conducted in Offices of concerned Sub Registrar and Online Search on the Portal of Inspector General of Registration (IGR) for the Land Record and (v) Online Search on the portal of Ministry of Company Affairs (MCA) for charges on the said Property created by Macrotech Developers Limited and relying on representations, information and explanation gathered in connection therewith, I am of the opinion that on the basis of findings set out in Annexure-A-Flow of Title hereto and subject to pending litigation with regard to Fifth Property mentioned in Flow of Title and subsisting Mortgage mentioned hereunder on said First Property to Eighth Property, the title of Macrotech Developers Limited, as the Land Holder / Promoter / Developer of the said First Property to Eighth Property comprised in Survey No. 35/6, 35/7, 35/4A, 172/1, 172/2, 35/9, 173/0 and 172/3 in Village Khoni as an absolute Owner thereof with entitlements of complete development rights thereof is clear, marketable and free from encumbrances.

7) By Unilateral Indenture of Mortgage dated 28th June 2022 executed and registered under Sr. No. KLN2-15173-2022 on 28/06/2022 with the Office of Sub Registrar at Kalyan-2, by and between Macrotech Developers Limited as the "**Borrower/Mortgagor**", of the One Part and Housing Development Finance Corporation Limited therein refer to as the "**Mortgagee/Lender**" of the Other Part, where under the said Mortgagor has inter alia, for due repayment of the mortgaged debts, inter alia mortgaged secured properties (as defined therein) as described in Second Schedule thereunder written, which includes said First Property to Eighth Property as and by way of Security on terms, covenants and conditions stated therein.

8) I note that over a period of time, by reason of Change of Name, Restructuring and Reorganisation as well as Conversion, Lodha Dwellers Private Limited / Palava Dwellers Private Limited / Lodha Developers Limited its continuance into other entities ultimately came to be known as Macrotech Developers Limited. The details whereof are mentioned in Flow of Title being Annexure-A hereto. Thereupon all the

entire business undertaking, assets including the permissions and Property transferred to and vested in Macrotech Developers Limited.

Owner of the said property

- 1) the land bearing Survey No. 35/6 in Village Khoni, Taluka Kalyan and Dist. Thane are owned by and belonged to Palava Dwellers Private Limited as the Land Holder. It is represented that the name of Macrotech Developers Limited will be mutated on 7/12 extract of the said First Property in due course.
- 2) the land bearing Survey No. 35/7 in Village Khoni, Taluka Kalyan and Dist. Thane are owned by and belonged to Palava Dwellers Private Limited as the Land Holder. It is represented that the name of Macrotech Developers Limited will be mutated on 7/12 extract of the said Second Property in due course.
- 3) the land bearing Survey No. 35/4A in Village Khoni, Taluka Kalyan and Dist. Thane are owned by and belonged to Palava Dwellers Private Limited as the Land Holder. It is represented that the name of Macrotech Developers Limited will be mutated on 7/12 extract of the said Third Property in due course.
- 4) the land bearing Survey No. 172/1 in Village Khoni, Taluka Kalyan and Dist. Thane are owned by and belonged to Palava Dwellers Private Limited as the Land Holder. It is represented that the name of Macrotech Developers Limited will be mutated on 7/12 extract of the said Fourth Property in due course.
- 5) the land bearing Survey No. 172/2 in Village Khoni, Taluka Kalyan and Dist. Thane are owned by and belonged to Palava Dwellers Private Limited as the Land Holder. It is represented that the name of Macrotech Developers Limited will be mutated on 7/12 extract of the said Fifth Property in due course.
- 6) the land bearing Survey No. 35/9 in Village Khoni, Taluka Kalyan and Dist. Thane are owned by and belonged to Palava Dwellers Private Limited as the Land Holder. It is represented that the name of Macrotech Developers Limited will be mutated on 7/12 extract of the said Sixth Property in due course.
- 7) the land bearing Survey No. 173/0 in Village Khoni, Taluka Kalyan and Dist. Thane are owned by and belonged to Palava Dwellers Private Limited as the Land Holder. It is represented that the name of Macrotech Developers Limited will be mutated on 7/12 extract of the said Seventh Property in due course.
- 8) Since verifying pending litigation in respect of the said properties becomes difficult due to various reason including (i) litigation can be filed / instituted in various forum and authorities depending upon Relief Claim; and / or (ii) record of litigation maintained by the Court and authorities Judicial or otherwise not updated nor maintained descriptively and not easily available / accessable; and / or (iii) there are no register maintain in respect of the matter referred to Arbitration, I have not conducted any search before any Court of Law or before any other authority (Judicial or otherwise) to verify whether the properties are subject matter of any litigation and have relied on representation of my Client and same is detailed in my Legal Report / Flow of Title annexed hereto.

9) Qualifying comments/remarks : Pending Litigation before Court of Civil Judge Juior Division Regular Civil Suit No. 203 of 2014 by Shantaram Sakharam Kathavale & others against Maruti Shivram Kathavale & 10 others and Lodha Dwellers Private Limited as Party Defendant No. 12 and Subsisting Mortgage as mentioned in detailed Flow of Title annexed as Annexure "A" hereto and this Report be read and construed in conjunction with Annexure-A.

The report reflecting the flow of the title of Developer viz. Macrotech Developers Limited as Land Holder / Promoter /Developer to the said Property and right of the Developer, is separately enclosed and annexed as **Annexure-A**.

Dated this 9th day of July, 2024.


(Pradip Garach)
Advocate High Court, Bombay

Encl.: Annexure "A" –Flow of Title

FORMAT-A

Circular No. (28/2021)

FLOW OF THE TITLE OF THE SAID PROPERTY

Sub.: Title Clearance Certificate with respect to ALL THAT pieces and parcels

Village	Survey No. / Hissa No.	Area (in Sq.mtrs.) or thereabout	Defined Term
Khoni	35/6 (Part)	1360	First Property
Khoni	35/7 (Part)	2630	Second Property
Khoni	35/4A (Part)	4050	Third Property
Khoni	172/1 (Part)	4500	Fourth Property
Khoni	172/2 (Part)	680	Fifth Property
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Khoni	173/(Part)	8600	Seventh Property
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Total Area		24830	

and "First Property" to "Eighth Property" totally admeasuring 24830 sq.mtrs. or thereabout lying being and situate at Village Khoni, Taluka Kalyan and District Thane hereinafter referred to as the "the said Property".

1. I have investigated the title of all that said First Property to Eighth Property at the request of my client, Macrotech Developers Limited formerly known as Lodha Dwellers Private Limited / Palava Dwellers Private Limited / Lodha Developers Private Limited / Lodha Developers Limited a company incorporated under the Companies Act, 1956 and now deemed to be incorporated under the Companies Act, 2013, having its registered office at 412, Floor- 4, 17G, Vardhaman Chamber, Cawasji Patel Road, Horniman Circle, Fort, Mumbai-400 001 ("Company") as the Owner / Developer, as the case may be, of the same. On the basis and relying upon the perusal of relevant photocopies of Title documents; Orders/Permissions, Notification for acquirement of the said property and development; Revenue Records as uploaded on Portals of <https://bhulekh.mahabhumi.gov.in/>; Search Data of Manual Search conducted in Offices of concerned Sub Registrar; Online Search on the Portal of Inspector General of Registration (IGR) for the Land Record; Online Search on the portal of Ministry of Company Affairs (MCA) for charges created by Macrotech Developers Limited in respect of the said First Property to Eighth Property and Orders and Certificates with respect to re-organisation and re-structuring in relation to the Company, I have to state as follows:
2. **For the purpose of this Title Report, I have perused following Documents, Land Revenue Records and Search Reports:**
 - (i) Respective 7/12 Extract in respect of the all that First Property to Eighth Property.
 - (ii) Mutation Entry Nos. 111, 193, 236, 312, 548, 589, 781, 786, 841, 842, 1103, 1104, 1334, 1348, 1399 and 1440 are related to Survey No. 35/6 in Village Khoni;
 - (iii) Mutation Entry Nos. 192, 236, 312, 389, 781, 786, 948, 1112, 1113, 1114, 1115, 1116, 1140, 1341, 1345, 1347, 1348, 1399 and 1440 are related to Survey No. 35/7 in Village Khoni;

- (iv) Mutation Entry Nos. 137, 216, 236, 312, 331, 389, 781, 786, 948, 1103, 1168, 1169, 1212, 1343, 1348, 1398, 1399 and 1440 are related to Survey No. 35/4A in Village Khoni;
- (v) Mutation Entry No. 174, 193, 267, 287, 590, 835, 838, 947, 1398, 1399 and 1440 are related to Survey No. 172/1 in Village Khoni;
- (vi) Mutation Entry No. 192, 193, 506, 964, 965, 966, 967, 968, 1001, 1345, 1347, 1398, 1399, 1440 and 1498 are related to Survey No. 172/2 in Village Khoni;
- (vii) Mutation Entry Nos. 107, 236, 279, 312, 384, 388, 645, 719, 1125, 1130, 1398, 1399 and 1440 are related to Survey No. 35/9 in Village Khoni;
- (viii) Mutation Entry Nos. 192, 389, 506, 964, 965, 966, 967, 968, 1001, 1398, 1399 and 1440 are related to Survey No. 173/0 in Village Khoni;
- (ix) Mutation Entry No. 111, 193, 389, 548, 587, 588, 589, 841, 842, 10096, 1398, 1399, 1440 and 1492 are related to Survey No. 172/3 in Village Khoni;
- (x) Development Agreement dated 09/01/2007 executed and registered under Sr. No. KLN4-147-2007 with the office of Sub Registrar Kalyan-4, between 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil and 10) Krishna Bapu Patil and Lodha Dwellers Private Limited for development of the property bearing Survey No. 35/4A, 35/6 and 35/7 in Village Khoni;
- (xi) Power of Attorney dated 09/01/2007 executed and registered under Sr. No. KLN4-149-2007 with the office of Sub Registrar Kalyan-4, between 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil and 10) Krishna Bapu Patil in favour of Lodha Dwellers Private Limited to carry out development of the property bearing Survey No. 35/4A, 35/6 and 35/7 in Village Khoni;
- (xii) Conveyance Deed dated 27/11/2009 executed and registered under Sr. No. KLN1-8129-2009 with the office of Sub Registrar Kalyan-1, by and between 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil, 10) Krishna Bapu Patil, 11) Devu Vithu Farad, 12) Shantaram Vithu Farad, 13) Balkrishna Vithu Farad, 14) Bhagubai Kundalik Bhoir, 15) Leelabai Chandar Pingale, 16) Dhondubai Sakharam Sakhre, 17) Shobha Bhagya Thakare, 18) Sharad Bhagya Thakare, 19) Jagan Tukaram Thakare, 20) Fulabai Tukaram Thakare, 21) Neerabai Bharat Thakare and 22) Janu Bhagya Dalvi in favour of Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 35/6 admeasuring 1360 sq.mtrs. or thereabout in Village Khoni;
- (xiii) Conveyance Deed dated 03/07/2012 executed and registered under Sr. No. KLN1-4699-2012 with the office of Sub Registrar Kalyan -1, by and between 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil, 10) Kailas Krishna Patil, 11) Kantabai Shripat Mhatre, 12) Shantabai Krishna Patil, 13) Dattatray Atamaram Kathavale, 14) Tukaram Atamaram Kathavale, 15) Motiram Gopinath

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Kathavale, 16) Shivaji Gopinath Kathavale, 17) Anna Gopinath Kathavale, 18) Janabai Motiram Shelar, 19) Sonabai Hari Wakurle, 20) Mankubai Atamaram Tembhe, 21) Krishnabai Shantaram Kor, 22) Leelabai Ananta Bhoir, 23) Shevantabai Ananta Kathavale, 24) Balaram Pandurang Kathavale, 25) Sitaram Pandurang Kathavale, 26) Dilip Pandurang Kathavale, 27) Suman Damodar Dabhane, 28) Pushpa Harishchandra Dagde, 29) Narayan Vitthal Dabhane, 30) Archana Bapu Kathavale, 31) Darshana Bapu Kathavale, 32) Rupali Bapu Kathavale, 33) Surekha Anil Patil, 34) Harishchandra Kundalik Kathavale, 35) Madhukar Kundalik Kathavale, 36) Vilas Kundalik Kathavale, 37) Kusum Rajaram Tembhe, 38) Nanda Ashok Walimbe, 39) Avinash Vishnu Kathavale, 40) Vanmala Vishnu Kathavale, 41) Chhaya Rajaram Mope, 42) Sadhana Deepak Kor, 43) Sarita Arun Patil, 44) Vasanti Sunil Tarmale, 45) Neelam Mahesh Walimbe, 46) Shriram Atamaram Kathavale, 47) Shankar Atamaram Kathavale, 48) Gajanan Atamaram Kathavale, 49) Indubai Baban Shelar, 50) Heerabai Sadanand Bhoir, 51) Neerabai Gaikar, 52) Bhimabai Bhagwan Desale, 53) Shakuntala Pandurang Kathavale, 54) Ramesh Vitthal Dabhane, 55) Ramchandra Maruti Kathavale, 56) Narayan Maruti Kathavale, 57) Bhanudas Maruti Kathavale and 58) Gangubai Dinanath Shirose in favour of Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 35/7 admeasuring 2630 sq.mtrs. or thereabout in Village Khoni;

(xiv) Conveyance Deed dated 05/04/2013 executed and registered under Sr. No. KLN1-2512-2013 with the office of Sub Registrar Kalyan -1, by and between 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Jayshri Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Kamini Kaluram Patil, 9) Pushpa Kaluram Patil for herself and natural guardian of Sr. No. 7 and 8, 10) Kailas Krishna Patil, 11) Kantabai Shripat Mhatre, 12) Shantabai Krishna Patil, 13) Tukaram Rama Kalekar, 14) Shriram Pandurang Darge, 15) Suresh Pandurang Darge and 16) Sharad Pandurang Darge in favour of Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 35/4A admeasuring 4050 sq.mtrs. or thereabout in Village Khoni;

