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A.C. Damani



A. C. DAMANI
& Advocates

Date: August 25, 2014

To,
Aroma Realities Limited
Ahmedabad.

TITLE CERTIFICATE

Re:- Investigation of the title to all that non agricultural land bearing private sub plot nos.68/3/1 & 68/3/2 admeasuring 8790.33 square meters (comprising of 8280.30 square meters for residential use and 510 square meters for commercial use) forming part of final plot nos.68/1 & 68/2 totally admeasuring 23411 square meters (allotted in lieu of survey no.1523 admeasuring 39052 square meters) of town planning scheme no.79, situated, lying and being at village Vatva, Taluka Ahmedabad City East within the Registration Sub-District Ahmedabad-11 (Aslali) and District Ahmedabad (Said Land) belonging to Aroma Realities Limited.

We have to refer to your instructions to investigate the title to the Said Land. In this connection we have caused a search to be taken in the records of the Collector of Ahmedabad and in the Office of the Sub-Registrar of Assurances at Ahmedabad of last about 33 years. We have also caused a Public Notice to be issued inviting claims to the captioned lands in Gujarat Samachar daily dated April 11, 2014 inviting objections against issuance of Title Clearance Certificate in respect of the Said Land. No Notice of claims has been received by us in response to the said Public Notice. In our opinion the title to the Said Land belonging to Aroma Realities Limited appears to be clear, marketable and free from all encumbrances and beyond reasonable doubt, subject to the satisfaction of the essential requirements mentioned in Section V of the Title Report dated August 25, 2014.

Thanking you.

For, A.C.Damani & Advocates,


A.C. Damani



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TITLE REPORT

In respect of all that non agricultural land bearing private sub plot nos.68/3/1 & 68/3/2 admeasuring 8790.33 square meters (comprising of 8280.30 square meters for residential use and 510 square meters for commercial use) forming part of final plot nos.68/1 & 68/2 totally admeasuring 23411 square meters (allotted in lieu of survey no.1523 admeasuring 39052 square meters) of town planning scheme no.79, situated, lying and being at village Vatva, Taluka Ahmedabad City East within the Registration Sub-District Ahmedabad-11 (Aslali) and District Ahmedabad.

Prepared by:

A.C. Damani & Advocates





I. INTRODUCTION

- 1.1 We have been instructed by Aroma Realities Limited through its Director Shri Mavjibhai M. Desai to investigate into the title in relation to all that non agricultural land bearing private sub plot nos.68/3/1 & 68/3/2 admeasuring 8790.33 square meters (comprising of 8280.30 square meters for residential use and 510 square meters for commercial use) forming part of final plot nos.68/1 & 68/2 totally admeasuring 23411 square meters (allotted in lieu of survey no.1523 admeasuring 39052 square meters) of town planning scheme no.79, situated, lying and being at village Vatva, Taluka Ahmedabad City East within the Registration Sub-District Ahmedabad-11 (Aslali) and District Ahmedabad (hereinafter referred to as the "**Said Land**") and to prepare a report based upon such investigation..
- 1.3 In carrying out the investigation as to the title of the Said Land, we have visited the following offices with a view to carry out physical search of the relevant documents and records.
- i. Sub-registrar of Assurances, Ahmedabad
 - ii. Collector, Ahmedabad
 - iii. Village Accountant i.e. the Talati of Village Vatva;
 - iv. Ahmedabad Municipal Corporation (AMC); and





