

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

Date: 31/07/2021

TITLE CERTIFICATE AND REPORT

To

M/s. Swati Construction

(A Partnership Firm)

Having address at:

11th Floor, Signature-1,

Opp: Andaz Party Plot,

S.G. Highway, Makarba,

Ahmedabad-380051.

Re: Report & Opinion about Title of land bearing revenue block no.3/C/1 admeasuring 6880 sq. mtrs (Khata no.1118), old tenure land, non agriculture multipurpose use land, being part of Draft Town Planning Scheme no.52 (Ambli) and allotted final plot no.5/2 admeasuring 4590 sq. mtrs. under the said TP Scheme, situated within the village limits of Mouje Ambli of Taluka: Ghatlodia, within the registration District of Ahmedabad and Sub-District of Ahmedabad-9 (Bopal), being owned

25

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

and possessed by M/s. Swati Construction (A
partnership firm) (PAN ADEF S8963P).

=====

Pursuant to your instruction to investigate to the title to the immovable property more particularly described in paragraph-[2] hereinunder written and hereinafter referred to as "the subject land", I have carried out the searches from Mamlatdar-E-Dhara, Ahmedabad to find out the deeds/documents executed and registered in respect of the subject land. I have also approached the office of the concerned Sub-Registrar of assurances and have received the certificate/report/searches in respect of deeds/documents/evidences, registered with the office of the Sub-Registrar of Assurances during last 27 years. I have also perused the documents/papers submitted by you and mentioned in paragraph-[3] hereinunder written. On the basis of searches conducted

B-

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

by me and verification of papers/documents/evidences
submitted by you, I submit my opinion as under:

[1] NAME OF THE PRESENT OWNER:

M/s. Swati Construction, (a partnership firm),
having address at: 11th Floor, Signature-1, Opp.:
Andaz Party Plot, S.G. Highway, Makarba,
Ahmedabad-380051, (PAN:- ADEFS8963P).

[2] DESCRIPTION OF THE PROPERTY:

All that piece or parcel of non-agriculture
multipurpose use land bearing final plot no.5/2
admeasuring 4590 sq. mtrs of draft town planning
scheme no.52 (Ambli), allotted in lieu of revenue
block no.3/C/1, admeasuring 6880 sq. mtrs (Khata
no.1118) of mouje Ambli, Taluka: Ghatlodia within
the Registration District of Ahmedabad and Sub-

P5

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

District of Ahmedabad-9 (Bopal). The same is
bounded as follows:

Revenue Block no. 3/C/1:

On or towards the North : By Block no. 2 and 3/B
On or towards the South : By Road
On or towards the East : By Block no. 3/C/2
On or towards the West : By Block no. 1

Final Plot no. 5/2:

On or towards the North : By Final Plot no.2
Paiki and 4 Paiki
On or towards the South : By 40 Mtr. T.P. Road
On or towards the East : By Final Plot no. 5/1
On or towards the West : By Final Plot no. 1
and T.P. Reservation
Plot

[3] LIST OF DOCUMENTS PRODUCED BEFORE ME:

1. Copy of 7/12 revenue record abstracts from the
year 1950 of the subject land till this date.

2. Copy of Mutation Entries
No.1014,1236,1252,1319,1320,1321,1497,1556
,1682,2059,2160,2161,2618,2727,3083,4016,

P5

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

4185,4604,5037,6123,6157,6250,6254,6504

(pencil entry), in Form No.6 of Revenue Record.

3. Copy of NA Permission dated 22.3.2019 issued by Office of Collector Cum District Magistrate Office.
4. Copy of Hissa Durasti Map & Form no. 11-A
5. Copy of the Zoning Certificate dated 22.1.2019 issued by Ahmedabad Urban Development Authority (AUDA).
6. Copy of F Form of Town Planning Scheme No.52 (Ambli) (Draft Town Planning Scheme) issued by Ahmedabad Urban Development Authority.
7. Copy of Part Plan of Town Planning Scheme No.52 (Ambli) (Draft Town Planning Scheme) of Final Plot no. 5/2
8. Copy of Opinion dated 1.5.2019 given by Town Planning Officer, Ekam-2, to Chief City Planner,

Rs

AMC, indicating the Final Plot being no. 5/2,
admeasuring 4590 Sq. Mtrs.

