Hitesh M. Rawal
Advocate & Notary

H M Rawal & Company
ADVOCATES

Ref.No.TR/F.No..7050/19

TITLE REPORT

To,

Bhikhubhai Popatbhai Gajera HUF

Through its Karta and Manager

Bhikhubhai Popatbhai Gajera,

Ahmedabad

H. M. RAWAL & CO. ADVOCATE
H M RAWAL ADVOCATE AHMEDABAD

Dear Sir,

Ref : Non-Agricultural land for Residential purpose admeasuring 18454 sq.mts. of Final Plot No.79 paiki [land admeasuring 30756 sq. mts. of Survey No.167] of Town Planning Scheme No.60 situate, lying and being at Mouje Narol, Taluka Maninagar in the Registration District of Ahmedabad and Sub-District of Ahmedabad-5 [Narol] belonging to **Bhikhubhai Popatbhai Gajera HUF through its Karta and Manager Bhikhubhai Popatbhai Gajera.**

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As per the Instructions, we have examined the titles of the above referred Land and have caused to be taken searches of available registration record for last 30 years on 17.5.19 through our search clerk (Search of complete registration records is not available due to tearing of pages of Books available for inspection) and from that and from the information given to us and from the declaration cum indemnity bond filed before us and believing the same to be true, correct and trustworthy and also believing the photo copies of documents/ papers etc. furnished in it's file to be true and genuine, we hereby opine our report on title as under :-

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Originally prior to year 1988 agricultural land admeasuring 30756 sq. mts. of Survey No.167 of Mouje Narol was purchased by Jayantilal Chimanlal from Roshanda Darabasha Kekhsharu Adajaniya through his Power of Attorney Asmi Darbasa.by Sale Deed which is registered in the office of Sub Registrar under serial No.5598 dated 26.5.71. Entry to that effect was entered in revenue record by Entry No.1623 dtd.9.6.71.

Thereafter Competent Authority and Addl. Collector declared land admeasuring 84175 sq. mts. of Survey No.166 paiki and Survey No.167 as "Surplus" as per his order No.ULC Form-1 U-8-309 Narol dated 28.5.90 under Section 4 [1] and entered the same in "Other Right". Entry to that effect was entered in revenue record by Entry No.2439 dated 22.9.90 which was certified on 29.11.90.

Thereafter as per order No.ULC-93/2515/4596/v-3 dated 8.10.93 passed by Competent Authority of Revenue Dept., Gandhinagar "status quo" was granted to the land of Survey No.166, 167 and 135. Entry to that effect was entered in revenue record by Entry No.2533 dated 30.10.93 which was certified.

Thereafter land admeasuring 23371 sq. mts. of Survey No.166, 167, 135 paiki was declared surplus as per the Urban Land Ceiling Act, as the Urban Land Ceiling Act was repealed and the Deputy Secretary, Revenue Dept. passed order No.ULC/3493/2715____/93 dtd.1.6.99 stating that the "status quo" granted became ineffective to the land admeasuring 23371 sq. mts. of Survey No.166, 167 and 135 paiki. Entry to that effect was entered in revenue record by Entry No.2860 dtd.30.10.99 which was certified on 3.12.99.

Thereafter Jayantilal Chimanlal died intestate on 7.5.73 leaving behind his legal heirs [1] Shantaben Jayantibhai [2] Shaileshbhai Jayantibhai [3] Jyotiben Jayantibhai shah [4] Jineshbhai Jayantibhai Shah and [5] Mukeshbhai Jayantibhai Shah. Entry to that effect was entered in revenue record by Entry No.2929 dated 16.4.01 which was certified.

Thereafter Shantaben wd/o Jayantilal Chimanlal died intestate on 21.3.2002 leaving behind [1] Shaileshbhai Jayantibhai [2] Jyotiben Jayantibhai shah [3] Jineshbhai Jayantibhai Shah and [4] Mukeshbhai Jayantibhai Shah. Entry to that effect was entered in revenue record by Entry No.3016 dated 20.1.03 which was certified on 4.3.03.

