

Ref. No. :

Date : 08 / 03 / 2018

To,
Swam Developers,
a Partnership firm,
Ahmedabad.



NON-ENCUMBRANCE CERTIFICATE



Re:- Non Agricultural land bearing Final Plot No. 209/2 admeasuring about 4774 sq. mtrs. allotted in lieu of Survey No. 477/1/2 admeasuring about : Ht.Are.Sq.Mtrs.: 0-79-56 of Draft Town Planning Scheme No. 56, situated, lying and being at Moje Gota, Taluka Ghatlodiya in the Registration District of Ahmedabad and Sub District of Ahmedabad-8 (Sola), alongwith the ongoing construction of scheme of Commercial Shops, Offices & Residential Flats in the aforesaid land in the name of "SHREE SWAM", belonging to M/s. Swam Developers, a Partnership firm being the absolute owner-occupier.
(Hereinafter referred to as the said "Property").

I hereby certify that, I have not received any objection till date from anybody against the public notice published by me in the daily newspaper "Gujarat Samachar", dated 10.02.2018, regarding the title clearance of the said property. And I also certify that I have taken Sub-Registry Search relating to the said property for the period of 30 years from 1987 to 2017. I have searched the Records of Concerned Sub-Registrar offices for the said period. And while taking the searches I have not found any charges / lien or any dues of any Bank or any Government or Semi Government or any Financial Institutions. The said property is free from all kind of litigations, charges, encumbrances and dues.

DATED THIS 8TH DAY OF MARCH, 2018




Maulik D. Modi
Advocate

Note : The Search of complete registration record is not available due to tearing of Book No. 2 of Registration Records of some years and the Search of registration record for some years is only available through Computerized Search Mode as per the prevailing government rules therefore due to the aforesaid reasons, no responsibility regarding accuracy of the said entire search of registration record is taken by me.

Date : 08 / 03 / 2018

Ref. No. :

To,
Swam Developers,
a Partnership firm,
Ahmedabad.



TITLE CERTIFICATE



Re:- Non Agricultural land bearing Final Plot No. 209/2 admeasuring about 4774 sq. mtrs. allotted in lieu of Survey No. 477/1/2 admeasuring about : He.Are.Sq.Mtrs.: 0-79-56 of Draft Town Planning Scheme No. 56, situated, lying and being at Moje Gota, Taluka Ghatlodiya in the Registration District of Ahmedabad and Sub District of Ahmedabad-8 (Sola), alongwith the ongoing construction of scheme of Commercial Shops, Offices & Residential Flats in the aforesaid land in the name of "SHREE SWAM", belonging to M/s. Swam Developers, a Partnership firm being the absolute owner-occupier.
(Hereinafter referred to as the said "Property").

THIS IS TO CERTIFY THAT, We have investigated the titles of M/s. Swam Developers, a Partnership firm to the Non Agricultural land bearing Final Plot No. 209/2 admeasuring about 4774 sq. mtrs. allotted in lieu of Survey No. 477/1/2 admeasuring about : He.Are.Sq.Mtrs.: 0-79-56 of Draft Town Planning Scheme No. 56, situated, lying and being at Moje Gota, Taluka Ghatlodiya in the Registration District of Ahmedabad and Sub District of Ahmedabad-8 (Sola), alongwith the ongoing construction of scheme of Commercial Shops, Offices & Residential Flats in the aforesaid land in the name of "SHREE SWAM", and have caused to be taken searches of available revenue and registration record for last about 30 years and from publishing public notice in daily news paper "Gujarat Samachar" dttd.10.02.2018 and from the declaration of the present property holder filed before us, we have found the same to be clear and marketable and free from reasonable doubts and without encumbrances subject to :-

- (1) Pursue the rules & conditions laid down in N.A. Permission.
- (2) Use as per the plans approved by Ahmedabad Municipal Corporation vide its Case Nos. BLNTI/NWZ/290118/CGDCR/A0505/R0/M1, BLNTS/NWZ/290118/CGDCR/A0506/R0/M1, BLNTS/NWZ/290118/CGDCR/A0507/R0/M1 & BLNTI/NWZ/290118/CGDCR/A0508/R0/M1 all dttd. 05.03.2018.

DATED THIS 08th DAY OF MARCH, 2018



(Signature)

Maulik D. Modi

Advocate

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Ref. No. :

Date : 08/03/2018

To,
Swam Developers,
a Partnership firm,
Ahmedabad.



