

Shaival Bhatt & Co.

Proprietor : Shaival Upendra Bhatt
M.Com. LL.M, Advocate

304-5, 'Shagun', 93, Swastik Society, B/hi. St. Xavier's Ladies Hostel, Navrangpura, Ahmedabad-9. Tel.: 26447500, 48905600, Email : sbhattco@gmail.com

SB/PRIVATE/PRADEEP JADWANI /2019

20th July, 2019

To,

PRADEEP VASUDEV JADWANI,

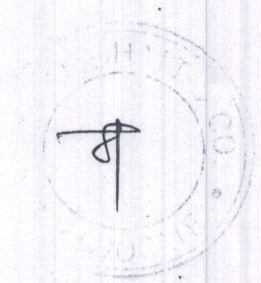
Ahmedabad

Sir,

SUB: TITLE REPORT of Land [1] admeasuring about 1064 sq.yards i.e.889 sq.mtrs situated on the land of Sub Plot No.1 & [2] admeasuring about 1040 sq.yards i.e.870 sq.mtrs of Sub Plot No.2 aggregating to 1759 sq.mtrs situated on the land of Final Plot No.359 of Town Planning Scheme No.3 (Now covered under City Survey Superintendent's Office bearing City Survey No.3355 & 3356) situate, lying and being at MOUJE: CHANGISPUR, Taluka: Sabarmati, in the Registration District of Ahmedabad and Sub District of Ahmedabad-3 (Memnagar) belonging to **YOU**.

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As per your instructions to issue Title Clearance Certificate of the above mentioned property. I have examined the titles of the above referred property and have caused to be taken searches of *available* revenue and registration records for last 13 years and the encumbrance certificate issued by the jurisdictional registrar's office for last 13 years through our search clerk and from the information given to us and believing the same to be true, correct and trustworthy and also believing the documents/copies/papers etc furnished in his/its file to be true and genuine, we hereby give our report on title as under:-



SUB PLOT NO.1

It appears from the revenue records that originally, the land of Final Plot No.359/1 of Town Planning Scheme No.3 situate, lying and being at MOUJE : CHANGISPUR, Taluka: City, in the Registration District and Sub District of Ahmedabad belonged to Champaklal Chhotalal Patel & Indubhai Chhotalal Patel as co-owners of the said land.

Originally the said land was granted Non Agricultural Use permission for residential purpose by order bearing No.NA SR/853 dated 20-11-1967, which is evident from Form No.2 from revenue records.

By oral partition, Champaklal Chhotalal Patel & Indubhai Chhotalal Patel divided the said land of Final Plot No.359/1 and the land admeasuring about 532 sq.mtrs on the Northern Side came to the share of Champaklal Chhotalal Patel. The said land was held by them as Karta and Manager of his HUF.

The said Champaklal Chhotalal Patel had given Cellar and Ground Floor of the said property on rent to Bank of Baroda.

In the year 1987, said Champaklal Chhotalal Patel had given First Floor of Bungalow known as "MATRUCHAYA" on rent to Prakash M.Shah on 01-10-1987.

Subsequently, the said Prakash M.Shah filed a case bearing No.1865/97 in Small Cause Court for protection of his Tenancy rights, which was subsequently compromised.

In the year 1996, said Champaklal Chhotalal Patel has agreed to sell the said property of Bungalow known as "MATRUCHAYA" with Plot area admeasuring about 532 sq.yards (on the Northern Side) and construction of 400 sq.yards thereon situated on the land of Final Plot No.359/1 of Town Planning Scheme No.3 situate, lying and being at MOUJE : CHANGISPUR, Taluka:City, in the Registration District and Sub District of Ahmedabad to Sanskruti Owners Association by an Agreement to Sell, which was registered before the Sub Registrar of Ahmedabad under serial No.3638 dated 06-09-1996.



The Promoters of Sanskruti Owners Association filed Civil Suit No.4156/99 for specific performance of Agreement to Sell, which is subsequently compromised by Pursis filed in the Civil Court at Ahmedabad dated 28-07-2004.