II. SCOPE AND LIMITATIONS

1. We have relied upon our physical search and have inspected the following documents and records while preparing this Title Report.
 - 1.1 Search conducted at the office of the Sub-Registrar of Assurances, Ahmedabad for last 33 years.
 - 1.2 Revenue records in the form of relevant extracts from Village Form No.7/12, Form No.8-A and Mutation Entries effected in Village Form No.6.
 - 1.3 Copies of the following documents in relation to the Said Land have been provided to us;
 - 1.3.1 Copy of sale deed executed and registered vide sr.no.4955 dated August 15, 1944 in respect of survey no.1523 by Goswami Vrajivani/aji Jagdishlalji in favour of Laydibibi daughter of Saiyadmiya Saheb Gulamhusain;
 - 1.3.2 Copy of sale deed executed and registered vide sr.no.7023 dated April 30, 1980 in respect of survey no.1523 by Laydibibi daughter of Saiyadmiya Saheb Gulamhusain in favour of Prabhatbhai Karsanbhai Desai and others;
 - 1.3.3 Copy of WILL dated January 14, 1988 executed by Hiraben Karsanbhai Desai in respect of her share in survey no.1523 and other properties;
 - 1.3.4 Copy of Declaration dated June 22, 1993 made by Prabhatbhai Karsanbhai Desai in respect of survey no.1523;
 - 1.3.5 Copy of order dated December 31, 1993 passed by the City Civil Court, Ahmedabad in Civil Miscellaneous Application No.391/1993;
 - 1.3.6 Copy of power of attorney dated November 26, 1997 made by Motibhai Karsanbhai Desai and others in respect of survey no.1523;
 - 1.3.7 Copy of Sale Deed executed and registered vide sr.no.1845 dated May 4, 2006 in respect of survey no.1523 by Motibhai Karsanbhai Desai and others through their power of attorney holder Dilipkumar Ramanlal Mehta in favour of Mukesh Ganpatlal Khatri and others;
 - 1.3.8 Copy of sale deed executed and registered vide sr.no.2712 dated April 16, 2010 in respect of survey no.1523 by Mukesh Ganpatlal Khatri and others in favour of Alpeshkumar Chimanbhai Patel;





- 1.3.9 Copy of order no.CB/LND-2/NA/SR-567/2010 dated July 26, 2010 granted by District Collector, Ahmedabad in respect of 23431 square meters of land of final plot no.68/1 & 68/2.
- 1.3.10 Copy of sale deed executed and registered vide sr.no.3937 dated March 24, 2011 in respect of 14640.67 square meters out of final plot no.68/1 & 68/2 by Alpeshkumar C. Patel in favour of DBS Affordable Home Strategy Limited;
- 1.3.11 Copy of sale deed executed and registered vide sr.no.3940 dated March 24, 2011 in respect of Said Land by Alpeshkumar C. Patel in favour of DBS Affordable Home Strategy Limited;
- 1.3.12 Copy of sale deed executed and registered vide sr.no.1212 dated February 18, 2014 in respect of the Said Land by DBS Affordable Home Strategy Limited through its Director Dinesh Ghevarchand Jain in favour of Aroma Realities Limited;
- 1.3.13 Copy of mortgage deed executed and registered vide sr.no.4175 dated March 25, 2011 in respect of the Said Land by DBS Affordable Home Strategy Limited through its Director Dinesh Ghevarchand Jain in favour of Kankaria Maninagar Nagrik Sahkari Bank Ltd.;
- 1.3.14 Copy of no dues certificate dated August 22, 2014 issued by the Kankaria Maninagar Nagrik Sahkari Bank Ltd. in favour of Dinesh Ghevarchand Jain;
- 1.3.15 Copy of building plans and commencement letters approved and issued by Ahmedabad Municipal Corporation in respect of the Said Land on July 17, 2014;
- 1.3.16 Copy of order no.N.A./U-1/Case No.33/Section 65A/Vatva/2013-14 dated July 10, 2014 passed by the Deputy Collector, NA, Ahmedabad in respect of the Said Land; and
- 1.3.17 Part Plan, Zoning Certificate and Form-B setting out area of final plot issued by the Ahmedabad Municipal Corporation in respect of the land bearing final plot no.68/1 & 68/2.

2. Our scope of work encompasses the following:

- 2.1 Reviewing the aforesaid documents and records;
- 2.2 Identifying significant issues, if any, arising therefrom; and
- 2.3 Preparing a report based upon our review in respect of title of the Said Land.





