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2016/185

SEARCH REPORT ON TITLE

Re:- Investigation of title to all those pieces or parcels of Freehold Non-Agricultural Residential Use Land bearing Final Plot No.142/2/1 admeasuring 5476 sq. mts. of Town Planning Scheme No.3 (Bopal) allotted as per the letter of Town Planning Officer dated 06/12/2012 bearing No.Naryo No.3 (Bopal) Case No.128/755 in lieu of (i) Block No. 472/A admeasuring 3541 sq.mts. and (ii) Block No. 472/C admeasuring 16997 sq.mts. (Paiki) admeasuring 5586 sq. mts. admeasuring in aggregate 9127 sq. mts. of Mouje Bopal of Dascroi Taluka in the Registration District of Ahmedabad and Sub-District of Ahmedabad-9 (Bopal) more particularly described in the Schedule hereunder written belonging to M/s. Shilp Construction, a Partnership Firm having its Principal Place of Business at "Sun Builders Transaction Space", Satyam Square Corporate House, Sindhu Bhavan Road, Bodakdev, Ahmedabad 380 059.

01. That from the search of the revenue records being maintained by the Mamlatdar, Dascroi Taluka and that of the Circle Inspector/Talati Mouje Bopal and from the search of the records being maintained by the District Registrar of Ahmedabad and Sub-Registrar of Ahmedabad-9 (Bopal) for the last more than 30 years and as also from relevant agreements, certificate, deeds, documents, orders, permissions, papers, plan, T.P.S. Records, Civil Suits and other revenue proceedings etc. and produced before us, we have found that prior to the year 1956 the agricultural "Khalsa Raiyatwari Land" bearing Revenue Survey No.354 admeasuring AS = 39G originally belonged to Jividhar Samasthan through its administrator Mumbai Government as recorded in the revenue records concerned.



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02. That thereafter under Taluka Order No.W.T.N. the said land was land declared as "Government Waste Land" from the said "Khalsa Raiturwari Land", and liable for payment of Full Revenue Assessment and the same was mutated in the name of Mumbai Government. The entry to that effect was entered in the revenue records of mutation entry book under serial No.2022 on 13/08/1956 duly certified by the concerned revenue authority on 25/12/1958.
03. That thereafter a Scheme of Amalgamation of the entire agricultural lands situated within the Village Limits of Bopal was implemented as per Consolidation Notification published in the Government Gazette in Part-I on page No.1603 dated 13/07/1963 of the Revenue Department, Government of Gujarat and accordingly the said land bearing Revenue Survey No.354 admeasuring A 5 = 39 G was allotted a Block No.472 and the area whereof was fixed to the extent of admeasuring A 5 = 39 G. The entry to that effect was entered in the mutation entry book under serial No.2329 on 20/04/1969 and duly certified by the concerned revenue authority.
04. That thereafter vide Order No. Jamin/Permanent decision/Dascroi dated ____/05/1971 the City Deputy Collector, Ahmedabad it was held that the said Shri Madhaji Mahijiji had purchased the said land bearing Revenue Survey No.354 (Paiki) admeasuring A 2 = 5 G as provided under section 32-G of the Bombay Tenancy and Agricultural Lands Act, 1948 and accordingly his name was mutated as owner thereof on "New Tenure" basis i.e. Non-transferable/ Non-Alienable. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.2576 on 07/11/1977 duly certified by the concerned revenue authority on 18/04/1978.

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05. That thereafter vide Order No. Jamin/Permanent decision/Dascroi/ dated ... 05/1971 the City Deputy Collector, Ahmedabad, it was held that the said Shri Chunthaji Kalaji had purchased the said land bearing Revenue Survey No.354 (Paiki) admeasuring A 0= 35 G as provided under section 32-G of the Bombay Tenancy and Agricultural Lands Act, 1948 and accordingly his name was mutated as owner thereof on "New Tenure" basis i.e. Non-transferable/ Non-Alienable. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.2577 on 07/11/1977 duly certified by the concerned revenue authority on 18/04/1978.
06. That thereafter vide Order No. Jamin/Permanent decision/Dascroi/ dated ... 05/1971 the City Deputy Collector, Ahmedabad, it was held that the said Shri Shankerji Somaji had purchased the said land bearing Revenue Survey No.354 (Paiki) admeasuring A 0= 36 G as provided under section 32-G of the Bombay Tenancy and Agricultural Lands Act, 1948 and accordingly his name was mutated as owner thereof on "New Tenure" basis i.e. Non-transferable/ Non-Alienable. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.2701 on 01/12/1981 duly certified by the concerned revenue authority
07. That thereafter vide Order No. Jamin/Permanent decision/Dascroi/ dated ... 05-1971 the City Deputy Collector, Ahmedabad, it was held that the said Shri Dayaji Mulaji had purchased the said land bearing Revenue Survey No.354 (Paiki) admeasuring A 2= 03 G as provided under section 32-G of the Bombay Tenancy and Agricultural Lands Act, 1948 and accordingly his name was mutated as owner thereof on "New Tenure" basis i.e. Non-transferable/ Non-Alienable. The entry to that effect was also entered in the revenue records of mutation entry



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book under serial No.2706 on 16/12/1981 duly CANCELLED by the concerned revenue authority on 01/10/1983.

