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ADVOCATE

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Date: 24-5-2021

To,

M/s. Samay Buildcon, a partnership firm

Ahmedabad.

Ref : IN THE MATTER OF INVESTIGATION of title to the immovable property being non-agriculture land bearing Block/ Survey No. 711+712 (Khata No. 733) admeasuring 14,164 sq.mtrs. merged into Town Planning Scheme No. 108(Ramol) and allotted Final Plot No.- 165 admeasuring 8498 sq.mtrs., situate and lying and being at Mouje Ramol, Taluka Vatva in the Registration District of Ahmedabad and Sub-District of Ahmedabad-11 (Aslali) belonging to M/s. Samay Buildcon, a partnership firm.

I refer to your instructions to investigate the titles of the captioned land and give opinion thereof by taking necessary searches from the revenue and Sub-Registry records for a period of last about Thirty years. I have caused necessary searches to be taken accordingly through my search clerk and also taken the root of title commencing from last about Thirty years from now. My report on title and opinion thereof is as stated hereafter for their personal use. For detailed facts and particulars reference may be taken from the documents, papers, writings and the records referred to herein below.

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1. Originally, the agriculture land of Block No. 711+712 admeasuring 14,164 sq.mtrs. of Mouje Ramol was owned, occupied and possessed by Miyasab Husenmiya, prior to the year, 1988.
2. Thereafter, the charge of Conversion Tax was mutated in the other rights of the revenue record of the land of Block/Survey No. 711+712 of Mouje Ramol as per the instruction of the District Collector vide his Circular No. CB/REV/Vashi.6501 dated 19-11-1986 and held that "said land is subjected to pay the conversion tax at the time of non agriculture use" and entry to that effect was mutated in the revenue record of the said land vide Mutation Entry No. 4612 dated 25-11-1988.
3. Thereafter, as per the Resolution No. 1082/518 dated 16-03-1982 of the Revenue Department it has been stated that it is resolved that the lands will be transferred as old tenure land without charging any premium from the occupiers of the Government land prior to the three years from the merger of states. The Mamlatadar vide his order No. RTS Vashi/1227 dated 15-05-1992 has directed to implement the same as per Record of Rules and accordingly regulation of the new tenure land are cancelled and entry to that effect was mutated in the revenue record of the said land vide Mutation Entry No. 4736 dated 19-08-1992, which was certified by the Mamlatdar of Daskroi stating that the occupiers holding the said land since 1929-30.
4. Thereafter, the owner of the said land namely Miyasab Husenmiya through his Power of Attorney holder Ratnabhai Rudabhai has sold and conveyed the said land bearing Block/Survey No. 711+712 admeasuring 14,164

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sq.mtrs. of Mouje Ramol to (1) Arjanbhai Popatbhai (2) Punabhai Popatbhai (3) Jagabhai Popatbhai (4) Karmanabhai Popatbhai (5) Shardulbhai Popatbhai (6) Prabhubhai Popatbhai (7) Govindbhai Popatbhai by Sale Deed registered in the office of the sub registrar of assurances Ahmedabad-5 (Narol) under Serial No. 1051 dated 11-05-2001 and entry to that effect was mutated in the revenue record of the said land vide Mutation Entry No. 5224 dated 21-06-2001, which was certified by the competent authority on 27-08-2001.

5. Thereafter, the owners of the land of Survey No. 711+712 of Mouje Ramol namely (1) Arjanbhai Popatbhai (2) Punabhai Popatbhai (3) Jagabhai Popatbhai (4) Karmanabhai Popatbhai (5) Shardulbhai Popatbhai (6) Prabhubhai Popatbhai (7) Govindbhai Popatbhai have sold and conveyed to Mominkhan Asharf Khan Pathan by sale deed registered in the office of the Sub Registrar of Assurances at Ahmedabad-5 (Narol) under Serial No. 567 dated 07-02-2007 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 5859 dated 27-02-2007, which was certified by the competent authority on 15-09-2008.
6. Thereafter, the owner of the said land has repaid loan obtained from Gujarat State Cooperative Agri and Rural Development Bank Ltd. at relevant times, and hence charge of the said bank was deleted from the other rights of revenue record of the said land as per charge release certificate issued by the said bank and entry to that effect was mutated in the other rights of revenue record vide Mutation Entry No. 6503 dated 10-02-2009. which was certified by competent authority on 22-04-2009.

