



Hitesh B. Barvaliya

[B.A.L.L.B] Advocate
Gujarat High Court
Mo. No.97129 90977

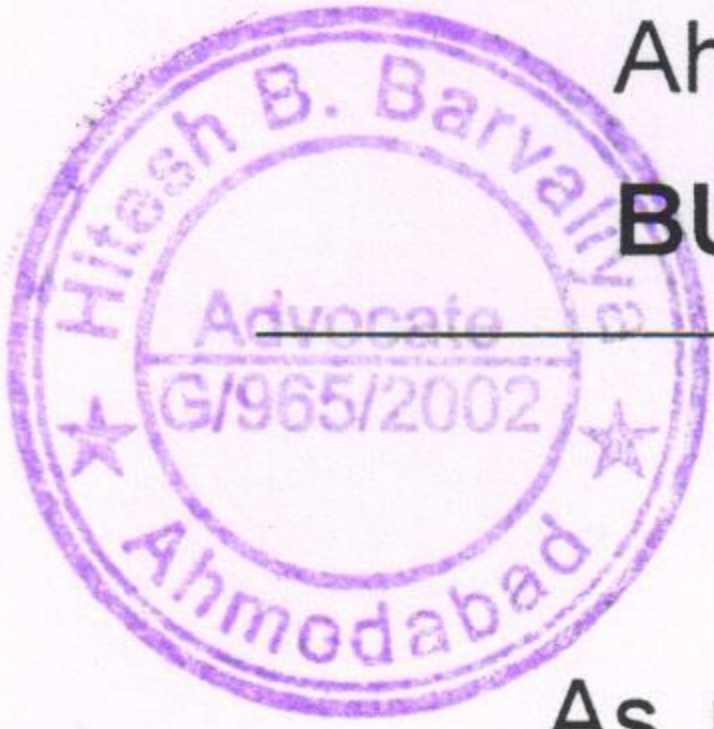
Address: 310, Town Plaza, Nr. Raspan Arcade, Shukan-Bhakti Circle Road, Nikol, Ahmedabad-382350.

Ref.No. 05/2020

Date: 13/06/2020

TITLE REPORT

Reg.: - Immovable property bearing Non-Agricultural land for the Residential purpose on site known as **"FORTUNE FAMILY"** bearing land admeasuring about 3126.50 Square Meters bearing Survey No.118(Khata No.299), T.P. No.109 (Muthiya-Bilasiya-Hanspura), F.P.No.77, Sub Plot no. 77/1 Situate lying and being at Mouje Hanspura, Taluka Asarva and registration district of Ahmedabad and sub-district of Ahmedabad-6(Naroda) belonging to **SAPAT BUILDCON, A PARTNERSHIP FIRM**, R/o. Ahmedabad.



As per instructions, I have inspected and investigated the titles to the above-referred immovable property by taking search with available revenue records of the Sub Registrar Office Ahmedabad-1 by Receipt No. 2020002001238, dated 16/01/2020 and Sub Registrar Office, Ahmedabad-6(Naroda) by Receipt No. 2020006002030 having dated 16/01/2020 and Sub Registrar Office, and Sub Registrar Office, Ahmedabad-13(City) by Receipt No. 2020313000476 having dated 21/01/2020 for last 35 years, and depends on the search and I have given public notice in **"DIVY BHASKAR"** news paper dated **14/01/2020** inviting any rights claims or interest if any in the said land I have not received any claim or objection and have gone through relevant documents my inspection, investigation and search revealed as under: -

1. In the year 1963 it appears from the revenue record that Entry No. 1161 on 15/10/1963 was mutated in the revenue record of the land for maintain new records of the village Hanspura as per approval of consolidation scheme by settlement commissioner & Director of Land Records Ahmedabad vide No. cone/Ahmedabad-61 on 27/05/1963 Which was published in Govt. of Gujarat Gazette Part-1 of page No. 1618 on Dt. 06-06-1963.



