



Trambak C. Joshi

ADVOCATE (Guj. High Court)

Hitesh H. Raval

ADVOCATE (Guj. High Court)

Office:- FF/37, Suner Compex, Harinagar Crossing, Gotri Road, VADODARA-390021.

Date :08/09/2022

To,

Whomsoever It May Concern

Subject : **TITLE CLEARANCE CERTIFICATE**

Property : Survey No. 79 Paiki, 80 Paiki and Block No. 68, VUDA T.P-.
Scheme No. 2, Original Plot No. 44/1 final Plot No. 74/1
admeasuring 3894.00 Sq. Mtr. Paiki Western side land
admeasuring 2008.46 Sq. Mtr. situated at Mouje Bhayali of
Registration District and sub – district Vadodara.

Owners : **ANUJI RAJESH SHAH**

Developer : M/S AARNA BUILDTECH a partnership firm through its
partner KRUPESHKUMAR BHIKHABHAI PATEL.

It may be noted that M/S AARNA BUILDTECH a partnership
firm through its partner BHAVIN JASHUBHAI LIMBANI has requested
to issue Title clearance certificate in respect of the above property,
and has produced before me the relevant documentary evidences
pertaining to the title of the said property for my investigation. I
have scrutinized and examined the necessary documentary
evidences pertaining to the title of the said property. I, now,
therefore, issue this title clearance report cum certificate in respect
of the said property as follows.



Part-1 : DESCRIPTION OF PROPERTY

The real estate under our consideration is the property bearing Old R.s. No. 79 Paiki 80 Paiki consolidated Block / Survey No. 68, VUDA T.P-. Scheme No. 2 [Bhayali], Final Plot No. 74/1 the land towards Western side admeasuring 3894.00 Sq. Mtr. out of that the land towards Western side admeasuring 2008.46 Sq. Mtr. situated at Mouje Bhayali of Registration District and sub – district Vadodara. M/S AARNA BUILDTECH a partnership firm through its partner KRUPESHKUMAR BHIKHABHAI PATEL has development right on 2008.46 Sq. Mtr. as shown in the Development permission and approved layout plan.

Part-2 : HISTORY OF LEGAL EVENTS

- [1] From the documents before me alongwith the search is carried with available record for last 30 years with the office of sub registrar of Vadodara it transpires that as per entry no. 8937 dated 16/12/1991 the name of THAKORBHAI MANUBHAI SHAH was entered into revenue record as protected tenant. The said was passed as per the Order of Additional Mamlatdar and Krishi Panch Vadodara in Tenancy Case No. 7403/91 dated 14/10/1991. Thus Thakorbhai Manubhai Shah was given this land under the Provisions of The Bombay Tenancy & Agriculture Lands Act as the land of "Restrictive Tenure" and the charge of original land owner GHANSHYAMBHAI MOTILAL was deleted as THAKORBHAI MANUBHAI SHAH aid the purchase price decided in Tenancy Case No. 6565/1992 and the entry to that effect is posted in revenue record vide entry No. 9113 Dtd. 24/09/1993.

Since then the land bearing Block / Survey no. 68 old Survey no. 79 Paiki 80 admeasuring Hec. 0-55-34 R.A. situated at Mouje Bhayali of Registration District and sub – district Vadodara was



belonged to THAKORBHAI MANUBHAI SHAH and during his lifetime he applied to the revenue authority to enter the names of his legal heirs namely [1] VANMALABEN THAKORBHAI SHAH and relying upon the application of applicant the competent authority entered the name of VANMALABEN THAKORBHAI SHAH as a co-portioner of the said land and the entry to that effect is posted in revenue record vide entry No. 13147 Dtd. 05/10/2012.