08. That thereafter the said Shri Chunthaji Kalaji died in the year of 1975 or thereabouts and as such the said land admeasuring Block No.472 (Paiki) admeasuring A 0 =35 G came to be owned and possessed by his only legal heirs and next of kins according to the Hindu Law under which he was governed by his heirs (1) Shri Bhalaji Chunthaji (2) Shri Mangaji Chunthaji (3) Gajraben D/o..Chunthaji (4) Lilaben (Nilaben) D/o. Chunthaji and (5) Babuben W/d/o. Chunthaji Kalaji. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.2738 on 24/02/1982 and duly certified by the concerned revenue authority on 27/03/1982.
09. That thereafter Shri Mangaji Chunthaji and (2) Shri Bhalaji Chunthaji had agreed to sell the said land bearing Block No.472 (Paiki) admeasuring A0=33G to Jini Co operative Housing Society Limited. An Agreement to Sell in respect whereof was executed on 05/11/1981 and registered with the Sub-Registrar, Ahmedabad under serial No.15489 and subsequently, a Deed of Cancellation was executed by and between them on 18/06/2012 and whereby they cancelled the said Agreement to Sell (Banakhat) and said Deed of Cancellation was registered with the Sub-Registrar, Ahmedabad-9(Bopal) on the same day under serial No.1285.
10. That thereafter the said Shri Madhaji Mahijiji (i.e.Maijiji) died on 04/03/1982 and as such the said land bearing Block No.472 (Paiki) admeasuring A 2 = 05 G came to be owned and possessed by his only legal heirs and next of kins according to the Hindu Law under which he was governed by his heirs (1) Shantaben Madhaji (2) Sakiben Madhaji and (3) Shri Bhikhaji Madhaji. The entry to that effect was

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also entered in the revenue records of mutation entry book under serial No.2852 on 21/12/1982 and duly certified by the concerned revenue authority.

11. That thereafter (1) Shantaben Madhaji and (2) Sakiben Madhaji had released their right, title and interest in the said land bearing Block No.472 (Paiki) admeasuring A 2 = 05G in favour of their brother viz. Shri Bhikhaji Madhaji and as such their names as co-owners and co-possessors of the said land was deleted from the Revenue Records concerned. The entry to that effect was entered in the revenue records of mutation entry book under serial No.2853 on 21/12/1982 duly certified by the concerned revenue authority.
12. That thereafter one of the owners of said land bearing Block No.472 (Paiki) admeasuring A 0 = 35 G viz. Shri Bhalaji Chunthaji died on 29/12/1982 and as such the said land came to be owned and possessed by his only legal heirs and next of kins according to the Hindu Law under which he was governed by his heirs (1) Kashiben Wd/o. Bhalaji Chunthaji for self and also as natural guardian and mother of her minor daughter Dabhuben (2) Shri Shambhuji Bhalaji (3) Shri Kanaji Bhalaji (4) Sitaben Bhalaji and (5) Subhaben Bhalaji. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.3007 on 24/04/1985 and duly certified by the concerned revenue authority on 31/05/1985.
13. That thereafter Shri Dahyabhai Muljibhai had made late payment of the said purchase price and as such vide Order No.Jamin,Sh.Bu.C.No.91/1983 dated 10/05/1986 of the Prant Officer, Viramgam Prant his name was mutated as owner and possessor of the said land. The entry to that effect was entered in the revenue records of mutation entry book under serial No.3108 on 22/05/1986 duly certified by the concerned revenue authority.

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14. That thereafter said Shri Chunthaji Kalaji had made late payment of the said purchase price and as such vide Order No.Jamin.Sh.Bu.C.No.80/1983 dated 03/07/1986 of the Prant Officer, Viramgam Prant and on his demise the name of Shri Mangaji Chunthaji was mutated as owner and possessor of the said land. The entry to that effect was entered in the revenue records of mutation entry book under serial No.3156 on 01/08/1986 duly certified by the concerned revenue authority.
15. That thereafter the owner of said land bearing Block No.472 (Paiki) admeasuring A 2 = 03 G viz. Shri Dahyabhai Muljibhai died on 11/01/1989 and as such the said land came to be owned and possessed by his only legal heirs and next of kins according to the Hindu Law under which he was governed by his heirs (1) Shri Jayantiji Dahyaji (2) Manguben Dahyaji and (3) Lilaben Dahyaji. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.3565 on 02/02/1989 and duly certified by the concerned revenue authority on 04/03/1989.
16. That thereafter one of the owners of said land bearing Block No.472 (Paiki) admeasuring A 0 = 35 G viz. Bahuben Wd/o. Chunthaji Kalaji died on 25/03/1988 and the names of her legal heirs had already been mutated as co.owners of the said land and as such her name as co.owner of the said land was deleted from the revenue records concerned. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.3633 on 06/07/1989 and duly certified by the concerned revenue authority.
17. That thereafter said Shri Shambhaji Bhalaji died on 06/02/1992 and as such the said land admeasuring Block No.472 (Paiki) admeasuring A0=35G came to be owned and possessed by his only legal heirs and next of kins according to the



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Hindu Law under which he was governed by his heirs Sajjanben Wd/o. Shambhaji Bhalaji for self and also as natural guardian and mother of her minor son (i) Sendhaji and two daughters (i) Manjulaben and (ii) Sonalben. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.4096 on 28/04/1992 and duly certified by the concerned revenue authority.