9. Copy of Communication dated 6.5.2019 issued by AMC communicating indicating that since amount is already deposited towards the Final plot no. 5/2, no further amount is required to be paid.
10. Copy of Sale Deed executed in favour of M/s Veloz Techform LLP by Ritaben Sanjaybhai Thakkar, bearing Registration no. 763 (Book 1), dated 23.1.2020.
11. Copy of Index-II issued by Sub-Registrar Office dated 23.1.2020 indicating the Sale in favour of Veloz Techform LLP.
12. Copy of Sale deed executed in favour of M/s Swati Construction by M/s Veloz Techform LLP,

bearing Registration no. 9166 (Book 1), dated
8.7.2021.

13. Copy of Index-II issued by Sub-Registrar Office
dated 8.7.2021 indicating the Sale in favour of
M/s Swati Construction.

14. Copy of Title Report with Certificate dated
7.3.2019, issued by M/s Lakhani Gandhi & Co.
(Ahmedabad), Solicitors, Advocates & Notary
with respect to the subject land.

15. Copy of Title Report and Certificate dated
26.3.2021 issued by issued by M/s Lakhani
Gandhi & Co. (Ahmedabad), Solicitors,
Advocates & Notary with respect to the subject
land.

16. Copy of the Commencement letter (Rajachithi)
issued by Ahmedabad Municipal Corporation
dated 28.5.2021.

B-

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

17. Copies of the S.R.O. Search dated 29.7.2021 &
30.7.2021, issued by the Competent Authority.

[4] DEVOLUTION OF TITLE

A. It transpires from the revenue records (7/12 abstracts), that prior to the year 1937, the said land bearing revenue survey no.1 Hissa no.1/2 admeasuring A 1 = 28 G and revenue survey no.1 Hissa no.1/3 admeasuring A 1 = 33 G, total admeasuring A3 = 21G, belonged to Shivram Khodidas as absolute owner of the said land and the same was mortgaged to Kumbhar Punja and the same was recorded in the revenue record vis-à-vis village form no.7/12.

B. It further transpires from the revenue record that on demise of Shivram Khodidas on 8.12.1937, the said land came to be possessed by his only legal heirs and next to kin according to the Hindu Law under which he was governed, by Kashiram Shivram and his name came to be mutated in the revenue record as an absolute

15

owner and possessor of the said land. The entry to that effect was entered in the revenue record of mutation entry book under Sr. no.486 on 4.11.1939 and the same was duly certified by the revenue authorities.

C. It further transpires from the revenue record that Kashiram Shivram got the said land released from the aforesaid mortgaged charge and entry to the said effect was entered into revenue record of mutation entry book under Sr. no.499 on 5.4.1940 and the same was duly certified by the revenue authority concerned.

D. It further transpires from the record that Kashiram Shivram sold and conveyed the said land to (1) Jethabhai Somabhai and minor Bababhai Somnath through his guardian Naranbhai Somnath. It further transpires that a deed of conveyance in respect thereof was executed on 24.4.1940 and came to be duly registered with the sub-registration Ahmedabad on 27.4.1940 under Sr. no.2213. The entry to

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad - 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

that effect was also entered into the revenue record of mutation entry book under Sr. no.510 on 29.9.51 and duly certified by the revenue authority concerned.

E. It further transpires from the revenue record that the said individual land being less than A 2 = 0G was declared as 'PIECE' land as provided under the Bombay Prevention of Fragmentation and Consolidation of Holding Act, 1947. The entry to that effect was entered into the revenue records of mutation entry book under Sr. no.712 dated 3.7.1951 and duly certified by the revenue authority concerned.

F. It further transpires from the revenue record that thereafter, alongwith Jethabhai Somabhai and Bababhai Somabhai, the names of Trikambhai Kuberbhai and Naranbhai Somabhai having right in the said land were entered as co-owners and possessors of the said land in the revenue record concerned. The entry to that effect was also entered in the revenue record of

35

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

mutation entry book under Sr. no.1014 on 10.10.1957 and duly certified by revenue authority concerned r/w. mutation entry no.1236 on 21.12.1964 and duly certified by the revenue authority concerned.