Thereafter Shaileshbhai Jayantilal died intestate on 28.6.01 leaving behind his legal heirs [1] Rekhaben wd/o Shaileshbhai Jayantibhai Shah [2] Saurin Shaileshbhai Shah. Entry to that effect was entered in revenue record by Entry No.3017 dated 20.1.03 which was certified on 4.3.03.

Thereafter [1] Jyotiben Jayantibhai shah [2] Jineshbhai Jayantibhai Shah [3] Mukeshbhai Jayantibhai Shah [4] Rekhaben wd/o Shaileshbhai Jayantibhai Shah and [5] Saurin Shaileshbhai Shah, all male members as Self and Karta and Manager of their HUF have sold and conveyed said agricultural land admeasuring 30756 sq. mts. of Survey No.167 to Prafulchand Lilachand Shah by Sale Deed which is registered in the office of Sub Registrar under serial No.1503 dated 19.5.03/31.5.03. Entry to that effect was entered in revenue record by Entry No.3061 dtd.6.6.03 which was certified on 18.7.03.

Thereafter [1] Jyotiben Jayantibhai shah [2] Jineshbhai Jayantibhai Shah [3] Mukeshbhai Jayantibhai Shah [4] Rekhaben wd/o Shaileshbhai Jayantibhai Shah and [5] Saurin Shaileshbhai Shah, all male members as Self and Karta and Manager of their HUF have executed Indemnity Bond for agricultural land admeasuring 30756 sq. mts. of Survey No.167 in favour of Prafulchand Lilachand Shah which is registered in the office of Sub Registrar under serial No.1504 dated 19.5.03/31.5.03.

Thereafter Prafulchand Lilachand Shah obtained loan of Rs.2,93,00,000/- against the land admeasuring 53419 sq. mts. of Survey No.166 and land admeasuring 30756 sq. mts. of Survey No.167 from The Gujarat Industrial Co.Op. Bank Ltd. Hence on the strength of letter dated 8.6.04 of said Bank the charge of the

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Bank was entered in revenue record by Entry No.3140 dated 19.12.04 which was certified on 27.1.05.

Thereafter Prafulchand Lilachand Shah sold and conveyed said agricultural land admeasuring 30756 sq. mts. of Survey No.167 to Bhikhubhai Popatbhai Gajera HUF through its Karta and Manager Bhikhubhai Popatbhai Gajera by Sale Deed which is registered in the office of Sub Registrar under serial No.1158 on dated 14.3.06. In the said Sale Deed The Gujarat Industrial Co.Op. Bank Ltd. through its Senior Officer Shri N.A.Vyas signed as a Confirming Party and confirmed the said Sale Deed in favour of Purchaser Bhikhubhai Popatbhai Gajera HUF through its Karta and Manager Bhikhubhai Popatbhai Gajera. Entry to that effect was entered in revenue record by Entry No.3251 dated 1.4.06 which was certified on 17.7.06.

Thereafter as the land of Survey No.167 was purchased by Bhikhubhai Popatbhai Gajera HUF the charge of The Gujarat Industrial Co.Op. Bank Ltd. was transferred in its favour. Entry to that effect was entered in revenue record by Entry No.3252 dtd.1.4.06 which was certified on 17.7.06.

Thereafter the loan obtained against the said land and other lands was fully repaid to The Gujarat Industrial Co.Op. Bank Ltd., hence on the strength of Letter No.G.I.C.B./RO/Recovering/38/1529/07 dated 5.6.07 of Officer on Special Duty the charge of said Bank was removed. Entry to that effect was entered in revenue record by Entry No.3467 dtd.1.9.07 which was certified on dtd.17.10.07.

The charge of The Gujarat Industrial Co.Op. Bank Ltd. on the said land along with other land was entered by Entry No.3252. Thereafter the loan obtained was repaid to the said Bank, hence on the strength of letter dtd.5.6.07 issued by Bank Manager, the charge of said Bank was removed. Entry to that effect was entered in revenue record by Entry No.3507 dtd.23.11.07 which was certified on 23.1.08.

