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(M) 98790 81414

RAJESH J. SUTAR B. Com., LL.B.(Sp.)

Advocate, Gujarat High Court

206, Krishna Chambers "B", 2nd Floor, station Road, BHUJ (KUTCH)

Resi. : " Shantikunj" Junavas P. O. MADHAPAR Tal. : BHUJ (K)

Ref.No.

Date : 22/06/2020

TITLE CLEARANCE CERTIFICATE

Sub. : Title opinion on the property of Plot No. 31 of 567.61 Sq. Mtr. at RSN 122/2, situated at Bhuj Tal. : Bhuj (K).

With reference to your later, on the basis of the original Revenue records forwarded to me pertaining to the said immovable property and the other related information submitted by you & client, I have conduct a detailed search & investigation and submit my report as under :

1) Name & address of the mortgager/title holder :

Kirtibhai Manilal Thacker

Resi.: Sanskar Nagar, Bhuj

Tal: Bhuj= Kutch

2) Title deeds in original seen by me :

Original Partition deed No. 894 Dtd. 07/02/2017 of Plot No. 1 to 32 of 8083.83 Sq. Mtr. at RSN 122/2, situated at Madhapar Tal. : Bhuj (K). in favour of Nishant Vasudev Thacekr & Kirtibhai Manilal Thacker.

3) Description of property :

Plot No. 31 of 567.61 Sq. Mtr. at RSN 122/2, situated at Bhuj Tal. : Bhuj (K).

Boundaries :

Plot No. 31

North : Internal Road of 9.00 Mtr.

South : Plot No. 32.

East : Internal Road of 7.50 Mtr.

West : Common Road

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4) Search in sub registrar office :

- i) Location of property : Village. Bhuj, Tal. : Bhuj – Kachchh.
- ii) Search & investigation :

After inspecting all these, I further took search in to the record of Sub-Registrar Bhuj – Kachchh, of last 30 years i.e. 1990 to 2020 in index II, book no. I,

The Property of RSN 122/2 originally belonged to Harji Gopal Kerai & Arving Kanji Kerai As Per Entry No. 740 Dtd. 13/08/1984.

Thereafter, Harji Gopal Kerai & Arving Kanji Kerai owner of said Property, sold the said Property at RSN 122/2 wide registration Deed No. 3120 at Rs. 50,000/- Dt. 24/12/1990 to Gopal Mavji Gorasiya As Per Entry No. 794 Dtd. 28/04/1993.

And There is obligation appear by Harijan Mulbai Haja (Legal Hair Of Harijan Haja Sumra) and Filled Case No. 12/19 case running and result come as order than Apeel and reaorder than appeal etc.

But after that Harijan Mulbai Haja withdraw his case and agreed that she was not any right and/or ownership of said Property

And There is also obligation appear by Velji Ramji Pindoriya and Filled Case No. 03/93 case running and result come as order and madhusudan Laxmidas Bhadra Also filed Case 467/05 against Mr. Velji Ramji Pindoriya and Mr. Shashikant Hirji Thacker.

But after that Velji Ramji Pindoriya, Madhusudan Laxmidas Bhadra withdraw his case.

And after that all above Three Velji Ramji Pindoriya, madhusudan Laxmidas Bhadra and Shashikant Hirji Thacker withdraw his case and agreed that she was not any right and/or ownership of said Property

Thereafter, Gopal Mavji Gorasiya owner of said Property, sold the said Property at RSN 122/2 wide registration Deed No. 6485 at Rs. 60,00,000/- Dt. 01/08/2009 to Nishant Vasudevbbhai Thacker & Kirtibhai Manilal Thacker and Velji Ramji Pindoriya, Madhusudan Laxmidas Bhadra through his POA holder Umedlal Raghavji Thacker and Shashikant Hirji Thacker also sign in said deed and agree for said sale deed.

After that the owners of the said land at RSN 122/2, Nishant Vasudevbbhai Thacker & Kirtibhai Manilal Thacker applied for N.A. and they get sanction for the same as per Order No. 17/2016-17 by Collector Kacheri Bhuj-Kutch, Dt. 03/12/2016 after procedure of Layout Plan & Plots maps.

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Thereafter, partition made between two joint owners Nishant Vasudevbbhai Thacker & Kirtibhai Manilal Thacker of said Plot No. 1 to 32 at RSN 122/2 and the said plot No. 1 & 2 along with plot No. 3 to 6, 16, 18, 19 & 29 to 31 received by present owner Kirtibhai Manilal Thacker wide registration partition Deed No. 894 Dt. 07/02/2017.

Since Than, Kirtibhai Manilal Thacker owner of the Plot No. 31 at S.N. 122/2.

This TCR Based on only search at Registrar office and document Produce before me.

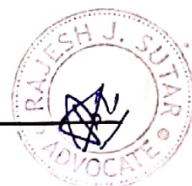
Any document related to Revenue Authorities and NOC of personal liabilities of owner if any not produce before me.