G.It further transpires from the revenue record that thereafter, scheme of amalgamation of land u/s.24(1) of the Bombay Prevention of Fragmentation & Consolidation of Holdings Act, 1947 came to be sanctioned and at page no.454 of the gazette of the Gujarat Government, Block no.3/C admeasuring A 3 = 21 G was given in lieu of the said land bearing revenue survey no.1/1/2 and 1/1/3. The entry to that effect were entered in the revenue records of mutation entry book under Sr. no.1319 on 9.9.1968 and duly certified by the revenue authority concerned r/w. mutation entry bearing sr. no.1320 dated 16.9.1968 and no.1321 dated 20.9.1968 duly certified by the revenue authority concerned.

95

H. It further transpires from the revenue record that on demise of Trikambhai Kuberdas in the year 1966, his share in the said land came to be possessed by his only legal heir under the Hindu Law by Hargovanbhai Trikambhai and his name as co-owner and co-possessor of the said land was recorded in the revenue record concerned. The entry to that effect was mutated in the revenue record of mutation entry book under Sr. no.1351 on 17.5.1970 and duly certified by the revenue authority concerned.

I. It further transpires from the revenue record that as per the proposed rectification of amalgamation scheme of Ambli land as per Asst. Amalgamation Officer, Ahmedabad-Gandhinagar, the land bearing revenue survey no.1/1/2 and 1/1/3 was given block no.3/C admeasuring A 3 = 21G. The entry to that effect was entered into revenue record of mutation entry book under Sr. no.1497 on 10.6.1981 and duly certified by the revenue authority concerned.

PS



J. It further transpires that on demise of Hargovanbhai Trikambhai, his share in the said land came to be possessed by only legal heir and next to kins according to the Hindu Law under which he was governed, by Menaben wd/o. Hargovanbhai Trikambhai as the subsequent partition in respect of the said land mentioned the name of Menaben wd/o. Hargovanbhai Trikambhai.

K. It further transpires that a family partition in respect of the said land alongwith other land was made by and between the co-owner vis-à-vis (1) Jethabhai Somabhai (2) Naranbhai Somabhai (3) Bababhai Somabhai and (4) Menaben wd/o. Hargovanbhai Trikambhai, whereby, the land bearing block no.3/C paiki admeasuring adm. A 1 = 28 G i.e. 6880 sq. mtrs came to the share of Jethabhai Somabhai and block no.3/C paiki adm. A 2 = 33 G i.e. 7385 sq. mtrs came to the share of Bababhai Somabhai. The entry to that effect was entered in the

revenue record of mutation entry book under Sr. no.1556 on 25.4.1982 and duly certified by the revenue authority concerned on 19.8.1982.

L. It further transpires from the revenue record that on demise of Jethabhai Somabhai on 6.5.1987, his share in the said land came to be possessed by his only legal heir and next kin according to the Hindu Law under which he was governed by Mangalbhai Jethabhai and the said name came to entered in the revenue record as an absolute owner and possessor of the part of the entire land. The entry to that effect was entered in the revenue record of mutation entry book under Sr. no.1682 on 15.6.1987 and duly certified by the revenue authority concerned.

M. It further transpires from the record that thereafter, Mangalbhai Jethabhai expired on 18.6.1994 and his share in the part of the entire land came to be possessed by his only legal heirs viz. (1) Hiraben wd/o. Mangalbhai Jethabhai (2) Shankarbhai Mangalbhai (3)

Bharatbhai Mangalbhai and (4) Gitaben Mangalbhai as the co-owners and co-posseors of the said part of the entire land and accordingly, the same was recorded in the revenue record. The entry to that effect was entered in the revenue record of mutation entry book under Sr. no.2059 on 26.7.1994 and duly certified by the revenue authority concerned on 17.9.1994.