TITLE REPORT

Re.-> Non Agricultural land bearing Final Plot No. 209/2 admeasuring about 4774 sq. mtrs. allotted in lieu of Survey No. 477/1/2 admeasuring about 1 He.Are.Sq.Mtrs.: 0-79-56 of Draft Town Planning Scheme No. 56, situated, lying and being at Moje Gota, Taluka Ghatlodiya in the Registration District of Ahmedabad and Sub District of Ahmedabad-8 (Sola), alongwith the ongoing construction of scheme of Commercial Shops, Offices & Residential Flats in the aforesaid land in the name of "SHREE SWAM", belonging to M/s. Swam Developers, a Partnership firm being the absolute owner-occupier.
(Hereinafter referred to as the said "Property").



As per instructions given by you, I have caused necessary searches to be taken with the Revenue Records and Sub-Registry Records and from the information and documents obtained from the owner and also taken the Declaration of said property holder and have gone through relevant papers and have investigated the titles of the said property relating to M/s. Swam Developers, a Partnership firm is clear and marketable and free from all reasonable doubts subject to the following :-

Land bearing Survey No.477/1 being the Agricultural one was held by Jividar Somasta through administrator Somaji Lakhuji as owner-occupier and self cultivator as per Revenue Records.

Thereafter the said Somaji Lakhuji died on dtd.19.04.1940 leaving behind him, his heirs namely : Babaji Lalluji.

(Reference : Revenue Entry No.456, dated 15.07.1940).

Thereafter the said land was declared as Government Padar Hede Land by Concern Authority on dtd.05.06.1956.

(Reference : Revenue Entry No.930, dated 15.07.1956).

Thereafter the Portion of the aforesaid land was reserved for Relocation of Slum by order of the concern authority.

(Reference : Revenue Entry No.1345, dated 07.05.1973).

Thereafter as a result of tenancy proceedings the said land was regranted to Babaji Lalluji and the Purchase Value was paid by him to the Government.

(Reference : Revenue Entry No.1683, dated 01.04.1982).

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Thereafter Babaji Lalluji was declared as the land owner as per the Direction passed under the order dtd. 03.06.1981 passed by Hon'ble Collector and names of Babaji Lalluji was entered as owner and occupier in the record of said land.

(Reference : Revenue Entry No.1795, dated 26.11.1984).

Thereafter the said land owner Babaji Lalluji died on dtd.14.08.1988 leaving behind him, his heir namely : Bhikhiben D/o. Babaji Lalluji Thakor.

(Reference : Revenue Entry No.1959, dated 24.09.1988).

Thereafter, the order passed by the District Collector dtd.3/9/1981 was taken in review by the Deputy Collector, under Review Case No.73/87 and rejected the order passed by the District Collector. Accordingly the said land was held to be of New Tenure.

(Reference : Revenue Entry No.1970, dated 29.03.1989).

Thereafter above referred owner-occupiers applied to convert the said land from New Tenure Agricultural Land into Old Tenure Agricultural Land and Hon'ble District Collector, Ahmedabad converted the said land from New Tenure Agricultural Land into Old Tenure Agricultural Land by his / her order No.: CB/LND/2/K-4687/Vashi, dtd.02.06.1997.

(Reference : Revenue Entry No.2383, dated 06.11.1997).

Thereafter the land owner Bhikhiben D/o. Babaji Lalluji Thakor agreed to sale the portion of Revenue Survey No.477/1 admeasuring 7955.62 sq. mtrs. (western portion) to heirs of late Talshibhai Dahyabhai and Late Haribhai Dahyabhai namely (1) Bhikhabhai Talshibhai (2) Chandubhai Haribhai (3) Harshadbhai Haribhai and (4) Jagdishbhai Haribhai by way of executing Agreement to Sale. But as they were not in a condition to complete the sale, the said portion was agreed to be sold by them to (1) Kalaben D/o. Nathalal Mohanlal and (2) Hiteshkumar Mahendrakumar Shah (3) Mahendrakumar Chandulal and (4) Bhavik Mahendrakumar with confirmation of Bhikhiben D/o. Babaji Lalluji Thakor by way of executing Regd. Agreement to Sale vide Sr. No. 2229 dtd.27.04.1995. And the balance admeasuring 4184.35 sq. mtrs. was also orally agreed to sale by Bhikhiben D/o. Babaji Lalluji Thakor to heirs of Late Talshibhai Dahyabhai and Late Haribhai Dahyabhai namely (1) Bhikhabhai Talshibhai (2) Chandubhai Haribhai (3) Harshadbhai Haribhai and (4) Jagdishbhai Haribhai and same by the way they orally agreed to sale the said portion to (1) Kalaben D/o. Nathalal Mohanlal and (2) Hiteshkumar Mahendrakumar Shah.