(xv) Development Agreement dated 21/08/2006 executed and registered under Sr. No. KLN3-3173-2006 with the office of Sub Registrar Kalyan-4, between 1) Manjulabai Sitaram Thakare, 2) Balu Pandurang Wakurle, 3) Appa Santu Sorkhade, 4) Dattatray Bhiva Sorkhade and 5) Shivaji Krishna Sorkhade and Lodha Dwellers Private Limited for development of the property bearing Survey No. 172/1 in Village Khoni;

(xvi) Conveyance Deed dated 16/07/2009 executed and registered under Sr. No. KLN1-4877-2009 with the office of Sub Registrar Kalyan-1, by and between 1) Manjulabai Sitaram Thakare, 2) Balu Pandurang Wakurle, 3) Appa Santu Sorkhade, 4) Dattatray Bhiva Sorkhade, 5) Shivaji Krishna Sorkhade, 6) Suman Pandurang Wakurle, 7) Janabai Sukeer Wakurle, 8) Jaya Gajanan Kalekar, 9) Archana Gurunath Thombare, 10) Ashwini Nitin Shinde, 11) Vidya Bhoir, 12) Aparna Sukir, 13) Sudha Sukir Wakurle, 14) Damu Bhiwa Sorkhade, 15) Vithabai Barku Shirose and 16) Bebi Dattu Jadhav in favour of Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 172/1 admeasuring 4500 sq.mtrs. or thereabout in Village Khoni;

(xvii) Agreement for Sale dated 30/12/2009 executed and registered under Sr. No. KLN1-9031-2009 with the office of Sub Registrar Kalyan-1, between 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale, 4) Gangubai Dinanath Shirose, 5) Dattu Atamaram Kathavale, 6) Tukaram Atamaram Kathavale, 7) Balaram Pandurang Kathavale, 8) Sitaram Pandurang Kathavale, 9) Dilip Pandurang Kathavale, 10) Pushpa Harishchandra Dagade, 11) Surekha Anil

Patil, 12) Archana Bapu Kathavale, 13) Darshana Bapu Kathavale, 14) Rupali Bapu Kathavale, 15) Narayan Vitthal Dabhane, 16) Barkubai Vitthal Dabhane, 17) Sanjay Ramchandra Shiroshe, 18) Motiram Gopinath Kathavale, 19) Shivaji Gopinath Kathavale, 20) Anna Gopinath Kathavale, 21) Janabai Motiram Shelar, 22) Sonabai Hari Wakhurle, 23) Mankubai Atamaram Tembhe, 24) Krishnabai Shantaram Kor, 25) Leelabai Ananta Bhoir, 26) Harishchandra Kundalik Kathavale, 27) Madhukar Kundalik Kathavale, 28) Vilas Kundalik Kathavale, 29) Avinash Vishnu Kathavale, 30) Vanmala Vishnu Kathavale, 31) Kusum Rajaram Tembhe, 32) Nanda Ashok Walimbe, 33) Chhaya Rajaram Mope, 34) Sadhana Deepak Kore, 35) Sarita Vishnu Kathavale and 36) Neelam Mahesh Walimbe, and Lodha Dwellers Private Limited to sell and development of the property bearing Survey No. 35/9, 172/2 and 173/0 in Village Khoni;

(xviii) Power of Attorney dated 30/12/2009 executed and registered under Sr. No. 280/2009 with the office of Sub Registrar Kalyan-1, between 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale, 4) Gangubai Dinanath Shirose, 5) Dattu Atamaram Kathavale, 6) Tukaram Atamaram Kathavale, 7) Balaram Pandurang Kathavale, 8) Sitaram Pandurang Kathavale, 9) Dilip Pandurang Kathavale, 10) Pushpa Harishchandra Dagade, 11) Surekha Anil Patil, 12) Archana Bapu Kathavale, 13) Darshana Bapu Kathavale, 14) Rupali Bapu Kathavale, 15) Narayan Vitthal Dabhane, 16) Barkubai Vitthal Dabhane, 17) Sanjay Ramchandra Shiroshe, 18) Motiram Gopinath Kathavale, 19) Shivaji Gopinath Kathavale, 20) Anna Gopinath Kathavale, 21) Janabai Motiram Shelar, 22) Sonabai Hari Wakhurle, 23) Mankubai Atamaram Tembhe, 24) Krishnabai Shantaram Kor, 25) Leelabai Ananta Bhoir, 26) Harishchandra Kundalik Kathavale, 27) Madhukar Kundalik Kathavale, 28) Vilas Kundalik Kathavale, 29) Avinash Vishnu Kathavale, 30) Vanmala Vishnu Kathavale, 31) Kusum Rajaram Tembhe, 32) Nanda Ashok Walimbe, 33) Chhaya Rajaram Mope, 34) Sadhana Deepak Kore, 35) Sarita Vishnu Kathavale and 36) Neelam Mahesh Walimbe, in favour of 1) Rajendra Lodha and 2) Bhaskar Kamat to carry out development of the property bearing Survey No. 35/9, 172/2 and 173/0 in Village Khoni;

(xix) Conveyance Deed dated 12/07/2010 executed and registered under Sr. No. KLN1-5714-2010 with the office of Sub Registrar Kalyan-1, by and between 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale, 4) Gangubai Dinanath Shirose, 5) Dattu Atamaram Kathavale, 6) Tukaram Atamaram Kathavale, 7) Balaram Pandurang Kathavale, 8) Sitaram Pandurang Kathavale, 9) Dilip Pandurang Kathavale, 10) Pushpa Harishchandra Dagade, 11) Surekha Anil Patil, 12) Archana Bapu Kathavale, 13) Darshana Bapu Kathavale, 14) Rupali Bapu Kathavale, 15) Narayan Vitthal Dabhane, 16) Shankar Atamaram Kathavale, 17) Shreeram Atamara Kathavale, 18) Motiram Gopinath Kathavale, 19) Shivaji Gopinath Kathavale, 20) Anna Gopinath Kathavale, 21) Janabai Motiram Shelar, 22) Sonabai Hari Wakhurle, 23) Mankubai Atamaram Tembhe, 24) Krishnabai Shantaram Kor, 25) Leelabai Ananta Bhoir, 26) Harishchandra Kundalik Kathavale, 27) Madhukar Kundalik Kathavale, 28) Vilas Kundalik Kathavale, 29) Avinash Vishnu Kathavale, 30) Vanmala Vishnu Kathavale, 31) Kusum Rajaram Tembhe, 32) Nanda Ashok Walimbe, 33) Chhaya Rajaram Mope, 34) Sadhana Deepak Kore, 35) Sarita Vishnu Kathavale, 36) Neelam Mahesh Walimbe, 37) Indubai Baban Shelar, 38) Heerabai Sadanand Bhoir, 39) Neerabai Gaikar, 40) Bhimabai Bhagwan Desale, 41) Suman Damodar Dabhane, 42) Vasanti Sunil Tarmale, 43) Ramesh Vitthal Dabhane, 44) Shakuntala Pandurang Kathavale, 45) Gajanan Atamaram Kathavale and 46) Shevantabai Gopinath Kathavae in favour of Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 35/9 admeasuring 2830 sq.mtrs. or thereabout, Survey No. 172/2 admeasuring 680 sq.mtrs. or thereabout and Survey No. 173/0 admeasuring 8600 sq.mtrs. or thereabout in Village Khoni;

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(xx) Agreement for Sale dated 27/06/2011 executed and registered under Sr. No. KLN1-6717-2011 with the office of Sub Registrar Kalyan-1, between 1) Devu Vithu Farad, 2) Shantaram Vithu Farad, 3) Balkrishna Vithu Farad, 4) Bhagubai Kundalik Bhoir, 5) Leelabai Chandar Pingale, 6) Dhondubai Sakharam Sakhare, 7) Shobha Bhagya Thakare, 8) Sharad Bhagya Thakare, 9) Janu Bhagya Dalvi, 10) Neerabai Bharat Thakare, 11) Jagan Tukaram Thakare and 12) Fulabai Tukaram Thakare and Lodha Dwellers Private Limited to sell and development of the property bearing Survey No. 172/3 in Village Khoni;

(xxi) Power of Attorney dated 27/06/2011 executed and registered under Sr. No. 283/2011 with the office of Sub Registrar Kalyan -1, between 1) Devu Vithu Farad, 2) Shantaram Vithu Farad, 3) Balkrishna Vithu Farad, 4) Bhagubai Kundalik Bhoir, 5) Leelabai Chandar Pingale, 6) Dhondubai Sakharam Sakhare, 7) Shobha Bhagya Thakare, 8) Sharad Bhagya Thakare, 9) Janu Bhagya Dalvi, 10) Neerabai Bharat Thakare, 11) Jagan Tukaram Thakare and 12) Fulabai Tukaram Thakare in favour of Lodha Dwellers Private Limited to carry out development of the property bearing Survey No. Survey No. 172/3 in Village Khoni;

(xxii) Conveyance Deed dated 22/12/2011 executed and registered under Sr. No. KLN1-11754-2011 with the office of Sub Registrar Kalyan-1, by and between 1) Devu Vithu Farad, 2) Shantaram Vithu Farad, 3) Balkrishna Vithu Farad, 4) Bhagubai Kundalik Bhoir, 5) Leelabai Chandar Pingale, 6) Dhondubai Sakharam Sakhare, 7) Shobha Bhagya Thakare, 8) Sharad Bhagya Thakare, 9) Janu Bhagya Dalvi, 10) Neerabai Bharat Thakare, 11) Jagan Tukaram Thakare and 12) Fulabai Tukaram Thakare in favour of Lodha Dwellers Private Limited to convey and transfer the property bearing Survey No. 172/3 admeasuring 180 sq.mtrs. or thereabout in Village Khoni;

(xxiii) Unilateral Indenture of Mortgage dated 28th June 2022 executed and registered under Sr. No. KLN2-15173-2022 on 28/06/2022, by and between Macrotech Developers Limited as 'Mortgagor/Borrower' of the One Part and Housing Development Finance Corporation Limited as 'Mortgagee / Lender' of the Other Part interalia for the said Property.

(xxiv) A Fresh Certificate of Incorporation Certificate dated 06/05/2014 Change of Name of Lodha Dwellers Private Limited to Palava Dwellers Private Limited.

(xxv) Order dated 09-11/01/2018 passed by National Company Law Tribunal (NCLT) in Company Scheme Petition No.896 of 2017 filed by Palava Dwellers Private Limited (Petitioner/1st Amalgamating Company) and Company Scheme Petition No. 894 of 2017 filed by Lodha Developers Private Limited (Amalgamated Company)

(xxvi) Fresh Certificate of Incorporation Certificate dated 14/03/2018 on conversion of Lodha Developers Private Limited to Lodha Developers Limited.

(xxvii) Certificate of Incorporation dated 24th May 2019 for Change of Name of Lodha Developers Limited to Macrotech Developers Limited.

(xxviii) Order dated 26th October, 2021 passed by National Company Law Tribunal (NCLT) in Company Scheme Petition (CAA) No. 136/MB/2021 connected with Company Application (CAA) No. 985/MB of 2020 filed by Palava Dwellers Private Limited (Transferor Company) and Macrotech Developers Limited (Transferee Company).

- (xxix) Search Data of Search conducted by my client through its department on Online Portals of Inspector of General Registration (IGR Maharashtra) website for the year 2002 to 2024 and also Manual Search for the year 1992 to 2002.
- (xxx) ROC Search Report dated 02/05/2024 issued by Sharatkumar Shetty & Associates, Practising Company Secretary for Searches taken at Registrar of Companies on Macrotech Developers Limited.
- (xxxi) I have not issued a public notice inviting objections /claims in respect of the said property.
- (xxxii) Since my scope of work does not include considering the aspects within the domain of an Architect or a Surveyor, I have not carried out any physical inspection of the said Property nor have commented on development aspect etc. thereof.

3. **Flow of Title of the said Property**

A. Survey No. 35/6, 35/7 and 35/4A ("First Property", "Second Property" and "Third Property")

- i) As per Mutation Entry No. 137 dated 01/05/1944, it is recorded that on 10/12/1943, Shivram Krishna Kathavale sold and conveyed the property bearing Survey No. 35/4 in favour of Rama Bhiwa Kalekar for valuable consideration.
- ii) As per Mutation Entry No. 192 dated 28/06/1952, it is recorded that Shivram Krishna Kathavale died intestate on 14/01/1952 leaving behind him surviving legal heirs viz. 1) Maruti Shivram Kathavale, 2) Atamaram Shivram Kathavale, 3) Pandurang Shivram Kathavale, 4) Gopinath Shivram Kathavale and 5) Kundalik Shivram Kathavale (sons). However, name of Maruti Shivram Kathavale as the Head of the Family entered and recorded as Land Holder on 7/12 extract in respect of the Second Property bearing Survey No. 35/7.
- iii) As per Mutation Entry No. 193 dated 20/09/1952, it is recorded that the First Property bearing Survey No. 35/6 had been declared as a Fragment and reflected in the name of Nathu Farad.
- iv) As per Mutation Entry No. 236 dated 22/03/1954, it is recorded that on enactment of Bombay Inam Abolition Act, the Inami Lands held by Inamdar was reclassified as Government land and entered on 7/12 extract of the said First Property, Second Property and Third Property as Inami Tenure came to be abolished. In consequence thereof, names of the respective Land Holders viz. 1) Rama Bhiwa Kalekar, 2) Maruti Shivram Kathavale, 3) Atamaram Shivram Kathavale, 4) Pandurang Shivram Kathavale, 5) Gopinath Shivram Kathavale, 6) Kundalik Shivram Kathavale and 7) Nathu Farad deleted for their respective First Property, Second Property and Third Property.
- v) As per Mutation Entry No. 312 dated 09/09/1963 effected by reason of Abolition of Inami Tenure. Under the provision of Maharashtra Revenue Patels (Abolition of Office) Act, 1962, lands under Inami Tenure has been abolished the effect from 01/01/1963. In consequence thereof, the land as mentioned in this Mutation under said Inami Tenure which also includes First Property, Second Property and Third Property came to be deleted and declared as Government Land with remark that name of one Bapu Chango Patil put below the Government Land Notation as per Old 7/12 extract for the year 1953-54 to 1972-73.