3. This Report is subject to the following qualifications:

- 3.1 We have examined the revenue records in respect of the Said Land relating to the past 33 years;
- 3.2 This Report is limited to the matters expressly set forth herein and no comment is implied or may be inferred beyond such matters.
- 3.3 We have also issued a Public Notice inviting claims in respect of the title to the Said Land in 'Gujarat Samachar' on April 11, 2014. We have not received any objection in furtherance of the issuance of such Public Notice.
- 3.4 While conducting search in the office of the Sub-Registrar of Assurances, Ahmedabad, we have found that certain Index-II Books are torn while the entries are also not maintained up to-date and are also not in good condition. We have relied on the land revenue record i.e. Village Form No.7/12 and mutation entries recorded periodically under the provisions of Bombay Land Revenue Code. These entries reflect transfers, intervener, inheritance, tenancy rights and other diverse interests created on the Said Land. The Mutation Entries so far as the Said Land are concerned are only relevant extract and they depict the position of the Said Land.





A. C. DAMANI
& Advocates

III. BRIEF DESCRIPTION OF THE SAID LAND

Name of the Present Owner	:	AROMA REALTIES LIMITED
Status of the Ownership of the Said Land	:	Sole Ownership
Private Sub-Plot Nos.	:	68/3/1 & 68/3/2
Area of Sub Plot	:	8790.30 square meters
Final Plot Nos.	:	68/1 & 68/2
Total Area of Final Plot	:	23431 square meters
Revenue Survey No.	:	1523
Total Area of Survey No.	:	39052 square meters
T.P. Scheme	:	79
Village / Taluka	:	Vatva / Ahmedabad City East
District / State	:	Ahmedabad / Gujarat
Registration Sub-District	:	Ahmedabad-11 (Aslali)
Present Usage of the Said Land	:	non agricultural for residential & commercial purpose





IV. DEVOLUTION OF TITLE

1. It appears on perusal of revenue records that prior to the year 1940 all that agricultural land admeasuring Acre 9-25 Gunthas i.e. 39052 square meters approx. bearing survey no.1523, situated, lying and being at village Vatva, Taluka Dascrol (Now Ahmedabad City East) & District Ahmedabad (hereinafter referred to as the 'Larger Land') was in entitlement of one Goswami Vrajjivanlalji Jagdhishlalji.
2. By virtue of sale deed dated August 15, 1944 the said Goswami Vrajjivanlalji Jagdhishlalji as the vendor therein sold and conveyed the Larger Land to Laydibibi daughter of Saiyadmiya Saheb Gulamhusain for a consideration of Rs.8440/-. The said sale deed was registered in the office of the Sub-Registrar, Ahmedabad vide sr.no.4955 on August 15, 1944 and the same was entered in the revenue records vide mutation entry no.2528 on January 7, 1945, which was certified by the competent authority on February 12, 1945.
3. It appears on perusal of village from no.7/12 for the year 1951-52 to 1960-61 that charge of Vatva Vividh Karyakari Seva Sahkari Mandli Ltd. (Said Mandli) was recorded in respect of the Larger Land in other rights column vide mutation entry no.5156. We could not trace mutation entry no.5156 in the revenue records.
4. It further appears on perusal of mutation entry no.6103 dated September 6, 1965 that the said Laydibibi daughter of Saiyadmiya Saheb Gulamhusain had again taken a loan from the Said Mandli and subsequently charge of the Said Mandli was again recorded in the revenue records in respect of the Larger Land. The said mutation entry no.6103 dated September 6, 1965 was certified by the Circle Officer on October 12, 1965.
5. It appears on perusal of mutation entry no.6189 dated February 12, 1966 that said Laydibibi daughter of Saiyadmiya Saheb Gulamhusain had taken a loan from the Gujarat State Co.Op. Land Development Bank Ltd. (Gujarat State Bank) and subsequently charge of the Gujarat State Bank was recorded in the revenue records in respect of the Larger Land. The said mutation entry no.6189 dated February 12, 1966 was certified by the Circle Officer on March 17, 1966.