N. It further transpires from the revenue record that Bababhai Somabhai expired on 13.12.1994 and therefore, his share in the part of the entire said land came to be possessed by his legal heirs viz. (1) Jiviben wd/o. Bababhai Somabhai (2) Rameshbhai Bababhai (3) Natvarbhai Bababhai (4) Manjulaben Bababhai (5) Kapilaben Bababhai and (6) Kailashben Bababhai. Their names came to be mutated as co-owners and co-posseors of the said land in the revenue record. The entry to that effect was entered in the revenue record in the mutation

85

entry book under Sr. no.2160 on 14.3.1995 and duly certified by the revenue authority.

O. It further transpires from the record that thereafter (1) Jiviben wd/o. Bababhai Somabhai (2) Manjulaben Bababhai (3) Kapilaben Bababhai and (4) Kailashben Bababhai had released their right, title and interest in the said land in favour of their son and brother (1) Rameshbhai Bababhai and (2) Natvarbhai Bababhai and as such their names came to be deleted from the revenue records concerned. The entry to that effect was entered in the revenue records of mutation entry book under Sr. no.2161 on 14.3.1995 and came to be duly certified by the revenue authority concerned.

P. It further transpires from the record that thereafter (1) Hiraben wd/o. Mangalbhai Jethabhai (2) Shankarbhai Mangalbhai (3) Bharatbhai Mangalbhai and (4) Gitaben Mangalbhai alongwith Arvindbhai Shankarbhai as confirming party has agreed to sale the said land

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

to Laljibhai Purshottambhai. An agreement to sale in respects whereof, was executed on 23.7.1999 and duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under Sr. no.1937. But it appears that as the terms and conditions mentioned in the said agreement to sell were not fulfilled, the said agreement was cancelled by a deed of cancelation executed on 13.10.2000 and duly attested by Bhupendra Thakkar, a notary public of Ahmedabad and thereafter, off late, the said deed of cancellation was registered with the Sub-Registrar, Ahmedabad-9 (Bopal) on 13.1.2000 under Sr. no.150.

That as the said registered deed of cancellation was executed by only the vendor and as such Laljibhai Purshottambhai Godani (being a proposed purchaser therein) had executed a deed of confirmation on 18.1.2019, confirming the said registered deed of cancellation which was attested by Nitin M. Dapat, a notary public of Ahmedabad.

B

Q.It further transpires from the record that Hiraben wd/o. Mangalbhai Jethabhai expired on 7.11.1999 and accordingly, her legal heirs viz. (1) Shankarbhai Mangalbhai (2) Bharatbhai Mangalbhai and (3) Gitaben Mangalbhai, became the owners and possessors of the said land their names came to be mutated in the revenue record. The entry to that effect was entered in the revenue record of mutation entry book under Sr. no.2618 on 9.2.2000 and duly certified by the revenue authority concerned.

R.It further transpires from the record that thereafter (1) Shakarbai Mangalbhai (2) Bharatbhai Mangalbhai and (3) Gitaben Mangalbhai have sold and conveyed the said land bearing revenue block no.3-C paiki western side (old survey no.1/1/2) admeasuring 8228 sq. yards i.e. 6880 sq. mtrs to (1) Sanjaybhai Hirabhai Thakkar and (2) Ritaben Sanjaybhai Thakkar. A deed of conveyance in respects whereof, was executed and lodged for

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

registration with the Sub-Registrar, Ahmedabad-3 (Memnagar) on 13.10.2000 under Sr. no.3385 and duly registered with the Sub-Registrar, Ahemdabda-3 (Memnagar) on 20.12.2001 under Sr. no.3403. The entry to that effect was entered in the revenue records of mutation entry book under Sr. no.2727 on 18.12.2001 and duly certified by the revenue authority concerned on 15.3.2002.

Moreover, it has to be noted that the aforesaid (1) Shankarbhai Mangalbhai (2) Bharatbhai Mangalbhai had sold and conveyed the said land for legal necessity and benefit of estate and till date, none of the co-parceners of members of their respective HUF have raised any claim or challenged the said transaction in any manner of whatsoever nature.

S. It further transpires from the record that thereafter, land bearing block no.3/C paiki admeasuring 14265 sq. mtrs paiki admeasuring 6880 sq mtrs (according to F form block

15

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad - 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

no.3/C/1) was covered under the Draft Town Planning Scheme no.52 (Ambli) and in lieu thereof, final plot no.5/2 admeasuring 6195 sq. mtrs was proposed to be allotted.

