

HOUSE "M", MONDEAL RETAIL PARK, BETWEEN ISKCON TEMPLE AND RAJPATH CLUB, S. G. HIGHWAY, BODAKDEV,
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REF. NO. 10574/2016

To,

M/s Swastik Harmony Developers,
Ahmedabad



TITLE REPORT CUM TITLE CERTIFICATE

Reg: - Non-Agricultural Land bearing Final Plot No. 185 admeasuring 1457 sq. mtrs of Draft Town Planning Scheme No. 234 (Zundal) given in lieu of Survey No. 343 admeasuring about 2428 sq. mtrs, situate, lying and being at **Moje Zundal**, Taluka Gandhinagar, in the Registration District of Gandhinagar and Sub District of Gandhinagar and belonging to **M/s Swastik Harmony Developers**, a Partnership firm.

As per instructions, we have investigated the title of the above referred land and have caused to be taken searches (partly manual and partly computerized up to date of search i.e. 29-11-2017) of available revenue and registration record for last 30 years through our search clerk and from that and from the affidavit filed before us and believing the same to be true, correct and trustworthy and also believing the revenue records/documents/copies/papers etc lying in his/its file to be true and genuine, and also based upon the information given by owners that no transfer/agreement was made in respect of the land during the period for which the record is not available which would make the title defective, we hereby give our certificate cum report on title as under:-

History of Land:-

- (1) The land bearing Survey no. 343 admeasuring about Acre 0-24 Gs i.e. 2428 sq. mtrs approx. was belonging to Bakorbhai Desaibhai since prior to the year 1950. Naranbhai Desaibhai was protected tenant in the said land.

- (2) That under the provisions of Section 5 of The Bombay Prevention of Fragmentation And Consolidations of Holdings Act 1947, a Taluka Order bearing no. L.N.D dated -03-1951 was passed and pursuant thereto all Kyari lands admeasuring less than Acre 0-20 Gs and Jarayat Land admeasuring less than Acre 2-00 Gs were ordered to be declared as "Fragment land". The area of Survey No. 343 was Acre 0-24 Gs, hence it was declared as Fragment Land. Mutation entry to the said effect was made in the revenue record of land by entry no. 1642 dated 01-10-1951.
- (3) That as per resolution no. 225549 dated 27-02-1950 (Revenue Department) and taluka order bearing no. T.N.C dated 28-08-1952, name of Becharbhai Motibhai was entered as an ordinary tenant in the revenue records of the said land. Mutation entry to the said effect was made in the revenue records vide entry no. 1738 dated 04-12-1951.
- (4) That since the protected tenant Naran Desai was not cultivating the said land for last more than two years, his name was ordered to be deleted from the revenue records vide order bearing no. TNC dated 10-03-1955. Mutation entry to the said effect was made in the revenue records vide entry no. 2145 dated 01-06-1956.
- (5) That Bakorbhai Desaibhai died intestate on or about 16-08-1957, hence name of Dahyabhai Bakorbhai was entered in the revenue records of the said land. Mutation entry to the said effect was made in the revenue records vide entry no.2203 dated 17-03-1959.
- (6) That as per order passed in Ganot case no. 681/1959 dated 19-03-1959, by Mamlatdar & Agricultural Land Tribunal under provisions of Bombay Tenancy and Agricultural Lands Act, 1948 (Tenancy Act"), tenant Naranbhai Desaibhai was entered as Occupier in the revenue records of the said land. Moreover the tenant was required to pay to land owner Dahyabhai Bakorbhai Rs. 56.79/- against the value of the said land and charge of the



same was recorded in the second rights column. Mutation entry to the said effect was made in the revenue records vide entry no. 2273 dated 19-03-1959.