18. That thereafter on payment of 90 times of assessment of the said land by Shri Shankarji Somaji, the said land bearing Block No.472 (Paiki) admeasuring A 0 = 36 G was mutated in his name on "Old Tenure" basis vide Order No.Jamin/Vashi/5110 dated 24/12/1992 of the Mamlatdar, Dasroi. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.4147 on 11/01/1993 and duly certified by the concerned revenue authority.
19. That thereafter on application made by Shri Shankarji Somaji, the said land bearing Block No.472 (Paiki) admeasuring A 0 = 36 G was mutated in his name on "Old Tenure" basis vide Order No.Jamin/Vashi/5110 dated 24/12/1992 of the Mamlatdar, Dasroi followed by Letter No. Jamin/Vashi-3746/97 dated 21/04/1997. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.4909 on 25/04/1997 and duly certified by the concerned revenue authority.
20. That thereafter on payment of 90 times of assessment of the said land by (1) Shri Jayantiji Dalvi, the said land bearing Block No.472 (Paiki) admeasuring A 2 = 03 G i.e. 8397 sq.mts. (2) Shri Bhikhaji Madhaji, the said land bearing Block No.472 (Paiki) admeasuring A 2 = 05 G i.e. 8600 sq.mts. and (3) Shri Mangji

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Chunthaji, the said land bearing Block No.472 (Paiki) admeasuring A 0 = 35 G i.e. 3541 sq.mts. were mutated in their names on "Old Tenure" basis vide Order No.Jamin/V,5235/SR dated 31/05/1997 of the Mamlatdar, Daserol. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.4943 on 05/07/1997 and duly certified by the concerned revenue authority on 30/08/1997.

21. That the said land bearing Block No.472 (Paiki) admeasuring 20538 sq.mts. was converted from "New Tenure" Land to "Old Tenure" Land on various terms and conditions in the Order No.Jamin/Old Tenure/V-5235/97 dated 31/05/1997 of the Mamlatdar, Daserol. Out of the same, the condition No.4 mentioned in the said Order was deleted vide an order No. Jamin/S.R./376/97 dated 10/07/1997 of the Deputy Collector, Viramgam Prant, Ahmedabad. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.4946 on 14/07/1997 duly certified by the concerned revenue authority on 30/08/1997.

22. That thereafter (1) Shri Jayantiji Dahyaji (2) Manguben Dahyaji (3) Lilaben Dahyaji and (4) Shri Jayantiji Dahyaji for self and as Karta/Manager of his HUF and also as natural guardian and father of his minor sons Vijay and Dipak as confirming party had agreed to sell the said land bearing Block No.472 (Paiki) admeasuring A 2 = 03 G to Jimi Co-operative Housing Society Limited. An Agreement to Sell in respect whereof was executed on 23/06/1997 and registered with the Sub-Registrar, Ahmedabad on the same day under serial No.2057 and they had executed a Power of Attorney in favour of Shri Navinbhai Nanjibhai Shah for empowering him to do certain acts, deeds and matters mentioned therein and the said Power of Attorney was executed on 23/06/1997 and duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under serial No.2058.

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23. That thereafter (1) Shri Bhikhaji Madhaji and (2) Shri Laxmanji Bahaji and (3) Shri Sataji Bhikhaji for self and as Karta/Manager of his HUF and also as natural guardian and father of his minor son Kalpesh as confirming party had agreed to sell the said land bearing Block No.472 (Paiki) admeasuring A 2 = 05 G to Jini Co-operative Housing Society Limited. An Agreement to Sell in respect whereof was executed on 23/06/1997 and registered with the Sub-Registrar, Ahmedabad on the same day under serial No.2059 and they had executed a Power of Attorney in favour of Shri Navinbhai Nanjibhai Shah for empowering him to do certain acts, deeds and matters mentioned therein and the said Power of Attorney was executed on 23/06/1997 and duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under serial No.2060.
24. That thereafter (1) Shri Jayantiji Dabhyabhai and others and (2) Shri Bhikhaji Madhavji and others had agreed to sell the said land bearing (i) Block No.472 (Paiki) admeasuring A 2 = 03 G and (ii) Block No.472 (Paiki) admeasuring A 2 = 05 G to said Jini Co-operative Housing Society Limited and they had also empowered by Power of attorney to one Shri Navinbhai Nanjibhai to do certain acts, deeds, matters and things in relation thereto referred to in paras No. 22 and 23. That the terms and conditions mentioned in the said agreement to sell were not complied with and as such the both parties with mutual consent cancelled the said Agreements to Sell entered into by and between them by a Deed of Cancellation which was executed by and between them on 29/10/2015 and cancelled both the said Agreements to Sell (Banakhat) and said Deed of Cancellation was registered with the Sub-Registrar, Ahmedabad-14 (Dascroi) on the same day under serial No.2158 and in turn the power given to said Shri Navinbhai Nanjibhai Shah had also come to an end and as such a Declaration was

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made on oath by the said Shri Navinbhai Nanjibhai Shah confirming interalia therein that the power given to him was revoked and the said Declaration dated 29/10/2015 was duly registered with the Sub-Registrar, Ahmedabad-14 (Dascroi) on the same day under serial No.2159.