6. It further appears on perusal of mutation entry no.7388 dated May 31, 1972 that upon repayment of the dues of the Said Mandli by said Laydibibi daughter of Saiyadmiya Saheb Gulamhusain, charge of the Said Mandli was deleted from the revenue records in respect of the Larger Land. The said mutation entry no.7388 dated May 31, 1972 was certified by the competent authority on July 8, 1972.
7. It appears on perusal of available records and mutation entry nos.7398 & 7748 dated June 19, 1972 & December 10, 1974 respectively that the said Laydibibi daughter of Saiyadmiya Saheb Gulamhusain had again taken loan from the Said Mandli and subsequently charges of the Said Mandli were recorded in the revenue records in respect of the Larger Land. The said mutation entry nos.7398 & 7748 dated June 19, 1972 & December 10, 1974 were certified by the competent authority respectively on August 2, 1972 & January 18, 1975.
8. It appears on perusal of mutation entry no.9301 dated February 1, 1980 that upon repayment of the dues of the Gujarat State Bank by the said Laydibibi daughter of Saiyadmiya Saheb Gulamhusain, the charge of the Gujarat State Bank was deleted from the revenue records in respect of the Larger Land other lands. The said mutation entry no.9301 dated February 1, 1980, which was certified by the Circle Officer on April 8, 1980.
9. It further appears on perusal of mutation entry no.9333 dated May 1, 1980 that upon repayment of the dues of the Said Mandli by said Laydibibi daughter of Saiyadmiya Saheb Gulamhusain, charges of the Said Mandli were deleted from the revenue records in respect of the Larger Land. The said mutation entry no.9333 dated May 1, 1980 was certified by the competent authority on June 7, 1980.
10. By virtue of sale deed dated April 17, 1980 said Laydibibi daughter of Saiyadmiya Saheb Gulamhusain as the vendor therein sold and conveyed the Larger Land to (i) Prabhatbhai Karsanbhai Desai, (ii) Motibhai Karsanbhai Desai, (iii) Devendrabhai Karsanbhai Desai & (iv) Hiraben Karsanbhai Desai for a consideration of Rs.1,05,457/- (Rupees One Lacs Five Thousand Four Hundred & Fifty Seven only). The said sale deed dated April 17, 1980 was registered in the office of the Sub-Registrar of Assurances, Ahmedabad vide sr.no.7023 on April 30, 1980 and the same was entered in the revenue records vide mutation entry no.9334 dated May 1, 1980, which was certified by the Mamlatdar on June 7, 1980.





11. It appears on perusal of available records that Hiraben Karsanbhai Desai had expired on January 14, 1988, however said Hiraben Karsanbhai during her lifetime had executed an unregistered WILL on December 12, 1987, whereby she had bequeathed her 1/4th share in the Larger Land to (i) Ladkiben Devendrabhai Desai, (ii) Shantaben Motibhai Desai & (iii) Hemang Devendrabhai.

It further appears that with a view to resolve certain issues and differences by and between the family members of Karsanbhai Desai in respect of arrangement of properties of joint family of Karsanbhai Desai, the said Motibhai Karsanbhai Desai and others had appointed arbitrators. In pursuance to the award of the arbitrators dated June 7, 1993, the Larger Land was devolved on (i) Motibhai Karsanbhai Desai, (ii) Devendrabhai Karsanbhai Desai, (iii) Ladkiben Devendrabhai Desai, (iv) Shantaben Motibhai Desai & (v) Hemang Devendrabhai.

Thereafter a declaration dated June 22, 1993 was executed by Prabhatbhai Karsanbhai Desai before the Executive Magistrate, Metropolitan Area, Ahmedabad, declaring, accepting, ratifying and confirming the contents and outcome of the aforesaid award of the arbitrators dated June 7, 1993 and in pursuance thereof the said Prabhatbhai Karsanbhai Desai had relinquished his rights from the Larger Land.