Moreover, through mistake the name of (1) Rameshbhai Bababhai and (2) Natvarbhai Bababhai (the owners of the adjoining lands) were recorded as the owners of the subject land in the form no. F.

T. It further transpires from the revenue record that vide order no.MASAL/BAKHAP/SR/VASHI. 6613 to 6618 dated 23.3.2004, the Sachiv, Karobari Samiti and District Development Officer, District Panchayat, Ahmedabad granted non agriculture residential use permission as per the terms and conditions mentioned therein of the subject land being block on.3/C, corresponding final plot no.5/2 admeasuring 6195 sq. mtrs of draft town planning scheme no.52. The entry to that effect was entered in the revenue record of mutation entry book

B5

under Sr. no.3083 on 11.5.2004 and duly certified by the revenue authority concerned on 18.6.2004.

U. It further transpires from the revenue record that in the meant time the said (1) Sanjaybhai Haribhai Thakkar (2) Ritaben Sanjaybhai Thakkar had got constructed a residential bungalow with servant room on the said land as per the permission and plan duly approved by the said Ahmedabad Urban Development Authority vide development permission bearing no.P.R.M./32/10/2003 dated 12.11.2003 and in turn a building use permission was also granted by the said Ahmedabad Urban Development Authority vide its order no.C.M.P./592/12-2003.

V. It further appears from the record that errors occurred while computerizing the revenue record vis-à-vis village form no.7/12 and accordingly, the same was rectified by order no.RTS/Record Promulgation/31/08 dated 20.12.2008 of Mamlatdar, Daskroi. The entry to that effect was

B-

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

entered in the revenue record of mutation entry book under Sr. no.4016 of 25.12.2008 and duly certified by the revenue authority concerned on 18.2.2009.

W. It further transpires from the record that thereafter, Sanjaybhai Haribhai Thakkar and others had created a mortgage charge on the said land in favour of Central Bank of India. A mortgage deed in respect whereof was executed on 6.10.2009 and duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under Sr. no.9544, which loan together with interest thereon was repaid in full and the said bank had executed deed of release of mortgage on 2.9.2011 which was duly registered with the Sub-Registrar, Ahemdabd-3 (Memnagar) on the same day under Sr. no.9835 and 9836.

X. It further transpires from the record that Shri Sanjaybhai Haribhai Thakkar and others created a mortgage charge in favour of India Bulls

B-

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

Housing Finance Ltd., a mortgage deed in respects whereof was executed on 2.9.2011 and duly registered with the Sub-Registrar, Ahmedabad-3 (Memnagar) on the same day under Sr. no.9846, the said loan subsequently was repaid in full and a deed of re-conveyance was executed on 2.1.2020 and duly registered with the sub-Registrar, ahemdabad-9 (Bopal) on the same day under Sr. no.71.

Y. It further transpires from the record that resolution bearing Sr. no.PFR/1020/11/275/L/1 dated 17.3.2012 of Revenue Department of Government of Gujarat, the limits of City and Daskroi Taluka of Ahmedabad District was reorganized and two new Talukas of old Ahmedabad Taluka being Taluka Ahmedabad (East) and Taluka Ahmedabad (West) were constituted and accordingly, mouje Ambli of Daskroi Taluka was covered within Taluka Ahmedabad City (West). The entry to that effect was entered in to revenue record of mutation entry book under Sr. no.4604 on 3.5.2012 and

85

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

the same came to be duly certified by the revenue authority concerned on 5.5.2012.

Z. It further transpires from the revenue record that the mutation entry no.5037 dated 10.7.2014 pertains to the adjoining land and does not affect the said land bearing final plot no.5/2.

AA. It further transpires from the revenue record that necessary permission for using the said land bearing revenue block no.3/C (paiki) and corresponding final plot no.5/2 admeasuring 6195 sq. mtrs of draft town planning scheme no.52 for non-agricultural multipurpose use was duly granted by the District Collector, Ahmedabad vide his order no.CB/NA/Ahmedabad/Ambli/3C paiki/1003977/2019 dated 22.3.2019 on the terms and conditions mentioned therein. The entry to that effect was entered into revenue record of mutation entry book under Sr. no.6123

B-

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

on 12.6.2019 and duly certified by the revenue authority concerned on 16.7.2019.

