Imran Khan J. Pathan
(ADVOCATE)

Court : Chamber No.11, Citi Civil Court, Bhadra, Ahmedabad-01.
Resi.: B-3, Aman-E-Gulistan Society, Opp. Memon Hall, Maktampura, Sarkhej Road, Ahmedabad-55. | M.: 9979039565

Ref. No.:

Date : 22-02-2023.

IMRAN KHAN J. PATHAN
SANAD No. G-301/2004 AHMEDABAD
ADVOCATE

To,

Usmanbhai Hasanbhai Ajmeri
Residing at, 15-B, Baug-E-Khaiber Society,
B/h, Ainal Haq Society,
Near Fatehwadi Tower,
Sarkhej Road,Ahmedabad-380055

Re:IN THE MATTER OF Immovable property of being Non-Agriculture Land situate, lying and being at Taluka Vatva, in the Registration District Ahmedabad and Sub-District Ahmedabad-11(Aslali) bearing Block/Survey No.1509 admeasuring 911 Sq.mts paiki 547 sq.mts and City Survey no.NA690/ 1paiki 2 (Old Revenue Block/Survey no.690/ 1paiki) admeasuring 304 Sq.mts. total admeasuring about 851 sq.mts. Included in Draft Town Planning Scheme no.85(Vatva-5) and given Final Plot no.109 admeasuring 546.81 sq.mts. to Block/Survey No.1509 and given Final Plot no.37 admeasuring 5160 sq.mts. paiki 306.21 sq.mts. to City Survey No.NA690/1paiki 2 combining both the survey numbers amalgamated F.P.No.109+37/1 admeasuring 853 sq.mts.

Dear Sir,

I refer to your instruction to verify the Land above referred to. I have verified the revenue and available sub registry records (Index-II) for a period of last about twenty eight years. I have taken root of title commencing from about 1994, prior to more than twenty eight years from now. I state as under: for detailed facts and particulars reference may be taken from the documents, papers, writings and records referred to hereinabove.

A. The Ownership of the Land.

Immovable property of being Non-Agriculture Land situate, lying and being at Taluka Vatva, in the Registration District Ahmedabad and Sub-District Ahmedabad-11(Aslali) bearing Block/Survey No.1509 admeasuring 911 Sq.mts paiki 547 sq.mts and City Survey no.NA690/1paiki 2 (Old Revenue Block/Survey no.690/1paiki) admeasuring 304 Sq.mts. total admeasuring about 851 sq.mts. Included in Draft Town Planning Scheme no.85(Vatva-5) and given Final Plot no.109 admeasuring 546.81 sq.mts. to Block/Survey No.1509 and given Final Plot no.37 admeasuring 5160 sq.mts. paiki 306.21 sq.mts. to City Survey No.NA690/1paiki 2 combining both the survey

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numbers amalgamated F.P.No.109+37/1 admeasuring 853 sq.mts. at present belongs to Usmanbhai Hasanbhai Ajmeri.

B. Property.

Immovable property of being Non-Agriculture Land situate, lying and being at Taluka Vatva, in the Registration District Ahmedabad and Sub-District Ahmedabad-11(Aslali) bearing Block/Survey No.1509 admeasuring 911 Sq.mts paiki 547 sq.mts and City Survey no.NA690/ 1paiki 2 (Old Revenue Block/Survey no.690/1paiki) admeasuring 304 Sq.mts. total admeasuring about 851 sq.mts. Included in Draft Town Planning Scheme no.85(Vatva-5) and given Final Plot no.109 admeasuring 546.81 sq.mts. to Block/Survey No.1509 and given Final Plot no.37 admeasuring 5160 sq.mts. paiki 306.21 sq.mts. to City Survey No.NA690/1paiki 2 combining both the survey numbers amalgamated F.P.No.109+37/1 admeasuring 853 sq.mts.

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C. Devolution.(Survey No: 1509)

Originaly Survey no.1509 the land was in full independent ownership,possession and occupation of Gandabhai Somabhai, after Gandabhai Somabhai died on 23/09/1979 his direct heirs (1)Natwarbhai Gandabhai (2)Kamlaben Gandabhai (3) Revaben Gandabhai Somabhai widow (4)Sagir Ashokbhai Gandabhai and (5)Sagir Kantaben Gandabhai became joint owners and co-sharers of inheritance rights in land of Survey No.1509. (Reference: Revenue Entry No.9409,dated 16-10-1980)

Thereafter (1)Natwarbhai Gandabhai (2)Kamlaben Gandabhai (3)Revaben Gandabhai widow of Somabhai (4)Ashokbhai Gandabhai and (5) Kantaben Gandabhai sold Survey No.1509 dated 13/10/2011 to (1)Usmanbhai Hasanbhai and (2)Abdulsamad Karim Nawalia registered with the Office of the sub-registrar at Ahmedabad under Serial No. 12870 (Reference : Revenue Entry No.17489, dt.11-9-2012)

Thereafter Abdulsamad Karim Naliawala sold his right, interest, share held in Survey No.1509 to his co-owner Usmanbhai Hasanbhai on 14/10/2019 registered with the Office of the sub-registrar at Ahmedabad under Serial No. 2269 . (Reference : Revenue Entry No.21133, dt.14-10-2019)

Thereafter survey no. 1509 admeasuring 911 sq.mts. of land included in Draft TP Scheme No.85(Vatva-5) and alloted F.P. No. 109 and 546.81 sq.mts.

