

Bindukumar Shah
(Advocate)

To,
Jay Jalaram Projects Pvt. Ltd.,
A/2, Shantivan,
Anand Nagar Society, Godhra.

SUB: Regarding **TITLE CLEARENCE CERTIFICATE** for the property lying and being in registration district sub district Vadodara being at Moje *Atladara*, Ta. Dist. Vadodara, bearing **Revenue Survey No. 434/1, 434/2, 434/3**, bearing **T. P. Scheme No. 20, O. P. Plot No. 87**, having **Final Plot No. 85**, **admeasuring 15, 194 Sq. Mtrs.** and, bearing **Revenue Survey No. 417/2 paiki 1, 417/2/2 & 417/2/1**, bearing **T. P. Scheme No. 20, O. P. Plot No. 77**, having **Final Plot No. 71**, **admeasuring 24,445 Sq. Mtrs.,**

On request and as desired to issue a **Title Clearance Certificate and Non encumbrances Certificate** in respect of the property lying and being in registration district sub district Vadodara being at Moje *Atladara*, Ta. Dist. Vadodara, bearing **Revenue Survey No.**

Sr. No.	Revenue Survey No.	Area
1.	434/1	0-69-47
2.	434/2	0-69-47
3.	434/3	0-69-47

bearing **T. P. Scheme No. 20, O. P. Plot No. 87**, having **Final Plot No. 85**, **admeasuring 15, 194 Sq. Mtrs.,**

...AND...

<i>Sr. No.</i>	<i>Revenue Survey No.</i>	<i>Area</i>
1.	417/2 paiki 1	1-15-34
2.	417/2/2	1-15-34
3.	417/2/1	1-15-34

bearing *T. P. Scheme No. 20, O. P. Plot No. 77*, having *Final Plot No. 71, admeasuring 24,445 Sq. Mtrs.*, Hence I, **Bindukumar M. Shah, Advocate**, do hereby give my opinion as to the Title of the properties, details of which are as under:

1. I have been supplied with the following documents regarding the above referred properties are as under:
 - a. A copy of the 7/12 extract of the Revenue Survey no. 434/1 of Moje Atladara, Ta. Dist. Vadodara for the year of 2005-06 to 2007-08.
 - b. A copy of the 7/12 extract of the Revenue Survey no. 434/2 of Moje Atladara, Ta. Dist. Vadodara for the year of 2005-06 to 2007-08.
 - c. A copy of the 7/12 extract of the Revenue Survey no. 434/3 of Moje Atladara, Ta. Dist. Vadodara for the year of 2005-06 to 2007-08.
 - d. A copy of the 7/12 extract of the Revenue Survey no. 417/2 paiki 1 of Moje Atladara, Ta. Dist. Vadodara for the year of 2005-06 to 2007-08.

- e. A copy of the 7/12 extract of the Revenue Survey no. 417/2/2 of Moje Atladara, Ta. Dist. Vadodara for the year of 2005-06 to 2007-08.
- f. A copy of the 7/12 extract of the Revenue Survey no. 417/2/1 of Moje Atladara, Ta. Dist. Vadodara for the year of 2005-06 to 2007-08.
- g. Copies of the village form no. 6 (hakk patrak) of the Revenue Survey No. 434/1, 434/2, 434/3 and Revenue Survey No. 417/2 paiki 1, 417/2/2 & 417/2/1 of Moje Atladara, Ta. Dist. Vadodara.
- h. A copy of Village Form no. 8 - A of the Revenue Survey no. 434/1 having A/c No. 168 of Moje Atladara, Ta. Dist. Vadodara.
- i. A copy of Village Form no. 8 - A of the Revenue Survey no. 434/2 having A/c No. 270 of Moje Atladara, Ta. Dist. Vadodara.
- j. A copy of Village Form no. 8 - A of the Revenue Survey no. 434/3 having A/c No. 271 of Moje Atladara, Ta. Dist. Vadodara.
- k. A copy of Village Form no. 8 - A of the Revenue Survey no. 417/2 paiki 1. having A/c No. 119 of Moje Atladara, Ta. Dist. Vadodara.

- It is reflected from mutation entry no. 735, dtd. 11/12/1961 that the said Revenue Survey No. 417/2 was consolidated.

It transpires from the mutation entry no. 1379, dtd. 30/6/1976 that by way of family arrangement, a partition had been affected and accordingly, a division carried out as under;

<u>R.S.No.</u>	<u>AREA</u>	<u>NAME</u>	<u>PART</u>
417/2	A-17-4 GUNTHA	Urmilaben Ramanlal	417/2 A-2-34 GUNTHA
417/2	A-17-4 GUNTHA	Bhagirathiben Naranbhai	417/2 A-2-34 GUNTHA
417/2	A-17-4 GUNTHA	Prabhaben Manubhai	417/2 A-2-34 GUNTHA
417/2	A-17-4 GUNTHA	Kishorbhai Ranchhodbhai	417/2 A-2-34 GUNTHA
417/2	A-17-4 GUNTHA	Rajnibhai Ranchhodbhai	417/2 A-2-34 GUNTHA
417/2	A-17-4 GUNTHA	Parvatiben Ranchhodbhai	417/2 A-2-34 GUNTHA

It transpires from the mutation entry no. 2032, dtd. 20/11/1995 that on demise of Urmilaben Ramanbhai Patel on dtd. 8/10/1991, mutation has been effected and property was mutated in the name of her husband, Shri Ramnbhai Bhailalbhai Patel.

