4.	CC/289/2020	Mrs. Neha Ninad Tiwarekar v/s Agile Real Estate Private Limited	Consumer - DCDRC - District Consumer Disputes Redressal Commission	Adjourn
5.	CC/592/2021	Mr. Anand Dattatray Pimple v/s M/s. Agile Real Estate Private Limited	Consumer - DCDRC - District Consumer Disputes Redressal Commission	Adjourn
6.	C.P. (CAA)/234(MB)/2023	Agile Real Estate Dev Private Limited v/s Ms Gajanan Solvex Limited		Pending
7.	C.A.(CAA)/287(MB)/2022	Agile Real Estate Dev Private Limited v/s Registrar of Companies Mumbai	National Company Law Tribunal - NCLT	Pending

75 ROC SEARCH

75.1 We have conducted a search at the website of the Ministry of Corporate Affairs for Maharashtra on 1st January 2024 in the name of Agile Real Estate Private Limited and have found open charges in favour of HDFC Bank in respect of the receivables/charges relating to the infrastructure and development and accounts arising from the said Land and Vistra ITCL (India) Limited in respect of the said Land.

75.2 By a Registered Release Deed dated 14th October 2022 bearing registration no. TNN2-22922-2022 registered before the Sub-Registrar of Assurances executed between PNB Housing Finance Limited and Agile. wherein PNB Housing Finance Limited released land parcels to the extent of survey nos.19/1/B, 19/2, 19/3, 19/4, 19/5, 19/7, 19/9, 19/10, 19/11, 19/12, 19/14, 19/15, 19/16/A, 19/16/B, 19/17, 19/18, 19/19, 19/20/B, 19/21, 19/22, 19/24, 19/25/B, 19/26, 19/27/B, 19/28, 19/33, 19/34/A, 19/34/C, 19/35, 19/36, 19/39/B, 19/40, 19/41/B, 19/46, 20/1, 20/2, 20/3, 79/1/A, 79/1/B, 79/3, 79/5, 80/1, 80/2/A, 80/2/C, 82, 90/2/A, 90/3/B,

90/3/E, 90/3/F, 90/4/A, 90/5, 90/6, 90/7, 90/11 & 90/12 as mentioned in the Schedule therein in favour of Agile. However, aforesaid release of charge of PNB Housing finance limited filed by Agile has not been updated in MCA Portal as on date.

75.3 By a Registered Release Deed dated 17th February 2023 bearing registration no. TNN9-3109-2023 registered before the Sub-Registrar of Assurances executed between Housing Development Finance Corporation Limited in favour of Agile, wherein HDFC Bank released land parcels to the extents of survey nos. 19/1B, 19/2, 19/3, 19/4, 19/5, 19/7, 19/9, 19/10, 19/11, 19/12, 19/14, 19/15, 19/16A, 19/16B, 19/17, 19/18, 19/19, 19/20, 19/21, 19/22, 19/24, 19/25, 19/26, 19/27, 19/28, 19/35, 19/36, 19/39, 19/41, 19/44, 19/46, 20/1, 20/2, 20/3, 82, 80/2(part), 19/34(part), 83/4B, 83/7, 83/12, 83/2B(part), 83/4A(part), 83/6(part), 83/11(part), 86/1(part), 86/2(part), 86/3(part), 87/1, 85/2 as mentioned in the schedule therein in favour of Agile. However aforesaid release of charge of Housing Development Finance Corporation Limited filed by Agile has not been updated in MCA Portal as on date.

76 CERSAI SEARCH

76.1 We have carried out CERSAI search from Government's Official Website (www.cersai.org.in) on the basis of said search, we confirm that there is an existing charge of HDFC Bank in respect of the receivables/charges relating to the infrastructure and development and accounts arising from the said Land and VISTRA ITCL (INDIA) LIMITED in the name of Agile in respect of the said Land.

Note: Our observations for the said CERSAI Search are as per the Report/s generated by the said Official Website.

77 REMARKS ON FINDINGS:

77.1 Basis our findings during our searches, a declaration dated 21st February 2024 by Mr. Imtiaz Kanga, Director of Agile Real Estate Private Limited confirm that:

77.1.1 Release of charge of PNB Housing finance pertaining to Registered Release Deed dated 14th October 20,22 bearing registration no. TNN2-22922-2022 filed by Agile vide Form-CHG – 1 has not been updated in MCA Portal as on date.

77.1.2 Release of charge of HDFC bank pertaining to Registered Release Deed dated 17th

February 2023 bearing registration no. TNN9-3109-2023 filed by Agile vide Form – CHG – 1 has not been updated in MCA Portal as on date.

77.1.3 Charge on the receivables/charges vide Unilateral Indenture of Mortgage dated 30th June 2023 bearing serial no. BDR17-7893 of 2023 registered on 3rd July 2023 relating to the infrastructure and development and accounts arising from the said Land on pari passu basis on the existing facilities.

77.1.4 Charge on the receivables/charges vide Unilateral Indenture of Mortgage for Creation of Security dated 30th June 2023 bearing serial no. BDR17-7874 of 2023 relating to the infrastructure and development and accounts arising from the said Land on pari passu basis on the existing facilities.

77.1.5 There are no further subsisting mortgages/charges over the said Land or any part thereof save and except an Indenture of Mortgage dated 20th October 2022 bearing serial no. TNN-9-15752 of 2022 executed between Agile (Mortgagor) and Vistra ITCL (India) Limited (Mortgage/Debenture Trustee).

78 <u>OPINION:</u>

78.1 Based on the perusal of documents made available to us and subject to existing charges in favour of VISTRA ITCL (INDIA) LIMITED as mentioned hereinabove, we are of the opinion that, Agile holds valid, clear and marketable title in respect of Land area admeasuring 69,990 square meters.

Yours truly,



Suresh Palav
Partner
INDIALAW LLP

Basis and Assumptions:

The Report has been prepared on the following assumptions:

1. The information/documents made available to us by the owner are true, complete and accurate;
2. The photocopies of the documents which have been made available to us are true, complete, accurate and identical to the originally executed documents; and
3. The signatures and seals on all the documents are genuine.

Qualifications:

Our limited title investigation review is subject to the following qualifications:

1. The accuracy of the Report is dependent on the limited documents supplied being true, complete, accurate and not misleading. We have presumed that nothing material has been concealed from us.
2. Our scope does not include aspects relating to the Premises/ Building/ Land within the domain of an architect or surveyor such as issues pertaining to construction/ development.
3. We have not undertaken independent investigations in the various courts or forums to ascertain if any litigation is pending against the owner or the Premises/ Building / Land and have relied on online search conducted by us.

Governing law:

The Report is subject to the laws of India as are presently in force. This Report contains an analysis of the title from a legal perspective and should not be treated as business, commercial accounting advice.

The Report:

On the basis of the foregoing and subject to the qualifications mentioned hereinabove, we set out the result of our Title Investigation in this Report.

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Note: This Report is prepared exclusively for our client or its affiliates and group entities and is not to be relied upon by any other person or for any other purpose or quoted or referred to in any other document or filed with any Governmental or other regulatory authority or any person without our prior written consent.

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THIS TITLE CERTIFICATE IS BASED ON THE PERUSAL OF PHOTOCOPIES OF THE DOCUMENTS. WE HAVE NOT BEEN PROVIDED WITH ORIGINAL DOCUMENTS.