25. That thereafter a Partition in respect of land bearing Block No.472 (Paiki) admeasuring A 0 = 35 G by and between (A) (1) Shri Mangaji Chunthaji (2) Gajrahen D/o. Chunthaji (3) Lilaben (Nilaben) D/o. Chunthaji (B) (1) Kashiben Wd/o. Bhalaji Chunthaji (2) Shri Kanaji Bhalaji (3) Sitaben Bhalaji (4) Subhaben alias Shubhadrahen Bhalaji and (C) Sajjanben Wd/o. Shambhuji Bhalaji, of the One Part and (A) (1) Shri Ashokji Mangaji (2) Shri Rohitji Mangaji (3) Shri Chunaji Mangaji (3) Shri Dharmeshji Mangaji (B) Minor Dhabuben Bhalaji through her natural guardian and mother Kashiben Wd/o. Bhalaji Chunthaji and (C) (1) Minor Sindhaji Shambhuji (2) Minor Manjulaben Shambhuji and (3) Minor Sonalben Shambhuji through her natural guardian and mother Sajjanben Wd/o. Shambhuji Bhalaji of the Other part, whereby the said land came to the share and owned and possessed by the party of the First part in their Individual capacity. A Deed of Partition in respect whereof was duly executed by and between them on 25/06/1997 and duly registered with the Sub Registrar on the same day under serial No.2085.
26. That keeping in view that said Deed of Partition was executed by said (1) Gajrahen D/o. Chunthaji (2) Sitaben Bhalaji (3) Shri Ashokji Mangaji (4) Shri Chunaji Mangaji and (5) Shri Dharmeshji Mangaji through their power of attorney holder Shri Mohanbhai Rajijibhai and as such in order to avoid any legal complication which may arise in future in respect of the said Deed of Partition, they had executed Deed of Confirmation executed on 17/07/1997 confirming the

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partition of said land in the manner mentioned therein, which was duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under serial No.2278.

27. That thereafter (1) Shri Mangaji Chunthaji (2) Gajraben D/o. Chunthaji Kalaji (3) Lilaben D/o. Chunthaji Kalaji (4) Kashiben D/o. Bhalaji Chunthaji (5) Shri Kanaji Bhalaji (6) Sitaben D/o. Bhalaji Chunthaji (7) Subhaben alias Subhadrahen D/o. Bhalaji Chunthaji (8) Sajjanben Wd/o. Shambhuji Bhalaji sold and conveyed the said land bearing Block No.472 (Paiki) measuring A 0 = 35 G to Shri Navinbhai Nanjibhai. A Deed of Conveyance in respect whereof was executed on 25/06/1997 and presented for registration with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day, which was registered by the said the Sub-Registrar, Ahmedabad-3 (Memnagar) on 25/06/1997 under serial No.2086. The entry to that effect was entered in the revenue records of mutation entry book under serial No.5006 on 17/11/1997 duly certified by the concerned revenue authority on 17/01/1998.
28. That keeping in view that said (1) Gajraben D/o. Chunthaji Kalaji and (2) Sitaben Wd/o. Bhalaji Chunthaji being the confirming party in the said Deed of Conveyance bearing No.2086 dated 25/06/1997 referred to hereinabove which was executed through their power of attorney holder Shri Mohanbhai Rajijibhai and as such in order to avoid any legal complication which may arise in future in respect of the said Deed of Conveyance, they by a Deed of Confirmation executed on 17/07/1997 confirmed the sale of the said land in favour of said Shri Navinbhai Nanjibhai which was duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under serial No.2279.

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29. That thereafter (A) Shri Bhikhaji Madhavji through his Power of Attorney holder Shri Mohanbhai Rajibhai sold and conveyed the said land bearing Block No.472 (Paiki) admeasuring A 2 = 05 G and (B) (1) Shri Jayantiji Dahyaji (2) Manguben Dahyaji (3) Lilaben Dahyaji through their Power of Attorney holder Shri Mohanbhai Rajibhai sold and conveyed the said land bearing Block No.472 (Paiki) admeasuring A2 =03 G to Shri Harakhchand Nanjibhai. Two separate Deeds of Conveyance in respect whereof were executed on 02/09/1997 and duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under serial No.2757 and 2758. The entry to that effect was entered in the revenue records of mutation entry book under serial No.5009 on 17/11/1997 duly certified by the concerned revenue authority on 17/01/1998.
30. That keeping in view that said (A) Shri Bhikhaji Madhavji and (B) Shri Jayantiji Dahyaji and others through their Power of Attorney holder Shri Mohanbhai Rajibhai, sold and conveyed the said land by Registered Deeds of Conveyance bearing No.2757 and 2758 dated 17/06/1997 referred to hereinabove and as such in order to avoid any legal complication which may arise in future in respect of the said Deed of Conveyance, they (A) Shri Bhikhaji Madhavji and (B) Shri Jayantiji Dahyaji and others, had executed two separate Deeds of Confirmation both executed on 24/09/1997 confirming the sale of the said land in favour of said Shri Harakhchand Nanjibhai which was duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on 10/10/1997 and 21/10/1997 under serial No. 3127 and 3128 respectively.
31. That thereafter Shri Shankarji Somaji died on 30/10/2002 and as such the said land bearing Block No.472 (Paiki) admeasuring A 0 : 36 G came to be owned and possessed by his only legal heirs and next of kins according to the Hindu Law