- [2] As per the revenue record the aforesaid land appeared in the names of SHAH THAKORBHAI MANUBHAI & SHAH VANMALAEN THAKORBHAI.
- [3] The above stated land owner THAKORBHAI MANUBHAI SHAH applied to the Hon'ble Collector and District Magistrate Vadodara for getting Non agriculture permission for residential purpose and relying upon the application of applicant the Hon'ble Collector Vadodara has passed Non agriculture permission by their order No.408/19/02/036/2021 Dtd. 06/04/2021.
- [4] It is found that the said land was covered under the provisions of the Bombay Prevention of Fragmentation and Consolidation of Agricultural Lands Act and Block No. 68,T.P. No.2, F.P. No. 74-1 admeasuring 3894.00 Sq. Mtr. was given in line of lands of survey No. 79 Paiki and 80 Paiki. The said lands are covered under the area of Vadodara Urban Development authority, Vadodara [VUDA] and are shown in residential zone R-1.
- [5] The above stated land owners THAKORBHAI MANUBHAI SHAH & VANMALABEN THAKORBHAI SHAH have given power of attorney for the administration and development of the aforesaid land in favour of ANUJI RAJESH SHAH which was duly registered before the office of sub – registrar Vadodara at Sr. No. 1055 Dtd. 11/11/2020 given various powers as conferred in the said power of attorney.



- [6] It is found that the owner THAKORBHAI MANUBHAI SHAH & VANMALABEN THAKORBHAH SHAH executed a Sale deed in favour of ANUJI RAJESH SHAH on 5th May 2022 for Rs. 4,50,00,000/- in respect of Survey No. 79 Paiki, 80 Paiki and Block No. 68, VUDA T.P-. Scheme No. 2, Original Plot No. 44/1 final Plot No. 74/1 admeasuring 3894.00 Sq. Mtr. Paiki Western side land admeasuring 2008.46 Sq. Mtr. the documents in respect whereof was registered in the office of sub – registrar, Vadodara 4[Gorwa] on the same day under serial No. 4231. Thus on the basis of sale deed ANUJI RAJESH SHAH has become the absolute owner and occupier of the aforesaid land as discussed above.
- [7] For the purpose of the Development of the aforesaid land the aforesaid land owner ANUJI RAJESH SHAH have been entered into development Agreement with M/S AARNA BUILDTECH a partnership firm through its partner KRUPESHKUMAR BHIKHABHAI PATEL which was duly registered before the office of sub – registrar Vadodara at Sr. No. 9072 Dtd. 05/02/2022 and thus on the basis of Development Agreement M/S AARNA BUILDTECH has acquired the development right over the said land.
- [8] Development Permission dated : I have gone through Photostat copy of the Development permission issued by Vadodara Municipal corporation vide permission Letter No. Ward/10(New)HB45-2022-2023, Dt.07/09/2022.

Part-3 : SCHEME

The immovable property being Survey No. 79 Paiki, 80 Paiki and Block No. 68, VUDA T.P-. Scheme No. 2, Original Plot No. 44/1 final Plot No. 74/1 admeasuring 3894.00 Sq. Mtr. Paiki Western side land admeasuring 2008.46 Sq. Mtr. situated at Mouje Bhayali of Registration District and sub – district Vadodara on which a scheme named as “AARNA 48” has been organized as per plan/ permission,



situate, lying and being in Mouje Bhayali Taluka Vadodara of District Vadodara and Registration sub – district Vadodara.

Part-4 : SEARCH

Search for the last 30 years. I have conducted a search for the last 30 years [from 1993 to 2022] of the relevant records available with the office of the sub – Registrar of Vadodara. I have conducted the search at my instance and has given search report on Dtd. 12/05/2022. In the search report, I have not found anything adverse to the title of the said property. I have relied upon this report. The search was conducted by paying requisite fees vide Receipt Nos. [1] 202201400012843 [2] 202201600017966.

Part-5 : CERTIFICATE

Certificate, in view of the above discussion of factual and legal aspects, I now hereby certify that, in my opinion, ANUJI RAJESH SHAH is the lawful owners of the property bearing Survey No. 79 Paiki, 80 Paiki and Block No. 68, VUDA T.P-. Scheme No. 2, Original Plot No. 44/1 final Plot No. 74/1 admeasuring 3894.00 Sq. Mtr. Paiki Western side land admeasuring 2008.46 Sq. Mtr. situated at Mouje Bhayali of Registration District and sub – district Vadodara and its bears crystal, clear and marketable title subject to the development right in favour of M/S AARNA BUILDTECH.

Place : Vadodara

Date :08/09/2022



T.C. Joshi

[TRAMBAK C. JOSHI]

Advocate

JOSHI TRAMBAKLAL CHHOTALAL
B.COM. L.L.B.

ADVOCATE Guj. High Court
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