In the year 2004, said Champaklal Chhotalal Patel as Karta and Manager of his HUF sold and conveyed the said property of Bungalow known as "MATRUCHAYA" with Plot area admeasuring about 532 sq.yards (on the Northern Side) and construction of 400 sq.yards thereon situated on the land of Final Plot No.359/1 of Town Planning Scheme No.3 situate, lying and being at MOUJE : CHANGISPUR, Taluka: City, in the Registration District and Sub District of Ahmedabad to M/S.SUN 'N' SILVER INN PRIVATE LIMITED, which was registered before the Sub Registrar of Ahmedabad under serial No.1674 dated 25-03-2004. Entry of the above Sale Deed was entered in the revenue records by Revenue Mutation Entry No.5722 dated 26-07-2004 and was duly certified on 26-07-2004.

In the year 1977, said Indubhai Chhotalal Patel had given First Floor of Bungalow known as "PITRUCHAYA" on rent to Bank of Baroda.

In the year 1996, said Indubhai Chhotalal Patel has agreed to sell the said property of Bungalow known as "PITRUCHAYA" with Plot area admeasuring about 532 sq.yards (on the Southern Side) and construction of 400 sq.yards thereon situated on the land of Final Plot No.359/1 of Town Planning Scheme No.3 situate, lying and being at MOUJE : CHANGISPUR, Taluka:City, in the Registration District and Sub District of Ahmedabad to Sanskruti Owners Association by an Agreement to Sell, which was registered before the Sub Registrar of Ahmedabad under serial No.3639 dated 06-09-1996.

The Promoters of Sanskruti Owners Association filed Civil Suit No.4157/99 for specific performance of Agreement to Sell, which is subsequently compromised by Pursis filed in the Civil Court at Ahmedabad dated 28-07-2004.

In the year 2004, said Indubhai Chhotalal Patel as Karta and Manager of his HUF sold and conveyed the said property of Bungalow known as "PITRUCHAYA" with Plot area admeasuring about 532 sq.yards (on the Southern Side) and construction of 400 sq.yards thereon situated on the land of Final Plot No.359/1 of Town Planning Scheme No.3 situate, lying and



being at MOUJE : CHANGISPUR, Taluka:City, in the Registration District and Sub District of Ahmedabad to M/S.SUN 'N' SILVER INN PRIVATE LIMITED, which was registered before the Sub Registrar of Ahmedabad under serial No.1673 dated 25-03-2004. Entry of the above Sale Deed was entered in the revenue records by Revenue Mutation Entry No.5722 dated 26-07-2004 and was duly certified on 26-07-2004.

SUB PLOT NO.2

Originally, the land admeasuring about 526 sq.yards i.e.435 sq.mtrs on the Eastern Side on Sub Plot No.2 of Final Plot No.359 of Town Planning Scheme No.3 situate, lying and being at MOUJE: CHANGISPUR, Taluka: City, in the Registration District of Ahmedabad and Sub District of Ahmedabad-3 (Memnagar) belonged to Navnitbhai Chhaganlal Amin. Similarly, the land admeasuring about 526 sq.yards i.e.435 sq.mtrs on the Western Side on Sub Plot No.2 of Final Plot No.359 of Town Planning Scheme No.3 situate, lying and being at MOUJE: CHANGISPUR, Taluka : City, in the Registration District of Ahmedabad and Sub District of Ahmedabad-3 (Memnagar) belonged to Jayantibhai Chhaganlal Amin and their names appeared in revenue records as co-owners since last 30 years.

In the year 1997, said Navnitbhai Chhaganlal Amin sold and conveyed the land admeasuring about 526 sq.yards i.e.435 sq.mtrs on the Eastern Side on Sub Plot No.2 of Final Plot No.359 of Town Planning Scheme No.3 situate, lying and being at MOUJE: CHANGISPUR, Taluka: City, in the Registration District of Ahmedabad and Sub District of Ahmedabad-3 (Memnagar) to Shree Nidhi Non Trading Corporation by a Sale Deed, which was registered before the Sub Registrar of Ahmedabad under serial No.1330 dated 21-04-1997. The said Sale Deed was confirmed by Jayantibhai Chhaganlal Amin by joining as Confirming Party to the Sale Deed.

