

NILESH N. PATEL

(ADVOCATE)

1, Shivalik Complex, Near- State Bank of India, Bopal-Ghuma Road,
Bopal, Ahmedabad-380058. (M) - 98988 61798

Re.- IN THE MATTER OF INVESTIGATION of title to the Non-Agriculture Land bearing Final Plot no. – 266, admeasuring about 3112 sq. meter of Draft Town Planning Scheme No. – 5 (Sanand) allotted in lieu of Block no. – 2061, admeasuring 1-18-37 He. Are. Sq. Meter Paiki 5186 Sq. Meter of Moje – Sanand Gam, Taluka – Sanand in the Registration District of Ahmedabad and Sub – District of Sanand belonging to VINUBHAI VAJUBHAI VAGHELA HUF through its karta and manager VINUBHAI VAJUBHAI VAGHELA & MANUBHAI VAJUBHAI VAGHELA HUF through its Karta and Manager MANUBHAI VAJUBHAI VAGHELA.

I have gone through relevant documents/ papers produced before me and the search report prepared by our search clerk since the years 1989 of available records of Mamlatdar, Talati and Sub-Registrar of SANAND and on this basis I have investigated the title to the land in question and report as under.



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1. Since the year 1951, Jayvantsinghji Ranmalsinghji was the owner and Possessor of the said land.
2. The name of the Shivaji Madhaji protected tenants of the said land was deleted and in turn the said land was mutated in the name of Jesangji Nanubhai as "Ordinary Tenants" thereof in the revenue records concerned, entry to that effect entered in the revenue records by Mutation Entry No. 6757 on dated 25/01/1954,
3. On application of the Bombay Personal Inams Abolition Act, 1952, the said Inam Tenure land was absolutely vested unto the Jayvantsinhji Ranmalsinhji as owners and possessors thereof, entry to that effect entered in the revenue records by Mutation Entry No. 6799 on dated 01/08/1955.
4. Thereafter, in the year 1957-58, Chhanaji Jenaji was doing planting in the said land thereof his name was entered in the said land by the circular no. – Ta. Or. No. T.N.C., dated - 07/09/1960, entry to that effect entered in the revenue records by Mutation Entry No. 7971 On dated 01/07/1961,
5. Thereafter, as per order no. 972/63, dated – 31/07/1963 by the Mamlatdar and Nyadhikaran, Sanand taluka, it was held that said Chhanaji Jenaji being one of the Ordinary Tenants of the said land was entitled to purchase the same as provided under section 32 (G) of the Bombay Tenancy and Agriculture Lands Act 1948 subject to the payment of agreed purchase price 617 on or before 31/03/1975 to said Jayvantsinh Ranmalsinh, entry to that effect entered in the revenue records by Mutation Entry No. 9031 on dated 01/01/1964,



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6. Thereafter the said *Chhanaji Jenaji* has sold & conveyed the said land bearing Survey No. 2061 to *Ishwarbhai Bhoghabhai & Bachubhai Maganbhai* for 7500/- conditionally for seven years by Sale Deed on dated 23/05/1972, and entry to that effect entered in the revenue records by Mutation Entry No. 11017 on dated 15/03/1973, but due to Pratibandhit Satta Prakar the said sale as well as entry has been canceled on dated 09/05/1973.
7. Thereafter Payment of Purchase price to Jayvantsinghji Ranmalsinghji, Purchase Certificate in Namuna – 9 was issued to Chhanaji Jenaji for said land and the charge of Jayvantsinghji Ranmalsinghji in the second rights column was to be deleted by order no. 1899/73, and entry to that effect entered in revenue records by Mutation Entry No. 11126 on dated 06/09/1973.
8. Thereafter as per the Section-84-G of the Tenancy Act, *Chhanaji Jenaji* has sold & conveyed the said land to *Ishwarbhai Boghabhai & Bachubhai Maganbhai* without any permission, due to breach of provisions of Pratibandhit Satta Prakar in the matter of above sale, both the parties have through the sale deed, dated 04/04/1975 the said kept in its original condition and to that effect Hon. Mamlatdar & Krushipunch has issued Order no. 6/74, dated 09/04/1975, and entry to that effect entered in revenue records by Mutation Entry No. 11536 on dated 30/05/1975.
9. Thereafter the said *Chhanaji Jenaji* has sold & conveyed the said land bearing Survey No. 2061, Acre – 02-37 Guntha to *Ishwarbhai Boghabhai & Bachubhai Maganbhai* as per Section – 43 of the Tenancy Act SUBJECT To payment of Rs.236/- as a Premium Amount