Subsequently for execution of the award dated June 7, 1993 the said Motibhai Karsanbhai Desai and others had filed Civil Miscellaneous Application No.391/1993 in the City Civil Court, Ahmedabad for arrangement and partition of the properties of joint family of Karsanbhai Desai; and thereafter, vide order dated December 31, 1993 of the City Civil Court, Ahmedabad the properties of joint family of Karsanbhai Desai were ordered to be distributed as per the award dated June 7, 1993.

In pursuance to above the said (i) Motibhai Karsanbhai Desai, (ii) Devendrabhai Karsanbhai Desai, (iii) Ladkiben Devendrabhai Desai, (iv) Shantaben Motibhai Desai & (v) minor Hemang Devendrabhai became occupiers and entitled to the Larger Land and the same was recorded in the revenue records vide mutation entry no.11606 dated November 17, 1997. The same was however rejected by the Circle Officer on September 15, 1998. Subsequently, the same was again recorded in the revenue records vide mutation entry



no.14192 on February 18, 2006, which was certified by the Circle Officer on March 23, 2006.

12. It further appears that the said (i) Motibhai Karsanbhai Desai, (ii) Devendrabhai Karsanbhai Desai himself and as a guardian of minor Hemang Devendrabhai Desai, (iii) Ladkiben Devendrabhai Desai & (iv) Shantaben Motibhai Desai had executed a general power of attorney, whereby they had authorized and conferred upon power either jointly or severally in respect of the Larger Land to Ramanlal Dhanalal Mehta and Dilipkumar Ramanlal Mehta. The said power of attorney was notarized in the register of Notary Vinod K. Soni vide sr.no.12497/1997 on November 26, 1997.

Subsequently by virtue of sale deed dated April 18, 2006 said (i) Motibhai Karsanbhai Desai, (ii) Devendrabhai Karsanbhai Desai himself and as a guardian of minor Hemang Devendrabhai Desai, (iii) Ladkiben Devendrabhai Desai & (iv) Shantaben Motibhai Desai as the vendors therein through their power of attorney holder Dilipkumar Ramanlal Mehta sold and conveyed the Larger Land to (i) Mukesh Ganpatlal Khatri, (ii) Ketan Ganpatlal Khatri, (iii) Madhubhai Cheldas Patel & (iv) Ganpatlal Manjibhai Khatri for a consideration of Rs.4,60,000/- (Rupees Four Lacs Sixty Thousand only). The said sale deed dated April 18, 2006 was registered in the office of the Sub-Registrar of Assurances, Ahmedabad vide sr.no.1845 on May 4, 2006 and the same was entered in the revenue records vide mutation entry no.14244 on June 3, 2006, which was certified by the Circle Officer on July 18, 2006.

13. It appears on perusal of mutation entry nos.15132 & 15133 dated October 20, 2008 that the aforesaid land owners had made necessary application for admitting the names of their family members as co-owners, and subsequently, names of (i) Gitaben Ganpatlal Khatri, (ii) Vijay Ganpatlal Khatri, (iii) Bhaveshkumar Madhubhai Patel & (vi) Jayeshkumar Madhubhai Patel were entered in the revenue records as co-owners of the Larger Land. The said mutation entry nos.15132 & 1533 dated October 20, 2008 were certified by the Circle Officer on December 20, 2008.
14. It further appears that the said Vijay Ganpatlal Khatri had executed general power of attorney, whereby he had authorized and conferred upon power to his father Ganpatlal





Khatri in respect of his share in the Larger Land. The said power of attorney was notarized in the register of Notary B.R. Mehta vide sr.no.825/2010 on March 2, 2010.