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7. Thereafter, the owner of the said land namely Mominbhai Ashrafkhan Pathan has filed an application to enter the name of his son namely Mohsinbhai Mominbhai Pathan as co-owner of the said land and hence, the name of Mohsinbhai Mominbhai Pathan was entered as co-owner of the said land and entry to that effect was mutated in the revenue record of the said land vide Mutation Entry No. 7163 dated 08-06-2011, which was CANCELLED by the competent authority on 10-09-2011. And there after FRESH Entry No. 8463 dated 07-03-2015 to that effect was mutated in the revenue record, which was certified by the competent authority on 22-04-2015.
8. Thereafter, upon the reconstitution of City and Daskroi Taluka of Ahmedabad District vide Resolution No. PFR/102011/275/L/1 dated 17-3-2012, two different Talukas of Ahmedabad Taluka are formed as Ahmedabad (East) and Ahmedabad (West) and accordingly, Ramol Village was covered within the Taluka Boundaries of Ahmedabad City (East) and entry to that effect was mutated in the revenue record by Mutation Entry No. 7439, dated 03-05-2012, which was certified by the competent authority on 05-05-2012.
9. Thereafter, the co-owner of the said land namely Mominbhai Ashrafkhan Pathan has voluntarily waived and relinquished his share persisting in the said land in favour of his son Mohsinbhai Mominbhai Pathan by executing notarized Release Deed Without Consideration and hence the names of Mominbhai Ashrafkhan Pathan was deleted from the revenue record of the said land and entry to that effect was mutated in the revenue record of the said land vide Mutation Entry No. 8867 dated 30-08-2016, which was

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CANCELLED by the competent authority on 19-11-2016, due to the release deed was not registered before the competent authority.

10. Thereafter, the owner of the said land namely Mominkhan Asharafkhan Pathan has filed an appeal before the Circle Office Vastral, Ahmedabad regarding the Mutation Entry No. 8867 dated 19-11-2016 and hence the City Deputy Collector (East), Ahmedabad vide his Order No. RTS/Appeal No.184/2017 dated 03-01-2018 cancelled the Order dated 19-11-2016 of the Circle Officer, Vastral and allowed the appeal of the appellant and directed the Circle Officer, Vastral to certify the Mutation Entry No. 8867 dated 19-11-2016 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 9196 dated 18-01-2018, which was certified by the competent authority on 07-03-2018.
11. The provisions of the Town Planning Scheme made applicable to the lands of Mouje Ramol and accordingly, the land of Block/Survey No. 711+712 was merged into Town Planning Scheme No. 108 and allotted Final Plot No. 165 and the area of Final Plot was fixed to the extent of 8498 sq.mtrs.
12. Thereafter, the premium of the new tenure land of Block/Survey No. 711+712 of Mouje Ramol was fixed at Rs.26,02,513/- for agriculture purpose and Rs. 1,41,06,680/- for non agriculture purpose aggregating to Rs. 1,67,09,193/- , which has been paid by the owner of said land namely Mohsinkhan Mominkhan Pathan and hence the District Collector, Ahmedabad vide his Order No. CB/N.S./Premium/Survey/Block No.711,712/S.R.787/2018 dated 25-07-2019 released the restrictions of new tenure land from revenue record of said land subject to the terms and

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conditions stipulated in the said order and entry to that effect was mutated in the revenue records vide Mutation Entry No. 9760 dated 26-07-2019, which was certified by the competent authority on 03-09-2019.