Similarly, said Jayantibhai Chhaganlal Amin sold and conveyed the land admeasuring about 526 sq.yards i.e.435 sq.mtrs on the Western Side on Sub Plot No.2 of Final Plot No.359 of Town Planning Scheme No.3 situate, lying and being at MOUJE: CHANGISPUR, Taluka : City, in the Registration District of Ahmedabad and Sub District of Ahmedabad-3 (Memnagar) to Shree Nidhi Non Trading Corporation by a Sale Deed, which was registered before the Sub



Registrar of Ahmedabad under serial No.1329 dated 21-04-1997. The said Sale Deed was confirmed by Navnitbhai Chhaganlal Amin by joining as Confirming Party to the Sale Deed.

Entry of the above two Sale Deeds were entered in the revenue records by Revenue Mutation Entry No.5142 dated 18-06-1998 and was duly certified on 17-08-1998.

Shree Nidhi Non Trading Corporation, is an Association registered under the provisions of The Bombay Non Trading Corporation Act, 1959 under serial No.NTCG-8251 dated 25-07-1996.

Subsequently, M/s. Kashiparekh Construction Private Limited through its Director Mr. Chirag B. Kashiparekh approached The Visnagar Nagrik Sahkari Bank Limited for financial assistance and the said property was mortgaged by Chairman/ Secretary of Shree Nidhi Non Trading Corporation with The Visnagar Nagrik Sahkari Bank Limited by Memorandum of Deposit of Title Deeds, which was registered before the Sub Registrar of Ahmedabad-3 (Memnagar) under serial No.2084 dated 25-09-1998.

The said Developer M/s. Kashiparekh Construction Private Limited has submitted plans for proposed construction of residential Flats, which were approved by Ahmedabad Municipal Corporation.

The Developer defaulted in making the repayment of loan granted by The Visnagar Nagrik Sahkari Bank Limited and a case came to be filed by the Bank with Board of Nominees Court by Suit No.2362 of 2002. Board of Nominees Court decreed the Suit on 23-10-2002 appointing a Special Recovery Officer to recover the dues from M/s. Kashiparekh Construction Private Limited and subsequently the said property is dealt with The Visnagar Nagrik Sahkari Bank Limited.

Thereafter The Visnagar Nagrik Sahkari Bank Limited went under liquidation and the management was taken over by the State Government, who in turn appointed an Official Liquidator.



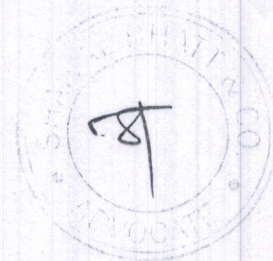
The Visnagar Nagrik Sahkari Bank Limited towards recovery of its outstanding dues, has decided by virtue of the Resolutions which are officially passed by the Official Liquidator and also by virtue of the consent given by the defaulter owner on behalf of the NTC as well as the developer company before the High Court of Gujarat in Criminal Miscellaneous Application No.7357/2005 and therefore it was decided by The Visnagar Nagrik Sahkari Bank Limited to sell and to recover the part of the dues and therefore it was decided to sell the property by Public Auction on 'AS IS WHERE IS BASIS' and Public Notice in local daily Gujarat Samachar was published on 12-12-2005.

Pursuant to the advertisement, Party of the Second Part herein i.e. M/s. Sun 'N' Silver Inn Private Limited approached The Visnagar Nagrik Sahkari Bank Limited and expressed its willingness to buy the property on 'AS IS WHERE IS BASIS' and participated in the auction and paid earnest money deposit of Rs.9,56,520/- (Rupees Nine Lakhs Fifty Six Thousand Five Hundred and Twenty Only) by Pay Order No.17848 drawn on Union Bank of India dated 27-12-2005.

On account of delay in the execution of the above proceedings, the M/s. Sun 'N' Silver Inn Private Limited preferred Special Civil Application No.11720 of 2006 in which, the Hon'ble High Court ordered The Visnagar Nagrik Sahkari Bank Limited to reply and take appropriate steps in this regard within a period of four (4) weeks.