- iii) I confirm and state that the original title deed submitted is the original registered before sub – Registrar, Bhuj – Kachchh. seen by me and title deed is original and not fake.
 - iv) Whether the property is ancestral and/or under joint ownership. If so details of the Co-parceners / karta and/or the co-owners.
Not Applicable
 - v) Minors Interest
Not Applicable
 - vi) Documents pending for registration
There is no documents pending for registration
- 5) **Weather Urban Land(Selling and Regulation) is applicable in the state**
The Urban Land (Selling and Regulation) act 1976 is applicable.
- 6) **Weather the property is acquired under Land Acquisition Act, 1984 and applicability of other legislation**
Not Applicable
- 7) **Leasehold immovable property**
Not Applicable
- 8) **Investigation under income tax Act, 1961**
Not Applicable
- 9) **Investigation in regard to agriculture land.**
This is not an agriculture land.
- 10) **The details of the certified copies of the revenue records obtain to confirm that no dues are outstanding by the Owner/mortgagor**

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- 11) Any other special enactment which is applicable to the property proposed to be mortgager and affected the title
Not Applicable
- 12) If is a property owned by the company the additional safeguard like search before Registrar of companies to be obtained be stated.
Not Applicable
- 13) Whether the records of sub-registrar office or revenue authorities relevant to the property in question are available for verification through any online portal or computer system. If so, whether any verification or cross checking are made and the comments/ findings in this regard.
Not Available
- 14) In case of partition/ family settlement deeds, whether the partition made is valid in law, whether the original deed is available for deposit, whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his/her/their share. The modality/ procedure to be followed to create a valid and enforceable mortgage. Whether any of the documents in question are executed in counterparts or in more than one set? If so, additional precautions to be taken for avoiding multiple mortgages.
Not Applicable
- 15) Whether the property belongs to any trust or is subject to the rights of any trust? Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property? Is there any bar under local laws for creation of mortgage? The additional precautions/ permissions to be obtained for creation of valid mortgage as per the respective state/central laws.
Not Applicable
- 16) In case of partnership firm, whether the property belongs to the firm and the partnership deed is properly registered. Whether the partners have authority to create mortgage for and on behalf of the firm.
Not Applicable
- 17) If the property belongs to a limited company, Advocate to check the borrowing powers, board resolution, and authorization to create mortgage/ execution of documents, registration of any prior charges with the company registrar (ROC) Memorandum of association and articles of association etc. And submit details.
Not Applicable
- 18) In case of societies, Association, check the required authority/ power to borrow and whether the mortgage can be created as per their constitutional documents and applicable laws, and the requisite resolutions, bye-laws etc. The additional precautions/ permissions to be obtained for creation of valid mortgage as per the respective state/ central laws to be stated.
Not Applicable



19) If the property is a flat/ apartment or residential/ commercial complex, Advocate to interalia check/verify a) Promoters/ land owners title to the land/ building; b) Development Agreement/ Power of attorney c) Independent title verification of the land and/or building in question: d) Approval of building plan, permission of appropriate/ local authority, etc g) conveyance in favor of society/ condominium concerned : h) occupancy certificate/ allotment letter/ letter of possession: i) membership details in the society etc. j) share certificates k) No objection letter from the society: i) all legal requirements under the local/ municipal laws, regarding ownership of flats/ apartments/ building regulations, development control regulations, Co-operative' Laws etc: m) requirements for noting the bank charges on the records of the housing society, etc. and comment.

Not Applicable

20) Advocate also to check whether the name of mortgagor is reflected as owner in the revenue/ municipal/ village records, whether the property offered as security is clearly demarcated in the title documents, whether the property has clear access as per documents?

21) Any bar/ restriction for creation of mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duty etc.

Not Applicable

22) Whether the governing law, the constitutional documents of the mortgagor (other than natural persons) permits creation of mortgage and additional precautions, if any to be taken in such cases.

Not Applicable

Certificate

I hereby certify that I have personally verified the information furnished in this report. The statements and other information given in the report are correct and true. So I certify that, **Kirtibhai Manilal Thacker** got a valid, clear, absolute and marketable title over the property shown above. I also certified there is no legal impediment.

Yours faithfully



{ Rajesh J. Sutar }
Advocate.

Encl. : Search Fees Receipt No. 2019041007371 Dtd. 15th June 2020.
Issued by Sub Registrar, Bhuj – Kutch.

અરજી પહોંચ

મિલકત નું વર્ણન : રે સર્વે નં 122/2 પ્લોટ નં 31

Search In : ભુજ-સીમ /BHUUJ-SEEM

પહોંચ નંબર 20200041009391 અરજી નંબર 3251
તારીખ 14 માહે જુન

અરજી વર્ષ 2020
સને 2020

રજુ કરનારનું નામ Rajesh J Sutar, Advocate
નીચે પ્રમાણે ફી પહોંચી

રૂ. પૈસા

રજીસ્ટ્રેશન ફી.....
નકલ કરવા ની ફી સાઈડ / ફોલીયો.....
શેરોની નકલ કરવા માટે ફી.....
ટપાલ ખર્ચ.....
નકલો અથવા ચાદીઓ (કલમ 54 થી 57).....
શોધ અગર તપાસણી.....Year: 1990 2020
દંડ કલમ-25.....
કલમ-34 (કલમ-57).....
નકલ ફી ફોલીયો.....
ઈન્ડેક્સ-2 ફી

320.00

કુલ એકદરે રૂ.	320.00
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અંકે રૂપિયા ત્રણ સો વીસ પુરા

દસ્તાવેજ

ના દિવસે તૈયાર થશે અને

તે રજીસ્ટર ટપાલથી મોકલવામાં

આવશે.

નકલ

કચેરીમાં આપવામાં

દસ્તાવેજ રજીસ્ટર ટપાલથી નીચેના સરનામે મોકલશે.

Jayantibhai Mangaldas Gor
સબ રજીસ્ટ્રાર
ભુજ

અંકે રૂ. : 320.00
20200612483761169

સબ રજીસ્ટ્રાર, ભુજ

