



# VICTOR MOSES & CO.

SOLICITORS, ADVOCATES,  
PATENT & TRADEMARK ATTORNEYS.

Partners :  
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Temple Chambers  
6, Old Post Office Street  
Ground Floor  
Kolkata - 700 001

## SUPPLEMENTARY REPORT-ON-TITLE

**Re: Holding No.1, New Bata Road, Ward No.28, Maheshtala Municipality, Police Station - Maheshtala (formerly Budge Budge), District South 24 Parganas, Kolkata - 700 140.**

### **A. Owner:**

**Bata India Limited (BIL),**  
6A, S. N. Bannerjee Road,  
Kolkata - 700 013.

### **B. Developer:**

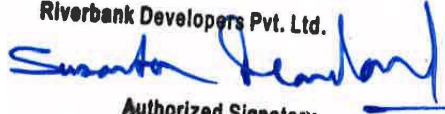
**Riverbank Developers Private Limited (RDPL),**  
225C, A.J.C. Bose Road, 4<sup>th</sup> Floor,  
Kolkata - 700 020.

### **C. Description of the property:**

**All That** the piece and parcel of land containing an aggregated area of **262 acres** be the same a little more or less lying situate at i) Mouza Nungi, J.L.No.43, ii) Mouza Bangla, J.L.No.41, iii) Mouza Jagtala, J.L.No. 17 and iv) Mouza Mirpur, J.L.No.42, comprised in various L.R. Dags under L.R. Khatian Nos.1663, 767, 602/1 and 3, presently having Holding No. 1, New Bata Road, Police Station- Maheshtala (formerly Budge Budge), Ward No.28, within the limits of the Maheshtala Municipality, District- South 24- Parganas, Kolkata - 700 140 (hereinafter referred to as the "**said Property**").

### **D. Scope of Limitation:**

The scope of our Report is limited by the following general parameters:

**Riverbank Developers Pvt. Ltd.**  
  
**Authorized Signatory.**

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i) Physical verification of the said Property and/or conduct of a technical due diligence is not part of our scope of work as such no physical verification of the said Property has been made by us.

ii) We have taken due care for preparation of this Report, however, we shall not be responsible or in any way held liable, in the event of any loss and/or damage is suffered by any person on account of any statement in this report made relying upon any representation(s) made by BIL or RDPL or otherwise, which is subsequently found to be incorrect;

iii) This report is addressed to our client and is solely for the benefit of the Client and no other person shall, except with our consent, rely on this report or any part thereof. We shall not be liable in any manner if a third party relies on this Report without our consent.

**E. Searches conducted as per instruction:**

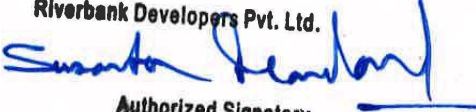
**a) Registration Offices:**

i) Index-II searches at the offices of the Registrar of Assurances, Kolkata, District Registrar, Alipore and Additional District Sub-Registrar, Behala in respect of the said Property for the period from 2014 to 19<sup>th</sup> April, 2017.

ii) Index-I searches at the offices of the Registrar of Assurances, Kolkata, District Registrar, Alipore and Additional District Sub-Registrar, Behala in the names of Bata India Limited (BIL), Riverbank Developers Private Limited (RDPL) and Riverbank Holdings Private Limited (RHPL) from 2014 to 19<sup>th</sup> April, 2017.

**b) Courts:**

i) In the Courts of the Learned 7<sup>th</sup> Civil Judge (Senior Division) at Alipore, ii) Learned 6<sup>th</sup> Civil Judge (Junior Division) and iii) Learned 2<sup>nd</sup> Civil Judge (Junior Division) at Alipore in the names of Bata India Limited (BIL), Riverbank Holdings Private Limited (RHPL) and Riverbank Developers Private Limited (RDPL) for the period between 2015 to 20<sup>th</sup> April, 2017.

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c) **Website of Ministry of Corporate Affairs:**

Search on the Website of the Ministry of Corporate Affairs for BIL, RHPL and RDPL.

F. **Result of Searches:**

a) **Registration Offices:**

- a.i From the Index-II searches made in respect of the said Property at the offices of the Registrar of Assurances, Kolkata, District Registrar, Alipore and the Additional District Sub-Registrar, Behala for the abovementioned period, several entries were found out. Details of such entries of Moujas Nungi, Mirpur, Jagtala and Bangla are collectively and separately annexed hereto and respectively marked as **Annexure - "A"**, **Annexure - "B"**, **Annexure - "C"** and **Annexure - "D"**.

However, from the searches we did not come across any adverse entry in respect of the said Property.

- a.ii From the Index-I searches made at the offices of the Registrar of Assurances, Kolkata, District Registrar, Alipore and the Additional District Sub-Registrar, Behala for the aforementioned period several entries were found out, which are collectively annexed hereto and marked as **Annexure - "E"**.

However, from the searches we did not come across any adverse entry.

b) **Courts:**

b.1 **Court of the Learned 7<sup>th</sup> Civil Judge (Senior Division) at Alipore:**

- i) From the searches made from the filing Register of the Court of the Learned 7<sup>th</sup> Civil Judge (Senior Division) at Alipore in the name of BIL for the aforesaid period, it transpires that no title suit or money suit and title execution case or money execution case has been filed during this period.