13. Thereafter, the owner of the said land has filed an application to obtain the non-agriculture use permission of the said land and hence, the District Collector, Ahmedabad has granted the Non Agriculture Use Permission of the said land bearing Final Plot No. 165 admeasuring 8498 sq. mtrs of Town Planning Scheme No. 108 comprised of Block/ Survey No. 711+712 admeasuring 14,164 sq.mtrs. of Mouje Ramol vide his Order No. 1196/07/16/028/2016 dated 19-09-2019 subject to the terms and conditions stipulated therein and entry to that effect was mutated in the revenue record of the said land vide Mutation Entry No. 9783 dated 19-09-2019, which was certified by the competent authority on 19-10-2019.
14. It appears from the record I have found that the owner of the said land namely Mohsinkhan Mominkhan Pathan has agreed to convey the said non agriculture land bearing bearing Final Plot No. 165 admeasuring 8498 sq. mtrs of Town Planning Scheme No. 108 comprised of Block/ Survey No. 711+712 admeasuring 14,164 sq.mtrs. of Mouje Ramol to M/s. Samay Buildcon, a Partnership firm by executing an agreement for sale without possession duly registered registered in office of the Sub-Registrar of Assurances at Ahmedabad-11(Aslali) under Serial No. 12495 dated 23-12-2020.
15. Thereafter, the owner of the said non agriculture land namely Mohsinkhan Mominkhan Patahan has sold and conveyed the said non agriculture land

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bearing bearing Final Plot No. 165 admeasuring 8498 sq. mtrs of Town Planning Scheme No. 108 comprised of Block/ Survey No. 711+712 admeasuring 14,164 sq.mtrs. of Mouje Ramol to M/s. Samay Buildcon, a Partnership firm by Sale Deed registered in office of the Sub-Registrar of Assurances at Ahmedabad-11(Aslali) under Serial No. 1838 dated 05-02-2021 and entry to that effect was mutated in the revenue record of the said land vide Mutation Entry No. 10130 dated 06-02-2021, which was certified by the competent authority on 15-03-2021.

16. As a part of investigation of title, we have published a public notice appeared in the daily newspaper "Gujarat Samachar" dated 26-03-2021 for inviting claim, objection, obligation, charges or lien in, on or upon said land, pursuant to which, we have not received any claim or objection in response thereto.

In view of what is stated above from that and from the information given to me that except what is stated herein above, the said land has not been given in security nor created any charge or encumbrance of any nature whatsoever thereon, nor the said land is subject matter of any pending proceedings, nor any order, decree, attachment or any order of any court or authority is operating against the said land which adversely affects the title of the said land and believing the same to be true, correct and trustworthy and also believing the documents/ papers/copies/ orders/ documentary evidences etc. furnished in the case file shown to me to be true and genuine and also based upon the information given by owner/s that nothing was done in respect of the said land during the period of its occupancy and for which the record is not available, which would make the title defective; It appears that the titles of the captioned land belonging to **M/s. Samay Buildcon, a partnership firm** shall be clear and marketable and free from encumbrances and reasonable doubts subject to :-

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1. Declaration cum Indemnity Bond on title made by M/s. Samay Buildcon, a partnership firm.
2. Registered confirmation of Miyasab Husenmiya pursuant to sale deed registered serial No.1051 dated 11-05-2001 being obtained.
3. Fulfilment of terms and conditions laid down in N. A. Order.
4. Laws applicable and in force to effect legally and properly sale, transfer of any other transaction with respect to the said land.

Note of caution and disclaimer:-

- This is to inform that Search of complete registration records is not available due to destruction of record and tearing of pages of Books available for inspection and hence it cannot be inspected and its search is not available and on that condition the above Title Report/Opinion is issued exclusively for his/her/their/it's personal use.
- Please ascertain that the Government Authorities have not put any restrictions in making construction on said land because of any historical monument/religious place/water body/road lying and widening, etc. situated nearby or proposed public transportation system in surrounding areas. Also verify that there is no acquisition/reservation in said land/property and there are no pending litigations or injunction/status quo granted therein in respect of the said land/property.