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Thereafter upon clearance of balance payment of agreed sale consideration two (02) separate Sale Deeds were executed by Bhikhiben D/o. Babaji Lalluji Thakor as per the instructions of heirs of Late Talshibhai Dahyabhai and Late Haribhai Dahyabhai namely (1) Bhikhabhai Talshibhai (2) Chandubhai Haribhai (3) Harshadbhai Haribhai and (4) Jagdishbhai Haribhai in favour of (1) Kalaben D/o. Nathalal Mohanlal and (2) Hiteshkumar Mahendrakumar Shah duly registered in the office of Sub Registrar of Ahmedabad-02 (Wadaj) vide Sr. No.2463 dtd.10.06.1997 and Sr. No. 2506 dtd.12.06.1997. And the said Sale Deed were confirmed by Bhikhiben D/o. Babaji Lalluji Thakor by way of executing Two (02) separate Confirmation Deeds registered in the Office of Sub Registrar of Ahmedabad-02 (Wadaj) vide Sr. No.2956 and 2958 dtd.29.06.1998 as the Sale Deed were executed through Power of Attorney Holder.
(Reference : Revenue Entry No.2388, 2389 dated 12.12.1997).

Thereafter (1) Kalaben D/o. Nathalal Mohanlal and (2) Hiteshkumar Mahendrakumar Shah executed an MOU in favour of Bhavanbhai Kalubhai alias Jivanbhai Bharwad.
(Reference : Revenue Entry No.2535 dated 06.08.1998 the said Entry was rejected).
(Reference : Revenue Entry No.2610 dated 14.03.2000 the said Entry was approved).

Thereafter entry pertaining to the right of way from this land to the neighboring land was mutated.
(Reference : Revenue Entry No.2937 dated 17.04.2003 the said entry was rejected due to technical reason).
The aforesaid Entry No.2937 was rejected by Mamlatdar, Daskroi under RTS Case No.18 by order dtd.21.09.2004.
(Reference : Revenue Entry No.3228 dated 09.10.2004 the said entry was approved).

Thereafter order passed by Mamlatdar Daskroi approving the Entry No. 2610 was quashed by City Deputy Collector, Viramgam by order passed in RTS Appeal No. RTS/Appeal/Case No. 142/2007, dtd.03.04.2007. And accordingly the mutation Entry No. 2610 dtd.14.03.2000 was Rejected.
(Reference : Revenue Entry No.3768, dated 29.05.2017).

Thereafter, the Computerized Mistake of Revenue Record were rectified by an order of Mamlatdar of Daskroi, vide Order No. RTS/Record Promulgation/72/08, dated 03.10.2008.
(Reference : Revenue Entry No.4177, dated 27.12.2008).

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The land bearing Survey No.477/1/2 admeasuring about 7956 sq. Mtrs., included in Town Planning Scheme No.56 and allotted Final Plot No.209, admeasuring about 4774 sq. mtrs.

Thereafter above referred owner-occupiers applied to convert the said land from Agricultural Land into Non Agricultural Land and Hon'ble District Collector, Ahmedabad converted the said land from Agricultural Land into Non Agricultural Land for Residential use by his / her order No.: NA/SR-32/ Application No.484281/11, dtd.08.09.2011.

(Reference : Revenue Entry No.5109, dated 18.10.2011).

Thereafter the Daskroi Taluka and City Taluka of Ahmedabad were amalgamated and two (02) new taluka namely Ahmedabad City West and Ahmedabad City East were organized. Accordingly the Gota Village was involved in the territories of Ahmedabad City West by an order passed by Revenue Department, vide order no. Pafar/102011/275/L/1, dated 17.03.2012. (Ref.: Revenue Entry No.5271, dated 03.05.2012).

Thereafter above referred owner-occupiers applied to obtained Revised Non Agriculture use permission on Hon'ble District Collector, Ahmedabad converted the said land into Non Agricultural Land for Commercial Use by his / her order No.: NA/U-2/Gota/65-A/Case No.75/2012-13, dtd.14.10.2013.

(Reference : Revenue Entry No.5723, dated 29.10.2013).

Thereafter the Town Planning Authority, City Town Planning Dept. issued opinion for the Final Plot dtd.27.01.2015 vide Opinion No.N.R.YO.56 (Sa.Go.So.)/195/11.