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Thereafter Usmanbhai Hasambhai applied to the District Collector Ahmedabad under Section-65 of the Land Revenue Act for non-cultivation permission regarding the land bearing Survey No.1509, and the Collector Ahmedabad issued order No.: 987/07/16/034/2020 dated 16/04/2020. Non-agricultural permitted for multi-purpose use (Reference : Revenue Entry No.21354, dt.16-4-2020)

Devolution.(City Survey No.NA690/1paiki 2)

Similarly, the land bearing Survey No. 690 belonged to Shankarji Bapuji in total independent ownership.Then Shankrji Bapuji sold the lands with Survey No. 690/1, 690/3, 690/4 to Visaji Dewaji on 28/12/1964. (Reference : Revenue Entry No.7503, dt.12-02-1972)

Thereafter Visaji Devaji sold the lands bearing survey no.690/1, 690/3, 690/4 to Bababhai Dahyabhai, Zenabhai Dahyabhai on 28/01/1970. name respect of which was entered in the revenue record dated 12/02/1972 from entry no.7504 but under the provision of fragmentary rule it was re-entered from entry no.7733 dated 25/09/1974. (Reference : Revenue Entry No.7504, dt.12-02-1972 & Entry No.7733, dt.25-9-1974)

Thereafter Zenabhai Dahyabhai died on 16/09/1990 his direct heirs (1)Maniben Jivanbhai widow of Dahyabhai (2) Kantibhai Jivanbhai (3)Chimanbhai Jivanbhai (4) Rameshbhai Jivanbhai (5) Mohanbhai Jivanbhai (6) Rajeshbhai Jivanbhai and (7) Dinaben Jivanbhai became joint owners and co-occupiers of land Survey no. 690/1, 690/3, 690/4 (Reference : Revenue Entry No.10816, dt.2-11-1991)

Thereafter Bababhai Dahyabhai died on 12/12/2004, his direct heirs are (1) Natwarbhai Bababhai (2) Kashiben Bababhai (3) Jayantibhai Bababhai (4)Kanubhai Bababhai and (5) Amritbhai Bababhai became joint owners and co-owners of the land of Survey no. 690/1, 690/3, 9904. . (Reference : Revenue Entry No.14399, dt.8-3-2007)

Thereafter Kantibhai Jeevnabhai Kapadia died on 02/04/1995 and his direct heirs are (1) Devikaben Kantibhai Kapadia (2) Kainkesh Kantibhai Kapadia (3)Jijnasha daughter of Kantibhai Kapadia and wife of Manojkumar and (4)Pratima daughter of Kantibhai Kapadia and Harshadkumar's wife became joint owners and co-occupiers of land

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bearing survey no.690/1,690/3,690/4. (Reference : Revenue Entry No.15324, dt.20-4-2009)

Thereafter Chimanbhai Jivanbhai died on 10/09/1992, his direct heirs (1)Kamlaben Te Chimanbhai Jivanbhai's widow (2)Manojbhai Chimanbhai and (3) Ushaben Chimanbhai's daughter and Maheshbhai's wife became joint owners and co-occupiers of Survey no.690/1, 690/3,690/4 land. (Reference : Revenue Entry No.15325, dt.20-4-2009)

Thereafter Maniben Jivanbhai Dahyabhai's widow died on 08/03/2006 and all his direct heirs name already on the record and her name was reduced .(Reference : Revenue Entry No.16153, dt.3-11-2010)