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The charge of The Gujarat Industrial Co.Op. Bank Ltd. on the said land and land of Survey No.167 was entered by Entry No.3140. Thereafter the loan obtained was repaid to the said Bank, hence on the strength of documents/papers issued by Bank, the charge of said Bank was removed. Entry to that effect was entered in revenue record by Entry No.3529 dtd.18.12.07 which was certified on 23.4.08.

Thereafter the correction was made in computerised record as per order No.RTS/ Sudharahykam/kshati yadi/SR No.1511/08 dtd.27.9.08. However, the kshati yadi was not produced for our verification. Entry to that effect was entered in revenue record by Entry No.3723 dtd.22.10.08 which was certified on 27.11.09.

.Thereafter the correction was made in record as per order No.RTS/ Sudharahykam/Sudharo/Vashi.3513/09/SR No.4640 dtd.26.11.09. However, the kshati yadi is not produced for our verification. Entry to that effect was entered in revenue record by Entry No.3943 dtd.27.11.09 which was certified on 4.2.10.

Thereafter as per resolution No.PFR/102011/275/L/1 dated 17.3.12 issued by Revenue Dept. of Govt. of Gujarat City and Dascroi Talukas of Ahmedabad were reconstituted and new Talukas of Ahmedabad [East] and Ahmedabad [West] were constituted and accordingly Village of Narol was included in Ahmedabad City [East]. Entry to that effect was entered in revenue record by Entry No.4774 dated 3.5.12 which was certified on 5.5.12..

Thereafter City Deputy Collector [East] passed order No.RTS/Appeal/Case No.475/2011 [Old No.233/2010] dated 26.10.15 rejecting dispute application dated 8.10.2010. Entry to that effect was entered in revenue record by Entry No.5567 dated 1.1.16 which was certified on 26.2.16.

On implementation of Town Planning Scheme the land admeasuring 30756 sq.

mts. of Survey No.167 was allotted land admeasuring 18454 sq. mts. of Final Plot No.79 paiki of Town Planning Scheme No.60.

Thereafter District Collector, Ahmedabad through order No.L.B./Re.A.No.931/2015 dated 17.07.2017 rejected the Revision Application and confirmed the order dated 26.10.15 passed by City Deputy Collector [East]. Entry to that effect was entered in revenue record by Entry No.5859 dated 16.8.17 which was certified on 8.9.17.

There was a charge of The Gujarat Industrial Co.Op. Bank Ltd. entered on land admeasuring 30756 sq. mts. of Survey No.167 by Entry No.3252 and R.T.S. Appeal was filed to remove the said charge and charge was noted by Entry No.5567 as per order dated 26.10.15 passed by City Deputy Collector [East]. On the strength of Certificate bearing Ref.No.441/2017 dated 9.10.17 stating that there is no outstanding amount to be recovered by the said Bank the charge was removed from the said land. Entry to that effect was entered in revenue record by Entry No.5899 dated 17.10.17 which was certified on 16.1.18.

Thereafter District Collector, Ahmedabad granted Non-Agricultural Permission for Residential Purpose under Section-65 of Land Revenue Code to the land admeasuring 18454 sq.mts. of Final Plot No.79 paiki [land admeasuring 30756 sq. mts. of Survey No.167] of Town Planning Scheme No.60 by his order No.CB/LAND/N.A./S.R.1268/2014 dated 17.1.15. Entry to that effect was entered in revenue record by Entry No.6064 dated 5.7.18 which was certified on 20.8.18.

Thereafter land admeasuring 33675 sq. mts. of Survey No.166 and 167 was deducted under Draft Town Planning Scheme No.60 [Narol South-2] and possession of the said land was handed over by land owners to the Ahmedabad Municipal Corporation by Posession Receipt and it was recorded in Village Form No.7 as "land admeasuring 33675.00 sq. mts. received against Town Planning deduction by Ahmedabad Municipal Corporation" and name of Ahmedabad Municipal Corporation was entered in "other Right". Entry to that

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effect was entered in revenue record by Entry No.6202 dated 10.4.19 which is pending for certification.

As a part of our Title Investigation we have issued public advertisement in "Gujarat Samachar" on dated 29.4.19 inviting objections against the said land. In response to the said advertisement we have not received any objection within the stipulated time limit.