Thereafter the said (1) Kalaben D/o. Nathalal Mohanlal and (2) Hiteshkumar Mahendrakumar Shah Sold and Conveyed the said land to M/s. Swam Developers, a Partnership firm by way of executing Sale Deed registered in the office of Sub Registrar of Ahmedabad - 8 (Sola) Vide Sr. No. 18735, dtd. 16.12.2017. And Pursuant to the same all the rights Pertaining to the land bearing Final Plot No. 209/2 admeasuring about 4774 sq. mtrs. have been transferred in favour of M/s. Swam Developers.

(Reference : Revenue Entry No.7344 dated 22.12.2017).

Thereafter the M/s. Swam Developers decided to construct a scheme of Commercial Shops, Offices & Residential Flats in the aforesaid land and accordingly prepared and submitted the plans of construction in the office of Ahmedabad Municipal Corporation. And the said plans have

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been sanctioned by Ahmedabad Municipal Corporation vide its Case Nos. BLNTI/NWZ/290118/CGDCR/A0505/R0/M1, BLNTS/NWZ/290118/CGDCR/A0506/R0/M1, BLNTS/NWZ/290118/CGDCR/A0507/R0/M1 & BLNTI/NWZ/290118/CGDCR/A0508/R0/M1 all dtd. 05.03.2018. Accordingly Commencement Letter (Vikas Parvangi) has also been issued in the same concern.

(Reference : Plans Approved by AMC and Commencement Letter issued by the same authority).
Accordingly the M/s. Swam Developers have initiated the construction of the building in the name of "SHREE SWAM" in pursuance of the aforesaid plans and it the building is under construction.

And since then the said Non Agricultural land bearing Final Plot No. 209/2 admeasuring about 4774 sq. mtrs. allotted in lieu of Survey No. 477/1/2 admeasuring about : He.Are.Sq.Mtrs.: 0-79-56 of Draft Town Planning Scheme No. 56, situated, lying and being at Moje Gota, Taluka Ghatlodiya in the Registration District of Ahmedabad and Sub District of Ahmedabad-8 (Sola), alongwith the ongoing construction of scheme of Commercial Shops, Offices & Residential Flats in the aforesaid land in the name of "SHREE SWAM" on the aforesaid land is running in name of the absolute ownership and possession of M/s. Swam Developers.

I have taken search relating to the said property. I have taken search for the period from 1987 to 2017 relating to the said property. I have searched the Concerned Records for the said period.

As a part of investigation of title, I have published a public notice in daily newspaper "Gujarat Samachar" dtd.10.02.2018 regarding the said property, and in pursuance the said public notice, I have not received any objection from anybody for the said property.

As a part of investigation of title, I have searched Revenue Records and Sub-Registry Records, I have not found any charges and any dues. There is not any dues or charges of any Bank or any Government or Semi Government or any Financial Institutions. The said property is free from charges and dues.

Devolution :-

- (1) As the Regd. Agreement to Sale vide Sr. No.2229 dtd.27.04.1995 for the land admeasuring 7955.62 sq. mtrs. was executed in favour of (1) Kalaben D/o. Nathalal Mohanlal and (2) Hiteshkumar Mahendrakumar Shah and also in favour of (1) Mahendrakumar Chandulal and (2) Bhuvik Mahendrakumar, and the Final Sale Deed was

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executed in favour of only (1) Kalaben D/o. Nathalal Mohanlal and (2) Hiteshkumar Mahendrakumar Shah. Therefore the said (1) Mahendrakumar Chandulal and (2) Bhavik Mahendrakumar confirmed the Sale Deed by way of executing Confirmation Deed duly notarised in the Book of Notary Advocate Shiv K. Gupta vide Sr. No.101/2017 dtd.11.10.2017.

- (2) As the dispute between Bhavanbhai Kalubhai Alias Jivanbhai Bharwad and (1) Mahendrakumar Chandulal and (2) Bhavik Mahendrakumar was unresolvable settlement took place between both of them wherein Bhavanbhai Kalubhai Alias Jivanbhai Bharwad waived off all the rights under the MOU and executed Confirmation Deed duly Notarised in the Book of Notary Advocate Shiv K. Gupta vide Sr. No.25/2017 dtd.10.04.2017.
- (3) As the Sale Deeds vide Sr. No.2463 dtd.10.06.1997 and Sr. No.2506 dtd.12.06.1997 executed by Bhikhiben D/o. Babaji Lalluji Thakor in favour of (1) Kalaben D/o. Nathalal Mohanlal and (2) Hiteshkumar Mahendrakumar Shah were not confirmed by heirs of Late Talshibhai Dahyabhai and Late Haribhai Dahyabhai namely (1) Bhikhabhai Talshibhai (2) Chandubhai Haribhai (3) Harshadbhai Haribhai and (4) Jagdishbhai Haribhai, they confirmed the aforesaid both the Sale Deeds by way of executing Regd. Confirmation Deed vide Sr. No.13501 dtd. 13.09.2017 and Regd. Indemnity Bond vide Sr. No.13502 dtd.13.09.2017.
- (4) An irrelevant objection was filed by one Pankaj Jayantibhai Patel claiming right on the said property pursuant to Agreement to Sale (Banakhat) executed by the previous land owner but looking to the Agreement to Sale (Banakhat), it was executed for land bearing Revenue Survey No.477/2 and not for Revenue Survey No.477/1/2. Therefore this objection is not affecting the titles of the said property. Hence rejected.