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- vi) Mutation Entry No. 389 was entered on account of the enforcement of enactment of Weight and Measurement (Enforcement) Act, 1957 and Indian Coinage Act, 1957. Thus, the measurement of the said Property was shown in Decimal system (Metric System).
- vii) As per Mutation Entry No. 506 dated 01/01/1984, it is recorded that on the death of Maruti Shivram Kathavale on 28/12/1983, names of his legal heirs viz. 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale (sons), 4) Gangubai Maruti Shiroshe (daughter) and 5) Laxmi Maruti Kathavale (Wife), were entered on 7/12 extract in respect of the Second Property bearing Survey No. 35/7.
- viii) As per Mutation Entry No. 548 dated 21/03/1989, it is recorded that on the death of said Vithu Nathu Farad in August, 1987, names of his legal heirs viz. 1) Devu Vithu Farad, 2) Shantaram Vithu Farad, 3) Balkrishna Vithu Farad (sons), 4) Bhagubai Kundalik Bhoir, 5) Leelabai Chandar Pingale, 6) Dhondubai Sakhararam Sakhare, 7) Babubai Bharat Thakare, 8) Ramabai Bhagya Thakare and 9) Shevubai Janu Dalvi (married daughters), were entered on 7/12 extract in respect of the First Property bearing Survey No. 35/6.
- ix) As per Mutation Entry No. 587 dated 07/12/1990, it is recorded that on the death of Ramabai Bhagya Thakare around 5/6 years ago, names of her legal heirs viz. 1) Rajesh Bhagya Thakare, 2) Sharad Bhagya Thakare (sons) and 3) Shobha Bhagya Thakare (daughter), were entered on 7/12 extract in respect of the First Property bearing Survey No. 35/6.
- x) As per Mutation Entry No. 588 dated 07/12/1990, it is recorded that on the death of Shevubai Janu Dalvi around 10/12 years ago, names of her sole legal heir viz. Janu Bhagya Dalvi (Husband), were entered on 7/12 extract in respect of the First property bearing Survey No. 35/6.
- xi) As per Mutation Entry No. 589 dated 07/12/1990, it is recorded that on the death of Babubai Bharat Thakare around 15/16 years ago, names of her legal heirs viz. 1) Tukaram Bharat Thakare (son) and 2) Neerabai Bharat Thakare (daughter), were entered on 7/12 extract in respect of the First Property bearing Survey No. 35/6.
- xii) As per Mutation Entry No. 781 dated 07/09/2006, it is recorded that on the death of Bapu Chango Patil in the year 1962 and his son Laxman Bapu Patil died on 12/09/1994 (since deceased) and his Grand Son Kaluram Laxman Patil died on 21/06/2006 (Since deceased), names of their respective legal heirs viz. 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil (Sons), 5) Pushpa Kaluram Patil (Daughter-in law), 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil (Grandsons), 8) Jayashree Kaluram Patil, 9) Kamini Kaluram Patil (Grand daughters) and 10) Krishna Bapu Patil (son), were entered on 7/12 extract in respect of the First Property, Second Property and Third Property bearing Survey No. 35/6, 35/7 and 35/4A.
- xiii) As per Mutation Entry No.786 dated 05/01/2007, it is recorded that Maharashtra Revenue Patels (Abolition of Office) Act, 1962 enacted and as such notation of Government of Maharashtra entered and recorded with that name of the occupier Chitaman Laxman Patil and others entered and recorded in sub tax as Occupiers. Under Section of 5 of the Maharashtra Revenue Patels (Abolition of Office) Act, 1962 the said occupiers paid premium calculated at the rate of 6 times assessments to the extent of Rs.40,974/- By reason whereof, the land mentioned in this mutation which includes First Property, Second Property and Third Property where reinstated

and restored to the Occupiers Chintaman Laxman Patil and others on the basis of New Composite Term as mentioned in the Mutation.

- xiv) As per Mutation Entry No. 841 dated 07/04/2008, it is recorded that on the death of Rajesh Bhagya Thakare around 17 years ago without any legal heirs. Hence, names of his next-of-kin (Nephews) viz. 1) Shobha Bhagya Thakare (Sister) and 2) Sharad Bhagya Thakare (Brother), were entered on 7/12 extract in respect of the First Property bearing Survey No. 35/6.
- xv) As per Mutation Entry No. 842 dated 07/04/2008, it is recorded that on the death of Tukaram Bharat Thakare on 21/12/1991, names of his legal heirs viz. 1) Jagan Tukaram Thakare (Son) and 2) Fulabai Tukaram Thakare (wife), were entered on 7/12 extract in respect of the First Property bearing Survey No. 35/6.
- xvi) As per Mutation Entry No. 948 dated 08/12/2009, it is recorded that on the death of Krishna Bapu Patil on 08/03/2008, names of his legal heirs viz. 1) Kailas Krishna Patil (son), 2) Kantabai Shripat Mhatre (married daughter) and 3) Shantabai Krishna Patil (daughter), were entered on 7/12 extract in respect of the First Property, Second Property and Third Property bearing Survey No. 35/6, 35/7 and 35/4A.
- xvii) As per Mutation Entry No. 1103 dated 22/02/2012 it is recorded that Taluka Order came to be passed with regard to land comprised in several survey numbers which includes First Property, Second Property and Third Property bearing Survey No. 35/6, 35/7 and 35/4A arisen as result of Abolition of Revenue Patels (Abolition of Office) Act, 1962 enactment. In order to use the said land for Non-Agricultural purpose and deletion of Notation of New Terms on 7/12 extract, Patil Watan Notification No. Watan/1099/Pra.kra/223/L-4 dated 09/07/2002 notified and pursuant to the Clause No. 2.2 of Notification 50% of unearned income paid to Government and Notation of New Terms on 7/12 extract was interalia deleted in respect of First Property, Second Property and Third Property bearing Survey No. 35/6, 35/7 and 35/4A. This Mutation came to be effected pursuant to the Order bearing No. Revenue/T-2/Land/KV-2475/2012 dated 13/01/2012 issued by Tahsildar, Kalyan.
- xviii) As per Mutation Entry No. 1112 dated 26/03/2012, it is recorded that on the death of Maruti Shivram Kathavale on 28/12/1983 and his wife Laxmi Maruti Kathavale (since deceased), names of his legal heirs viz. 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale (sons) and 4) Gangubai Maruti Shiroshe (daughter), were entered on 7/12 extract in respect of the Second Property bearing Survey No. 35/7.
- xix) As per Mutation Entry No. 1113 dated 26/03/2012, it is recorded that on the death of Pandurang Shivram Kathavale around 15 years ago and his married daughter Shevanta Vitthal Dabhane (since deceased) and his son Bapu Pandurang Kathavale (since deceased), names of their respective legal heirs viz. 1) Shakuntala Pandurang Kathavale (wife) 2) Balaram Pandurang Kathavale, 3) Sitaram Pandurang Kathavale, 4) Dilip Pandurang Kathavale (sons), 5) Suman Damodar Dabhane, 6) Pushpa Harishchandra Dagade, 7) Surekha Anil Patil (daughters), 8) Ramesh Vitthal Dabhane, 9) Narayan Vitthal Dabhane (Grandsons), 10) Archana Bapu Kathavale, 11) Darshana Bapu Kathavale, 12) Rupali Bapu Kathavale and 13) Mangala Bapu Kathavale (Granddaughters), were entered on 7/12 extract in respect of the Second Property bearing Survey No. 35/7.
- xx) As per Mutation Entry No. 1114 dated 26/03/2012, it is recorded that on the death of Kundalik Shivram Kathavale on 12/12/2002 and his son Vishnu Kundalik

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Kathavale (since deceased), names of their respective legal heirs viz. 1) Harishchandra Kundalik Kathavale, 2) Madhukar Kundalik Kathavale, 3) Vilas Kundalik Kathavale (sons), 4) Kusum Rajaram Tembhe, 5) Nanda Ashok Walimbe (daughters), 6) Avinash Vishnu Kathavale (Grandson), 7) Vanmala Vishnu Kathavale (daughter-in-law), 8) Chhaya Rajaram Bhope, 9) Sadhana Deepak Kor, 10) Sarita Arun Patil, 11) Vasanti Sunil Tarmale and 12) Neelam Mahesh Walimbe (Granddaughter), were entered on 7/12 extract in respect of the Second Property bearing Survey No. 35/7.

- xxi) As per Mutation Entry No. 1115 dated 26/03/2012, it is recorded that on the death of Gopinath Shivram Kathavale on 27/07/1997, names of his legal heirs viz. 1) Motiram Gopinath Kathavale, 2) Shivaji Gopinath Kathavale, 3) Anna Gopinath Kathavale (sons), 4) Janabai Motiram Shelar, 5) Sonabai Hari Wakhurle, 6) Mankubai Atamaram Tembhe, 7) Krishnabai Shantaram Kor, 8) Leelabai Ananta Bhoir and 9) Shevantabai Gopinath Kathavale (daughters), were entered on 7/12 extract in respect of the Second Property bearing Survey No. 35/7.
- xxii) As per Mutation Entry No. 1116 dated 26/03/2012, it is recorded that on the death of Atamaram Shivram Kathavale around 30/32 years ago and Chandrabhaga Atamaram Kathavale (since deceased), names of their respective legal heirs viz. 1) Shriram Atamaram Kathavale, 2) Shankar Atamaram Kathavale, 3) Dattatray Atamaram Kathavale, 4) Gajanan Atamaram Kathavale (sons), 5) Indubai Baban Shelar, 6) Hirabai Sadanand Bhoir, 7) Neerabai Gaikar and 8) Bhimabai Bhagwan Desale, were entered on 7/12 extract in respect of the Second Property bearing Survey No. 35/7.
- xxiii) As per Mutation Entry No. 1168 dated 13/02/2013, it is recorded that on the death of Rama Bhiwa Kalekar around 40 years ago and his son Krishna Rama Kalekar (unmarried since deceased), names of their respective legal heirs viz. 1) Tukaram Rama Kalekar (Son) and 2) Gangubai Pandurang Darge (Daughter), were entered on 7/12 extract in respect of the Third Property bearing Survey No. 35/4A.
- xxiv) As per Mutation Entry No. 1169 dated 13/02/2013, it is recorded that on the death of Gangubai Pandurang Darge on 08/04/2003, names of his legal heirs viz. 1) Shriram Pandurang Darge, 2) Suresh Pandurang Darge and 3) Sharad Pandurang Darge (sons), were entered on 7/12 extract in respect of the Third Property bearing Survey No. 35/4A.
- xxv) The Mutation Entry No. 1398 dated 14/12/2015 records that under the cover of letter bearing No. MASHA/T.10/Hakkanond /KV5439/15, dated 11/12/2015 issued by Tahsildar, Kalyan, the name of the Company who has purchased the said Property required to be entered on record of rights for the said Property. However, through oversight, the name of the authorized signatory / Director of the company was entered on the 7/12 extract of Property. Therefore, this mutation came to be passed to rectify the Record of Rights by deleting wrongly entered name of authorized signatory / Director to replace name of Company as a Landholder for the First Property and Second Property i.e. property bearing Survey No. 35/6 and 35/7.
- xxvi) As per Mutation Entry No.1440 dated nil, records that by Government Notification Survey No./P.K.180/L-1, dated 07/05/2016 read with Order dated 14/10/2017 made by Tahsildar, Kalayan, District Thane there has been implementation of Project by using Edit Module for Computerization of land Revenue Records. This Mutation further records that on the basis of said Order, the computerized 7/12 extract were rectified alongwith Mutation thereon in respect of land mentioned therein. There is a rectification of Land Record with regard to conversion of the said

First Property and Second Property i.e. property bearing Survey No. 35/6 and 35/7 as Non-Agricultural Land. Moreover, name of Palava Dwellers Private Limited as Land Holder entered on respective 7/12 extract of First Property, Second Property and Third Property and names of the earlier Land Holders viz. Maruti Shivram Kathavale and 19 others were deleted.