The Visnagar Nagrik Sahkari Bank Limited by its letter dated 15-07-2006 informed the M/s. Sun 'N' Silver Inn Private Limited to remain present on 22-07-2006 at the branch of the Bank, so as to finalise their bid.

Said The Visnagar Nagrik Sahkari Bank Limited sold and conveyed the said land alongwith construction thereon to M/s. Sun 'N' Silver Inn Private Limited by a Sale Deed, which was registered before the Sub Registrar of Ahmedabad under serial No.9066 dated 01-09-2006. In the said Sale Deed land area in sq.yard is mentioned as 1052 as per previous records, however, in revenue records the area is mentioned as 1040 sq.yards. Therefore the present deed is executed as per the revenue records.



Thus the land [1] admeasuring about 1064 sq.yards i.e.889 sq.mtrs situated on the land of Sub Plot No.1 & [2] admeasuring about 1040 sq.yards i.e.870 sq.mtrs of Sub Plot No.2 aggregating to 1759 sq.mtrs situated on the land of Final Plot No.359 of Town Planning Scheme No.3 was purchased and acquired by M/s. Sun 'N' Silver Inn Private Limited.

M/s. Sun 'N' Silver Inn Private Limited demolished the old residential construction standing thereon on the land and presently there is no construction at site and Party of the Second Part herein is selling open land to the Party of the First Part.

Records of Mouje : Changispur was covered under City Survey limits and was allotted City Survey No.3355. However the records were not properly updated and the name of M/s. Sun 'N' Silver Inn Private Limited was not appearing in one of the Ruled Card of city survey. Thus CTS appeal was filed before Deputy Collector, Ahmedabad and on finalization of appeal, the Collector by his order directed city survey department to enter the name of the company. The name of M/s. Sun 'N' Silver Inn Private Limited was entered in city survey records for Sub Plot No.2 on 16-04-2018.

In the year 2016, said M/s. Sun 'N' Silver Inn Private Limited sold and conveyed the said Land [1] admeasuring about 1064 sq.yards i.e.889 sq.mtrs situated on the land of Sub Plot No.1 & [2] admeasuring about 1040 sq.yards i.e.870 sq.mtrs of Sub Plot No.2 aggregating to 1759 sq.mtrs situated on the land of Final Plot No.359 of Town Planning Scheme No.3 situate, lying and being at MOUJE: CHANGISPUR, Taluka: Sabarmati, in the Registration District of Ahmedabad and Sub District of Ahmedabad-3 (Memnagar) to **PRADEEP VASUDEV JADWANI** by a Sale Deed, which was registered before the Sub Registrar of Ahmedabad under serial No.7419 dated 03-10-2016. The entry of above Sale Deed was entered in city survey records on 16-04-2018.

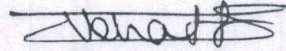
Plans for proposed construction on the said land was submitted for approval, which was approved by Ahmedabad Municipal Corporation on 14-06-2019.

I have examined the titles of the above referred property and have caused to be taken searches of *available* revenue and registration records for last 13 years and the encumbrance certificate issued by the jurisdictional registrar's office



for last 13 years through our search clerk and from the information given to us and believing the same to be true, correct and trustworthy and also believing the documents/copies/ papers etc furnished in his/its file to be true and genuine, I am of the opinion that the right, title of the above of Land [1] admeasuring about 1064 sq.yards i.e.889 sq.mtrs situated on the land of Sub Plot No.1 & [2] admeasuring about 1040 sq.yards i.e.870 sq.mtrs of Sub Plot No.2 aggregating to 1759 sq.mtrs situated on the land of Final Plot No.359 of Town Planning Scheme No.3 (Now covered under City Survey Superintendent's Office bearing City Survey No.3355 & 3356) situate, lying and being at MOUJE: CHANGISPUR, Taluka: Sabarmati, in the Registration District of Ahmedabad and Sub District of Ahmedabad-3 (Memnagar) belongs to **PRADEEP VASUDEV JADWANI**, are clear and marketable and that there is no charge, right, lien or encumbrance over the said property and are free from all reasonable doubts.

For, SHAIVAL BHATT & CO


PROPRIETOR

