

H.R.ANANTHAKRISHNAMURTHY
C.J.PRABHAKAR AND ASSOCIATES,
Advocates,

140, Infantry Road,
Bengaluru 560 001
Ph. No. 080-22863713

Date:19.11.2022

OPINION

The following Xerox copies of the documents are sent seeking opinion.

1. Copy of the Deed of Sale dated 11.04.2022 executed by Karnataka Housing Board in favour of M/s.United Projects, registered in Document No.BNS-1-00602-2022-23 in Book-I, Pages 1 to 12 and stored in C.D.No.BNSD1497 in the office of Sub-Registrar, Shivajinagar (Banaswadi), Bengaluru.
2. Copy of the Rectification Deed dated 07.05.2022 executed by Karnataka Housing Board in favour of M/s.United Projects, registered in Document No.BNS-1-02131-2022-23 in Book-I, Pages 1 to 6 and stored in C.D.No.BNSD1515 in the office of Sub-Registrar, Shivajinagar (Banaswadi), Bengaluru.
3. Copy of the Letter dated 07.05.2022 regarding register of Rectification Deed.
4. Copy of the Confirmation of Auction Letter dated 05.02.2022.
5. Copy of the Layout Plan.
6. Copy of the Letter dated 03.08.2022.
7. Copy of the Letter regarding sanction of plan.
8. Copy of the Consent for Establishment issued by the Karnataka State Pollution Control Board.

H.R.ANANTHAKRISHNAMURTHY
C.J.PRABHAKAR AND ASSOCIATES,
Advocates,

140, Infantry Road,
Bengaluru 560 001
Ph. No. 080-22863713

-
9. Copy of the Receipt issued by Panchayat Development Officer.
 10. Copy of the No Objection Certificate issued by the Karnataka State Fire & Emergency Services on 12.10.2022.
 11. Copy of the Letter addressed by the Government of India, Ministry of Environment, Forest and Climate Change to The Managing Partner, United Projects regarding Grant of Environmental Clearance to the Proposed project activity under the provision of EIA Notification 2006.
 12. Copy of the Encumbrance Certificate.
 13. Copy of the Commencement Certificate issued by Hoskote Yojana Pradhikara on 18.10.2022.
 14. Copy of the No objection certificate issued by Bharat Sanchar Nigam Limited on 16.11.2020.
 15. Copy of the Receipts issued by BESCOM.
 16. Copy of the No objection certificate issued by BECOM on 20.06.2022.
 17. Copy of the No objection certificate issued by AIRPORTS Authority of India.
 18. Copy of the Building Plan.
 19. Copy of the Form No.11B issued by Gramina Abhivruddhi and Panchayat Raj Department.

H.R.ANANTHAKRISHNAMURTHY
C.J.PRABHAKAR AND ASSOCIATES,
Advocates,

140, Infantry Road,
Bengaluru 560 001
Ph. No. 080-22863713

The Karnataka Housing Board has acquired various lands bearing Sy.Nos.26, 29 to 33, 37 to 39, 40/1 to 40/3, 42/1, 42/3, 42/4a and 42/4c situated at Huskur Village, Bidarahalli Hobli, Bengaluru East Taluk. The Karnataka Housing Board has formed the Highrise Residential Plot No.2 measuring 19008.38 sq.mtrs. in the above lands, after acquiring the land and after observing the requisite procedure. The Karnataka Housing Board intended to sell the same on an out-rate sale basis by conducting a auction under the provisions of Karnataka Housing Board Act. Pursuant to the notification dated 18.01.2022 by Karnataka Housing Board.

The Government of Karnataka had also accorded approval to take up project vide Government order No.DOH.102 KHB 2010 dated 18.05.2010 under 225 scheme SL.No.11: Huskur, Bangalore.