- xxvii) Mutation Entry No. 1492 was not made available on the date of this Title Report.
- xxviii) By Development Agreement dated 09/01/2007 executed between Lodha Dwellers Private Limited (therein referred to as 'Developer') and 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil and 10) Krishna Bapu Patil (therein referred to as 'Owners'), registered with Sub-Registrar of Assurances at Kalyan-1 under Serial No. KLN4-147-2007, the said Owners therein inter alia agreed to grant development right of the First Property comprised in Survey No. 35/6 admeasuring 1360 sq.mtrs. or thereabout, Second Property comprised in Survey No. 35/7 admeasuring 2630 sq.mtrs. or thereabout and Third Property comprised in Survey No. 35/4A admeasuring 4050 sq.mtrs. or thereabout and ultimately sell his right, title and interest in the First Property comprised in Survey No. 35/6 admeasuring 1360 sq.mtrs. or thereabout, Second Property comprised in Survey No. 35/7 admeasuring 2630 sq.mtrs. or thereabout and Third Property comprised in Survey No. 35/4A admeasuring 4050 sq.mtrs. or thereabout to Lodha Dwellers Private Limited for the consideration and on terms and conditions more particularly set out therein.
- xxix) By a Power of Attorney dated 09/01/2007 executed and registered with the office of the Sub Registrar of Assurances at Kalyan under Serial No. KLN4-149-2007, the said 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil and 10) Krishna Bapu Patil (therein referred to as 'Owner'), in favour of Lodha Dwellers Private Limited, the Owners granted powers and authorities to the representatives of Lodha Dwellers Private Limited to do various acts, deeds, matters and things for and on their behalf in respect of the First Property comprised in Survey No. 35/6 admeasuring 1360 sq.mtrs. or thereabout, Second Property comprised in Survey No. 35/7 admeasuring 2630 sq.mtrs. or thereabout and Third Property comprised in Survey No. 35/4A admeasuring 4050 sq.mtrs. or thereabout and carry out development thereon.
- xxx) By Deed of Conveyance dated 27/11/2009 executed and registered under Serial No. KLN1-8129-2009 with Sub-Registrar Kalyan-1, 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil, 10) Krishna Bapu Patil, 11) Devu Vithu Farad, 12) Shantaram Vithu Farad, 13) Balkrishna Vithu Farad, 14) Bhagubai Kundalik Bhoir, 15) Leelabai Chandar Pingale, 16) Dhondubai Sakhararam Sakhare, 17) Shobha Bhagya Thakare, 18) Sharad Bhagya Thakare, 19) Jagan Tukaram Thakare, 20) Fulabai Tukaram Thakare, 21) Neerabai Bharat Thakare and 22) Janu Bhagya Dalvi (therein referred to as a 'Vendors') sold, conveyed, transferred and assured to and unto Lodha Dwellers Private Limited (therein referred to as 'Company' / 'Purchaser'), the said First Property comprised in Survey No. 35/6 admeasuring 1360 sq.mtrs. or thereabout for valuable consideration and on such terms, covenants and conditions stated therein. The Mutation Entry No. Mutation Entry No.1104 dated 01/03/2012 records the above transaction and the name of Lodha Dwellers Private Limited entered and recorded in the 7/12 extracts as the

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Land Holder / Owner in respect of the First Property comprised in Survey No. 35/6 admeasuring 1360 sq.mtrs. or thereabout.

xxxii) By Deed of Conveyance dated 03/07/2012 executed and registered under Serial No. KLN1-4699-2012 with Sub-Registrar Kalyan-1, 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Pushpa Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Jayshri Kaluram Patil, 9) Kamini Kaluram Patil, 10) Kailas Krishna Patil, 11) Kantabai Shripat Mhatre, 12) Shantabai Krishna Patil, 13) Dattatray Atamaram Kathavale, 14) Tukaram Atamaram Kathavale, 15) Motiram Gopinath Kathavale, 16) Shivaji Gopinath Kathavale, 17) Anna Gopinath Kathavale, 18) Janabai Motiram Shelar, 19) Sonabai Hari Wakurle, 20) Mankubai Atamaram Tembhe, 21) Krishnabai Shantaram Kor, 22) Leelabai Ananta Bhoir, 23) Shevantabai Ananta Kathavale, 24) Balaran Pandurang Kathavale, 25) Sitaram Pandurang Kathavale, 26) Dilip Pandurang Kathavale, 27) Suman Damodar Dabhane, 28) Pushpa Harishchandra Dagde, 29) Narayan Vitthal Dabhane, 30) Archana Bapu Kathavale, 31) Darshana Bapu Kathavale, 32) Rupali Bapu Kathavale, 33) Surekha Anil Patil, 34) Harishchandra Kundalik Kathavale, 35) Madhukar Kundalik Kathavale, 36) Vilas Kundalik Kathavale, 37) Kusum Rajaram Tembhe, 38) Nanda Ashok Walimbe, 39) Avinash Vishnu Kathavale, 40) Vanmala Vishnu Kathavale, 41) Chhaya Rajaram Mope, 42) Sadhana Deepak Kor, 43) Sarita Arun Patil, 44) Vasanti Sunil Tarmale, 45) Neelam Mahesh Walimbe, 46) Shriram Atamaram Kathavale, 47) Shankar Atamaram Kathavale, 48) Gajanan Atamaram Kathavale, 49) Indubai Baban Shelar, 50) Heerabai Sadanand Bhoir, 51) Neerabai Gaikar, 52) Bhimabai Bhagwan Desale, 53) Shakuntala Pandurang Kathavale, 54) Ramesh Vitthal Dabhane, 55) Ramchandra Maruti Kathavale, 56) Narayan Maruti Kathavale, 57) Bhanudas Maruti Kathavale and 58) Gangubai Dinanath Shirose (therein referred to as a 'Vendors') sold, conveyed, transferred and assured to and unto Lodha Dwellers Private Limited (therein referred to as 'Company' / 'Purchaser'), the said Second Property comprised in Survey No. 35/7 admeasuring 2630 sq.mtrs. or thereabout for valuable consideration and on such terms, covenants and conditions stated therein. The Mutation Entry No. 1140 dated 30/07/2012 records the above transaction and the name of Lodha Dwellers Private Limited entered and recorded in the 7/12 extracts as the Land Holder / Owner in respect of the Second Property comprised in Survey No. 35/7 admeasuring 2630 sq.mtrs. or thereabout.

xxxiii) By Deed of Conveyance dated 05/04/2013 executed and registered under Serial No. KLN1-2512-2013 with Sub-Registrar Kalyan-1, 1) Baliram Laxman Patil, 2) Chintaman Laxman Patil, 3) Gurunath Laxman Patil, 4) Prakash Laxman Patil, 5) Jayshri Kaluram Patil, 6) Bholanath Kaluram Patil, 7) Gorakhnath Kaluram Patil, 8) Kamini Kaluram Patil, 9) Pushpa Kaluram Patil for herself and natural guardian of Sr. No. 7 and 8, 10) Kailas Krishna Patil, 11) Kantabai Shripat Mhatre, 12) Shantabai Krishna Patil, 13) Tukaram Rama Kalekar, 14) Shriram Pandurang Darge, 15) Suresh Pandurang Darge and 16) Sharad Pandurang Darge (therein referred to as a 'Vendors') sold, conveyed, transferred and assured to and unto Lodha Dwellers Private Limited (therein referred to as 'Company' / 'Purchaser'), the said Third Property comprised in Survey No. 35/4A admeasuring 4050 sq.mtrs. or thereabout for valuable consideration and on such terms, covenants and conditions stated therein. The Mutation Entry No. Mutation Entry No.1212 dated 24/07/2013 records the above transaction and the name of Lodha Dwellers Private Limited entered and recorded in the 7/12 extracts as the Land Holder / Owner in respect of the Third Property comprised in Survey No. 35/4A admeasuring 4050 sq.mtrs. or thereabout.

xxxiv) As per Mutation Entry No.1334 dated 30/07/2014, it is recorded that by Deed of Confirmation dated 27/06/2011 executed and registered under No.KLN1-KLN1-

6718-2011 with the office of Sub Registrar Kalyan by and between Devu Vithu Farad and Others (who are legal heirs and received undivided right and interest by inheritance and Co-owners) as the Confirmers in favour of Lodha Dwellers Pvt. Ltd. as the Purchaser wherein the said Confirmers recorded due to personal reason, the Confirmers could not remain present at the time of the execution and registration the said Development Agreement dated 09/1/2007 and Conveyance Deed dated 27/11/2009 in respect of the First Property and Third Property by their Co-owners Deve Vithu Farad and others bearing Survey Nos. 35/7 referred hereinabove and thereupon by this Confirmation Deed they have confirmed and ratified the transactions under aforesaid documents as stated in therein.

- xxxiv) As per Mutation Entry No.1341 dated 30/07/2014, it is recorded that by a Deed of Confirmation dated 19/06/2012 executed and registered under No. KLN1-4203-2012 with the office of Sub Registrar Kalyan by and between Shriram Atmaram Kathavale and Others (who are legal heirs and received undivided right and interest by inheritance and Co-owners) as the Confirmers in favour of Lodha Dwellers Pvt. Ltd. as the Purchaser wherein the said Confirmers recorded due to personal reason, the Confirmers could not remain present at the time of the execution and registration the said Development Agreement dated 09/1/2007 in respect of the Second Property by their Co-owners Deve Vithu Farad and others bearing Survey Nos. 35/7 referred hereinabove and thereupon by this Confirmation Deed they have confirmed and ratified the transactions under aforesaid documents as stated in therein.
- xxxv) As per Mutation Entry No.1343 dated 30/07/2014, it is recorded that by a Deed of Confirmation dated 30/05/2012 executed and registered under No.KLN1-3670-2012 with the office of Sub Registrar Kalyan by and between Shriram Pandurang Darge and Others (who are legal heirs of said Gangubai Pandurang Darge and received undivided right and interest by inheritance, being Co-owners) as the Confirmers in favour of Lodha Dwellers Pvt. Ltd. as the Purchaser wherein the said Confirmers recorded due to personal reason, the Confirmers could not remain present at the time of the execution and registration the said Development Agreement dated 09/1/2007 registered under Sr. No. KLN4-147-2007 in respect of the Third Property bearing Survey Nos. 35/4A executed by their Co-owners Baliram Laxman Patil and others and thereupon by this Confirmation Deed they have confirmed and ratified the transaction and received their repective share of consideration as stated in therein.
- xxxvi) As per Mutation Entry No.1345 dated 30/07/2014, it is recorded that by a Deed of Confirmation dated 17/10/2011 executed and registered under No.KLN1-9992-2011 with the office of Sub Registrar Kalyan by and between Batla Buvaji Farad and Others (who are legal heirs and received undivided right and interest by inheritance and Co-owners) as the Confirmers in favour of Lodha Dwellers Pvt. Ltd. as the Purchaser wherein the said Confirmers recorded due to personal reason, the Confirmers could not remain present at the time of the execution and registration the said Development Agreement dated 09/1/2007 in respect of the Second Property by their Co-owners Deve Vithu Farad and others bearing Survey Nos. 35/7 referred hereinabove and thereupon by this Confirmation Deed they have confirmed and ratified the transactions and received their repective share of consideration as stated in therein.
- xxxvii) As per Mutation Entry No.1347 dated 30/07/2014, it is recorded that by a Deed of Confirmation dated 06/01/2012 executed and registered under No.KLN1-157-2012 with the office of Sub Registrar Kalyan by and between Vithabai Dhondu Farad and Others (who are legal heirs and received undivided right and interest by inheritance and Co-owners) as the Confirmers in favour of Lodha Dwellers Pvt. Ltd. as the

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Purchaser wherein the said Confirmers recorded due to personal reason, the Confirmers could not remain present at the time of the execution and registration the said Development Agreement dated 09/1/2007 in respect of the Second Property by their Co-owners Deve Vithu Farad and others bearing Survey Nos. 35/7 referred hereinabove and thereupon by this Confirmation Deed they have confirmed and ratified the transactions and received their respective share of consideration as stated in therein.

xxxviii) As per Mutation Entry No.1348 dated 30/07/2014, it is recorded that by a Deed of Confirmation dated 10/10/2011 executed and registered under No. KLN1-9675-2011 with the office of Sub Registrar Kalyan by and between Kailash Krishna Patil and Others (who are legal heirs of Krishna Bapu Patil and received undivided right and interest by inheritance and Co-owners) in favour of Lodha Dwellers Private Limited wherein they have confirmed and ratified the sale transaction executed by Baliram Laxman Patil and Others in respect of the First Property and Second Property bearing Survey Nos. 35/6 and 35/7.