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under which he was governed by his heirs (1) Somiben Wd/o. Shankarji Somaji (2) Shri Babuji Shankarji (3) Motiben Shankarji (4) Surajben Shankarji (5) Rajiben Shankarji (6) Gomtiben Shankarji (7) Shri Sonaji Shankarji and (8) Shri Vikramji Shankarji. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.5420 on 06/01/2003 and duly certified by the concerned revenue authority on 28/02/2003.

32. That thereafter said Shri Harakhchand Nanjibhai sold and conveyed the said land bearing Block No.472 (Paiki) admeasuring A 4 = 08 G i.e. 16997 sq.mts. to Shri Dungarshi Ramjibhai. A Deed of Conveyance in respect whereof was executed on 14/10/2003 and duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under serial No.4043. The entry to that effect was entered in the revenue records of mutation entry book under serial No.5548 on 03/11/2003 duly certified by the concerned revenue authority on 18/12/2003.

33. That thereafter said Shri Navinbhai Nanjibhai sold and conveyed the said land bearing Block No.472 (Paiki) admeasuring A 0 = 35 G i.e. 3541 sq.mts. to Shri Jitendra Laljibhai. A Deed of Conveyance in respect whereof was executed on 18/11/2003 and duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under serial No.4150. The entry to that effect was entered in the revenue records of mutation entry book under serial No.5564 on 18/11/2003 duly certified by the concerned revenue authority on 19/12/2003.

Further as a mistake had occurred in the above Deed of Conveyance in mentioning the name of the Purchaser as "Jitendra Ramjibhai", a Deed of Correction to mention the true name of the Purchaser as "Jitendra Laljibhai" was executed on 18/11/2003 and duly registered with the Sub Registrar, Ahmedabad-3 (Memnagar) on the same day under Sr. No. 4544.

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34. That thereafter said Shri Dungarshi Ranjibhai and Shri Jitendrabhai Laljibhai had got converted the said land bearing Block No.472 (Paiki) admeasuring 20538 sq.mts. from "New Tenure" i.e. non-alienable/ Non-Transferable into "Old Tenure" land i.e. alienable/ transferable and in turn Non-Agricultural Residential Use Purpose vide Order No.CB/LND-2/K/6097 dated 27/09/2006 of the Collector, Ahmedabad. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.6549 on 17/10/2006 duly certified by the concerned revenue authority on 16/12/2006.
35. That thereafter the names of (1) Shailendrabhai Jitendrabhai Gala and (2) Shri Sanjivbhai Jitendrabhai Gala along with the name of said Shri Jitendrabhai Laljibhai, as co.owners and co-possessors of the land bearing Block No.472 (Paiki) admeasuring A 0 = 35G i.e.3541 sq.mts. were entered in the revenue records concerned. The entry to that effect was entered in the revenue records of mutation entry book under serial No.6623 on 24/01/2007 duly certified by the concerned revenue authority on 07/04/2007.
36. That thereafter the names of (1) Shri Gyaneshbhai Dungarshibhai (2) Shri Anilbhai Dungarshibhai and (3) Rashuniben Dungarshibhai along with the name of said Shri Dungarshibhai Ranjibhai, as co.owners and co-possessors of the land bearing Block No.472 (Paiki) admeasuring A4 = 08G i.e.16997 sq.mts. were entered in the revenue records concerned. The entry to that effect was entered in the revenue records of mutation of book under serial No.6624 on 24/01/2007 duly certified by the concerned revenue authority on 07/04/2007.
37. That thereafter vide Order No.ADM/Bopal/Block_Vibhajan/SR No.17/09 dated (02.12.2009) the Treasury Collector, Viramgam Prant, Ahmedabad, had granted permission for subdivision of the said land bearing Block No.472 admeasuring

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24180 sq.mts. into three parts viz. (1) land admeasuring 16997 sq.mts. in the name of said Shri Dungarshibhai Ramjibhai Gala and others (2) land admeasuring 3541 sq.mts in the name of Shri Jitendrabhai Laljibhai Gala and others and (3) balance land admeasuring 3642 sq.mts. in the names of Smt. Somiben Wd/o. Shankarji Somajibhai and others. The entry to that effect was entered in the revenue records of mutation entry book under serial No.7267 on 24/02/2009 duly certified by the concerned revenue authority on 07/05/2009