In the auction held M/s.United Project a partnership firm was successful. The Karnataka Housing Board executed a Deed of Sale Dated 11.04.2022 and registered in Document No.BNS-1-00602-2022-23 in Book-I, Pages 1 to 12 and stored in C.D.No.BNSD1497 in the office of Sub-Registrar, Shivajinagar (Banaswadi), Bengaluru.

The fact that M/s.United Project was the highest bidder is confirmed by a letter dated 05.02.2022 by the KHB.

H.R.ANANTHAKRISHNAMURTHY
C.J.PRABHAKAR AND ASSOCIATES,
Advocates,

140, Infantry Road,
Bengaluru 560 001
Ph. No. 080-22863713

As there was a mistake in the boundaries mentioned in the North and South, a Deed of Rectification is executed on 07.05.2022 and registered in Document No.BNS-1-02131-2022-23 in Book-I, Pages 1 to 6 and stored in C.D.No.BNSD1515 in the office of Sub-Registrar, Shivajinagar (Banaswadi), Bengaluru.

The competent authority has approved the layout plan for construction of Highrise Apartment. However, the BSNL has issued No Objection Certificate for Highrise Apartment on the application made by M/s.United Project on 16.04.2020. The said letter is much prior to the auction conducted by the Karnataka Housing Board. The Auction is confirmed by the Karnataka Housing Board in favour of M/s.United Project on 05.02.2022 and the Sale Deed is executed on 11.04.2022. The documents have been produced including the NOC before the Hoskote Yojana Pradhikara and a proposed layout plan. The authority has verified the layout plan and other documents including the letter by the BSNL and has called upon M/s.United Project to deposit a sum of Rs.56,48,000/- towards the charges for sanction of plan for construction of B+G+14 floor consists of 394 residential flats and a club house by its order dated 18.10.2022.

H.R.ANANTHAKRISHNAMURTHY
C.J.PRABHAKAR AND ASSOCIATES,
Advocates,

140, Infantry Road,
Bengaluru 560 001
Ph. No. 080-22863713

The Commencement Certificate has been issued on 18.10.2022. The authority must have considered all the certificate before sanctioning plan and issuing of a letter for commencement of the construction and had their being any objection with regard to issuance of NOC in favour of M/s.United Project by BSNL. During the year 2020, though M/s.United Project was not the owner, the authorities must have been satisfied with the said NOC and have not called upon M/s.United Project to obtain a fresh NOC from BSNL. In view of the fact that, all the other authorities have issued NOC. The competent authority must have found that the grant of no objection certificate much prior to the purchase of the property of Highrise Apartment is suffice for purpose of grant of sanction of plan. As no objections are raised, it is deemed that the authority has considered all aspects and as accorded permission.

In the Encumbrance Certificate, an entry is found which is to the effect that M/s.United Project has executed a Deed in favour of M/s.Capri Global Capital. M/s.United Project has executed a simple Mortgage to secure the loan, they have obtained.

H.R.ANANTHAKRISHNAMURTHY
C.J.PRABHAKAR AND ASSOCIATES,
Advocates,

140, Infantry Road,
Bengaluru 560 001
Ph. No. 080-22863713

Impression : M/s.United Project have a clear and marketable title to the construction of highrise apartment as stated in the layout plan and commencement certificate dated 18.10.2022 in an extent of 19008.38 of Huskur Village purchased by M/s.United Project in respect of Highrise Residential Plot bearing NO.2, under 225 housing scheme formed in Sy.NO.29, 30, 31, 32, 33, 37, 38, 39, 40/1, 40/2, 40/3, 42/1, 42/2, 42/4A and 42/4C situated at Huskur Village, Bidarahalli Hobli, Bengaluru East Taluk, in all measuring 19008.38 sq.mtrs and bounded by East by : 9 Meter Road, West by : 18.00 Meter wide road, North by : 15.00 Meter wide road and South by : NH-44, 9 meter wide service road, KHB Land and Private Property. The loan has to be discharged by M/s.United Project.

ADVOCATE