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2. Thereafter, as per implementation of variation scheme of village Hanspura the name of Dhiraji Galuji was entered in the revenue record of the land admeasuring about 2-23 Acre-guntha and entry to that effect was mutated in the revenue record vide mutation Entry No. 1200 on Dt.18/03/1968.
3. Thereafter, in the revenue record of the said land of block/survey No.118 the entry No.1202 on 21/06/1968 was mutated for rectification in the mutation Entry No. 1161.
4. Thereafter, the owner and occupier of the land of Block/Survey No.118 i.e. Dhiraji Galuji had take lone and create encumbrance of V.V.Karyakal Seva Sahkari Mandli on the said land and entry to that effect was mutated in the revenue record of the said land vide mutation Entry No. 1308 on 20/02/1977.
5. Thereafter, Dhiraji Galuji had take another lone and created encumbrance of The Huka Seva Sahkari Mandali in the said land and entry to that effect was mutated in the revenue record of the said land vide mutation Entry No.1315 on Dt.01/12/1977.
6. Thereafter, Dhiraji Galuji was died and as a legal heirs of late Dhiraji Galuji the name of Laduben Widow of Jenaji Dhiraji, Amarsang Jenaji, Rajrsh Jenaji, Andaji Jenaji and Arjanji Jenaji were entered and certified in the revenue record of the said land of Block/Survey No.118 vide mutation Entry No. 1375 on Dt.28/03/1984.
7. Thereafter, as per the order of the District Registrar the said land of Block/Survey No. 118 was released from the encumbrances of Seva Sahkari Mandali and entry



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to that effect was mutation in the revenue record of the said land vide mutation Entry No. 1532 on Dt.07/11/1996.

8. Thereafter, Laduben Widow of Jenaji Dhiraji died on Dt.04/08/992 and accordingly, her name was removed from the revenue record of the said land vide mutation Entry No. 1533 on Dt.17-11-1996.
9. Thereafter, Mamlatdar Daskroi had ordered vide No. RTS/Record Promulgation/ 14/08 for rectification of errors in the revenue records which was found in the promulgation of the village record and for the same entry was mutation in the revenue record vide Entry No.1892 on Dt.18/07/2008 and later certified on Dt.12/09/2008.
10. Thereafter, the said land of Survey No.118 admeasuring about 10421 square Meters included in Town Planning Scheme No.109 (Muthiya-Bilasiya-Hanspura) and allotted Final Plot No. 77 admeasuring about 6253 square Meters.
11. Thereafter, the said land was released from restrictions of new tenure as per the order of the District Collector Ahmedabad dated 29/03/2011 and accordingly for the same entry was mutated in the revenue record of the said land vide mutation Entry No. 2192 on Dt.08/04/2011 and the same was certified on Dt.02/07/2011.
12. Thereafter, the owners and occupiers of the land Amarsang Jenaji, Rajesh Jenaji, Andaji Jenaji, and Arjanji Jenaji etc. had conveyed the said land to (1) Shivabhai Ramabhai Patel (2) Jigar Shivabhai Patel (3) Jayesh Shivabhai Patel (4) Rameshbhai Harjivanbhai Patel (5) Yagnesh Rameshbhai Patel (6) Pravinchandra





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Rameshbhai Patel (7) Babubhai Harjibhai Patel (8) Manishkumar Babubhai Patel etc. vide registered sale deed No. 5301 on Dt.10/05/2011 and for the same entry was mutated in the revenue record of the said land vide mutation Entry No. 2220 on Dt.25/05/2011 and which was certified on Dt.03/09/2011.

13. Thereafter Owner and occupier of the said land (1) Amar Jenaji Thakor (2) Rajesh Jenaji Thakor (3) Adaji Jenaji Thakor (4) Arjan Jenaji Thakor etc. had conveyed the Block No. 118 admeasuring 10421 Square Meters land to Divyang Jayntilal Mevada by Registered Agreement To Sale (without possession) On Dt.10/06/2003. Which was registered by wide No.1803 in the office of Sub-registrar-6(Naroda). Then after as per condition Divyang Jayntilal Mevada not purchase the said land, so, Cancellation of Agreement of sale Registered vide document No. 8340 on Dt. 27-07-2011 by Divyang Jayntilal Mevada in favor of Amar Jenaji Thakor, Rajesh Jenaji Thakor, Andaji Jenaji Thakor and Arjanji Jenaji Thakor.