- (7) That charge of Zundal Sewa Sahakari Mandali Limited was recorded on the said land vide mutation entry no. 2927 dated 22-12-1966.
- (8) That Naranbbhai Desaibhai died intestate on or about 17-08-1972, hence names (1) Ishwarbhai Naranbhai, (2) Surajben Naranbhai and (3) Karshanben Naranbhai were entered in the revenue records of the said land. Mutation entry to the said effect was made in the revenue records vide entry no. 3214.
- (9) That Surajben Naranbhai and Karshanben Naranbhai released their rights in favour of Ishwarbhai Naranbhai with respect to the said land. Mutation entry to the said effect was made in the revenue records vide entry no. 3256 dated 05-05-1975.
- (10) That Ishwarbhai Naranbhai died intestate on or about 17-02-1998, hence names of (1) Sakarben wd/o Ishwarbhai Naranbhai, (2) Veenaben Ishwarbhai, (3) Madhuben Ishwarbhai, (4) Mamtaben Ishwarbhai, (5) Belaben Ishwarbhai, (6) Bhawnaben Ishwarbhai, (7) Ashaben Ishwarbhai, (8) Ghanshyambhai Ishwarbhai and (9) Pareshaben Ishwarbhai were entered in the revenue records vide entry no. 4444 dated 18-02-1998.
- (11) That being aggrieved from an order bearing no. Ganot case 681/1959 dated 19-03-1959 passed by Mamlatdar & Agricultural Land Tribunal, Gandhinagar under provisions of Section 32 (G) of Bombay Tenancy & Agricultural Lands Act, 1948, the Applicants, Heirs of deceased original land owner Patel Dahyabhai Bakorbhai, preferred appeal by filing an application before Deputy Collector (Land Reforms) Appeal, Gandhinagar on 08-11-2005 against the Heirs of Naranbhai Desaibhai after delay of almost 46 years. That

Deputy Collector, Gandhinagar however rejected the same vide its order bearing no. Ganot/Appeal/S.R /98/2005 dated 26-02-2007. Mutation entry to the said effect was made in the revenue records vide entry no. 5560 dated 26-04-2007.

- (12) That charge of Zundal Sewa Sahakari Mandali Ltd. was recorded on the said land vide mutation entry no. 6876 dated 27-01-2012.
- (13) That charge of Zundal Sewa Sahakari Mandali Ltd. was released from the revenue records of the said land. Mutation entry to the said effect was made in the revenue records vide entry no. 7270 dated 21-08-2013.
- (14) That said land was given to the tenant Naranbhai Desaibhai as per order bearing no. Ganot case no. 68/59/Zundal dated 19-03-1959 under the provisions of Section 32 G of the Tenancy Act on payment of the purchase price of Rs. 56.69/- subject to restrictions imposed under Section 43 of the said Act. Accordingly on payment of such purchase price alongwith interest, the tenants of the said land were declared as owner of said land and was issued Namuna No. 9 certificate dated 31-08-2013 by Mamlatdar & Agricultural Land Tribunal, Gandhinagar. Accordingly the land of Survey No. 343 admeasuring about Acre 0-24 Gs was subject to restrictions imposed under Section 43 and Section 32(m) of Tenancy Act. Mutation entry to the said effect is made in the revenue record vide entry no. 7304 dated 29-04-2013.
- (15) That on implementation of Town Planning Scheme No. 234 (Zundal), the land bearing Survey No. 343 admeasuring about 2428 sq. mtrs was given Final Plot No. 185 admeasuring about 1457 sq. mtrs.
- (16) That as per order bearing No. CB/Ganot/ Vashi/1936 to 1943 dated 18-03-2014 passed by Collector, Gandhinagar, the said land of Restricted tenure bearing Survey no. 343 which on



implementation of Draft Town Planning Scheme No. 234 (Zundal) is given Final Plot No. 185 admeasuring 1457 sq. mtrs was released from the restrictions of Restricted Tenure and was converted to Old Tenure land for Non-Agricultural Use for residential purpose subject to terms and conditions mentioned therein. Mutation entry to the said effect was made in the revenue records of the said land by entry no. 7442 dated 19-03-2014. The mutation entry to the aforesaid effect was again erroneously made in the revenue records vide entry no. 7452 dated 27-03-2014.