Thus the said Non-Agricultural Land for commercial purpose admeasuring Non-Agricultural land for Residential purpose admeasuring 18454 sq.mts. of Final Plot No.79 paiki [land admeasuring 30756 sq. mts. of Survey No.167] of Town Planning Scheme No.60 situate, lying and being at Mouje Narol, Taluka Maninagar in the Registration District of Ahmedabad and Sub-District of Ahmedabad-5 [Narol] is indenpendently owned, occupied and possessed by **Bhikhubhai Popatbhai Gajera HUF through its Karta and Manager Bhikhubhai Popatbhai Gajera** in the revenue records and all other government and semi-government records.

The above said report is given on the basis of available Sub Registry record for the purpose of study of devolution of title and to ascertain any charge or encumbrance only and does not contain entire revenue record or Sub Registry record.

In view of what is stated above from that and from the information given to us by declaration-cum-indemnity filed before us stating that the said land have not been given in security nor created any charge or 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 operating against the said land which adversely affects the title and also declared to settle the rights of previous owners and also to settle any rights of third party if disputed in any Court of Law and/or Revenue Authority and also to settle any previous legal permissions/orders if disputed, and believing the same to be true, correct and trustworthy and also believing the photo copies of documents/ papers etc. furnished in the case file shown to us to be true and genuine

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and also based upon the information given by owners that nothing was done in respect of the said land during the period for which the registration record is not available which would make the title defective and from the available manual and conditional computer Search Report obtained through Office of Sub Registrar clearly states that they do not give any assurance or binding regarding the correctness of the facts and they are not responsible for any loss due to the information/search provided through computerized search and on that basis and as per the below mentioned note we hereby issue this opinion report page-1 to 9 and opine that the titles of the said Non-Agricultural land for Residential purpose admeasuring 18454 sq.mts. of Final Plot No.79 paiki [land admeasuring 30756 sq. mts. of Survey No.167] of Town Planning Scheme No.60 situate, lying and being at Mouje Narol, Taluka Maninagar in the Registration District of Ahmedabad and Sub-District of Ahmedabad-5 [Narol] shall be clear and marketable and free from reasonable doubts **subject to** :-

1. Verification of all original documents and revenue record..
2. Fulfilment of terms and conditions of N.A. Order.
3. Provisions being made to safeguard interest of minor Family members of HUF if any, and major members confiriming the sale transaction and sale being made as Karta for the benefit of estate and/or legal necessity.
4. Provisions of Town Planning Scheme and use of land as per Zoning.
5. Laws applicable and in force to effect legally and properly sale, transfer, or any other transaction with respect to the said Land.

DATED THIS 24TH DAY OF MAY 2019.

Place : Ahmedabad.

Hitesh M. Rawal
Advocate
(H. M. Rawal & Co.)

NOTE:

1. This is to inform that some times search of registration record of immediate past about 4-5 months is not available and Search of complete

registration records is not available due to destruction of record and tearing of pages of Books available for inspection. Moreover conditional Computerised Search issued by the Sub Registrar is not well prepared/maintained by State Government Agency and hence may be erroneous, resulting into our error and with that caution, condition, understanding and on the basis of Registration Search dated 17.5.19 the above Title Report is issued.

2. Please verify that there is no acquisition/reservation/attachment or restriction by any Govt./ Semi-Govt. authority, Corporation, Local Authority etc. due to road laying and widening or for any other public purpose or due to any historical monuments etc. and there are no pending litigation or injunction/ status quo in respect of the said land. Please also peruse the Title Declaration submitted to us by the present owner at the time of transfer or sale.

3. This Title Opinion is always subject to presumption of non-commission of fraud, misrepresentation, forgery or cheating in any manner with the undersigned and in case though not on record, but found in future that the title of the land/property in question are subject matter of Civil or Criminal proceedings or defective under any other law then this Opinion shall not overcome those proceedings and defect and shall be subject to the decision or outcome thereof, with that caution, condition and understanding this Title Opinion Report is issued by undersigned.