14. Thereafter, Revenue Department of Government had passed resolution on Dt.17/03/2012 for reorganize of old Talukas of Dist. Ahmedabad i.e. City and Daskroi and had been made new Taluka of Ahmedabad i.e. Ahmedabad (East) and (West) and accordingly, village Hanspura of old Daskroi taluka has been included in Ahmedabad(East) and entry to effect was mutate in revenue record vide mutation Entry No.2296 on Dt.03-05-2012 and which was later certified on Dt.05/05/2012.

15. Thereafter, the owners and occupiers of the said land Amarsang Jenaji, Rajesh Jenaji, Andaji Jenaji, and Arjanji Jenaji etc. had conveyed the said land to (1) Shivabhai Ramabhai Patel (2) Jigar Shivabhai Patel (3) Jayesh Shivabhai Patel (4) Rameshbhai Harjivanbhai Patel (5) Yagnesh Rameshbhai Patel (6)



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Pravinchandra Rameshbhai Patel (7) Babubhai Harjibhai Patel (8) Manishkumar Babubhai Patel etc. by Registered Sale deed On Dt.10/05/2011. For that in future for any Legal Problem (1) Lasiben Amarsang Thakor (2) Maheshji Amarsang Thakor and (3) Jivatben Amarsang Thakor etc. Legal Hairs of Amarsang Jenaji gave the confirmation for above sale deed. Which was registered by wide No. 1806 dated 08/08/2013 in the office of Sub-registrar-13(City).

16. Thereafter, the owners and occupiers of the said land Amarsang Jenaji, Rajesh Jenaji, Andaji Jenaji, and Arjanji Jenaji etc. had conveyed the said land to (1) Shivabhai Ramabhai Patel (2) Jigar Shivabhai Patel (3) Jayesh Shivabhai Patel (4) Rameshbhai Harjivanbhai Patel (5) Yagnesh Rameshbhai Patel (6) Pravinchandra Rameshbhai Patel (7) Babubhai Harjibhai Patel (8) Manishkumar Babubhai Patel etc. by Registered Sale deed On Dt.10/05/2011. For that in future for any Legal Problem (1) Bhikhiben Daughter of Dhiraji Galuji and wife of Bhikhaji Parmar (2) Kamalaben Daughter of Dhiraji Galuji and wife of Lilaji Parmar etc. gave the confirmation for above sale deed. Which was registered by wide No. 1807 dated 08/08/2013 in the office of Sub-registrar-13(City).

17. Thereafter, the owner and occupier of the said Shivabhai Ramabhai Patel & Others had paid premium to released the said land from new tenure restriction and for use of non agricultural purpose and accordingly, the District collector Ahmedabad had ordered vide their order No. ACB/TNC-3/PREMIUM/HANSPURA/SR764/2015 on 08-05-2017 and thus, grant permission in regard to the said land for use of non agricultural residential purpose and released the restriction under the Tenancy as well as other Acts of the said land and entry to that effect was mutate in the revenue record vide mutation Entry No. 2759 on Dt.10/05/2017 and later certified on Dt.03/08/2017.