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of 60 Pat and getting permission under and as per Order of Hon. Prant Officer, Dholka Prant vide their Order No. TNC.Vashi.2008, dated 01/11/1975 SUBJECT TO following conditions of the Order, by Sale Deed on dated 07/11/1975 for total sale consideration of Rs. 3500/-, and entry to that effect entered in revenue records by Mutation Entry No.11559 on dated 19/11/1975 and it has been certified on dated 10/01/1976.

10. Thereafter the said *Bachubhai Maganbhai* died and expired without leaving any Will and names of (1*-*) *Shantaben Widow of Bachubhai Maganbhai*, (2) *Rameshbhai Bachubhai*, (3) *Gordhanbhai Bachubhai*, (4) *Lalubhai Bachubhai*, (5) *Naranbhai Bachubhai*, (6) *Gopalbhai Bachubhai*, (7) *Menaben Bachubhai* and (8) *Hansaben Bachubhai* entered in the revenue records as legal heirs of deceased, and entry to that effect entered in the revenue records by Mutation Entry No. 19373 on dated 01/02/2005.
11. Thereafter the said *Ishwarbhai Boghavbhai* died and expired on or about dated 12/06/1988 without leaving any WILL and names of (1) *Dhuliben Widow of Ishwarbhai Boghabhai*, (2) *Ramanbhai Ishwarbhai*, (3) *Babubhai Ishwarbhai*, (4) *Natubhai Ishwarbhai* (5) *Bhudarbhai Ishwarbhai* (6) *Lilaben Widow of Amratbhai Ishwarbhai*, (7) *Jayantibhai Amratbhai*, (8) *Jagabhai Amratbhai*, (9) *Ajitbhai Amratbhai*, (10) *Rajeshbhai Amratbhai*, (11) *Dineshbhai Amratbhai*, (12) *Kiranbhai Amratbhai*, (13) *Madhuben Widow of Rashikbhai Ishwarbhai*, (14) *Vishnubhai Rasikbhai*, (15) *Takhuben Widow of Budhabhai Ishwarbhai*, (16) *Pravinbhai Budhabhai*, (17) *Girishbhai Budhabhai* and (18) *Tikubhai Budhabhai* entered in the revenue



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records as legal heirs of deceased, and entry to that effect entered in the revenue records by Mutation Entry No. 19734 on dated 01/02/2005.

12. As per Order of Collector, Ahmedabad Bearing no. – JAMIN/GH.DHA.K. Section – 43/MUKTI/SANAND/SR/6/10, DATED – 13/04/2010 granted permission to convert the land in to old tenure land for agriculture use permission given in respect of said land and grant permission to transfer the said land in favour of Shree Ghelubha Udaysang and Vajubha Udaysang and entry to that effect entered in revenue records by Mutation Entry No. 23210, dated – 06/05/2010.

13. Thereafter, (1) Shantaben Widow of Bachubhai Maganbhai, (2) Rameshbhai Bachubhai, (3) Gordhanbhai Bachubhai, (4) Lalubhai Bachubhai, (5) Naranbhai Bachubhai, (6) Gopalbhai Bachubhai, (7) Menaben Bachubhai and (8) Hansaben Bachubhai (9) Dhuliben Widow of Ishwarbhai Boghabhai, (10) Ramanbhai Ishwarbhai, (11) Babubhai Ishwarbhai, (12) Natubhai Ishwarbhai (13) Bhudarbhai Ishwarbhai (14) Lilaben Widow of Amratbhai Ishwarbhai, (15) Jayantibhai Amratbhai, (16) Jagabhai Amratbhai, (17) Ajitbhai Amratbhai, (18) Rajeshbhai Amratbhai, (19) Dineshbhai Amratbhai, (20) Kiranbhai Amratbhai, (21) Madhuben Widow of Rashikbhai Ishwarbhai, (22) Vishnubhai Rasikbhai, (23) Takhuben Widow of Budhabhai Ishwarbhai, (24) Pravinbhai Budhabhai, (25) Girishbhai Budhabhai and (26) Tikubhai Budhabhai sold and convey the said land to Vinubhai Vajubhai Vaghela HUF through its karta and manager Vinubhai Vajubhai Vaghela and Manubhai Vajubhai