38. That keeping in view the above, vide Order No. DSO/D.R.K/ Bopal/ Durasti-Register/08 dated 23/03/2009 of the District Inspector Land Records, Ahmedabad followed by K.J.P No.20 S.R. No.17/09 dated 02/02/2009, the said land bearing Block No.472 admeasuring 24180 sq.mts was sub-divided into three parts viz. (1) Block 472/A admeasuring 3541 sq.mts. in the name of said Shri Jitendrabhai Laljibhai and others (2) Block No.472/B admeasuring 3642 sq.mts. in the name of said Somiben Wd/o. Shankarji Somabhai and others and (3) Block No 472/C admeasuring 16997 sq.mts. in the name of said Shri Dungarshi Ramjibhai Gala and others. The entry to that effect was entered in the revenue records of mutation entry book under serial No.7335 on 27/03/2009 duly certified by the concerned revenue authority on 07/05/2009.

39. That thereafter as per the order dated 08/09/2009 passed by the Circle Officer, Ambli Division, Taluka Dascroi bearing No. JA.N-7/Bopal/Correction order 2009 the names of (1) Sendhaji Shambhuji through his natural guardian Sajanben 2. Manjulaben Shambhuji through her natural guardian Sajjanben and 3. Sajanben Shambhuji through her natural guardian Sajjanben along with the name of said Sajanben Wd/o. Shambhuji, as co-owners and co-possessors of the land bearing Block No 472/A admeasuring 3541 sq.mts. were entered in the

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revenue records concerned. The entry to that effect was entered in the revenue records of mutation of book under serial No.7582 on 08/09/2009 duly certified by the concerned revenue authority on 26/10/2009.

40. That said (1) Manjulaben D/o. Shambhuji Bhalaji wife of Shri Ashokkhai Chhanabhai Thakore and (2) Sonalben D/o. Shambhuji Bhalaji wife of Shri Dilipkhai Chhanabhai Thakore sold and conveyed their undivided share in the said land Block No.742-A admeasuring 3541 (Paiki) admeasuring 1180 sq.mts. to Shri Laxmanbhai Amrabhai Bharwad. A Deed of Conveyance in respect whereof was executed on 30/12/2009 and duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under serial No.12931. The entry to that effect was entered in the revenue records of mutation entry book under serial No.7836 on 25/01/2010 which was CANCELLED by the concerned revenue authority on 11/03/2010 and subsequently, a fresh entry to that effect was entered in the revenue records of mutation entry book under serial No.8362 on 19-04-2011 which was also CANCELLED by the concerned revenue authority on 27/06/2011.
41. That in the aforesaid Registered Deed of Conveyance bearing No.12931 dated 30-12-2009, the said transaction was mutated vide mutation entry No.8362 dated 19-04-2011, which was cancelled by the concerned revenue authority on 27-06-2011 and in meantime, (1) Manjulaben D/o. Shambhuji Bhalaji wife of Shri Ashokkhai Chhanabhai Thakore and (2) Sonalben D/o. Shambhuji Bhalaji wife of Shri Dilipkhai Chhanabhai Thakore through their power of attorney holder Shri Laxmanbhai Amrabhai Bharwad had rectified the said mistakes occurred in the said Registered Deed of Conveyance, by a Deed of Rectification (Without Consideration) executed on 27/08/2010 and duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under serial No.11517.

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The entry to that effect was entered in the revenue records of mutation entry book under serial No.8149 on 29/09/2010 which was CANCELLED by the concerned revenue authority on 26/11/2010 since dispute application was pending against related earlier mutation entry No.7582.

42. That thereafter in order to avoid any legal complication said Shri Laxmanbhai Amrabhai Bharwad executed a Deed of Confirmation on 03/01/2012 confirming the registered Deed of Conveyance executed by Shri Navinbhai Nanjibhai in favour of Shri Jitendrabhai Laljibhai and the Deed of Conveyance in respect thereof mentioned in Para 33 above, which Deed of Confirmation was registered with the office of the Sub Registrar, Ahmedabad - 14 (Dascroi) on the same day under Sr. No. 6.
43. That in the meantime said Shri Jitendrabhai Laljibhai Gala and others had filed a Special Civil Suit No.731/2001 in the Court of Hon'ble Principle Senior Civil Judge, Ahmedabad (Rural) against said Shri Laxmanbhai Amrabhai Bharwad. Subsequently, on compromise arrived by way of a compromise pursis lodged on 01/02/2012 by and between the parties the said Shri Laxmanbhai Amrabhai Bharwad confirmed that the Sale Deed No. 12931 executed in his favour was null and void and accordingly the order to that effect was passed in the said Suit on 04/02/2016 and disposed off.
44. That thereafter the said land bearing Block No.472/C admeasuring 16997 sq.mts. was converted into Non-Agricultural Residential Use purpose vide Order No. 100/2011 N.A.S.R. 343/2011 dated 10/01/2012 of the District Collector, Ahmedabad. The entry to that effect was entered in the revenue records of mutation entry book under serial No.8747 on 20/01/2012 duly certified by the concerned revenue authority on 02-03/2012.