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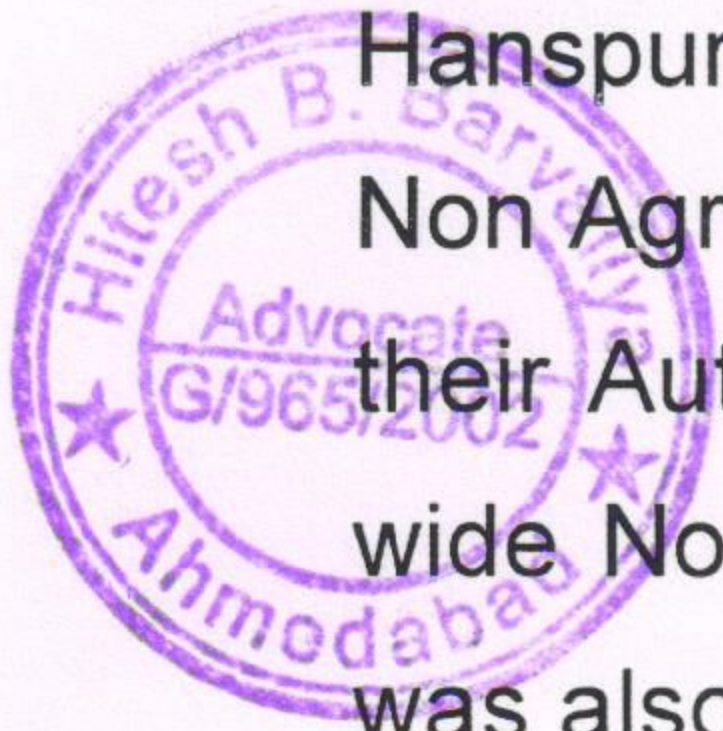
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18. Thereafter, in regard to the said land District Collector Ahmedabad has been granted permission of non-agricultural use of land to Shivabhai Ramabhai Patel & others vide their order No.ACB/TNC-3/Taluka N.A/Hanspura-Block No.18/ S.R.1118/Application No. 112486/17 on Dt.10-07-2015 and entry to the effect was mutate in the revenue record of the said land vide mutation entry No.2785 on Dt.15-07-2017.
19. There after above said land owners Shivabhai Ramabhai Patel, Jigar Shivabhai Patel, Jayesh Shivabhai Patel, Rameshbhai Harjivanbhai Patel, Yagnesh Rameshbhai Patel, Pravinchandra Rameshbhai Patel, Babubhia Harjibhai Patel and Manishkumar Babubhai patel etc. made sell deed for Block No. 118 admeasuring 10421 Square Meters paiki T.P. Scheme No. 109(Muthiya-Bilasiya-Hanspura) and allotted final plot No.77 total admeasuring 6253 square meters Non Agriculture land in favor of M/s. Panth Builders, A Paartnership Firm Through their Authorized Partner Satishkumar Keshubhai Korat, Which was registered by wide No.4397 dated 09/03/2018 in the office of Sub-registrar-6(Naroda) and that was also entered by entry No. 2877 dated 16/03/2018.
20. Thereafter, in regard to the said Entry No. 2877 one objection was filed by Vikrdmbhai Kehaebhai Parmar and accordingly, RTS NO.16/2018 was present before the Mamlatdar(Asarva) and in that Mamlatdar had ordered and dismissed the objection filed by the Vikrambhai Keharbhai Parmar and the ordered to certified the entry No.2877 on 30-05-2018.
21. Thereafter, Vikrambhai kehARBhai Parmar has preferred the RTS Appeal No.164/2018 before the Deputy Collector (East) against and aggrieved by the order of Mamlatdar (Asarva) in RTS NO.16/2018 and in the said RTS appeal No. 164/2018 the Deputy Collector had ordered on Dt.04-01-2019 and rejected the