- (17) That said (1) Veenaben Ishwarbhai, (2) Madhuben Ishwarbhai, (3) Ashaben Ishwarbhai, (4) Ghanshyambhai Ishwarbhai, (5) Bhawnaben Ishwarbhai, (6) Mamtaben Ishwarbhai, (7) Pareshaben Ishwarbhai, (8) Belaben Ishwarbhai, and (9) Sakarben wd/o Ishwarbhai Naranbhai sold and conveyed the said land of Survey No. 343 admeasuring about 2428 sq. mtrs which is now given Final Plot No. 185 admeasuring about 1457 sq. mtrs to (1) Patel Sunilbhai Chaturbhai, (2) Patel Shailesh Chaturbhai, (3) Patel Ghanshyambhai Aadarbhai, (4) Patel Naynaben d/o Ummedbhai Becharbhai & w/o Ghanshyambhai Aadarbhai and (5) Patel Bharatbhai Aadarbhai vide Sale Deed dated 27-08-2014 which is registered before Sub-Registrar Gandhinagar at serial no. 11860 dated 27-08-2014. Mutation entry to the said effect was made in the revenue records vide entry no. 7569 dated 27-08-2014.

On perusal of the aforesaid Sale Deed, it is found that the description of said land in the Schedule is written wrongly "as Survey No. 343paiki admeasuring about 1457 out of total land admeasuring 2428 sq. mtrs" and the effect of the same was made in aforesaid mutation entry also.

Hence as a result of such error the earlier owners Veenaben Ishwarbhai and 8 others' names continued in the Village Form No 7 and 12 for land admeasuring about 971 sq.mtrs which was actually going in T.P.Deduction.



(18) That pursuant to aforesaid Sale Deed, a Power of Attorney was also executed by (1) Veenaben Ishwarbhai, (2) Madhuben Ishwarbhai, (3) Ashaben Ishwarbhai, (4) Ghanshyambhai Ishwarbhai, (5) Bhawnaben Ishwarbhai, (6) Mamtaben Ishwarbhai, (7) Pareshaben Ishwarbhai, (8) Belaben Ishwarbhai, and (9) Sakarben wd/o Ishwarbhai Naranbhai in favour of Patel Sunilbhai Chaturbhai, which is registered before Sub-Registrar Gandhinagar at serial no. 11862 dated 27-08-2014.

(19) That as per aforementioned order dated 18-03-2014 passed by Collector, Gandhinagar, the said land was converted into Old Tenure for Non-Agriculture use for residential purpose subject to certain terms and conditions.

In view of the above, an application was made by Applicant Ghanshyambhai Ishwarbhai Patel & others for extending the time-limit provided under the terms & conditions for obtaining certain approvals as per the aforesaid order dated 18-03-2014 and the same was extended till 31-12-2014 vide order bearing no. CB/Ganot/Vashi 7264 to 7631/2014 dated 26-09-2014 passed by District Collector. Mutation entry to the said effect was made in the revenue records vide entry no. 7600 dated 13-10-2014.

(20) That as per order bearing no. CB/Jamin/Tatkal/Bin. Khe./S.R. 64/14/Vashi. 4538 to 4552/2015 passed by District Collector, Gandhinagar, the Non-Agriculture Use permission for residential purpose was granted for the said land bearing Final Plot No. 185 admeasuring about 1457 sq. mtrs, given in lieu of Survey No. 343, of Draft Town Planning Scheme No. 234 (Zundal). Mutation entry to the said effect was made in the revenue records vide entry no. 7734 dated 23-03-2015.

(21) That in response to our Public Notice published in daily news paper "Gujarat Samachar" on 24-08-2016, inviting objections for issuance of Title Certificate for the above stated land; we have not received any objection till today.