4. Considering mutation entries as mentioned above, it is crystal clear that the property was purchased by Registered Sale Deed on / about 25/1/1962 and on dtd. 2/3/1973 as reflected in mutation entry no. 1273 that piece of land bearing Revenue Survey No. 417/2, 424/1, 423 & 424/2 has consolidated and total area A-17-4 GANTHA reflected in Revenue Survey No. 417/2 and by way of family arrangement, dtd. 30/6/1976, a division which was carried out amongst the family members, and hence, it is crystal clear that the property had never been transferred in the name of anybody.
5. It transpires from the mutation entry no. 268 that the name of legal heir of Dabhai Babu namely Motibhai Dabhai were mutated on

demise of Dabhai Babu and by virtue of succession Motibhai Dabhai had become the owner of the Revenue Survey No. 434. It also transpires from the mutation entry no. 421, dtd. 20/9/1955 that Motibhai Dabhai had sold the said property and executed the Sale Deed on dtd. 20/9/1955 in favour of Chimanbhai Chunilal and hence, Chimanbhai Chunilal has become the owner and occupant of the Revenue Survey No. 434 by virtue of Sale Deed. It is pertinent to note that considering the mutation entry no. 508, dtd. 16/10/1957 and mutation entry no. 616, dtd. 23/5/1959, it is crystal clear that Motibhai Dabhai was not entitled to claim a tenancy right as per the provisions of The Bombay Tenancy & Agricultural Lands Act, and at the relevant time, mutation entry no. 508 was ordered to be cancelled as reflected in mutation entry no. 616 and hence, the name of Motibhai Dabhai deleted as protected tenant. It is also pertinent to note from the mutation entry no. 639, dtd. 11/4/1960 that Revenue Survey No. 441 was consolidated with the Revenue Survey No. 434. It reflects from the mutation entry no. 641, dtd. 15/4/1960 that Chimanlal Chunilal had sold the said property to Ramanbhai Bhailalbai by oral agreement of Sale and hence, the name of Ramanbhai Bhailalbai was mutated in the revenue record as the owner and occupant of the Revenue Survey No. 434.

It transpires from the mutation entry no. 1378, dtd. 30/6/1976 that by way of family arrangement, a partition had been affected and accordingly, a division carried out as under;

<u>R.S.No.</u>	<u>AREA.</u>	<u>NAME</u>	<u>PART</u>
434	A-5-6 GUNTHA	Ramanbhai Bhailalbai	434 A-1-28 GUNTHA
434	A-5-6 GUNTHA	Naranbhai Bhailalbai	434 A-1-29 GUNTHA
4343	A-5-6 GUNTHA	Manubhai Bhailalbai	434 A-1-29 GUNTHA

It reflects from the mutation entry no. 1274, dtd. 2/3/1973 that Ramanbhai Bhailalbhai & others had given an application and hence, Revenue Survey No. 444 had consolidated with the Revenue Survey No. 434.

Considering mutation entries as mentioned above, it is crystal clear that the property was purchased by Registered Sale Deed as reflected in mutation entry no. 641, dtd. 15/4/1960 that piece of land bearing Revenue Survey No. 434 & 444 has consolidated and total area A-5-6 GANTHA reflected in Revenue Survey No. 434 and by way of family arrangement, dtd. 30/6/1976, a division which was carried out amongst the family members, and hence, it is crystal clear that the property had never been transferred in the name of anybody.

6. Considering the order passed in Revision Application No. TEN/BA/123/07, dtd. 21/8/08, Late Motibhai Dabhai's legal heir Mr. Chunilal Motibhai had claim tenancy right under the provisions of section-31 (1) (B) of The Bombay Tenancy & Agricultural Lands Act, which was rejected by K. A. Patel, Member, Gujarat Mahesul Panch on dtd. 21/8/2008 and the said order was final as the same was not challenged before the High Court of Gujarat. In light of the said order, it can not be presumed that under the provision of The Bombay Tenancy & Agricultural Lands Act, any person had a tenancy right and hence, the objections which received in response of public notice published on dtd. 19/3/2010, can not be considered to decide the title of the property.
7. Thus, looking to the above referred documents after getting detailed searches in the office of sub registry, Vadodara after giving a public

notice in Sandesh and Divya Bhaskar Daily and also after verifying the revenue records, I am of the opinion that the title of the property lying and being in registration district sub district Vadodara being at Moje *Atladara*, Ta. Dist. Vadodara, bearing *Revenue Survey No. 434/1, 434/2, 434/3*, bearing *T. P. Scheme No. 20, O. P. Plot No. 87*, having *Final Plot No. 85, admeasuring 15, 194 Sq. Mtrs.* and , bearing *Revenue Survey No. 417/2 paiki 1, 417/2/2 & 417/2/1*, bearing *T. P. Scheme No. 20, O. P. Plot No. 77*, having *Final Plot No. 71, admeasuring 24,445 Sq. Mtrs.*, is clear, marketable and free from the reasonable doubts and also free from all encumbrances.

Date: 09/04/2010

Vadodara.


Bindukumar M. Shah
Advocate