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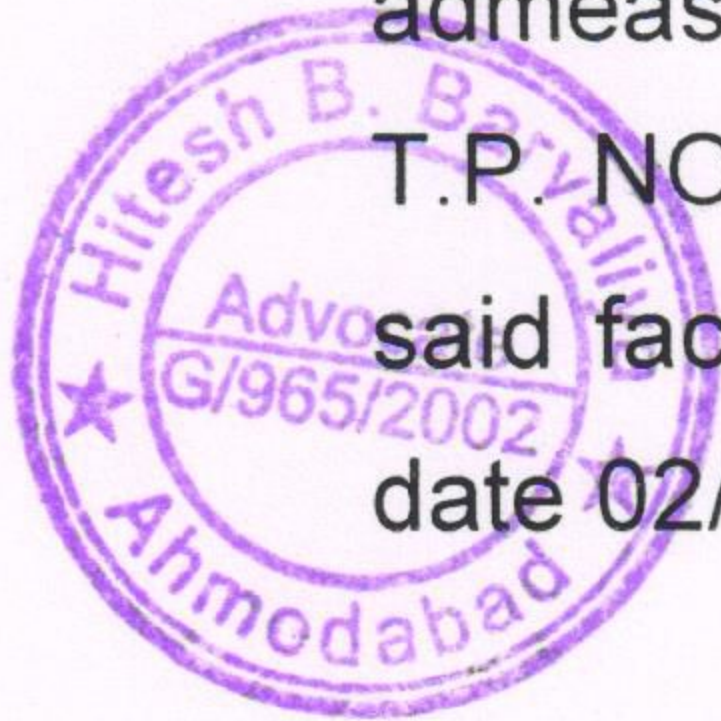
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said appeal and further upheld and confirmed the order passed by Mamalatdar(Asarva) on Dt.30-05-2015 to certified mutation Entry No. 2877 and entry to that effect was made in revenue record of the said land vide mutation entry No. 3110 on Dt.11-02-2019 and the same has been certified on Dt.18-03-2019 and accordingly, the entry No.2877 has been certified in the revenue record of the said land and thus, the name of M/s. Panth Builders Partnership firm has been entered and certified as an owner and occupier in the revenue record of the said land.

22. Revised Non- Agricultural use permission for Commercial purpose is granted by order No. 372/07/14/026/2019 by District Collector, Ahmedabad for the said land admeasuring about 1000 Square Meters out of total land bearing Survey No.118, T.P. NO. 109(Muthiya-Bilasiya-Hanspura), F.P. NO. 77, ON DT. 20/06/2019. The said fact was recorded into the record of rights by Mutation entries No. 3168 on date 02/07/2019.



23. Thereafter as per Revenue record Block No. 118 admeasuring 10421 Square Meters paiki T.P. Scheme No. 109(Muthiya-Bilasiya-Hanspura) and allotted final plot No.77 total admeasuring 6253 square meters Non Agriculture land belongs to M/s. Panth Builders, A Paartnership Firm Through their Authorized Partner Satishkumar Keshubhai Korat. Then after Satishkumar Keshubhai Korat leave from M/s. Panth Builders as a partner, so his name removed from the revenue record of the said land and M/s. Panth Builders, a Partnership Firm became absolute owner of the said land. The said fact was entered into the revenue record by Mutation entries No.3212 on Date 30/08/2019.

24. Thereafter in the Block No. 118 admeasuring 10421 Square Meters paiki T.P. Scheme No.109(Muthiya-Bilasiya-Hanspura) and allotted final Plot No.77 total



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admeasuring 6253 square meters Non Agriculture land sub-Plotting was made on the said land and lay-out plan was prepared which was approved and granted by Ahmedabad Municipal Corporation, Ahmedabad vide its vide its Raja Chitthi No. 00880/211218/A1078/M1 dated 08/01/2019 issued by deputy Municipal commissioner(North), Ahmedabad Municipal Corporation, Ahmedabad and accordingly the said Land bearing T.P. Scheme No. 109(Muthiya– Bilasiya– Hanspura) and allotted final plot No.77 admeasuring 6253 square meters was sub-plotted into Two Sub-Plots i.e. (I) Sub-plot No.77/1 admeasuring 3126.50 square meters and (II) Sub- plot No.77/2 admeasuring 3126.50 square meters.

25. By this way, M/s Panth Builders, A Partnership Firm, thorough its authorized Partner Patel Hareshkumar Jayntilal made sell deed for Block No. 118 total admeasuring 10421 Square Meters paiki T.P. Scheme No. 109(Muthiya–Bilasiya– Hanspura) and allotted final plot No.77 total admeasuring 6253 square meters Paiki Sub-Plot No.77/1 admeasuring 3126.50 square meters Non Agriculture land in favor of **SAPAT BUILDCON, A PARTNERSHIP FIRM** Which was registered by wide No.21609 dated 13/11/2019 in the office of Sub-registrar-6(Naroda) and that was also entered by entry No. 3242 Date 15/11/2019 in the revenue record.

