

Siddharth B. Joshi
Advocate
Gujarat High Court

Nilesh V. Makvana
Advocate
Gujarat High Court

Office: 3rd floor, Sneh Sudha Complex, Opp. Sur Sagar Lake, Dandia Bazar Road, Vadodara.
M) 9825618367.

Ref.No.02/2020

Date: 24-02-2020

To,
Ohm Developers
Vadodara.

TITLE CLEARANCE CERTIFICATE

Investigation of Title of Property i.e. Final Plot No.41 of Town Planning Scheme No.22 bearing Revenue Survey No.412 lying area about 585.00 sq. mtrs Non-agricultural land at Tandalja, Vadodara of Registration District, Sub District Vadodara.

I have investigated the Title of Property which is the following documents are handed over me by you for investigation in respect of the said property, on the basis of this documents I have given this opinion.

Photo copy of revenue records like revenue records, abstract entries, N.A Order, & Town Planning Letter of the said property.

History :-

Originally the land was belongs to Alibhai Kalidas who received said land by Tenancy rights as a protected tenant, such entry no.323/2 reflects in revenue record on dt.20.09.1954. also as a tenant Alibhai Kalidas paid tenancy amount of rs.263/- to original land owner Fatesang Kabhaibhai vide order no.L.S.D/L. No.1204/Tandalja of Tenancy Court, Vadodara, such entry no.979 reflects on dt.10.09.1968.

Then after there were mutual family arrangement between family members and after family partition said land came in the share of Abdulbhai Alibhai and Mahmadbhai Alibhai jointly, such entry no.994 reflects in revenue record on dt.10.02.1969.

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Then after Abdulbhai Alibhai and Mahmadbhai Alibhai jointly sold out and executed registered saledeed in favor of Jesangbhai Amthabhai on dt.01-02-1969, such entry no.999 reflects in revenue record on dt.12.02.1969.

Then after Jesangbhai Amthabhai sold out and executed registered saledeed in favor of 1) Talib Inayat Ali Mohammad, 2) Fatema Inayat Talib, 3) Khatija F. Punawala on dt.19-08-1975, such entry no.1281 reflects in revenue record on dt.10.03.1976. ✓

Then after Fatemaben Inayat Ali expired on dt.15.09.1993 and entered his legal heirs; 1) Khatijaben, 2) Zarinaben, 3) Faruqeebhai, 4) Kaizarbhai, 5) Kaudbhai, 6) Iqbalbhai names in revenue record vide entry no.2283 on dt.16.12.1995. Also Talib Faruqee Inayat Ali expired on dt.20.12.2001 and his names deleted from the revenue record vide entry no.3431 on dt.23.11.2006.

Then after Deputy Collector of DCLR rejects appeal of appellant against order of Tenancy Court Tenant Case No.1384/89, such entry no.3432 on dt.23/11/2006 and after that appellant file revision application against Gujarat Revenue Tribunal, Ahmedabad and GRT issued order no.TEN.BA/473/2015 on dt.30/09/2005 that confirm the revision application and reject the orders issued by Tenancy Court and DCLR, Vadodara, such entry no.3433 reflects on dt.23/11/2006. Also Deputy Collector, Vadodara withdrawn notice issued under the case no.Ganot/S.R/59/06 on dt.16/01/2007, such entry no.3458 reflects in record on dt.26/02/2007.

The said Survey No.412 admeasuring area 8296 sq.mtrs land covered under the scheme of Town Planning Scheme No.22, they allotted Final Plot No.98 admeasuring area about 5492 and Final Plot No.41 admeasuring area 585 sq.mtr.

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Then after said land owners Punawala Khatija Faqrudhin and others obtain permission non-agricultural of T.P.Scheme no.22 Final Plot No.41 admeasuring area 585 sq.mtrs lands from the Collector, Vadodara vide their order no.N.A/S.R/40/2006-07, No.land/D/vashi/655/2007, on dt.13/04/2007, such entry no.3499 reflects in revenue record on dt.13/07/2007.

Then after land owners Punawala Khatija Faqrudhin and others through their power of attorney Faruque Inayatbhai Talib execute registered saledeed in favour of Trident Construction and Developers vide reg.serial no.7842 on dt.29/08/2007.

Now, as per the channel of the revenue record, Trident Construction and Developers is the absolute owner of the said land.

Affidavit:-

Trident Construction and Developers through its owner Asil Faruque Talib executed Affidavit for Declaration do hereby take on oath and solemnly declare before notary public Mr.Madanlal Tyagi vide Reg. No.1020, dt.24-02-2020 that there is no litigation pending in any city civil court or revenue tribunal and no encumbrances dues in any of the financial institution.

POA of Punawala Khatija Faqrudhin Mr.Faruque Inayat Talib executed affidavit and declare before notary public Mr. Madanlal Tyagi vide Reg. No.1021, dt.24-02-2020 that Punawala Khatija Faqrudhin and Khatija d/o.Inayatbhai is the same person but in revenue record wrongly surname Chunawala written instead of Punawala.

I have published public notice in daily newspaper "Gujarat Samachar & Divya Bhaskar" on dt.28/01/2020 for receiving the objection in respect of the said land, I have not received any objection from any financial institution or third person, May they willfully waived his rights.

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I have conducted necessary search for the year 1990 to 1994 on dt.31-01-2020 (receipt no.1892) in the office of sub-registrar-1, Vadodara & for the year 1995 to 2020 on dt.31-01-2020 (receipt no.1854) in the office of sub-registrar (Akota) Vadodara, I could not find any objected entry of the said land, wherein he has found that the records of many years are torn/ incomplete, some of the pages are not found to see and some of the pages are loose. Hence, whatever the records are available, have been verified.

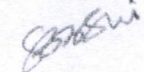
FINAL REPORT

Looking to the above documents and necessary search made in the office of sub-registrar, Vadodara, I am of the opinion that the Title of Property i.e. Final Plot No.41 of Town Planning Scheme No.22 bearing Revenue Survey No.412 lying area about 585.00 sq. mtrs Non-agricultural land at Tandalja, Vadodara of Registration District, Sub District Vadodara, which is the CLEAR, MARKETABLE & FREE FROM ALL ENCUMBRANCES, subject to;

- 1) Entered the names of present owner in revenue record.
- 2) Any prevailing laws applicable at the time of execution or transfer.

Place : Vadodara.

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Ref.No.02/2020

Date: 17-02-2020

To,

Ohm Developers

Vadodara.

NON ENCUMBRANCE CERTIFICATE

Do hereby certify that, in which land title search report, issuing Title Clearance Certificate for which "no encumbrance" certificate is issue. I had issued Title Clearance Certificate in respect of the property at Final Plot No.41 of Town Planning Scheme No.22 bearing Revenue Survey No.412 lying area about 585.00 sq. mtrs Non-agricultural land at Tandalja, Vadodara of Registration District, Sub District Vadodara, till the date no encumbrances is pending.

Place : Vadodara.

Date :24-02-2020



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