B. Survey No. 172/1 ("Fourth Property")

- i) As per Mutation Entry No. 174 dated 10/04/1947, it is recorded that on 21/01/1947 Ganpat Arjun Farad sold and conveyed to the Fourth Property comprised in bearing Survey No. 172/1 in favour of Parshuram Laxman Sorkhade for valuable consideration.
- ii) As per Mutation Entry No. 193 dated 20/09/1952, it is recorded that the Fourth Property comprised in bearing Survey No. 172/1 had been declared as a Fragment and reflected in the name of Parshuram Laxman Sorkhade.
- iii) As per Mutation Entry No. 267 dated 30/09/1957, it is recorded that since 1956-57, Ganpat Arjun Farad happened to be cultivated the said Property belonged to Parshuram Laxman Sorkhade, and as such the name of the said Cultivator was entered as Simple Tenant in Other Rights Column of 7/12 extract in respect of the said Fourth Property comprised in bearing Survey No. 172/1.
- iv) As per Mutation Entry No. 287 dated 20/04/1958, it is recorded that Ganpat Arjun Farad was entered as a Simple Tenant belonged to Parshuram Laxman Sorkhade. Pursuant to Taluka Order No. TNC-SR-1129, dated 14/04/1958, name of Ganpat Arjun Farad was deleted in Other Rights Column of 7/12 extract in respect of the said Fourth Property comprised in bearing Survey No. 172/1.
- v) As per Mutation Entry No. 590 dated 02/02/1991, it is recorded that on the death of Parshuram Laxman Sorkhade around 1 year ago and his brothers Santu Laxman Sorkhade (since deceased) and Krishna Laxman Sorkhade (since deceased), names of their respective legal heirs viz. 1) Manjulabai Sitaram Thakare, 2) Thakubai Pandurang Wakhurle (Daughters), 3) Bhiwa Laxman Sorkhade and 4) Shivaji Krishna Sorkhade (Nephews), were entered on 7/12 extract in respect of the said Fourth Property comprised in bearing Survey No. 172/1.
- vi) As per Mutation Entry No. 835 dated 15/12/2007, it is recorded that on the death of Sukir Pandurang Wakhurle (son of said Thakubai Pandurang Wakhurle) around 3 years ago, names of his legal heirs viz. 1) Janabai Sukir Wakhurle (wife), 2) Jaya Gajanan Kolhekar, 3) Archana Gurunath Thombare, 4) Ashwini Nitin Shinde, 5) Vidya Bhoir, 6) Aparna Sukir Wakhurle and 7) Sudha Sukir Wakhurle (daughters), were entered on 7/12 extract in respect of the said Fourth Property comprised in bearing Survey No. 172/1.

vii) As per Mutation Entry No. 836 dated 15/12/2007, it is recorded that on the death of Bhiwa Laxman Sorkhade around 10 years ago, names of his legal heirs viz. 1) Dattatray Bhiwa Sorkhade, 2) Damu Bhiwa Sorkhade (sons), 3) Vithabai Barku Shirose and 4) Bebi Dattu Jadhav (daughters), were entered on 7/12 extract in respect of the said Fourth Property comprised in bearing Survey No. 172/1.

viii) The Mutation Entry No. 1398 dated 14/12/2015 records that under the cover of letter bearing No. MASHA/T.10/Hakkanond /KV5439/15, dated 11/12/2015 issued by Tahsildar, Kalyan, the name of the Company who has purchased the said Property required to be entered on record of rights for the said Property. However, through oversight, the name of the authorized signatory / Director of the company was entered on the 7/12 extract of Property. Therefore, this mutation came to be passed to rectify the Record of Rights by deleting wrongly entered name of authorized signatory / Director to replace name of Company as a Landholder for the Fourth Property i.e. property bearing Survey No. 172/1.

ix) As per Mutation Entry No.1440 dated nil, records that by Government Notification Survey No./P.K.180/L-1, dated 07/05/2016 read with Order dated 14/10/2017 made by Tahsildar, Kalyan, District Thane there has been implementation of Project by using Edit Module for Computerization of land Revenue Records. This Mutation further records that on the basis of said Order, the computerized 7/12 extract were rectified alongwith Mutation thereon in respect of land mentioned therein. There is a rectification of Land Record with regard to conversion of the said Fourth Property i.e. property bearing Survey No. 172/1 as Non-Agricultural Land. Moreover, name of Palava Dwellers Private Limited as Land Holder entered on respective 7/12 extract of Fourth Property to the extent of 4500 sq.mtrs. or thereabout.

x) By Development Agreement dated 21/08/2006 executed between Lodha Dwellers Private Limited (therein referred to as 'Developer') and 1) Manjulabai Sitaram Thakare, 2) Balu Pandurang Wakurle, 3) Appa Santu Sorkhade, 4) Dattatray Bhiva Sorkhade and 5) Shivaji Krishna Sorkhade, (therein referred to as 'Owners'), registered with Sub-Registrar of Assurances at Kalyan-3 under Serial No. KLN3-3173-2006, the said Owners therein inter alia agreed to grant development right of the Fourth Property comprised in Survey No. 172/1 admeasuring 4500 sq.mtrs. or thereabout and ultimately sell his right, title and interest in the Fourth Property comprised in Survey No. 172/1 admeasuring 4500 sq.mtrs. or thereabout to Lodha Dwellers Private Limited for the consideration and on terms and conditions more particularly set out therein.

xi) By Deed of Conveyance dated 16/07/2009 executed and registered under Serial No. KLN1-4877-2009 with office of Sub-Registrar Kalyan-1, 1) Manjulabai Sitaram Thakare, 2) Balu Pandurang Wakurle, 3) Appa Santu Sorkhade, 4) Dattatray Bhiva Sorkhade, 5) Shivaji Krishna Sorkhade, 6) Suman Pandurang Wakurle, 7) Janabai Sukeer Wakurle, 8) Jaya Gajanan Kalekar, 9) Archana Gurunath Thombare, 10) Ashwini Nitin Shinde, 11) Vidya Bhoir, 12) Aparna Sukir, 13) Sudha Sukir Wakurle, 14) Damu Bhiwa Sorkhade, 15) Vithabai Barku Shirose and 16) Bebi Dattu Jadhav (therein referred to as a 'Vendors') sold, conveyed, transferred and assured to and unto Lodha Dwellers Private Limited (therein referred to as 'Company' / 'Purchaser'), the said Fourth Property comprised in Survey No. 172/1 admeasuring 4500 sq.mtrs. or thereabout for valuable consideration and on such terms, covenants and conditions stated therein. The Mutation Entry No. 947 dated 08/12/2009 records the above transaction and the name of Lodha Dwellers Private Limited entered and recorded in the 7/12 extracts as the Land Holder / Owner in respect of the Fourth Property comprised in Survey No. 172/1 admeasuring 4500 sq.mtrs. or thereabout.

C. Survey No. 172/2 and 173/0 ("Fifth Property" and "Seventh Property")

- i) As per Mutation Entry No. 192 dated 28/06/1952, it is recorded that Shivram Krishna Kathavale died intestate on 14/01/1952 leaving behind him surviving legal heirs viz. 1) Maruti Shivram Kathavale, 2) Atamaram Shivram Kathavale, 3) Pandurang Shivram Kathavale, 4) Gopinath Shivram Kathavale and 5) Kundalik Shivram Kathavale (sons). However, name of Maruti Shivram Kathavale as the Head of the Family entered and recorded as Land Holder on 7/12 extract in respect of the Fifth property bearing Survey No. 172/2 and Seventh property bearing Survey No. 173/0.
- ii) As per Mutation Entry No. 193 dated 20/09/1952, it is recorded that the property bearing Survey No. 172/2 had been declared as a Fragment and reflected in the name of Maruti Shivram Kathavale (Land Holder).
- iii) Mutation Entry No. 389 was entered on account of the enforcement of enactment of Weight and Measurement (Enforcement) Act, 1957 and Indian Coinage Act, 1957. Thus, the measurement of the said Property was shown in Decimal system (Metric System).
- iv) As per Mutation Entry No. 506 dated 01/01/1984, it is recorded that on the death of Maruti Shivram Kathavale on 28/12/1983, names of his legal heirs viz. 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale (sons), 4) Gangubai Maruti Shiroshe (daughter) and 5) Laxmi Maruti Kathavale (Wife), were entered as Land Holders on 7/12 extract in respect of the Fifth property bearing Survey No. 172/2 and Seventh property bearing Survey No. 173/0.
- v) As per Mutation Entry No. 964 dated 26/04/2010, it is recorded that on the death of Atamaram Shivram Kathavale around 25/30 years ago and Chandrabhaga Atamaram Kathavale (since deceased), names of their respective legal heirs viz. 1) Shriram Atamaram Kathavale, 2) Shankar Atamaram Kathavale, 3) Dattatray Atamaram Kathavale, 4) Tukaram Atamarak Kathavale, 5) Gajanan Atamaram Kathavale (sons), 6) Indubai Baban Shelar, 7) Hirabai Sadanand Bhoir, 8) Neerabai Gaikar and 9) Bhimabai Bhagwan Desale, were entered as Land Holders on 7/12 extract in respect of the Fifth property bearing Survey No. 172/2 and Seventh property bearing Survey No. 173/0.
- vi) As per Mutation Entry No. 965 dated 26/04/2010, it is recorded that on the death of Gopinath Shivram Kathavale on 27/07/1997, names of his legal heirs viz. 1) Motiram Gopinath Kathavale, 2) Shivaji Gopinath Kathavale, 3) Anna Gopinath Kathavale (sons), 4) Janabai Motiram Shelar, 5) Sonabai Hari Wakhurle, 6) Mankubai Atamaram Tembhe, 7) Krishnabai Shantaram Kor, 8) Leelabai Ananta Bhoir and 9) Shevantabai Gopinath Kathavale (daughters), were entered as Land Holders on 7/12 extract in respect of the Fifth property bearing Survey No. 172/2 and Seventh property bearing Survey No. 173/0.
- vii) As per Mutation Entry No. 966 dated 26/04/2010, it is recorded that on the death of Kundalik Shivram Kathavale on 12/12/2002 and his son Vishnu Kundalik Kathavale (since deceased), names of their respective legal heirs viz. 1) Harishchandra Kundalik Kathavale, 2) Madhukar Kundalik Kathavale, 3) Vilas Kundalik Kathavale (sons), 4) Kusum Rajaram Tembhe, 5) Nanda Ashok Walimbe (daughters), 6) Avinash Vishnu Kathavale (Grandson), 7) Vanmala Vishnu Kathavale (daughter-in-law), 8) Chhaya Rajaram Bhope, 9) Sadhana Deepak Kor,

10) Sarita Arun Patil, 11) Vasanti Sunil Tarmale and 12) Neelam Mahesh Walimbe (Granddaughter), were entered as Land Holders on 7/12 extract in respect of the Fifth property bearing Survey No. 172/2 and Seventh property bearing Survey No. 173/0.

viii) As per Mutation Entry No. 967 dated 26/04/2010, it is recorded that on the death of Pandurang Shivram Kathavale around 13/14 years ago and his married daughter Shevanta Vitthal Dabhane (since deceased) and his son Bapu Pandurang Kathavale (since deceased), names of their respective legal heirs viz. 1) Shakuntala Pandurang Kathavale (wife) 2) Balaram Pandurang Kathavale, 3) Sitaram Pandurang Kathavale, 4) Dilip Pandurang Kathavale (sons), 5) Suman Damodar Dabhane, 6) Pushpa Harishchandra Dagade, 7) Surekha Anil Patil (daughters), 8) Ramesh Vitthal Dabhane, 9) Narayan Vitthal Dabhane (Grandsons), 10) Archana Bapu Kathavale, 11) Darshana Bapu Kathavale, 12) Rupali Bapu Kathavale and 13) Mangala Bapu Kathavale (Granddaughters), were entered as Land Holders on 7/12 extract in respect of the Fifth property bearing Survey No. 172/2 and Seventh property bearing Survey No. 173/0.

ix) As per Mutation Entry No. 968 dated 26/04/2010, it is recorded that on the death of Laxmi Maruti Kathavale around 30/35 years ago, names of her legal heirs viz. 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale (sons) and 4) Gangubai Maruti Shiroshe (daughter), were entered as Land Holders on 7/12 extract in respect of the Fifth property bearing Survey No. 172/2 and Seventh property bearing Survey No. 173/0.

x) The Mutation Entry No. 1398 dated 14/12/2015 records that under the cover of letter bearing No. MASHA/T.10/Hakkanond /KV5439/15, dated 11/12/2015 issued by Tahsildar, Kalyan, the name of the Company who has purchased the said Property required to be entered on record of rights for the said Property. However, through oversight, the name of the authorized signatory / Director of the company was entered on the 7/12 extract of Property. Therefore, this mutation came to be passed to rectify the Record of Rights by deleting wrongly entered name of authorized signatory / Director to replace name of Company as a Landholder for the Fourth property bearing Survey No. 172/2 and Sixth property bearing Survey No. 173/0.

xi) As per Mutation Entry No.1440 dated nil, records that by Government Notification Survey No./P.K.180/L-1, dated 07/05/2016 read with Order dated 14/10/2017 made by Tahsildar, Kalyan, District Thane there has been implementation of Project by using Edit Module for Computerization of land Revenue Records. This Mutation further records that on the basis of said Order, the computerized 7/12 extract were rectified alongwith Mutation thereon in respect of land mentioned therein. There is a rectification of Land Record with regard to conversion of the said Fifth Property i.e. property bearing Survey No. 172/2 as Non-Agricultural Land. Moreover, name of Palava Dwellers Private Limited as Land Holder entered on respective 7/12 extract of Fifth Property to the extent of 680 sq.mtrs. or thereabout and Seventh Property i.e. property bearing Survey No. 173/0 as Non-Agricultural Land. Moreover, name of Palava Dwellers Private Limited as Land Holder entered on respective 7/12 extract of Seventh Property to the extent of 8600 sq.mtrs. or thereabout.

xii) As per Mutation Entry No.1498 dated 30/07/2019 records Order bearing No. 160/Area Rectification dated 30/07/2019 passed under Maharashtra Land Revenue Code, 1966 for rectification of Revenue Land Record particularly computerisation of 7/12 extract with details of Land Holder and Area. Based on the said Order, The Tahsildar, Kalyan passed Order bearing No. 155/Correction/160 dated

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30/07/2019 under Section 155 of Maharashtra Land Revenue Code, 1966 whereby note of the such Rectification taken on record and rectification of Original Area held by Land Holder carried out in respect of several land in the said Village including the said Fifth Property i.e. property bearing Survey No. 172/2 with area 680 sq.mtrs. or thereabout.