Subsequently by virtue of sale deed dated March 13, 2010 said (i) Mukesh Ganpatlal Khatri, (ii) Ketan Ganpatlal Khatri, (iii) Madhubhai Cheldas Patel, (iv) Ganpatlal Manjibhai Khatri, (v) Gitaben Ganpatlal Khatri, (vi) Mehul Ganpatlal Khatri, (vii) Vijay Ganpatlal Khatri through his power of attorney holder Ganpatlal Manjibhai Khatri, (viii) Bhaveshkumar Madhubhai Patel & (ix) Jayeshkumar Madhubhai Patel as the vendor therein sold and conveyed the Larger Land to Alpeshkumar Chimanbhai Patel for a consideration of Rs 18,00,000/- (Rupees Eighteen Lacs only). The said sale deed has been registered in the office of the Sub-Registrar, Ahmedabad vide sr.no.2712 dated April 16, 2010 and the same was entered in the revenue records vide mutation entry no.15955 on May 31, 2010, which was certified by the Circle Officer on July 17, 2010.

15. It further appears that draft town planning scheme no.79 was introduced in respect of lands of village Vatva and proposed final plot nos.68/1 & 68/2 were allotted in lieu of survey no.1523 and as per the Form-F prepared by the AMC the area of the Larger Land being final plot nos.68/1 & 68/2 were respectively allotted lands admeasuring 4358 square meters & 19073 square meters aggregating to 23431 square meters in lieu of 39052 square meters of survey no.1523.
16. Thereafter, the said Alpeshkumar Chimanbhai Patel had made necessary applications to the District Collector, Ahmedabad for granting the non agriculture use permission in respect of the Larger Land being 23431 square meters of land of final plot nos.68/1 & 68/2 for residential purpose. Subsequently the District Collector, Ahmedabad vide his order no.CB/LND-2/NA/SR-567/2010 dated July 26, 2010. The same was recorded in the revenue records vide mutation entry no.16145 dated September 13, 2010, which was certified by the Circle Officer on November 1, 2010.
17. By virtue of sale deed dated March 22, 2011 said Alpeshkumar Chimanbhai Patel as the vendor therein sold and conveyed 14640.67 square meters of land out of Larger Land being 23431 square meters of final plot nos.68/1 & 68/2 to DBS Affordable Home Strategy Limited





(DBS) for a consideration of Rs.3.66,02,000/- (Rupees Three Crores Sixty Six Lacs Two Thousand only).

It appears that upon perusal of above sale deed that (i) Shiv Corporation through its proprietor Prakashkumar Kanaiyalal Shah, (ii) Laxmi Corporation through its proprietor Ushaben Prakashkumar Shah & (iii) D.K. Corporation through its proprietor Ajay Jasvantlal Shah had executed the aforesaid sale deed as confirming parties to confirm the sale and relinquish their rights under an agreement to sell dated May 3, 2010 executed in their favour by Alpeshkumar Chimanbhai Patel. The said sale deed dated March 22, 2011 was registered in the office of the Sub-Registrar of Assurances, Ahmedabad vide sr.no.3937 on March 24, 2011 and the same was entered in the revenue records vide mutation entry no.16572 dated April 11, 2011, which was certified by the Circle Officer on June 28, 2011.

18. By virtue of another sale deed dated March 22, 2011 said Alpeshkumar Chimanbhai Patel as the vendor therein sold and conveyed the remaining 8790.33 square meters of land out of Larger Land to DBS for a consideration of Rs.2,19,75,900/- (Rupees Two Crores Nineteen Lacs Seventy Five Thousand Nine Hundred only) and the said (i) Shiv Corporation through its proprietor Prakashkumar Kanaiyalal Shah, (ii) Laxmi Corporation through its proprietor Ushaben Prakashkumar Shah & (iii) D.K. Corporation through its proprietor Ajay Jasvantlal Shah were joint as confirming parties in the said sale deed. The said sale deed dated March 22, 2011 was registered in the office of the Sub-Registrar of Assurances, Ahmedabad vide sr.no.3940 on March 24, 2011 and the same was entered in the revenue records vide mutation entry no.16573 dated April 11, 2011, which was rejected by the Circle Officer on June 28, 2011. However the same was again recorded in the revenue records vide mutation entry no.16575 on April 15, 2011, which was certified by the Circle Officer on June 28, 2011.
19. It appears that vide notification no.GHM/2011/M/RGN/102010/2183/H.1 dated June 9, 2011 of the Revenue Department, Gujarat State, zonal offices of the Sub-Registrars of Ahmedabad District were ordered to be reformed pursuant to which the zonal office for non agricultural properties of village Nikol has been transferred from Sub-Registrar Office, Ahmedabad-5 (Narol) to Sub-Registrar Office, Ahmedabad-11 (Aslali).





