



M.SAJID I. DUDHWALA

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OFFICE :

2nd Floor, Afzal Manzil, Laheripura-New Road,
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COURT :

Table No. 28, Ground Floor, Advocate House
Nr. Gate No. 1, Nyay Mandir, Diwalipura, Vadodara.

Date: 31-03-2021

To,

(1) Mr. Imtiyaz Yusuf Khatri

(2) Zulekhaben Wahid Khatri & Others

Both residing at: Wadi,
Jahangirpura, Vadodara – 390017.

Sub: Title Clearance Certificate in respect of land bearing R.S. No.1/1, 1/2 & 1/3 covered under T.P.Scheme No.3 and original Part / Mul khand No.41 & 42 and Antim Khand / Final Plot No.18 & 2 paiki land admeasuring 37,347 sq. ft. (3469.62 sq. mtr.) situated at Panigate, Vadodara Kasba, Tal. Dist. Vadodara.

Sir,

As desired by you, I have taken the deligent Search from the office of sub Registrar vide Search Receipt No.2020014018405 on dated 14-09-2020 from 1990 to 2020. I have also perused Property Card in respect of aforesaid land.

On the strength of the above documents my Search / Report is as under:-

- (1) The land bearing Revenue Survey No.1/1, 1/2 and 1/3 covered under T.P. Scheme No.3 & Original Part / Mul Khand No.41 & 42 and last Part / Antim Khand / Final Plot No.18 & 2 admeasuring 17633 sq. mtr. Originally belongs to Abdul Kareem Rehmanbhai Mansuri.
- (2) Out of the aforesaid land of 17633 sq. mtrs; partial land of 9170 sq. mtr. was sold out to "New Heaven Associates" a Partnership firm and their partners & others by executing total 8 Sale Deeds and therefore, by virtue of said Sale Deed "New Heaven Associates" a partnership firm and their partners & others became the owner of the said land.





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- (3) (1) Hamidaben Farooqbhai Zivani (2) Farooq Abdulsattar Zivani (3) Iqbalbhai Hazibhai Mansuri and (4) Zalabhai Rukhadbhai Bharwad sold out the land admeasuring 37.347 sq. ft. (3469.62 sq. mtr.) to (1) Imtiyazahmed Yusufbhai Khatri & (2) Wahid Kasambhai Khatri througth the Sale Deed executed in favour of (1) Wahid Kasambhai Khatri (2) Imtiyaz Ahmed Yusufbhai Khatri dated 13-07-2006 & "New Heaven Associates" & their partners has signed as confirming Party in the said Sale Deed and therefore the aforesaid both the person has become owners and occupier of the said land.
- (4) I have perused the zerox copy of Reg. Civil Suit No.1087/2003, that the said suit was filed by Imtiyaz Yusufbhai Khatri and Wahid Kasambhai Khatri against (1) Iqbal Hazibhai Mansuri (2) Zalabhai Rukhadbhai Bharwad (3) Hamidaben Farooq Jivani & (4) Farooqbhai Abdul Sattar Zivani before the Senior Civil Judge at Vadodara. In the said suit defendant & plaintiff both compromised and filed the Karar Dad / Compromise Ex.15 on dated 09-12-2003 and accordingly the said Karar Dad was confirmed and suit was decreed on dated 09-12-2003 and after decreed the suit the aforesaid Sale Deed was executed in favour of (1) Wahid Kasambhai Khatri (2) Imtiyaz Ahmed Yusufbhai Khatri & by virtue of Sale Deed. Mr. Imtiyaz Yusufbhai Khatri and Wahid Kasambhai Khatri became an absolute owner and occupier of the said land and till today said Sale Deed not challenged by anybody.
- (5) I have perused the zerox copy of Property Card in respect of the captioned subject matter land, the name of the Imtiyaz Khatri and Wahid Khatri were entered on the strength of the Sale Deed dated 13-07-2006 in the property card and said entry is confirmed on dated 08-05-2007. Not only that the said entry is not challenged yet even till today.





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- (6) I have perused the zerox copy of Sp. Civil Suit No.104/2007 the said suit filed by Abdul Razzaq Daud Dhanani against the legal heirs of deceased Abdulkareem Rehman Kasuwala & Hazibhai Abdulkareem Kasuwala & etc. In the said suit, there are total 50 defendants & the said suit is filed for specific performance of the contract, but in the said suit, the aforesaid Sale Deed executed in favour of (1) Wahid Kasambhai Khatri (2) Imtiyaz Ahmed Yusufbhai Khatri dated 13-07-2006 is not challenged. Not only that, but Wahid Kasambhai Khatri and Imtiyaz Ahmed Yusufbhai Khatri has not executed any Agreement to Sale in favour of Abdul Razaq Daud Dhanani. The said suit is pending before the Hon'ble Court at Vadodara.