I may state that the title M/s. Swam Developers, a Partnership firm with respect to the above mentioned said land, is clear and marketable and free from any encumbrances and doubts subject to :

- (1) Pursue the rules & conditions laid down in N.A. Permission.



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- (2) Use as per the plans approved by Ahmedabad Municipal Corporation vide its Case Nos. BLNTI/NWZ/290118/CGDCR/A0505/R0/M1, BLNTS/NWZ/290118/CGDCR/A0506/R0/M1, BLNTS/NWZ/290118/CGDCR/A0507/R0/M1 & BLNTI/NWZ/290118/CGDCR/A0508/R0/M1 all dtd. 05.03.2018.

DATED THIS 08th DAY OF MARCH, 2018



Maulik D. Modi

Advocate

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Thereafter as a result of Hissa Durasti took place between the land owners of land bearing Revenue Survey No. 100/1 vide Durasti Patra No. DSO/DRK/Durasti Patrak/Pu.Pa./09 dated 11.01.2010 undertaken D.L.R. by and City Mamladar, Ahmedabad Passed an order Vide No. RTS/K.J.P./S.R. No./Vashi.220/10, dated 25.01.2010 and as a result of that Revenue Survey No. 100/1/1 admeasuring 9409 Sq.mtrs. vested in Dahyabhai Kalidas, Jasubhai Kalidas, Bhanubhai Dahyabhai, Balvanthbai Dahyabhai and Navinbhai Dahyabhai and Revenue Survey No. 100/1/2 admeasuring 12545 Sq.mtrs. vested in Rameshbhai Shakrafal, Lilaben Rameshbhai, Hemal Rameshbhai, Ritesh Rameshbhai legal guardian of Rameshbhai Shankarlal, Lalitaben Shankarlal, Alkaben Shankarlal, Jyotsnaben Shankarlal, Madhuben Maneklal, Nareshbhai Maneklal, Hareshbhai Maneklal and Bhavna Maneklal and Revenue Survey No. 100/1/3 admeasuring 6273 Sq.mtrs. vested in Babubhai Punjabhai, Dahiben Babubhai, Vishnubhai Babubhai, Sulochanaben Vishnubhai, Minal Vishnubhai and Revenue Survey No. 100/1/4 admeasuring 9409 Sq.mtrs. vested in Atmaram Kalidas, Chundraben Atmaram, Dilipbhai Atmaram, Ashokbhai Atmaram being the owners-occupiers.

(Reference : Revenue Entry No.5226, dated 27.01.2010).

Thereafter the D.L.R. conducted DURASTI in pursuance of the aforesaid order of Concerned Authority, vide K.J.P. No. 55 dtd.30.03.2009. And in pursuance of the said Durasti the said land bearing Survey No.477/1 was divided into Two parts i.e. (1) Survey No.477/1/1 admeasuring about : 4184 sq. mtrs. and (2) Survey No.477/1/2 admeasuring about : 7956 sq. mtrs.

(Reference : Revenue Entry No.4232, dated 14.04.2009).

The order passed by Mamlatdar rejecting Entry No.2535 was challenged before Deputy Collector, Virangam Prant by filing RTS Appeal No.167/2016 and under said appeal the order of Mamlatdar was confirmed and appeal was rejected by vide dtd. 22.12.2009.,

(Reference : Revenue Entry No.4411, dated 16.10.2010).

Thereafter above referred owner-occupier applied to convert the said land from Restricted Tenure Land into Old Tenure Land for Non Agriculture use in the concerned office and on his application converted the said land from Restricted Tenure Land into Old Tenure Land for Residential Non Agriculture of the said property by his Order No.: Ganot/S.R.359/09, dtd.09.05.2011.

(Reference : Revenue Entry No.4950, dated 13.05.2011).

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