BB. It further transpires from the record that thereafter, the said Sanjaybhai Haribhai Thakkar sold and conveyed his half undivided share in the said land bearing revenue block no.3/C (paiki) and corresponding final plot no.5/2 admeasuring 6195 sq. mtrs of draft town planning scheme no.52 together with half undivided right in the constructed bungalow admeasuring 1452.75 sq. mtrs standing on the said land to said Rita Sanjaybhai Thakkar. A deed of conveyance in respect thereof was executed on 15.7.2019 and duly registered with the Sub-Registrar, Ahmedabad-9 (Bopal) on the same day under Sr. no.9201. The entry to that effect was mutated in the revenue record of mutation entry book under Sr no.6157 on 22.7.2019 and duly certified by the revenue authority concerned on 6.9.2019.

PS

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad - 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

CC.It further transpires from the record that thereafter, the said Sanjaybhai Haribhai Thakkar had executed a supplementary deed to the said registered deed of conveyance bearing no.9201 dated 15.7.2019 clarifying that the construction admeasuring 1452.75 sq. mtrs standing on the said entire land was constructed exclusively by said Sanjaybhai Haribhai Thakkar and hence said Sanjaybhai Haribhai Thakkar had sold and conveyed entire construction being bungalow admeasuring 1452.75 sq. mtrs to the said Ritaben Sanjaybhai Thakkar and to that effect the said deed of conveyance shall be read and rectified. The said supplementary deed to the said registered deed of conveyance was executed on 22.8.2019 and duly registered with the Sub-Registrar, Ahmedabad-9 (Bopal) on 27.8.2019 under Sr. no.10743.

DD.It further transpires from the record that that thereafter, vide Purvani Patrak no.12 KJP SR 275 dated 31.12.2019 issued by the District Inspect of Land Records, Ahmedabad annexed

15

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad - 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

with Hissa Durasti PU PA no.122, the said land bearing block no.3/C paiki admeasuring 14265 sq. mtrs was sub divided into 2 parts vis-à-vis (1) block no.3/C/1 admeasuring 6880 sq. mtrs (including land admeasuring 685 sq. mtrs for TPS reservation), which was mutated in the name of said Ritaben Sanjaybhai Thakkar and (2) block no.3/C/2 admeasuring 7385 sq. mtrs (including land admeasuring 685 sq. mtrs for TPS reservation) which was mutated in the names of (a) Shri Natvarbhai Bababhai (b) Shilpaben Rameshbhai Patel (c) Shri Ashwinbhai Rameshbhai Patel and (d) Nimishaben Rameshbhai Patel and accordingly two separate village form nos.7/12 were prepared. The entry to that effect was entered into the revenue record in the mutation entry book under Sr. no.6250 on 30.12.2019 and the same came to be duly certified by the revenue authority concerned on 13.3.2020.

EE. It further transpires from the record that that thereafter, vide letter no.52 (Ambli)/CAE

B

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

no.6/1004 dated 12.12.2018 of the Town Planning Officer, Town Planning Office, Unit no.2, Ahmedabad, the said revenue survey/block no.3/C/1, admeasuring 6880 sq. mtrs after adjusting 12.34 % of land for TPS reservation, which was allotted final plot no.52 and the area thereof, was fixed to the extent of 6031 sq. mtrs. However, vide letter no.52 (Ambli)/Case no.6 of 1536 dated 1.5.2019 of the Town Planning Officer, Town Planning Office unit no.2, Ahmedabad, the said revenue survey/block no.3/C/1 admeasuring 6880 sq. mtrs which was covered under the Draft Town Planning scheme no.52 and given a final plot no.5/2 admeasuring 6195 sq. mtrs. Out of the same, land at the rate of 33.29% for TPS reservation, thus, the area of the said final plot no.5/2 was re-fixed/revised to the extent of 4590 sq. mtrs.