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Vaghela HUF through its Karta and Manager *Manubhai Vajubhai Vaghela* by Registered Sale Deed which has been registered with the Office of Sub Registrar of Sanand vide registration no. 3683, On 22/04/2010 And the entry to the effect was made in the revenue mutation registered vide Entry No. 23215, Dated 06/05/2010.

14. Thereafter, due to implementation of Draft Town Planning Scheme no. – 5 (Sanand), Final Plot No. – 266, Admeasuring about – 3112 Sq. Meter allotted in lieu of Block No. 2061, admeasuring 1-18-37 He. Are. Sq. Meter Paiki 5186 Sq. Meter.
15. Thereafter the said land bearing Final Plot no. – 266, Admeasuring 3112 sq. meter of T.P. Scheme No. – 5 (Sanand) & Final Plot no. – 105, Admeasuring 3172 sq. meter of T.P. Scheme No. – 8 was converted into Non-Agricultural for Residential Purpose vide order No. CB /PRA.S.PRA/T.BI.KHE/SANAND/S.N./BLOCK NO. /2061/ S.R. 678/2018, Dated – 21/08/2018 issued by the Collector, Ahmedabad. and entry to that effect entered in revenue records by Mutation Entry No. 30344, dated – 14/09/2018.
16. That, Town Planner officer, Ahmedabad has approved plan for the said land of Final Plot No. – 266, vide Order Serial No. 1367481/1/2020/213, Dated – 21/08/2020.
17. I have issued a Public Notice in Gujarat Samachar News Paper dated – 29/11/2020, for inviting any claim, rights or encumbrances, if any in respect of the said land but till today I have not received any claim or objection in response thereof.

As informed to me, the said land has not been given in security nor created any charge or encumbrance of any nature whatsoever



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thereon, nor the said flat is subject matter of any pending proceedings, nor any order, decree attachment or any order of any court or authority is operation against the said land adversely affecting the title.

This opinion and report on Title is based on the searches taken with the available records of the sub Registrar (Index – II) and documents submitted by you only.

OPINION

In view of what is hereinabove stated my opinion that the title to the N.A. land in question and belonging to *VINUBHAI VAJUBHAI VAGHELA HUF* through its karta and manager *VINUBHAI VAJUBHAI VAGHELA & MANUBHAI VAJUBHAI VAGHELA HUF* through its Karta and Manager *MANUBHAI VAJUBHAI VAGHELA* is clear, marketable and free from all encumbrances subject to – [1] Rules & Regulation of AUDA [2] Compliance of all conditions of N.A. Permission & sanctioned plan [3] Any other Laws, Rules, Acts applicable.

Date - 14/12/2020

Place - Ahmedabad



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Note – The Owner of the land *VINUBHAI VAJUBHAI VAGHELA HUF* through its karta and manager *VINUBHAI VAJUBHAI VAGHELA & MANUBHAI VAJUBHAI VAGHELA HUF* through its Karta and Manager *MANUBHAI VAJUBHAI VAGHELA* have appointed RIVIERA BUILDER a Partnership firm as a Developer and the Development Agreement was signed between *VINUBHAI VAJUBHAI VAGHELA HUF* through its karta and

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manager VINUBHAI VAJUBHAI VAGHELA & MANUBHAI VAJUBHAI VAGHELA HUF through its Karta and Manager MANUBHAI VAJUBHAI VAGHELA and RIVIERA BUILDER a Partnership firm through its authorize partner SHREE GHANSHYAMSINH GHELUBHA VAGHELA AND SHREE DARSHIT HARSHAD SHAH which was registered with this Sub-Registrar of Sanand vide Serial No. -9946, Dated - 26/11/2020.

- That the computerized record (1994 to 2020) is not well prepared/ maintained by the State Government Agency and hence may be erroneous and according to the report of the computerized search.



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