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- ii) From the searches made from the filing Register of the Court of the Learned 7<sup>th</sup> Civil Judge (Senior Division) at Alipore in the name of RDPL for the aforesaid period, it transpires that no title suit or money suit and title execution case or money execution case has been filed during this period.
- iii) From the searches made from the filing Register of the Court of the Learned 7<sup>th</sup> Civil Judge (Senior Division) at Alipore in the name of RHPL for the aforesaid period, it transpires that no title suit or money suit and title execution case or money execution case has been filed during this period.

**b.2 Court of the Learned 6<sup>th</sup> Civil Judge (Junior Division) at Alipore:**

- i) From the searches made from the filing Register of the Court of the Learned 6<sup>th</sup> Civil Judge (Junior Division) at Alipore in the name of BIL for the aforesaid period, it transpires that no title suit or money suit and title execution case or money execution case has been filed during this period.
- ii) From the searches made from the filing Register of the Court of the Learned 6<sup>th</sup> Civil Judge (Junior Division) at Alipore in the name of RDPL for the aforesaid period, it transpires that no money suit, title execution case or money execution case has been filed during this period.

One Title Suit being T.S. No.409 of 2016 has been filed before the Learned Court and an ad-interim order of injunction as prayed for was allowed *ex-parte* on 7<sup>th</sup> September, 2016. The defendant RDPL was restrained from transferring, selling or alienating the suit property being a flat in Highland Greens to any third party till 29<sup>th</sup> September, 2016. The next date is fixed for the hearing of the application under Order 7 Rule 11 of the Code of Civil Procedure and filing Written Statement/Written Objection on 17<sup>th</sup> May, 2017.

- iii) From the searches made from the filing Register of the Court of the Learned 6<sup>th</sup> Civil Judge (Junior Division) at Alipore in the name of RHPL for the aforesaid period, it transpires that no title

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suit, money suit, title execution case or money execution case has been filed during this period.

**b.3 Court of the Learned 2<sup>nd</sup> Civil Judge (Junior Division) at Alipore:**

- i)** From the searches made from the filing Register of the Court of the Learned 2<sup>nd</sup> Civil Judge (Junior Division) at Alipore in the name of BIL for the aforesaid period, it transpires that no title suit or money suit and title execution case or money execution case has been filed during this period.
- ii)** From the searches made from the filing Register of the Court of the Learned 2<sup>nd</sup> Civil Judge (Junior Division) at Alipore in the name of RDPL for the aforesaid period, it transpires that no money suit, title execution case or money execution case has been filed during this period.
- iii)** From the searches made from the filing Register of the Court of the Learned 2<sup>nd</sup> Civil Judge (Junior Division) at Alipore in the name of RHPL for the aforesaid period, it transpires that no title suit, money suit, title execution case or money execution case has been filed during this period.

**c) Registrar of Companies, West Bengal:**

From the searches made on the website of the Ministry of Company Affairs it transpires that the charges have been created and modified on several dates by (i) BIL in respect of land containing an area of 242 acres being part of the said Property, (ii) RDPL in respect of its Development Right on 217 acres of the said Property under the Development Agreement dated 28 April 2010 and (iii) RHPL in respect of its Development Right on 25 acres of the said Property under the Development Agreement dated 28 April 2010.

The charge (ID no. 10216695) which was created by the said RDPL in respect of an area of 242 acres being part of the said Property on 28<sup>th</sup> April, 2010 and lastly modified on 27<sup>th</sup> September, 2012, to secure a sum of Rupees Three Hundred Crores only (Rs.300,00,00,000/-) in favour of Housing

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Development Finance Corporation Limited (HDFCL) being the charge-holder has been satisfied in full on 9<sup>th</sup> November, 2015.

Another charge (ID no. 10215922) was created by the said RDPL on 28<sup>th</sup> April, 2010 which was lastly modified on 21<sup>st</sup> December, 2016 in favour of HDFCL being the charge-holder to secure a sum of Rupees Three Hundred Crores only (Rs.300,00,00,000/-) on all receivables of and from the project being Riverfront I and II and Hiland Greens (both present in future) and on Escrow account and all moneys credited and/or deposited therein and all investments in respect thereof. Also equitable mortgage has been created on 193.70 acres of land of Bata India Limited with constructions thereon both existing and future excluding Bata Employees Housing.

RDPL has further created charge in favour of IL & FS Trust Company Limited, Mumbai, being the charge-holder on 31<sup>st</sup> March, 2015, to secure an amount of Rupees Two Hundred Crores only (Rs.200,00,00,000/-).

**G. Certification:**

Considering the findings of searches made as aforesaid, we are of the view that barring the aforesaid existing charges created in favour of HDFC Ltd. and IL & FS Trust Company Limited and the rights created in favour of RDPL, BIL has marketable title in respect of the said Property.

Dated this 25<sup>th</sup> day of April, 2017.

For- VICTOR MOSES & CO.,  
SOLICITORS & ADVOCATES

  
(D. N. MITTRA)  
PARTNER

Riverbank Developers Pvt. Ltd.  
  
Authorized Signatory.