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45. That thereafter vide Order No. RTS/Appeal/Case No.298/11 dated 12/01/2012 of the Deputy Collector, Dascroi, Ahmedabad, it was held that the order of the Circle Inspector, Ambali, whereby the appeal was allowed and the corrected Order dated 08/09/2009 of the Circle Inspector, Ambali and in turn the said mutation entry No.7582 dated 08/09/2009 was cancelled/un-certified. The entry to that effect was entered in the revenue records of mutation entry book under serial No.8749 on 21/01/2012 duly certified by the concerned revenue authority on 02/03/2012.
46. That thereafter (1) Shri Gynaneshbhai Dungarshibhai (2) Shri Anilbhai Dungarshibhai and (3) Rashmiben Dungarshibhai released their right, title and interest in the land Block No.472/C in favour of said Shri Dungarshi Ramjibhai Gada. The entry to that effect was entered in the revenue records of mutation entry book under serial No.8839 on 22/03/2012 duly certified by the concerned revenue authority on 05/05/2012.
47. That thereafter (1) Shri Shailendrabhai Jitendrabhai and (2) Shri Sanjivbhai Jitendrabhai had released their right, title and interest in the land Block No.472/A in favour of said Shri Jitendrabhai Laljibhai. The entry to that effect was entered in the revenue records of mutation entry book under serial No.8939 on 14/08/2012 duly certified by the concerned revenue authority on 17/08/2012.
48. That thereafter the said land bearing Block No.472/A admeasuring 3541 sq.mts. was converted into Non-Agricultural Residential Use purpose vide Order No. N.A. 1542/2012 dated 02/10/2012 of the District Collector, Ahmedabad. The entry to that effect was entered in the revenue records of

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mutation entry book under serial No.9137 on 10/10/2012 duly certified by the concerned revenue authority on 23/11/2012.

49. That thereafter the said land bearing (i) Block No.472-B, 472/C and 472/A adm. 3541, 16997 and 3541 sq. mts. making in aggregate admeasuring 24079 sq.mts. which was covered under the Draft Town Planning Scheme No.3 (Bopal) and was given Final Plot No.142/1, 142/2 and 143/3 adm. 2185, 7905 and 4418 sq. mts. respectively making in aggregate admeasuring 14508 sq. mts.
50. That thereafter as per Letter No.Naryo No.3 (Bopal) Case No.128/755 dated 06.12.2012 of the Town Planning Officer, Town Planning Scheme Ekam-11, Ahmedabad, the said land bearing (i) Block No.472-B, 472-C and 472-A, admeasuring 3642, 16997 and 3541 sq.mts. making in aggregate admeasuring 24180 sq. mts. which was covered under the Draft Town Planning Scheme No.3 (Bopal) and was given Final Plot No.142/1, 142/2/1, 142/2/2 and 142/3 adm. 2185, 5476, 2429 and 4418 sq. mts. making in aggregate admeasuring 14508 sq. mts.
51. That thereafter (1) Anuram Commercial LLP (Limited Liability Partnership) (2) Shri Anarechand Ramji Gala (3) Shri Durgarshi Ramji Gala (4) Shri Harakhchand Ramji Gala (5) Shri Jitendra Lalji Gala (6) Shri Shantilal Ramji Gala (7) Safal Realty Pvt. Ltd (8) Shri Uday Hasmukhlal Vora (9) Shri Raju Harakhchand Gala and (10) San Sandeep Shantilal Gala constituted a partnership firm in the name of "SAFAL DEVELOPERS" under a Deed of Partnership dated 14.03.2013 which was modified from time to time and by Supplementary Deed of Partnership dated 13.03.2013 entered into by and between them, wherein said Shri Jitendra Lalji Gala has brought the said Freehold Non-Agricultural Plot bearing Block No.472/A admeasuring 3541 sq.mts and (2)



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Shri Durgarshi Ranji Gala has brought the said Freehold Non-Agricultural Residential Use land bearing Block No.472/C (Paiki) admeasuring 9633 sq.mts as their capital contribution in the said partnership firm and since then the said firm is holding the said land as its assets as an absolute owner and possessor thereof. The said Supplementary Deed of Partnership was executed by and between them on 13/03/2013 which was duly registered with the Sub-Registrar, Ahmedabad-04 (Bopal) on the same day under serial No.1437. The entry to that effect was entered in the revenue records of mutation entry book under serial No.1348 on 15/03/2013 duly certified by the concerned revenue authority on 17/04/2013.

Further, pursuant to the letter of the Town Planning Officer mentioned in Paragraph 50 above, all the Owners of the aforesaid Revenue Survey Numbers had executed a Memorandum of Understanding/Deed of Confirmation dated 10/10/2015 duly attested by Shri Bhupendra Thaker, a Notary Public of Ahmedabad, whereby it was confirmed that the said Final Plot No. 142/2/1 belongs to M/s "GALA SAFAL DEVELOPERS" as per their proportionate share in the Revenue Survey Numbers.