D. Survey No. 35/9 ("Sixth Property")

- i) As per Mutation Entry No. 107 dated 10/08/1939, it is recorded that on 27/07/1939, Vasudev Ganesh Joshi, Balkrishna Yagneshwar Joshi and Ghanshyam Yagneshwar Joshi sold and conveyed the Sixth Property bearing Survey No. 35/9 in favour of Raghunath Shankar Avati for valuable consideration.
- ii) As per Mutation Entry No. 236 dated 22/03/1954, it is recorded that on enactment of Bombay Inam Abolition Act, the Inami Lands held by Inamdar was reclassified as Government land which includes aforesaid Sixth Property as Inami Tenure came to be abolished.
- iii) As per Mutation Entry No. 312 dated 09/09/1963 effected by reason of Abolition of Inami Tenure. Under the provision of Maharashtra Revenue Patels (Abolition of Office) Act, 1962, lands under Inami Tenure has been abolished the effect from 01/01/1963. In consequence thereof, the land as mentioned in this Mutation under said Inami Tenure which also includes Sixth Property came to be deleted and declared as Government Land with remark that Original Landlord Bapu Chango Patil put below the Government Land Notation.
- iv) As per Mutation Entry No. 384 dated 08/09/1970, it is recorded that pursuant to Taluka Order bearing No. Hakkanond/584/69, on the death of Raghunath Shankar Avati on 27/02/1956, names of his legal heirs viz. 1) Keshav Raghunath Avati (son), 2) Chandrabhaga Raghunath Avati (wife), 3) Vastlabai Krishnaji Musale and 4) Lilavati Atamaram Kulkarni (married daughter). However, name of Keshav Raghunath Avati as the Head of the Family entered and recorded as Land Holder on 7/12 extract in respect of Sixth Property bearing Survey No. 35/9.
- v) As per Mutation Entry No. 388 dated 23/09/1970, records Taluka Order bearing No. Record of Right/Division/1125 dated 19/09/1970. Under the said Order, it is recorded that on the death of Keshav Raghunath Avati on 12/03/1970, names of his legal heirs viz. 1) Shakuntala Keshav Avati (Wife), 2) Sharadchandra Keshav Avati, 3) Dattatray Keshav Avati, 4) Murlidhar Keshav Avati (sons), 5) Shailja Keshav Avati (daughter), 6) Shrikant Keshav Avati (minor son) and 7) Subhash Keshav Avati (minor son), minors representative through their mother and natural guardian of Shakuntala Keshav Avati, were entered on 7/12 extract in respect of Sixth Property bearing Survey No. 35/9. However, while certifying the said Mutation, there is a remark that effect of the said Order is not given and kept pending. Moreover, on verifying on Old 7/12 extract for the year 1996-97 to 2014-2015, I notice that Shankuntala Keshav Avti and 10 others names are bracketed in Other Right Column and as such the names of Shankuntala Keshav Avti and 10 others deleted.
- vi) As per Mutation Entry No. 645 dated 01/06/1994 records Order bearing No. Tenancy/70B/S.R.21/89, dated 10/05/1994, passed under Section 70B of Maharashtra Tenancy and Agricultural Land Act, 1948 the name of Ramchandra Maruti Kathavale & Others (who are legal heirs of Maruti Shivram Kathavale) were entered and recorded as Kul / Tenant in place and stead of Dhondu Buvaji Farad & Others (who are legal heirs of Buvaji Pandu Farad) in Other Rights Column on 7/12 extract in respect of the Sixth Property bearing Survey No. 35/9. Names of Dhondu

Buvaji Farad & Others (who are legal heirs of Buvaji Pandu Farad) deleted from Other Rights Column on 7/12 extract in respect of the Sixth Property bearing Survey No. 35/9.

vii) As per Mutation Entry No. 719 dated 25/03/1999 records by Order bearing No. Maharashtra shasan/Office-4/T-4/KV/50/98 dated 10/03/1999 passed by Collector of Thane read with sequel Orders bearing No. RTS Appeal No. 238-239/1989 dated 25/04/1994 passed by Sub Divisional Officer Thane and Order bearing No. Land/T-2/KV-662 dated 24/03/1999 passed by Tehsildar, Kalyan. On combined reading of the said Orders, it is recorded that Ramchandra Maruti Kathavale, Narayan Maruti Kathavale and Bhanudas Maruti Kathavale inter alia came to be allotted the Sixth Property bearing Survey No. 35/9 on New Conditions No. 1 to 4 as mentioned in the Mutation, i.e. (i) Agricultural use (ii) restriction not to sale, mortgage and gift without prior Permission (iii) 50% Premium of Market value in the event of Non-Agriculture use and (iv) on violation of any of the said terms Government will take over the said Sixth Property bearing Survey No. 35/9 by cancelling the aforesaid Order.

viii) As per Mutation Entry No. 1125 dated 11/05/2012, records Order No. REV/T-2/Land/KV/377/2012 dated 10/05/2012 issued by Tahsildar Kalyan inter alia states that as a result of enactment of Maharashtra Revenue Patels (Abolition of Office) Act, 1962 the said Sixth Property bearing Survey No. 35/9 being identified as Patil Watan Land. For the purpose of Non-Agriculture use and deletion of remark of New Condition recorded on 7/12 extract, the Owners viz. Ramchandra Maruti Kathavale, Narayan Maruti Kathavale and Bhanudas Maruti Kathavale have paid 50% of unearned income of Rs.2,31,646/- in Government Treasury as per Clause No. 2.2 of Patil Watan Resolution No. Vatan/1099/P.K.223/L-4, dated 09/07/2002. In consequence thereof, there has been deletion of the remark of New Condition on 7/12 extract in respect of the said Sixth Property bearing Survey No. 35/9, pursuant to the Tahsildar Order bearing No. Revenue/T-2/Land/KV-355/2012 dated 10/05/2012.

ix) The Mutation Entry No. 1398 dated 14/12/2015 records that under the cover of letter bearing No. MASHA/T.10/Hakkanond /KV5439/15, dated 11/12/2015 issued by Tahsildar, Kalyan, the name of the Company who has purchased the said Property required to be entered on record of rights for the said Property. However, through oversight, the name of the authorized signatory / Director of the company was entered on the 7/12 extract of Property. Therefore, this mutation came to be passed to rectify the Record of Rights by deleting wrongly entered name of authorized signatory / Director to replace name of Company as a Landholder for the Sixth Property bearing Survey No. 35/9.

x) As per Mutation Entry No.1440 dated nil, records that by Government Notification Survey No./P.K.180/L-1, dated 07/05/2016 read with Order dated 14/10/2017 made by Tahsildar, Kalyan, District Thane there has been implementation of Project by using Edit Module for Computerization of land Revenue Records. This Mutation further records that on the basis of said Order, the computerized 7/12 extract were rectified alongwith Mutation thereon in respect of land mentioned therein. There is a rectification of Land Record with regard to conversion of the said Sixth Property i.e. property bearing Survey No. 35/9 as Non-Agricultural Land. Moreover, name of Palava Dwellers Private Limited as Land Holder entered on respective 7/12 extract of Sixth Property to the extent of 2830 sq.mtrs. or thereabout.

E. Common Transaction Document ("Fifth Property", "Sixth Property" and "Seventh Property")

xi) By Agreement for Sale dated 30/12/2009 (**Agreement for Sale**) executed between Lodha Dwellers Private Limited (therein referred to as 'Company' and hereinafter referred to as **Purchaser**) and 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale, 4) Gangubai Dinanath Shirose, 5) Dattu Atamaram Kathavale, 6) Tukaram Atamaram Kathavale, 7) Balaram Pandurang Kathavale, 8) Sitaram Pandurang Kathavale, 9) Dilip Pandurang Kathavale, 10) Pushpa Harishchandra Dagade, 11) Surekha Anil Patil, 12) Archana Bapu Kathavale, 13) Darshana Bapu Kathavale, 14) Rupali Bapu Kathavale, 15) Narayan Vitthal Dabhane, 16) Barkubai Vitthal Dabhane, 17) Sanjay Ramchandra Shirose, 18) Motiram Gopinath Kathavale, 19) Shivaji Gopinath Kathavale, 20) Anna Gopinath Kathavale, 21) Janabai Motiram Shelar, 22) Sonabai Hari Wakhurle, 23) Mankubai Atamaram Tembhe, 24) Krishnabai Shantaram Kor, 25) Leelabai Ananta Bhoir, 26) Harishchandra Kundalik Kathavale, 27) Madhukar Kundalik Kathavale, 28) Vilas Kundalik Kathavale, 29) Avinash Vishnu Kathavale, 30) Vanmala Vishnu Kathavale, 31) Kusum Rajaram Tembhe, 32) Nanda Ashok Walimbe, 33) Chhaya Rajaram Mope, 34) Sadhana Deepak Kore, 35) Sarita Vishnu Kathavale and 36) Neelam Mahesh Walimbe, (therein referred to as 'Vendors'), registered with Sub-Registrar of Assurances at Kalyan-1 under Serial No. KLN1-9031-2009, the said Vendors therein inter alia agreed to sell their respective undivided right, title and interest in the said Fifth Property comprised in Survey No. 172/2 admeasuring 680 sq.mtrs. or thereabout, Sixth Property comprised in Survey No. 35/9 admeasuring 2830 sq.mtrs. or thereabout and Seventh Property comprised in Survey No. 173/0 admeasuring 8600 sq.mtrs. or thereabout to Lodha Dwellers Private Limited and also granted development rights in respect of said Fifth Property comprised in Survey No. 172/2 admeasuring 680 sq.mtrs. or thereabout, Sixth Property comprised in Survey No. 35/9 admeasuring 2830 sq.mtrs. or thereabout and Seventh Property comprised in Survey No. 173/0 admeasuring 8600 sq.mtrs. or thereabout unto Lodha Dwellers Private Limited for the consideration and on terms and conditions more particularly set out therein.

xii) By a Power of Attorney dated 30/12/2009 executed and registered with the office of the Sub Registrar of Assurances at Kalyan under Serial No. 280/2009, the said 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale, 4) Gangubai Dinanath Shirose, 5) Dattu Atamaram Kathavale, 6) Tukaram Atamaram Kathavale, 7) Balaram Pandurang Kathavale, 8) Sitaram Pandurang Kathavale, 9) Dilip Pandurang Kathavale, 10) Pushpa Harishchandra Dagade, 11) Surekha Anil Patil, 12) Archana Bapu Kathavale, 13) Darshana Bapu Kathavale, 14) Rupali Bapu Kathavale, 15) Narayan Vitthal Dabhane, 16) Barkubai Vitthal Dabhane, 17) Sanjay Ramchandra Shirose, 18) Motiram Gopinath Kathavale, 19) Shivaji Gopinath Kathavale, 20) Anna Gopinath Kathavale, 21) Janabai Motiram Shelar, 22) Sonabai Hari Wakhurle, 23) Mankubai Atamaram Tembhe, 24) Krishnabai Shantaram Kor, 25) Leelabai Ananta Bhoir, 26) Harishchandra Kundalik Kathavale, 27) Madhukar Kundalik Kathavale, 28) Vilas Kundalik Kathavale, 29) Avinash Vishnu Kathavale, 30) Vanmala Vishnu Kathavale, 31) Kusum Rajaram Tembhe, 32) Nanda Ashok Walimbe, 33) Chhaya Rajaram Mope, 34) Sadhana Deepak Kore, 35) Sarita Vishnu Kathavale and 36) Neelam Mahesh Walimbe (therein referred to as 'Vendors'), in favour of 1) Rajendra Lodha and 2) Bhaskar Kamat representative of Lodha Dwellers Private Limited, the Vendors granted powers and authorities to the representatives of Lodha Dwellers Private Limited to do various acts, deeds, matters and things for and on their behalf in respect of the Fifth Property comprised in Survey No. 172/2 admeasuring 680 sq.mtrs. or thereabout, Sixth Property comprised in Survey No. 35/9 admeasuring



2830 sq.mtrs. or thereabout and Seventh Property comprised in Survey No. 173/0 admeasuring 8600 sq.mtrs. or thereabout and carry out development thereon.

xiii) By Deed of Conveyance dated 12/07/2010 ("**Conveyance Deed-1**") executed and registered under Serial No. KLN1-5714-2010 with Sub-Registrar Kalyan-1, 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale, 4) Gangubai Dinanath Shirose, 5) Dattu Atamaram Kathavale, 6) Tukaram Atamaram Kathavale, 7) Balaram Pandurang Kathavale, 8) Sitaram Pandurang Kathavale, 9) Dilip Pandurang Kathavale, 10) Pushpa Harishchandra Dagade, 11) Surekha Anil Patil, 12) Archana Bapu Kathavale, 13) Darshana Bapu Kathavale, 14) Rupali Bapu Kathavale, 15) Narayan Vitthal Dabhane, 16) Shankar Atamaram Kathavale, 17) Shreeram Atamara Kathavale, 18) Motiram Gopinath Kathavale, 19) Shivaji Gopinath Kathavale, 20) Anna Gopinath Kathavale, 21) Janabai Motiram Shelar, 22) Sonabai Hari Wakhurle, 23) Mankubai Atamaram Tembhe, 24) Krishnabai Shantaram Kor, 25) Leelabai Ananta Bhoir, 26) Harishchandra Kundalik Kathavale, 27) Madhukar Kundalik Kathavale, 28) Vilas Kundalik Kathavale, 29) Avinash Vishnu Kathavale, 30) Vanmala Vishnu Kathavale, 31) Kusum Rajaram Tembhe, 32) Nanda Ashok Walimbe, 33) Chhaya Rajaram Mope, 34) Sadhana Deepak Kore, 35) Sarita Vishnu Kathavale, 36) Neelam Mahesh Walimbe, 37) Indubai Baban Shelar, 38) Heerabai Sadanand Bhoir, 39) Neerabai Gaikar, 40) Bhimabai Bhagwan Desale, 41) Suman Damodar Dabhane, 42) Vasanti Sunil Tarmale, 43) Ramesh Vitthal Dabhane, 44) Shakuntala Pandurang Kathavale, 45) Gajanan Atamaram Kathavale and 46) Shevantabai Gopinath Kathavae (therein referred to as a 'Vendors') sold, conveyed, transferred and assured to and unto Lodha Dwellers Private Limited (hereinafter referred to as '**Company**') (therein referred to as 'Purchaser'), the said Fifth Property comprised in Survey No. 172/2 admeasuring 680 sq.mtrs. or thereabout and Seventh Property comprised in Survey No. 173/0 admeasuring 8600 sq.mtrs. or thereabout for valuable consideration and on such terms, covenants and conditions stated therein. The Mutation Entry No. 1001 dated 13/07/2010 records the above transaction and the name of Lodha Dwellers Private Limited entered and recorded in the 7/12 extracts as Land Holder / Owner in respect of the said Fifth Property comprised in Survey No. 172/2 admeasuring 680 sq.mtrs. or thereabout and Seventh Property comprised in Survey No. 173/0 admeasuring 8600 sq.mtrs. or thereabout.