(22) Thereafter pursuant to Sale Deed dated 27-08-2014 stated in aforesaid mutation entry no. 7569 dated 27-08-2014, a Rectification Deed was executed by the (1) Veenaben Ishwarbhai, (2) Madhuben Ishwarbhai, (3) Ashaben Ishwarbhai, (4) Ghanshyambhai Ishwarbhai, (5) Bhawnaben Ishwarbhai, (6) Mamtaben Ishwarbhai, (7) Pareshaben Ishwarbhai, (8) Belaben Ishwarbhai, and (9) Sakarben wd/o Ishwarbhai Naranbhai through their Power of Attorney holder Sunilbhai Chaturbhai Patel in favour of (1) Patel Sunilbhai Chaturbhai, (2) Patel Shailesh Chaturbhai, (3) Patel Ghanshyambhai Aadarbhai, (4) Patel Naynaben d/o Ummedbhai Becharbhai & w/o Ghanshyambhai Aadarbhai and (5) Bharatbhai Aadarbhai Patel on 23-08-2016 which is registered before the Sub Registrar of Gandhinagar at Serial No 12229 on 26-09-2016. That as per the said rectification earlier mistake of schedule wrongly typed as land bearing Survey No 343 paiki admeasuring about 1457 sq.mtrs out of total land admeasuring about 2428 sq.mtrs is rectified and corrected schedule of land bearing Survey No 343 admeasuring about 2428 sq.mtrs which is given Final Plot No 185 of Town Planning Scheme No 234 (Zundal) is noted. Mutation Entry to the said effect is made in the revenue record vide Entry No 8235 dated 27-09-2016. The said entry is certified on 02-12-2016.

(23) That said (1) Sunilbhai Chaturbhai Patel (2) Shailesh Chaturbhai Patel (3) Ghanshyam Aadarbhai Patel (4) Naynaben d/o Umedbhai Becharbhai Patel and wife of Ghanshyambhai Aadarbhai Patel and (5) Naynaben d/o Umedbhai Becharbhai Patel and wife of Ghanshyambhai Aadarbhai Patel and (6) Bharatbhai Aadarbhai Patel sold and conveyed said Non-Agricultural Land bearing Final Plot No. 185 admeasuring 1457 sq. mtrs of Draft Town Planning Scheme No. 234 (Zundal) given in lieu of Survey No. 343 admeasuring about 2428 sq. mtrs to M/s Swastik Harmony Developers, a Partnership firm vide Sale deed dated 25-05-2017, registered before the Sub Registrar of Gandhinagar at Serial No 7188 dated 25-05-2017. Mutation Entry to the said effect is made in

the revenue record vide Entry No 8420 dated 31-05-2017. The said entry is certified on 10-07-2017.

In view of what is stated above, we hereby opine that the titles of above referred **Non-Agricultural Land** bearing **Final Plot No. 185** admeasuring **1457 sq. mtrs** of Draft Town Planning Scheme No. 234 (Zundal) given in lieu of Survey No. 343 admeasuring about 2428 sq. mtrs, situate, lying and being at **Moje Zundal**, Taluka Gandhinagar, in the Registration District of Gandhinagar and Sub District of Gandhinagar and belonging to **M/s Swastik Harmony Developers, a Partnership firm** are clear and marketable and free from reasonable doubts and without encumbrances subject to:-

- [1] Usual Declaration cum Indemnity Bond being made at the time of transfer of said Land.
- [2] Fulfillments of conditions laid down in N.A Use permission order.
- [3] Provisions of The Town Planning and Urban Development Act and use as per Zone of AUDA and plans of construction being sanctioned by AUDA and provisions of Town Planning Scheme no. 234 (Zundal).

DATED THIS 29TH DAY OF SEPTEMBER, 2017


ATTORNEY-AT-LAW

Note of caution and disclaimer:-

- [1] This is to inform that Search of registration record of immediate past about 2-3 months is not available. Please note that the registration record of most of the years from 1980 to 2007 of Sub Registrar's office is destroyed/torn out. Hence it cannot be inspected and its search is not available. That the computerized record is not well prepared/ maintained by State government agency and hence may be erroneous, resulting into our error.
- [2] Please ascertain that the Govt. authorities have not put any restrictions in making construction on said Land because of any historical monument/religious place/ water body, gas line, Electricity lines etc. situated nearby, or road laying and widening, or proposed public transportation system in surrounding areas and such other purposes. Also verify that there is no acquisition/reservation in said Land and there are no pending litigations or injunction/status quo granted therein in respect of said Land.
- [3] We are informed that at present no other litigation/suits apart from the abovementioned, are filed/pending before any Judicial/Quasi Judicial authorities.