I have also perused the zerox copy of Raja Chithhi No.003LD20210015. The said Raja Chhithi is issued by the Vadodara Municipal Corporation (VMC) & accordingly Imtiyaz Yusufbhai Khatri, Zulekh Ben Wahid Khatri and others have carried out has carried a scheme of plotting.

- (7) I have also perused the zerox copy of Reg. Civil Suit No.250/2018. The said suit was filed by Harun Abdulgaffar Memon a one of the partners of "New Heaven Associate". But said suit is rejected by the Hon'ble Court on dated 25-04-2019. But as a matter of fact Mr. Imtiyaz Ahmed Yusufbhai Khatri and others filed a Counter Suit along with Written Statement against the "New Heaven Associates" and their partners. Mr. Imtiyaz Ahmed Yusufbhai Khatri & Others prepared to Counter Suit, but due to "CORONA VIRUS" (COVID - 19) the said Counter Suit is not withdrawn.





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- (8) I have also perused the zerox copy of Reg. Civil Suit No.1948/2000 filed by Gullu Gulamhussain, Abdulgani Gulamhussain Mansuri & Others against legal heirs of deceased Abdul Kareem Rehmanbhai Mansuri and Hajibhai Rehmanbhai Mansuri & Others. In the said Suit Imtiyaz Ahmed Yusufbhai Khatri and Wahid Kasambhai Khatri is not a party to the suit and in the said suit Sale Deed dated 13-07-2006 is not challenged. Not only that, but on perused of the Reg. Civil Suit No.119/2000 the said suit is filed by Fatimabibi Gulamhussain Mansuri, the widow of Suleman Rehman Mansuri against legal heirs of Abdulkareem Rehman Mansuri & Others. In the said Suit Imtiyaz Ahmed Yusufbhai Khatri and Wahid Khatri are not joined as a party and Sale Deed dated 13-07-2006 is not challenged in the said Suit. Further, I have perused both the suit i.e. Reg. Civil Suit No.1948/2000 and Reg. Civil Suit No.119/2000, both the suits having the same cause of action and same prayers. Therefore, the same Prayer two suits were filed. One suit is filed by mother and another suit is filed by other Legal Heirs.
- (9) I have also perused the zerox copy of Reg. Civil Suit No.747/2018, which the said suit is filed by so called Tenant of the deceased Abdulkareem Rehmanbhai Mansuri, but Mr. Imtiyaz Ahmed Yusufbhai Khatri was joined as a formal party, because they are not the tenant of Wahid Yusufbhai Khatri or Imtiyaz Khatri. Not only that but they are not tenant in the land, which is purchases by (1) Wahid Kasambhai Khatri (2) Imtiyaz Ahmed Yusufbhai Khatri.
- (10) I further perused that Mr.Wahidbhai Yusufbhai Khatri died on dated 21-05-2016 and therefore name of Zulekhaben Wahid Khatri Wd/o. Wahid Khatri is appeared in the record.

In short, Imtiyaz Ahmed Yusufbhai Khatri and Wahid Kasambhai Khatri are became an absolute owners of the property / land described in the subject title and after deceased Wahid Kasambhai Khatri, his wife Zulekhaben Wahidbhai Khatri along with their legal heirs (1) Azaz Husen WahedBhai Khatri (2) Kishwer Sultana WahedBhai Khatri (3) Shabbir Husen WahedBhai Khatri (4) Shahin Imran Jhakariya became an owner of the said property / land along with Imtiyaz Ahmed Yusufbhai Khatri.





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REPORT

My Search / Report reveals that, said land bearing R.S. No.1/1, 1/2 & 1/3 covered under T.P.Scheme No.3 and original Part / Mulkhand No.41 & 42 and Antim Khand/Final Plot No.18 & 2 paiki land admeasuring 37,347 sq. ft. (3469.62 sq. mtr.) situated at Panigate, Vadodara Kasba, Tal. Dist. Vadodara belongs to (1) Mr. Imtiyaz Ahmed Yusufbhai Khatri (2) Zulekhaben Wahidbhai Khatri, 3) Azaz Husen WahedBhai Khatri (4) Kishwer Sultana WahedBhai Khatri (5) Shabbir Husen WahedBhai Khatri and (6) Shahin Imran Jhakariya and they are absolute owners and occupier of the said land of 3469.62 sq.mtrs and the Title of the aforesaid land is clear, marketable and there is no encumbrances over the said land.

Place: Vadodara

Date: 31-03-2021



M. Sajid
M. Sajid
M. Sajid I. Dudhwala
Advocate,
En. Nu: G/1575/2002.