26. SAPAT BUILDCON, a Partnership Firm is the absolute owners and possessors of the said Non-Agricultural Land Situate, lying and being at Mouje : Hanspura, Taluka :Asarva, District :Ahmedabad bearing Block No. 118 total admeasuring 10421 Square Meters paiki T.P. No. 109(Muthiya–Bilasiya–Hanspura) and allotted final plot No.77 total admeasuring 6253 square meters Paiki Sub-Plot No.77/1 admeasuring 3126.50 square meters together with to be constructed (Under Construction) Total 96 Residential units in Block No. "A" + "B" with Basement and Ground Floor Parking, Stair Cabin and Lift Room and Common amenities and



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Facilities In a scheme Known as **"FORTUNE FAMILY"** in the Registration District Ahmedabad and sub-District, Ahmedabad-6 (Naroda).

27. After that, the said land obtained development permission and approval lay out plan from AMC by for Block- A Rajachitthi No. (Commencement Letter) 03274/111219/A3092/RO/M1 and Block- B Rajachitthi No. (Commencement Letter) 03275/111219/A3093/RO/M1 on date 12/06/2020.
28. The Partnership Deed of **SAPAT BUILDCON**, was duly executed on 21/10/2019 by and between (1) Tarunkumar Vitthalbhai Patel (Ona part) (2) Patel Dhrutibahen Trunkumar (second part) (3) Patel Pragneshbhai Bhaskarbhai (Third part) (4) Hinaben Pragneshbhai Patel (fourth part) (5) Suresh Kanjibhai Patel (Fifth part) (6) Patel Nimeshkumar Gordhanbhai (Sixth part) and (7) Krunal Vinodbhai Patel (seventh part) which was duly signed before Geeta V. Patel, Notary Public, Ahmedabad, Under Serial No. 249/5 dated 21/10/2019.
29. Thereafter SAPAT BUILDCON, a Partnership firm has floated a Scheme of Residential and Commercial Units Known as **"FORTUNE FAMILY"** on the said piece of land as per plan and Construction Permission approved and granted by the Ahmedabad Municipal Corporation, Ahmedabad and is entitled to enroll the members and to collect agreed amount from then for the said purpose and to sell and convey such Residential Units to them ETC.
30. After completion of construction work Final Building Use (BU) Permission for **"FORTUNE FAMILY"** is required to be obtained from Ahmedabad Municipal Corporation, Ahmedabad.





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31. The said Property in question is not affected by the provision of the Urban Land (Ceiling & Regulation) act, 1976 since the same has been repealed with effect from 01-04-1999 and hence no permission there under or in any other Act or rule is required to be obtained.
32. **SAPAT BUILDCON, A PARTNERSHIP FIRM** gave affidavit that, there is No lien, no charge, no mortgage, no loan from any Banks, Firms, Companies of persons on land, not filed any suit, petition, appeal, revision against land or no any legal notice or action is taken from any person on land i.e. They stated that land owner's property is clear and marketable and free from any encumbrances beyond reasonable doubts.
33. I have referred the following documents.
- a. Copy of Village form No.7/12.
 - b. Copy of Village from No.6 record of rights entries.
 - c. Copy of N.A. Order.
 - d. Copy of Development permission letter issued by AMC.
 - e. Copy of Affidavit of land owner.
34. I do not find any charge, line, mortgage; encumbrances in respect of the aforesaid property nor any suit, petition, appeal, suit, revision seem to be pending in any court or tribunal in respect thereof.
35. Perusing the above referred documents; I am of the opinion that the property, which is more particularly described in the schedule written hereunder, is clear,