20. It appears that vide resolution no.PFR/102011/275/L.1 dated March 17, 2012 the Revenue Department, Gujarat State two talukas of District Ahmedabad i.e. Taluka City and Taluka Dascroi were ordered to be reformed as (i) Taluka Ahmedabad City (East) & (ii) Taluka Ahmedabad City (West); Subsequently villages of Taluka City and Taluka Dascroi were redistributed in the aforesaid new talukas and pursuant to which village Vatva has been covered within Taluka Ahmedabad City (East). The same has been recorded in the revenue records vide mutation entry no.17312 on May 3, 2012, which has been certified by the Mamlatdar City (East) on May 5, 2012.
21. By virtue of sale deed dated February 18, 2014 said DBS Affordable Home Strategy Limited through its Director Dineshkumar Ghevarchand Jain as the vendor therein sold and conveyed the Said Land being 8790.33 square meters (private sub-plot no.3 out of final plot no.68/1 & 68/2) of land out of Larger Land to Aroma Realities Limited for a consideration of Rs.2,60,00,000/- (Rupees Two Crores Sixty Lacs only). The said sale deed dated has been registered in the office of the Sub-Registrar of Assurances, Ahmedabad vide sr.no.1212 on February 18, 2014 and the same has been entered in the revenue records vide mutation entry no.18441 dated February 21, 2014, which was certified by the Circle Officer on April 3, 2014.
22. It appears that by virtue of mortgage deed dated March 25, 2011 DBS through its Director Dineshkumar Ghevarchand Jain had taken a loan of Rs.1,05,00,000/- (Rupees One Crore Five Lacs only) from the Kankaria Maninagar Nagrik Sahkari Bank Ltd., Ahmedabad (Said Bank) and had mortgaged the Said Land with the Said Bank. The said mortgage deed has been registered in the office of the Sub-Registrar of Assurances, Ahmedabad vide sr.no.4175 on March 25, 2011.

It further appears that upon repayment of the dues of the Said Bank together with interest in full and final by DBS to the Said Bank, the Said Bank has issued no dues certificate dated August 22, 2014 in favour of Dinesh Ghevarchand Jain. We have not been provided with copy of any re-conveyance / release deed in respect of repayment and release of charge of the Said Bank in respect of the Said Land.