FF. It further transpires from the record that that thereafter, said Ritaben Sanjaybhai Thakkar sold and conveyed the said land bearing revenue

B

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad - 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

block no.3/C/1 admeasuring 6880 sq. mtrs and corresponding final plot no.5/2 admeasuring 4590 sq. mtrs of draft town planning scheme no.52 (Ambli) together with the construction of bungalow admeasuring 1452.75 sq. mtrs standing thereon to M/s. Veloz Tech Firm LLP, a limited partnership firm. A deed of conveyance in respect whereof was executed on 23.1.2020 and duly registered with the Sub-Registrar, Ahmedabad-9 (Bopal) on the same day under Sr. no.763. The entry to that effect entered into the revenue record of mutation entry book under Sr. no.6254 on 27.1.2020 and duly certified by the revenue authority concerned on 13.3.2020.

GG.It further transpires from the record that that the said firm had demolished the residential bungalow standing on the said land. The same finding is based upon the physical site visit carried out by the undersigned.

PS

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad - 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

HH.It further transpires from the record that from the documents made available that the said firm viz. M/s. Veloz Tech Firm LLP, opted for investigation of Title of the land in question and pursuant thereto, public notice in the Gujarat daily news -paper (Gujarat Samachar) on 8.3.2021, inviting objections if any from the public in general for issuing the title clearance certificate in relation thereto, through its learned advocate. It further appeared from the perusal of the search report on title-cum-title clearance certificate dated 26.3.2021 issued by M/s. Lakhani Gandhi & Co. (Ahmedabad) Solicitors, Advocate and Notary that in response to the said public notice, no objection came to be received by them from any person, body or authority claiming any right, title or interest of whatsoever nature directly or indirectly in the land/sub-plot. It further transpires from the perusal of the said report that the designated partner of M/s. Veloz Tech Firm LLP has submitted a declaration cum indemnity made on oath duly attested by notary public on 26.3.2021, confirming that the said

B

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

land has not been mortgaged, charged, assigned, leased or dealt with the same in any other manner of whatsoever nature and the same is free from any charge or encumbrance and litigation.

II. It further appears from the documents made available that the Ahmedabad Municipal Corporation has issued commencement letter (Rajachithi) dated 28.5.2021 in favour of M/s. Veloz Tech Firm LLP for residential building. The said finding is based upon the commencement letter issued by the Ahmedabad Municipal Corporation.

JJ. It further transpires from the record that that thereafter, M/s. Veloz Tech Firm LLP, through its designated partner/authorized signatory sold and conveyed a sale deed dated 7.7.2021 in favour of M/s. Swati Construction (present owner) and thereby, sold and conveyed the subject land, which came to be registered with

B

the Sub-Registrar office, Ahemdabd-9 (Bopal) under Sr. no.9166 on 8.7.2021. I have perused the copy of the sale deed alongwith the registration receipt and copy of the index-II. It appears from the perusal of the said document that the sale deed is properly registered and duly stamped as per the provision of law.

KK. It further appears that the pencil entry to the effect that the subject land has been sold to M/s. Swati Construction on 7.7.2021 by registered sale deed, bearing registration no.9166 dated 8.7.2021, came to be mutated in the revenue record vide entry no.6504. The said entry is pending for certification from the concerned revenue authority. The findings are based upon the noting made in the mutation entry no.6504 dated 8.7.2021 (pencil entry).

LL. From the above stated chronology, it transpires that initially the land belonged to the Shivram Khodidas and thereafter same was sold to Jethabhai Somabhai and minor Bababhai

15

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad - 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

Somnath through his guardian Naranbhai Somnath. Thereafter, the names of Trikambhai Kuberbhai and Naranbhai Somabhai came to be entered as co-owners and possessors of the subject land. Thereafter, by virtue of family partition, between the co-owners, land bearing block no.3/C paiki admeasuring A1 = 28 G i.e. 6880 sq. mtrs came to the share of Jethabhai Somabhai. Thereafter, the heirs of Jethabhai Somabhai executed the sale deed in favour of (1) Sanjaybhai Haribhai Thakkar and (2) Ritaben Sanjaybhai Thakkar. The said Sanjaybhai Haribhai Thakkar sold his half undivided share in favour of Ritaben Sanjaybhai Thakkar. The said Ritaben Sanjaybhai Thakkar further sold the subject land in favour of M/s. Veloz Tech Firm LLP. Thereafter, M/s. Veloz Tech Firm LLP has executed a sale deed in favour of M/s. Swati Construction who is now the owner and occupier of the subject land and can be said to be the owner of the subject land free from all encumbrances.