xiv) By Deed of Conveyance dated 16/08/2010 ("**Conveyance Deed-2**") executed and registered under Serial No. KLN1-6920-2010 with Sub-Registrar Kalyan-1, 1) Ramchandra Maruti Kathavale, 2) Narayan Maruti Kathavale, 3) Bhanudas Maruti Kathavale, 4) Gangubai Dinanath Shirose, 5) Dattu Atamaram Kathavale, 6) Tukaram Atamaram Kathavale, 7) Balaram Pandurang Kathavale, 8) Sitaram Pandurang Kathavale, 9) Dilip Pandurang Kathavale, 10) Pushpa Harishchandra Dagade, 11) Surekha Anil Patil, 12) Archana Bapu Kathavale, 13) Darshana Bapu Kathavale, 14) Rupali Bapu Kathavale, 15) Narayan Vitthal Dabhane, 16) Shankar Atamaram Kathavale, 17) Shreeram Atamara Kathavale, 18) Motiram Gopinath Kathavale, 19) Shivaji Gopinath Kathavale, 20) Anna Gopinath Kathavale, 21) Janabai Motiram Shelar, 22) Sonabai Hari Wakhurle, 23) Mankubai Atamaram Tembhe, 24) Krishnabai Shantaram Kor, 25) Leelabai Ananta Bhoir, 26) Harishchandra Kundalik Kathavale, 27) Madhukar Kundalik Kathavale, 28) Vilas Kundalik Kathavale, 29) Avinash Vishnu Kathavale, 30) Vanmala Vishnu Kathavale, 31) Kusum Rajaram Tembhe, 32) Nanda Ashok Walimbe, 33) Chhaya Rajaram Mope, 34) Sadhana Deepak Kore, 35) Sarita Vishnu Kathavale, 36) Neelam Mahesh Walimbe, 37) Indubai Baban Shelar, 38) Heerabai Sadanand Bhoir, 39) Neerabai Gaikar, 40) Bhimabai Bhagwan Desale, 41) Suman Damodar Dabhane, 42) Vasanti Sunil Tarmale, 43) Ramesh Vitthal Dabhane, 44) Shakuntala Pandurang Kathavale, 45) Gajanan Atamaram Kathavale and 46) Shevantabai Gopinath Kathavae (therein referred to as a 'Vendors') sold, conveyed, transferred and assured to and unto

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Lodha Dwellers Private Limited (hereinafter referred to as '**Company**') (therein referred to as 'Purchaser'), the said Sixth Property comprised in Survey No. 35/9 admeasuring 2830 sq.mtrs. or thereabout for valuable consideration and on such terms, covenants and conditions stated therein. The Mutation Entry No. 1001 dated 13/07/2010 records the above transaction and the name of Lodha Dwellers Private Limited entered and recorded in the 7/12 extracts as Land Holder / Owner in respect of the said Sixth Property comprised in Survey No. 35/9 admeasuring 2830 sq.mtrs. or thereabout.

- xv) As per Mutation Entry No.1345 dated 30/07/2014, it is recorded that by a Deed of Confirmation dated 17/10/2011 executed and registered under No.KLN1-9992-2011 with the office of Sub Registrar Kalyan by and between Batla Buvaji Farad and Others (who are legal heirs and received undivided right and interest by inheritance and Co-owners) as the Confirmers in favour of Lodha Dwellers Pvt. Ltd. as the Purchaser wherein the said Confirmers recorded due to personal reason, the Confirmers could not remain present at the time of the execution and registration the said Development Agreement dated 09/1/2007 in respect of the Second Property by their Co-owners Deve Vithu Farad and others bearing Survey Nos. 35/7 referred hereinabove and thereupon by this Confirmation Deed they have confirmed and ratified the transactions and received their repective share of consideration as stated in therein.
- xvi) As per Mutation Entry No.1347 dated 30/07/2014, it is recorded that by a Deed of Confirmation dated 06/01/2012 executed and registered under No.KLN1-157-2012 with the office of Sub Registrar Kalyan by and between Vithabai Dhondu Farad and Others (who are legal heirs and received undivided right and interest by inheritance and Co-owners) as the Confirmers in favour of Lodha Dwellers Pvt. Ltd. as the Purchaser wherein the said Confirmers recorded due to personal reason, the Confirmers could not remain present at the time of the execution and registration the said Development Agreement dated 09/1/2007 in respect of the Second Property by their Co-owners Deve Vithu Farad and others bearing Survey Nos. 35/7 referred hereinabove and thereupon by this Confirmation Deed they have confirmed and ratified the transactions and received their repective share of consideration as stated in therein.

F. Survey No. 172/3 ("Eighth Property")

- i) As per Mutation Entry No. 193 dated 20/09/1952, it is recorded that the property bearing Survey No. 172/3 had been declared as a Fragment and reflected in the name of Vithu Nathu Farad (Land Holder).
- ii) Mutation Entry No. 389 was entered on account of the enforcement of enactment of Weight and Measurement (Enforcement) Act, 1957 and Indian Coinage Act, 1957. Thus, the measurement of the said Property was shown in Decimal system (Matric system).
- iii) As per Mutation Entry No. 548 dated 21/03/1989, it is recorded that on the death of Vithu Nathu Farad in August, 1987, names of his legal heirs viz. 1) Devu Vithu Farad, 2) Shantaram Vithu Farad, 3) Balkrishna Vithu Farad (sons), 4) Bhagubai Kundalik Bhoir, 5) Leelabai Chandar Pingale, 6) Dhondubai Sakharam Sakhare, 7) Babubai Bharat Thakare, 8) Ramabai Bhagya Thakare and 9) Shevubai Janu Dalvi (married daughters), were entered and recorded as Land Holders on 7/12 extract in respect of the Eighth Property bearing Survey No. 172/3.

- iv) As per Mutation Entry No. 587 dated 07/12/1990, it is recorded that on the death of Ramabai Bhagya Thakare around 5/6 years ago, names of her legal heirs viz. 1) Rajesh Bhagya Thakare, 2) Sharad Bhagya Thakare (sons) and 3) Shobha Bhagya Thakare (daughter), were entered and recorded as Land Holders on 7/12 extract in respect of the Eighth Property bearing Survey No. 172/3.
- v) As per Mutation Entry No. 588 dated 07/12/1990, it is recorded that on the death of Shevubai Janu Dalvi around 10/12 years ago, names of her sole legal heir viz. Janu Bhagya Dalvi (Husband), were entered and recorded as Land Holders on 7/12 extract in respect of the Eighth Property bearing Survey No. 172/3.
- vi) As per Mutation Entry No. 589 dated 07/12/1990, it is recorded that on the death of Babubai Bharat Thakare around 15/16 years ago, names of her legal heirs viz. 1) Tukaram Bharat Thakare (son) and 2) Neerabai Bharat Thakare (daughter), were entered and recorded as Land Holders on 7/12 extract in respect of the Eighth Property bearing Survey No. 172/3.
- vii) As per Mutation Entry No. 841 dated 07/04/2008, it is recorded that on the death of Rajesh Bhagya Thakare around 17 years ago without any legal heirs. Hence, names of his next-of-kin (Nephews) viz. 1) Shobha Bhagya Thakare (Sister) and 2) Sharad Bhagya Thakare (Brother), were entered and recorded as Land Holders on 7/12 extract in respect of the Eighth Property bearing Survey No. 172/3.
- viii) As per Mutation Entry No. 842 dated 07/04/2008, it is recorded that on the death of Tukaram Bharat Thakare on 21/12/1991, names of his legal heirs viz. 1) Jagan Tukaram Thakare (Son) and 2) Fulabai Tukaram Thakare (wife), were entered and recorded as Land Holders on 7/12 extract in respect of the Eighth Property bearing Survey No. 172/3.
- ix) The Mutation Entry No. 1398 dated 14/12/2015 records that under the cover of letter bearing No. MASHA/T.10/Hakkanond /KV5439/15, dated 11/12/2015 issued by Tahsildar, Kalyan, the name of the Company who has purchased the said Property required to be entered on record of rights for the said Property. However, through oversight, the name of the authorized signatory / Director of the company was entered on the 7/12 extract of Property. Therefore, this mutation came to be passed to rectify the Record of Rights by deleting wrongly entered name of authorized signatory / Director to replace name of Company as a Landholder for the Eighth Property bearing Survey No. 172/3.
- x) As per Mutation Entry No.1440 dated nil, records that by Government Notification Survey No./P.K.180/L-1, dated 07/05/2016 read with Order dated 14/10/2017 made by Tahsildar, Kalyan, District Thane there has been implementation of Project by using Edit Module for Computerization of land Revenue Records. This Mutation further records that on the basis of said Order, the computerized 7/12 extract were rectified alongwith Mutation thereon in respect of land mentioned therein. There is a rectification of Land Record with regard to conversion of the said Eighth Property i.e. property bearing Survey No. 172/3 as Non-Agricultural Land. Moreover, name of Palava Dwellers Private Limited as Land Holder entered on respective 7/12 extract of Eighth Property to the extent of 180 sq.mtrs. or thereabout.
- xi) By Agreement for Sale dated 27/06/2011 (“**Agreement for Sale**”) executed between Lodha Dwellers Private Limited (therein referred to as ‘Company’ and hereinafter referred to as ‘**Purchaser**’) and 1) Devu Vithu Farad, 2) Shantaram Vithu Farad, 3) Balkrishna Vithu Farad, 4) Bhagubai Kundalik Bhoir, 5) Leelabai Chandar Pingale, 6) Dhondubai Sakharam Sakhare, 7) Shobha Bhagya Thakare, 8) Sharad Bhagya

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Thakare, 9) Janu Bhagya Dalvi, 10) Neerabai Bharat Thakare, 11) Jagan Tukaram Thakare and 12) Fulabai Tukaram Thakare (therein referred to as 'Vendors'), registered with Sub-Registrar of Assurances at Kalyan-1 under Serial No. KLN1-6717-2011, the said Vendors therein inter alia agreed to sell their respective undivided right, title and interest in the said Eighth Property comprised in Survey No. 172/3 admeasuring 180 sq.mtrs. or thereabout to Lodha Dwellers Private Limited and also granted development rights in respect of said Eighth Property comprised in Survey No. 172/3 admeasuring 180 sq.mtrs. or thereabout unto Lodha Dwellers Private Limited for the consideration and on terms and conditions more particularly set out therein.

xii) By a Power of Attorney dated 27/06/2011 executed and registered with the office of the Sub Registrar of Assurances at Kalyan under Serial No. 283/2011, the said 1) Devu Vithu Farad, 2) Shantaram Vithu Farad, 3) Balkrishna Vithu Farad, 4) Bhagubai Kundalik Bhoir, 5) Leelabai Chandar Pingale, 6) Dhondubai Sakharam Sakhare, 7) Shobha Bhagya Thakare, 8) Sharad Bhagya Thakare, 9) Janu Bhagya Dalvi, 10) Neerabai Bharat Thakare, 11) Jagan Tukaram Thakare and 12) Fulabai Tukaram Thakare (therein referred to as 'Vendors'), in favour of 1) Rajendra Lodha and 2) Bhaskar Kamat representative of Lodha Dwellers Private Limited, the Vendors granted powers and authorities to the representatives of Lodha Dwellers Private Limited to do various acts, deeds, matters and things for and on their behalf in respect of the Eighth Property comprised in Survey No. 172/3 admeasuring 180 sq.mtrs. or thereabout and carry out development thereon.

xiii) By Deed of Conveyance dated 22/12/2011 ("**Conveyance Deed**") executed and registered under Serial No. KLN1-11754-2011 with Sub-Registrar Kalyan-1, 1) Devu Vithu Farad, 2) Shantaram Vithu Farad, 3) Balkrishna Vithu Farad, 4) Bhagubai Kundalik Bhoir, 5) Leelabai Chandar Pingale, 6) Dhondubai Sakharam Sakhare, 7) Shobha Bhagya Thakare, 8) Sharad Bhagya Thakare, 9) Janu Bhagya Dalvi, 10) Neerabai Bharat Thakare, 11) Jagan Tukaram Thakare and 12) Fulabai Tukaram Thakare (therein referred to as a 'Vendors') sold, conveyed, transferred and assured to and unto Lodha Dwellers Private Limited (hereinafter referred to as '**Company**') (therein referred to as 'Purchaser'), the said Eighth Property comprised in Survey No. 172/3 admeasuring 180 sq.mtrs. or thereabout for valuable consideration and on such terms, covenants and conditions stated therein. The Mutation Entry No. 1096 dated 26/12/2011 records the above transaction and the name of Lodha Dwellers Private Limited entered and recorded in the 7/12 extracts as Land Holder /Owner in respect of the said Eighth Property comprised in Survey No. 172/3 admeasuring 180 sq.mtrs. or thereabout.

4. Permission for acquirement of the said Property

(a) By Order No. TNC-2707/PRA.KR.314/L-9 dated 26/12/2007 r/w revalidation letters dated 28/05/2008, 18/06/2009, 04/08/2010, 26/12/2011, 28/02/2014, 24/05/2014, 06/11/2015 and 20/04/2016 thereto, the Competent Authority, Department of Revenue and Forest has granted permission under section 63 (1A) of Sub-Section (1) under Bombay Tenancy and Agricultural Land Act, 1948, as amended, to M/s. Lodha Dwellers Private Limited, for acquisition of Land in Talukas Kalyan, Ambernath and Thane in District Thane for the purpose of development of Special Township Project subject to the terms and conditions set out therein.