23. It appears that Aroma Realities Limited with a view to develop residential cum commercial scheme to be known as 'Aakruti Anagan' (hereinafter referred to as the "Said Building") have prepared development plans in respect of the proposed 10 residential cum commercial buildings consisting of (i) Block-A1 having 5 commercial units, (ii) Block-A having 42 residential units, (iii) Block-B+C having 140 residential units, (iv) Block-D+E having 126 residential units, (v) Block-F+G having 161 residential units + 10 commercial units & (vi) Block-H+I having 168 residential units aggregating to 637 residential units and 15 commercial units on the Said Land and submitted the same to the Ahmedabad Municipal Corporation for approval and the same were approved by the AMC on July 17, 2014.
24. Aroma Realities Limited has also obtained the Commencement Certificate (Raja Chitthi) from the AMC vide order nos. 01693/120314/A1465/R0/M1, 01694/120314/A1466/R0/M1, 01695/120314/A1467/R0/M1, 01696/120314/A1468/R0/M1, 01697/120314/A1687/R0/M1, 01698/120314/A1688/R0/M1 all dated July 17, 2014 for the purpose of commencing the construction as approved by the AMC.
25. It further appears that the non agricultural use permission granted by the District Collector on July 26, 2010 in respect of the Larger Land including the Said Land for residential purpose has been duly revised by the Deputy Collector, Ahmedabad vide his order no.N.A./U-1/Case No.33/Section 65A/Vatva/2013-14 dated July 10, 2014 whereby the land use has been changed to ~~residential~~ residential cum commercial purpose being non agricultural use of 510 square meters out of the Said Land for commercial use in the manner and for the terms and conditions set out therein. It is observed that the remark in respect of change of land use has yet not been recorded in the revenue records.
26. It further appears on perusal of mutation entry no.18691 dated August 5, 2014 that since the name of DBS has been continued along with Aroma Realities Limited as occupier of the Said Land in village form no.7/12, the Mamlatdar vide his order no.CT/Narol/Rectification Order/Narol/S.R.No.53/2014 dated July 31, 2014 ordered to delete the name of DBS through its Director Dineshkumar Zaverchand Jain as occupeir of the Said Land. The said mutation entry no.18691 dated August 5, 2014 appears to be pending for certification.





27. On perusal of the Part Plan as well as Zoning Certificate dated May 29, 2013 issued by the Town Planning Inspector, Ahmedabad Municipal Corporation it appears that the Said Land has been covered under Residential Zone-1.
28. Upon perusal of the village form no.7/12 in respect of the Said Land dated August 25, 2014 it appears that the Said Land being non agricultural land bearing private sub plot no.3 admeasuring 8790.33 square meters forming part of final plot no.68/1 & 68/2 admeasuring 23431 square meters of town planning scheme no.79 (Draft) allotted in lieu of survey no.1523 admeasuring 39052 square meters situated, lying and being at village Vatva, Taluka Ahmedabad City East and District Ahmedabad reflects in the name of Aroma Realities Limited through its authorized Director Shri Mayjibhai M. Desai.

V. ESSENTIAL REQUIREMENTS

1. The Said Land shall be physically surveyed by a government approved land surveyor to confirm that the area of the Said Land on site matches the area as per the revenue records;
2. Land Revenue in respect of the Said Land being duly paid as on the last due dates;
3. A declaration by be made by present owner that it is in the sole and absolute possession of the Said Land and that it has not parted with the possession of and have not in any manner dealt with the Said Land or part thereof with any other person or entity or otherwise in any manner whatsoever and that there are no litigations initiated/pending in any court of law or with any authority or government or semi government body in respect of the Said Land and that the facts mentioned in this report is true to its knowledge;
4. Deed of satisfaction of charge/ Re-conveyance Deed by the Said Bank to DBS to be duly executed in respect of the Said Land
5. Village form no.7/12 in respect of the Said Land to be separately maintained, necessary applications for the same being made to the competent revenue authorities

VI. SCHEDULE

All that non agricultural land bearing private sub plot nos.68/3/1 & 68/3/2 admeasuring 8790.33 square meters (comprising of 8280.30 square meters for residential use and 510 square meters for commercial use) forming part of final plot nos.68/1 & 68/2 totally admeasuring 23411 square meters (allotted in lieu of survey no 1523 admeasuring 39052 square meters) of town planning scheme no.79, situated, lying and being at village Vatva, Taluka Ahmedabad City East within the Registration Sub-District Ahmedabad-11 (Aslali) and District Ahmedabad.





A. C. DAMANI
& Advocates

VII. CONCLUSION

In view of what is stated above, we are of the opinion and hereby certify that the title to the Said Land belonging to Aroma Realities Limited appears to be clear, marketable and free from all encumbrances and beyond reasonable doubt, subject to the satisfaction of the essential requirements mentioned in Section V of this Title Report.

Place:- Ahmedabad

Date :- August 25, 2014

For, A.C.Damani & Advocates,

A.C. Damani