B-

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

[5] **SUB-REGISTRAR SEARCH AND OTHER
RECORD**

[A] A Search of the records of the Offices of the Sub-Registrar of Assurance, Ahmedabad-9, Bopal has been undertaken for a period of 27 years from 1994 to 2021 and no new entries found in the said Search except what has been stated hereinabove.

[B] That the manual/computerized record is not well prepared ad maintained by the State Government Agencies and hence, may be erroneous, resulting into my error.

[6] **CHARGES/MORTGAGES/ENCUMBRANCES ON
THE PROPERTY.**

(i) During searches of the Sub-Registrar records, I have not found any charge

P

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad - 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

creating document registered with the Office of the Sub-Registrar of Assurance except what has been stated hereinabove. I have not found any adverse remarks/documents during S.R.O. search.

- (ii) I have not found any reservation or notices under the development plan applicable to the area where the land is located. I have also perused the zoning certificate dated 23.1.2019, wherein, it has been stated that the subject land is in the residential-II-R2 zone as well as falling within the Transit oriented zone and forming part of Town Planning Scheme No.52 (Ambli).

[7] **PUBLIC NOTICE**

B5

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad – 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

I was not being asked to issue public notice in the newspaper inviting right/claim/objections from the third parties in respect of subject land and hence, this certificate/report is subject to right/claim/objection, if any. Further, from the perusal of the title report issued by Lakhani & Gandhi & Co. Ahmedabad, Solicitors, Advocate and Notary dated 26.3.2021, it appears that before issuing the said title report, a public notice in Gujarat Samachar newspaper dated 5.3.2021 inviting any claim, rights or encumbrances if any, was called for, however, no objection or claim appears to have been received in response thereof.

[8] **DOCUMENTS TO BE OBTAINED/COMPLIANCES TO BE MADE BEFORE EFFECTING SELL/TRANSFER.**

Rs

-
- (i) Payment of land revenue to be complied with.
 - (ii) Any other Act, Law, Rules, if any application.
 - (iii) The terms and conditions of the Non Agriculture Use permission granted by the Taluka Development Officer dated 23.3.2004 and permission dated 22.3.2019, be complied with.

[9] **OPINION**

In view of and subject to what is stated hereinabove and based on that, I am of the opinion that the title of the subject land being non agriculture multipurpose use land bearing revenue block no.3/C/1 admeasuring 6880 sq. mtrs (Khata no.1118), old tenure land, situated and lying within

B5

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad - 380009
Gujarat (INDIA)

+91 9898198106

+91 7926423104

rutul07@yahoo.com

Reg.No. G/894/2010

the village limit of Ambli, Taluka: Ghatlodia, in the registration District of Ahmedabad sub-District: Ahmedabad-9 (Bopal) forming part of Draft Town Planning Scheme no.52 (Ambli) being allotted final plot no.5/2 admeasuring 4590 sq. mtrs, belongs to and owned by M/s. Swati Construction and the said subject land appears to clear, marketable and free from encumbrances and subject to what has been stated hereinabove. The finding is subject to and on the premise that the Preliminary Town Planning Scheme no. 52(Ambli) will be sanctioned as per the Draft Town Planning Scheme no. 52(Ambli) as regards the allotted Final Plot is concerned.

Rutul Desai

[RUTUL DESAI]

Rutul P. Desai.

B.Com., LL.B. (Hons.), LL.M.

ADVOCATE,

305, 3rd Floor, Sun Square
Nr. Hotel Nest, Off. C.G. Road
Navrangpura, Ahmedabad - 380009
Gujarat (INDIA)

 +91 9898198106

 +91 7926423104

 rutul07@yahoo.com

Reg.No. G/894/2010

Note:

- 1 The present report and certification is based on the perusal of the revenue records as maintained by the government agency and any erroneous or improperly maintained record may cause an error to be perpetrated in the examination.
- 2 As per the information provided to me and available at present, no civil or criminal litigations are pending with respect to the subject land.