(b) I note that Notification No. 1 of 2016 dated 01/01/2016 published in Official Gazette of Maharashtra there is an amendment of Section 63 of Maharashtra Tenancy and Agricultural Land Act, 1948 by inserting Section 63-1C and Section 63-1A in Sub Section 1(a), (b), (c) and (d) sub Section 2 (a), (b), Sub Section 3, Sub Section 4 by replacing Special Township Project with a word Integrated Township Project and

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added Sub Section 5 with explanation (i) in clause (a), (ii) in clause (aa). In the said Notification it is inter alia stated that agricultural land which is to be used for Special Township Project (Integrated Township Project) the permission to acquired the said Land is not restricted for the certain period.

(c) I note that Notification No. Revenue/K-1/T-7/antarli-Khoni-Hedutane-Kole, Tal. Kalyan/Umbroli, Tal. Ambernath/ISTP/Drawing/SR-22/2017 dated 21/06/2017 issued by Collector Office, Thane for Integrated Special Township Project replaced by Integrated Township Project for the notified area inter alia includes Thane under provision of MRTP Act, provides for certain special concessions such as NA Permission, stamp duty, development charge, relaxation under Bombay Tenancy and Agricultural Land Act and Ceiling Limit for holding land etc. With regards to N.A. permission, it states land under approve Master Layout Plan shall be considered as Deemed N.A No separate permission shall be required under the provisions of Maharashtra Land Revenue Code, 1966 and be assessed accordingly.

5. **Reorganization and restructuring of Lodha Dwellers Private Limited into Macrotech Developers Limited :**

(a) Pursuant to the Fresh Certificate of Incorporation dated 6th May 2014 consequent to change of name issued by the Registrar of Companies, the name of the said Lodha Dwellers Private Limited has been changed to 'Palava Dwellers Private Limited.'

(b) I note that Composite scheme of amalgamation and arrangement filed by Company Scheme Petition No. 896 of 2017 inter alia filed by Palava Dwellers Private Limited (1st Amalgamating Company) AND Company Petition No. 894 of 2017 filed by Lodha Developers Private Limited (Amalgamated Company and Transferor Company) along with Petition No. 895 of 2017 filed by Eisa Trading Private Limited (Transferee Company) under section 230 and 232 of Companies Act before Hon'ble National Company Law Tribunal (NCLT). By Order dated 11/01/2018, the said NCLT National Company Law Tribunal Mumbai Bench has granted sanction to the said composite scheme of amalgamation and arrangement. By reason whereof, Palava Dwellers Private Limited came to be amalgamated with Lodha Developers Private Limited with the effect from filing of the certified copy of the said Order with the Registrar of Company by respective parties thereto, and thereby the entire business and undertaking of Palava including but not limited to Property, land, building, investments, loans, advances, approvals, permissions, rights, obligations have been transferred to and vested in Lodha Developers Private Limited. Under the said Order dated 11/01/2018 read with Scheme annexed thereto, it is further ordered that appointed date or slump sale of identified business undertaking of respective transferred companies is fixed as 1st April 2017 irrespective of the respective appointed dates of First to Fifth Amalgamating Company mentioned in the scheme.

(c) On combine reading of the said Order of the sanctioned composite scheme, it is inter alia specifically noted that Palava Dwellers Private Limited (1st **Amalgamating Company**) stands merged with Lodha Developers Private Limited ("**Amalgamated/Transferor Company**") which in turns merged with Eisa Trading Private Limited ("**Transferee Company**").

(d) Pursuant to the Fresh Certificate of Incorporation dated 1st March 2018 consequent to change of name issued by the Registrar of Companies, the name of the said Eisa Trading Private Limited has been changed to 'Palava Dwellers Private Limited.'

(e) Pursuant to this Order dated 11th January 2018 and as per the corporate arrangement of amalgamating Companies, Palava Dwellers Private Limited bearing CIN No.

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U70100MH2017PTC292371 is became entitled to the said Property as absolute Owner thereof.

- (f) Subsequently, fresh Certificate of Incorporation dated 14.03.2018 consequent upon the conversion from Private Company to public Company was issued by Registrar of Companies under Section 18 of the Companies Act 2013 for the conversion of Lodha Developers Private Limited to Lodha Developers Limited. By reason whereof, the name of the Lodha Developers Private Limited has changed to Lodha Developers Limited with effect from 14.03.2018.
- (g) By a Certificate of Incorporation dated 24th May 2019, pursuant to the change of name under the Provision of Rule 29 of Companies (Incorporation) Rules 2014 issued by Registrar of Companies, it is certified that name of the Company changed from Lodha Developers Limited to Macrotech Developers Limited with effect from and on the date of the said Certificate.
- (h) By Order dated 26/10/2021 in Company Scheme Petition (CAA) No. 136/MB/2021 connected with Company Application (CAA) No. 985/MB of 2020 filed by Palava Dwellers Private Limited (Transferor Company) as First Petitioner and Macrotech Developers Limited (Transferee Company) as Second Petitioner whereby the said Palava Dwellers Private Limited was ordered to be amalgamated with Macrotech Developers Limited in terms of the said Order and on terms and conditions stated in the Scheme of Amalgamation annexed thereto. By virtue of the said Order the entire business and undertaking of Palava Dwellers Private Limited including the said Property have been transferred to and vested in Macrotech Developers Limited. In the premises aforesaid, Macrotech Developers Limited became entitled to the said Property as an absolute Owner thereof.

6. Litigation

- a) I note that, there is pending Suit being Regular Civil Suit No. 203/2014 filed by Shantaram Sakharam Kathwale & others (Plaintiffs) against Maruti Shivram Kathavale & Others (Defendants) before Civil Court Junior Division Kalyan. In the said Suit Plaintiffs is seeking prayer for Specific Relief Act under Section 34 and 37. Lodha Dwellers Private Limited is made party to the Defendant No. 12. The Plaintiffs are seeking partition and possession of their share in the Suit Property bearing Survey No. 172/2 of Khoni Village. The Plaintiffs have also sought a declaration that the Agreements and documents executed in favour of Defendant No. 12 i.e. Lodha Dwellers Private Limited by Defendants are not binding upon them and it should be declared null and void. However, there is no interim adverse order passed in the said Suit against the Defendants and Lodha Dwellers Private Limited which affect development of the said Property and same is pending.
- b) Since verifying pending litigation in respect of the said properties becomes difficult due to various reason including (i) litigation can be filed / instituted in various forum and authorities depending upon Relief Claim; and / or (ii) record of litigation maintained by the Court and authorities Judicial or otherwise not updated nor maintained descriptively and not easily available / accessible; and / or (iii) there are no register maintain in respect of the matter referred to Arbitration, I have not conducted any search before any Court of Law or before any other authority (Judicial or otherwise) to verify whether the properties are subject matter of any litigation and have relied on representation of my Client. In any event, it appears that there are no litigations Civil, Revenue, Criminal and Judicial or Quasi-Judicial of whatsoever nature and description before any Court of Law, Tribunal and any other Authorities in respect of all that said

Property comprising Survey No. 35/4A, 35/6, 35/7, 35/9, 172/1, 172/3 and 173/0 in Village Khoni, Taluka Kalyan Dist. Thane, on the date of this Report. Thus, there are no adverse Orders, judgments injunctions passed by any Courts in connection with the said Property comprising Survey No. 35/4A, 35/6, 35/7, 35/9, 172/1, 172/3 and 173/0 in Village Khoni, Taluka Kalyan Dist. Thane and development thereon, which will vitiate title of Macrotech Developers Limited to the carry out development of the said Property comprising Survey No. 35/4A, 35/6, 35/7, 35/9, 172/1, 172/3 and 173/0 in Village Khoni, Taluka Kalyan Dist. Thane.

7. **Mortgage**

By Unilateral Indenture of Mortgage dated 28th June 2022 executed and registered under Sr. No. KLN2-15173-2022 on 28/06/2022 with the Office of Sub Registrar at Kalyan-2, by and between Macrotech Developers Limited as the **“Borrower/Mortgagor”**, of the One Part and Housing Development Finance Corporation Limited therein refer to as the **“Mortgagee/Lender”** of the Other Part, where under the said Mortgagor has inter alia, for due repayment of the mortgaged debts, inter alia mortgaged said First Property to Eighth Property forming part of the mortgaged properties (as defined therein) as described in Second Schedule thereunder written, as and by way of Security on terms, covenants and conditions stated therein.

8. **SEARCH REPORT**

(i) **LAND SEARCH RECORD IN THE OFFICE OF CONCERNED SUB REGISTRAR**

My client has taken search through its department on Online Portals of Inspector of General Registration (IGR Maharashtra) website for the year 2002 to 2024 in respect of the said Property. Besides, my client has also taken manual search for the year 1992 to 2001 in respect of the said Property. I note that, save and except Unilateral Indenture of Mortgage dated 28th June 2022, there are no registered documents adversely affecting the title of the Company in respect of the said First Property to Eighth Property have been found to be registered.

(ii) **ROC Search Report:**

I have seen Search Report dated 02/05/2024 of Sharatkumar Shetty & Associates, Practising Company Secretary, to the effect that he has carried out online Search through website of Ministry of Corporate Affairs of the Macrotech Developers Limited. Save and except the charge created in favour of HDFC bank Limited under Unilateral Indenture of Mortgage dated 28th June 2022 for First Property to Eighth Property, there are no other mortgages and / or encumbrances of the said First Property to Eighth Property created by the Company.

9. **REVENUE RECORDS**

On perusal of the Village Extract form 7/12 (Record of Rights) in respect of the said Property, and I observed that barring 7/12 Extract of property bearing

- i) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabumi.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the First Property comprised in Survey No. 35/6 in Khoni Village. The Tenure of the First Property is shown as Occupancy Class-1.

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- ii) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhumi.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Second Property comprised in Survey No. 35/7 in Khoni Village. The Tenure of the Second Property is shown as Occupancy Class-1.
- iii) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhumi.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Third Property comprised in Survey No. 35/4A in Khoni Village. The Tenure of the Third Property is shown as Occupancy Class-1.
- iv) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhumi.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Fourth Property comprised in Survey No. 172/1 in Khoni Village. The Tenure of the Fourth Property is shown as Occupancy Class-1.
- v) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhumi.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Fifth Property comprised in Survey No. 172/2 in Khoni Village. The Tenure of the Fifth Property is shown as Occupancy Class-1.
- vi) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhumi.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Sixth Property comprised in Survey No. 35/9 in Khoni Village. The Tenure of the Sixth Property is shown as Occupancy Class-1.
- vii) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhumi.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Seventh Property comprised in Survey No. 173/0 in Khoni Village. The Tenure of the Seventh Property is shown as Occupancy Class-1.
- viii) Digital Certified Online 7/12 Extract (Record of Rights) from Portal of <https://bhulekh.mahabhumi.gov.in/> uploaded therein reflects in the name Palava Dwellers Private Limited as a Land Holder of the Eighth Property comprised in Survey No. 172/3 in Khoni Village. The Tenure of the Eighth Property is shown as Occupancy Class-1.

10. MISCELLANEOUS / Other Observations

- i) I have not inspected the following original documents of title in respect of the all that said First Property to Eighth Property.
- ii) I have not issued any public notice calling for claims from public at large in respect of the said Property.
- iii) The information, and the copies (that is, ordinary copies, photocopies, translated copies and certified true copies, as applicable) of the documents, records and writings furnished to me and referred to and/or relied upon by me, are complete

and accurate, and, wherever applicable, faithful reproductions of the originals thereof.

- iv) The aspects of zoning, permitted user, reservations/set back, Development Potential /Floor Space Index and developability of the said First Property to Eighth Property fall within the scope of the an Architect review and I express no views about the same.
- v) Since my scope of work does not include considering he aspects within the domain of an Architect or a Surveyor, I have not carried out any physical inspection of the said First Property to Eighth Property nor have commented on development aspect etc. thereof.
- vi) I have prepared Legal Title Report and Flow of Title based on the copies of documents made available for my inspection Limited to information provided to me and based upon the provision of applicable laws prevailing at the present time and the facts of the matter as comprehend by and limited to the information provided to me. Any variance of the facts or of law may caused a corresponding in my Legal Title Report vis-à-vis Flow of Title.

11. Conclusion

On the basis of and relying upon the perusal photocopies of relevant (i) Title documents; (ii) Revenue Records as uploaded on Portals of <https://bhulekh.mahabhumi.gov.in/>; (iii) Orders/Permissions, Notification for acquirement of the said property (iv) Search Data of Search conducted in Offices of concerned Sub Registrar and Online Search on the Portal of Inspector General of Registration (IGR) for the Land Record and (v) Online Search on the portal of Ministry of Company Affairs (MCA) for charges on the said Property created by Macrotech Developers Limited and relying on representations, information and explanation gathered in connection therewith, I am of the opinion that on the basis of findings set out in Annexure-A-Flow of Title hereto and subject to pending litigation with regard to Fifth Property mentioned in Flow of Title and subsisting Mortgage in Clause No. 7 hereinabove on said First Property to Eighth Property, the title of Macrotech Developers Limited, as the Land Holder / Promoter / Developer of the said First Property to Eighth Property comprised in Survey No. 35/6, 35/7, 35/4A, 172/1, 172/2, 35/9, 173/0 and 172/3 in Village Khoni as an absolute Owner thereof with entitlements of complete development rights thereof is clear, marketable and free from encumbrances.

Dated this 09th day of July, 2024.


(Pradip Garach)
Advocate, High Court Bombay