Thereafter (1)Rameshbhai Jeevanbhai (2)Mohanbhai Jeevanbhai (3)Rajeshbhai Jeevanbhai and (4)Dinaben Jeevanbhai (5)Natwarbhai Bababhai (6)Kashiben Bababhai (7)Jayantibhai Bababhai (8) Kanubhai Bababhai (9) Amritbhai Bababhai (10)Devikaben Kantibhai Kapadia (11)Takesh Kantibhai Kapadia (12)Jijnasha daughter of Kantibhai Kapadia and wife of Manoj Kumar (13)Pratima daughter of Kantibhai Kapadia and wife of Harshadkumar (14)Kamlaben widow of Chimanbhai Jivanbhai (15)Manojbhai Chimanbhai (16)Ushaben daughter of Chimanbhai and wife of Maheshbhai sold Survey no.690/1 admeasuring 506 sq.m. dated 05/09/2013 to Zakirbhai Rahimbhai Ajmeri. Registered with the Office of the sub-registrar at Ahmedabad under Serial No. 1963 (Reference : Revenue Entry No.18158, dt.13-9-2013) however said entry Disallowed and also RTS case No. 24/2013 Dismissed by City Mamlatdar. Pursuant to that, a dispute petition was filed before the Deputy Collector of City, (East) Ahmedabad against the Said order.17/06/2017 order no. RTS/Appeal/Case No.195/2015 from RTS/Appeal/Case No.195/2015 by allowing the dispute petition and certifying the change note No.18158 regarding the earlier sale.

Thereafter Final Plot no.37 of 5160 sq.mts was allotted in draft TP scheme no.85 including the land of survey no.690/1, 690/2, 690/3, 690/4, 690/5.

After that Zakirbhai Rahimbhai Ajmeri sold Survey No. 690/1 admeasuring 506 sq.mts.land to Usmanbhai Hasanbhai on 13/02/2019.

Registered with the Office of the sub-registrar at Ahmedabad under Serial No. 314 (Reference :Revenue Entry No.20784, dt.1-6-2019)

Thereafter Usmanbhai Hasambhai applied to the District Collector Ahmedabad under Section-65 of the Land Revenue Act for non-cultivation permission regarding the land bearing Survey No.690/1, and the Collector Ahmedabad issued order No.: 535/07/16/034/2022 dated 02/02/2022. Non-agricultural permission granted for multi-purpose use and revenue survey number had transfer to City Survey No.NA690/1paki2 (Reference : Revenue Entry No.22275, dt.15-3-22)

Thereafter survey no. 1509 admeasuring 911 sq.mts. Among the land which is F.P No.109 is 546.81 sq.mts. And S.No.690/1 admeasuring 506 sq.mts. Including F.P No.37 (5160 sq.mts.) Out of 306.21 sq.mts. amalgamated Final Plot No. 109+37/1 combining both the survey numbers allotting 853 sq.m. allotment of land passed by Assistant Town Development Office on 10/06/2022.

The plans for residential flats have been sanctioned by the Ahmedabad Municipal Corporation on amalgamated F.P.No.109+37/1 admeasuring 853 sq.mts. Case No:- BLNTI/SZ/300622/CGDCRV/A0241/R0/M1 by passing the necessary plan and obtaining the relevant Rajachhithi No-00654/300622/A6241/R0/M1 Dated 05-08-2022.

After that, Usmanbhai Hasanbhai decided to put up a scheme in the land under the name of "Roshan Heights" and to construct the scheme as per the plan and appointed M/s Arham Infrastructure a partnership firm as the developer, and said development agreement Registered with the Office of the sub-registrar at Ahmedabad under Serial No. 1955,dated 30-01-2023.

D. General.

1. The aforesaid Report-Devolution narrated above is not complete report but only reference or reference of revenue records and sub-registry records relevant for the purposes to study devolution of title and to ascertain any charge or encumbrance, and does not contain entire revenue or sub registry records. I have relied upon the same without going into the details or further legal

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validation/scrutiny of records and proceedings referred to therein and implication thereof.

2. As reported by our Search clerk/Search Advocate, found that some of the record is not maintained properly or damaged, and not available. Search may lack or miss some particulars. Therefore, it is required that usual Declaration cum Indemnity on Title to be made.

3. We have neither undertaken any on-site verification of the said properties, nor carried out verification of any negative court proceedings before any court/forum/authority nor verified any acquisition by any Government/Sami-Government Authorities other than that mentioned in the revenue Records. Further as informed us, the said property has not been given in security nor created any charge or encumbrances of any nature whatsoever thereon, nor the said property except whatever is situated hereinabove, is subject matter of any pending litigation and/or proceedings, nor any order, decree, attachment or any order of any court or authority is operating against the said property adversely affecting the title thereto. We have relied upon the same and hereby disclaim any liability in respect thereof.

4. This Report on Title is based on the available searches taken with the Revenue Records and Records of the Sub Registrar (Index-II) only However, where possible I have endeavored to ascertain the title beyond such period. We disclaim any liability in respect thereof.

E. Opinion.

IN VIEW OF WHAT HAS BEEN STATED HEREINABOVE, I of the opinion that the title of Usmanbhai Hasanbhai Ajmeri to the land above referred to is clear, marketable, free from all encumbrances and reasonable doubt, subject to Usual Declaration on title being made, and subject to Hindu Succession Act, any other law, acts, rules and regulations as may be applicable.

IMRAN KHAN J. PATHAN
ADVOCATE

Dt: 22 -2-2023

Yours truly,