50. That the said land of (i) Block No.472-A admeasuring 3541 sq.mts and (ii) Block 472-B admeasuring 16997 sq.mts. (Paiki) 5586 sq.mts. making in aggregate admeasuring 21538 sq.mts. and corresponding Final Plot No.142/2/1 admeasuring 4475 sq.mts. of Draft Town Planning Scheme No.3 (Bopal) of Mouje Bopal of Taluka Bopal in the Registration District of Ahmedabad and Sub District of Ahmedabad-04 (Bopal) was derived by the said M/s. Gala Safal Developers, a partnership firm in the manner mentioned hereinabove.



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- 53 That thereafter Order No.Jamin/J.S./Vashi/5235/S.R.55/97 dated 31/05/1997 of the Mamlatdar, Daserai and deletion of condition No.4 mentioned in the Order No. Jamin/S.R./376/97 dated 10/07/1997 of the Deputy Collector, Viramgam Prant, Ahmedabad was scrutinized and confirmed by the Deputy Collector, Ahmedabad. The entry to that effect was entered in the revenue records of mutation entry book under serial No.10442 on 22/10/2015 duly certified by the concerned revenue authority on 05/01/2016.
- 54 That thereafter M/s. Gala Safal Developers sold and conveyed the said land bearing Block No.472/A admeasuring 3541 sq.mts. and Block No.472/C admeasuring 16997 sq.mts. (Paiki) admeasuring 5586 sq.mts. in aggregate 9127 sq.mts. and corresponding Final Plot No. 142/2/1 of T.P.S. No. 3 (Bopal) of Mouje Bopal of Daserai Taluka in the Registration District of Ahmedabad and Sub District of Ahmedabad - 9 (Bopal) to M/s. Shilp Construction. A Deed of Conveyance in respect whereof was executed on 07/11/2015 and duly registered with the Sub-Registrar, Ahmedabad-9 (Bopal) on the same day under serial No.7253. The entry to that effect was entered in the revenue records of mutation entry book under serial No.10471 on 18/11/2015 duly certified by the concerned revenue authority on 01/01/2015 (it should be 01/01/2016).
- 55 That it will not be out of place to mention here that the said firm, as the Purchaser, has paid part of the consideration to the Vendor in form of post-dated cheques as mentioned in the aforesaid Registered Deed of Conveyance referred to hereinabove and accordingly, the Vendor i.e. M/s. Gala Safal Developers therein shall have a charge on the said land as provided under section 55 (4)(b) of the Transfer of Property Act, 1882 for the amount outstanding until the clearance of the last post-dated cheque dated 13/05/2016.



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56. That during the course of investigation of title to the land in question, at relevant time, we had issued a public notice in the Gujarati daily newspaper "Gujarat Samachar" inviting objections if any from the Public in General for issuing our Title Clearance Certificate in relation thereto and in response to said public notice we have not received any objection from any person, body or authority claiming any right, title or interest of whatsoever nature directly or indirectly in the said lands/property.
57. That by Declaration-Cum-Indemnity made on oath on 12/02/2016 by said Shri Deep Narendra Patel, an Authorised Partner of M/s. Shilp construction duly attested by Sohini B. Patel, a Notary Public of Ahmedabad, has inter-alia declared therein that the said land is the absolute land of the Firm and that no other person, body or authority has any right, title and interest therein and the same has not been mortgaged, charged or dealt with in any other manner of whatsoever nature and except the charge mentioned hereinabove the same is free from all charges and encumbrances, litigation etc.
58. At present the said Lands belongs to and stands in the name of said M/s.SHILP CONSTRUCTION and from the search of the records concerned it appears that there is no charge or encumbrances of whatsoever nature thereon.

Thus in view of what is stated hereinabove, we are of the opinion that the title to the said lands are clear, marketable, free from any charge or encumbrances (except as mentioned in Paragraph No. 55) and free from reasonable doubts.

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THE SCHEDULE ABOVE REFERRED TO

ALL THOSE pieces or parcels of Freehold Non-Agricultural Residential Use Land bearing Final Plot No.142/2/1 admeasuring 5476 sq. mts. of Town Planning Scheme No.3 (Bopal) allotted as per the letter of Town Planning Officer dated 06/12/2012 bearing No.Naryo No.3 (Bopal) Case No.128/755 in lieu of (i) Block No. 472/A admeasuring 3541 sq.mts. and (ii) Block No. 472/C admeasuring 16997 sq.mts. (Paiki) admeasuring 5586 sq. mts. admeasuring in aggregate 9127 sq. mts. of Mouje Bopal of Dascroi Taluka in the Registration District of Ahmedabad and Sub-District of Ahmedabad-9 (Bopal) and the same is bounded as follows :

On or towards the North : By Final Plot No.142/1 and 170/1/2
On or towards the South : By Final Plot No.140 and 135
On or towards the East : By Final Plot No.136+138
On or towards the West : By 18 Mts. T.P.S. Road.

DATED THIS 12th DAY OF FEBRUARY, 2016.



For, LAKHANI GANDHI & CO. (AMD)
S. A. Lakhani
ADVOCATE