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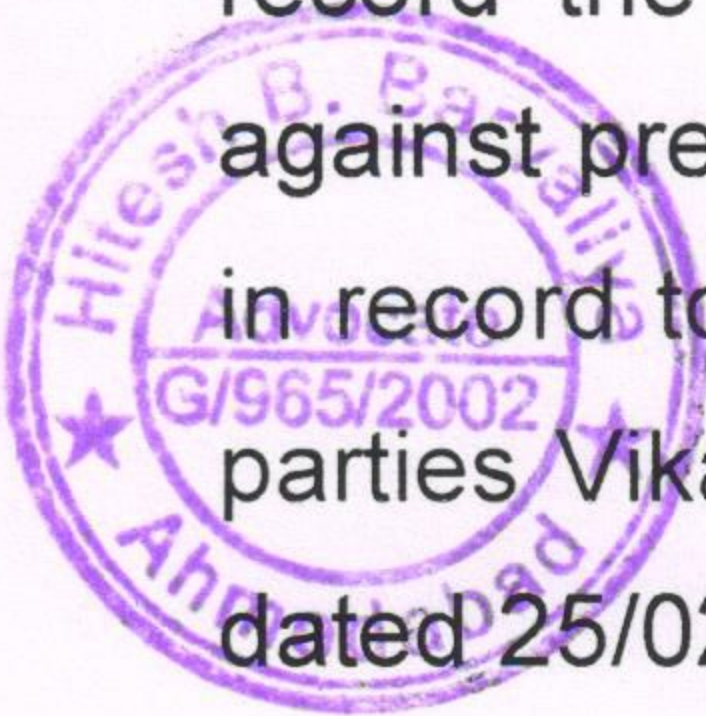
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marketable and free from any encumbrances beyond reasonable doubt. **Subject to.**

1. I have taken search of the office of concerned Sub-Registrar Ahmedabad. However I have found that, the entries are not up-to-date maintain. So I rely on documents submitted to me and the land revenue records i.e. Village Form no. 7/12 and mutation entries i.e. Village Form No.6 recorded periodically under the provision of the Bombay land revenue act-1879. These entries covering transfer, inheritance, and other diverse, interest created on the land.
2. Notice of lis-pendens of Special Civil suit No. 159/2018 registered vide document No. 9345 on Dt.18/05/2018 by one Vikrambhai Keharbhai Parmar. As per the record the said suit No.159/2018 was filed by Vikarambhai Keharbhai Parmar against previous owners of the said land and M/s. Panth Builders Partnership firm in record to the said land and thereafter, as per mutual consent between the suit parties Vikaram Keharbhai Parmar has withdrawn the said suit unconditionally on dated 25/02/2019.
3. Thereafter, the Vikarambhai Keharbhai Parmar has cancelled the Notice of lis-pendens of special Civil suit No. 150/2018 vide document No. 6259 on dated 03/04/2019 and also Vikarambhai Keharbhai Parmar had registered Deed of Kabulat of sale deed which was registered vide No. 4397 dated 09/03/2018 in favor of M/s. Panth Builders Partnership Firm vide document No. 6260 on Dt.03/04/2019 and also Cancelled the Notarized Agreement for sale (Banakhat) which was in favor of Vikarambhai Keharbhai Parmar vide Notarized Cancellation document No. D/135 which was registered before the Notary B.R.Pandya on Dt.03/04/2019.





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:- THE SCHEDULE OF ABOVE REFERRED PROPERTY :-

Immovable property bearing Non-Agricultural land for the Residential purpose on site known as "**FORTUNE FAMILY**" bearing land admeasuring about 3126.50 Square Meters bearing Survey No.118(Khata No.299), T.P. No.109 (Muthiya-Bilasiya-Hanspura), F.P.No.77, Sub Plot no. 77/1 Situate lying and being at Mouje Hanspura, Taluka Asarva and registration district of Ahmedabad and sub-district of Ahmedabad-6(Naroda) and bounded as under.

East: Land of F.P. No. 93/1

West: 18 Meters Road

North: Land of F.P. No. 75/1

South: Land of F.P. No. 77/2



.....**હિતેશભાઈ બરવાળીયા**.....

(Hitesh B. Barvaliya)

Advocate