

Manhar I. Brahmhatt

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ADVOCATE

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COURT

City Civil Court,
Opp. Nazar Office,
Shed No. 3, Bhadra, Ahmedabad.

RESI: C/7, Shivam Bungalows, Opp. New High Court, Sarkhej, Gandhinagar, Highway, Ahmedabad. Phone: 27774068

Ref. No. :

Date :

19/09/2014

TITLE CLEARANCE CERTIFICATE

Re: Investigation of title in respect of
all that piece and parcel of old
tenure non agricultural land bearing
Survey No.2/1, Block/Survey No.49 of
Account No.680 admeasuring about
He-Are-Sq.mts. 0-61-86, Aakar
Rs.4.19 of village Kudasan, Taluka
Gandhinagar, District Sub-District
Gandhinagar



The owner of the aforesaid land Shri Chinmay Arvindbhai Patel through his power of attorney holder Dhaval Arvindbhai Patel have placed into my hands the relevant documents in respect of the above land and have requested me to investigate into the title of the said land and give a report thereto.

On the basis of the documentary evidence and other relevant documents my findings in respect of the title of aforesaid land are as under:

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1. That the aforesaid Shri Dhaval Arvindbhai Patel has produced before me the aforesaid power of attorney of Shri Chinmay Arvindbhai Patel which appears to be registered before the Hon'ble Sub-Registrar, Gandhinagar vide No.179 on 6/1/2012 and said Shri Dhaval Arvindbhai Patel has also filed a Declaration to the effect that the said power of attorney is not cancelled or revoked by its executants and the same is in force as on today.

2. That I have perused and checked the revenue record / documents pertaining to the aforesaid land placed before me and have come across with the following.



a) That, the mutation entry No.143 is consists of three survey numbers of Mouje village Kudasan, Survey No.2/2, 7/2 and 302 and the survey No.2/1 for which this certificate is sought for does not includes therein.

b) That the mutation entry No.1639 dated 20/2/1982 mutated in the revenue record of aforesaid land is regarding succession which was

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mutated on account of death of the original land owner - farmer - tiller account holder Shri Aadarabhai Somabhai and Chhababhai Somabhai the names of their heirs of Aadarabhai Somabhai (1) Ravjibhai Aadarabhai, (2) Vimlaben Aadarabhai, (3) Mahendrabhai Aadarabhai, and the names of heirs of late Shri Chhababhai Somabhai (1) Lalbhai Chhababhai, (2) Rameshbhai Chhababhai were entered and the said entry is certified on 23/4/1982.

c) The mutation entry mutated in revenue record of said land vide No.1856 is related to charge/ encumbrance of Kudasan Co-operative Society and the entry dated 31/7/87 is certified on 25/9/87. The Certificate of repayment of said loan is produced before me and the said co-operative society has not raised any objection whatsoever regarding same against the public notice I have caused to publish in connection with this title certificate. But the said entry is yet to be deleted from the revenue record as declared by the declarant in declaration executed by him and he



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himself is admitting responsibility of the same.

Therefore I am of the opinion that there is nothing adverse regarding the said entry.

d) On perusal of mutation entry No.1528 entered into in other rights of revenue record of said land it appears that the same is not applicable to the land of Block No.49.

The mutation entry mutated in the revenue record of said land vide mutation entry No.2089 is related to deletion of fragment and the entry of the order meaning that the said land does not barred by the Fragmentation Act is mutated on 16/11/90 and the same is certified by the concerned authority on 19/3/1991 which appears to be clear.



e) The mutation entry No.4614 entered into the revenue record of said land is for successors of Talshibhai Somabhai, same is cancelled. However the persons in the said entry have not raised any objection whatsoever against issuance of this title

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certificate regarding titles of said land as it appears from the documents placed before me.

f) The entry No.4944 mutated in the revenue record of said land is regarding names of successors of Lilaben Chhababhai namely Dilipbhai Ishwarbhai etc. and the has not been certified and they have also not raised any objection whatsoever against issuance of this title certificate pertaining to the said land.

3. That the original owners of said land (1) Shri Rameshbhai Chhababhai Patel, (2) Lalbhai Chhababhai Patel, (3) Ravjibhai Aadarbhai Patel, (4) Mahendrabhai Aadarbhai Patel, (5) Vimlaben Aadarbhai Patel, (6) Anilbhai Talshibhai Patel, (7) Mahendrabhai Talshibhai Patel, (8) Kamlaben Talshibhai Patel, one of the owner Shri Rameshbhai Ishwarbhai Patel himself and other through their Power of attorney holder have sold the said land to Shri Chinmay Arvindbhai Patel by a registered sale deed which has been registered in the office of the Sub-Registrar, Gandhinagar at Serial No.2928 on 19/4/2005 and on basis of the said sale deed the



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mutation entry is mutated vide No.3991 dated 16/9/96 in the revenue record of said land and same has been certified on 20/11/2007.

4. That after purchasing the said agricultural land said Shri Chinmay Arvindbhai Patel had applied to convert the said land from agricultural to non agricultural land for the purpose of residential purpose and in connection of said application the Hon'ble Collector, Gandhinagar vide his order No.CB/Land/N.A./ S.R.-114/11/Vashi 342 to 357/2011 dated 7/1/2011 has granted the non agricultural permission. An entry to this effect has been mutated in the revenue record vide mutation entry No.6727 dated 21/1/2012 and the same has been certified on 15/3/2012 and as such the said land has been established as non agricultural land.



5. That, I caused a public notice to be published in the vernacular daily "Divya Bhaskar" published from Ahmedabad in its edition dt.30/08/2013 inviting objections, if any, from the public at large. However till today no person has come forward

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with any objection or dispute objecting to the grant of the title clearance certificate.

6. That, I caused searches to be made at the Sub-Registrar Office, Gandhinagar. The said search is caused on payment of requisite fee vide Receipt No.2014048026784. That during the said search it appears that the record of said office from the year 1985 to 1996 is torn and hence could not take search for the said period. That I could not find any details in the year 1997, whereas the record from the year 1998 to 2004 is torn. The entry regarding sale deed in the name of Shri Chinmay Arvindbhai Patel is registered at serial No.12420 on 18/7/2008 and on study of the same it appears that (1) Shri Dilipbhai Ishwarbhai Patel, (2) Shri Ghanshyambhai Ishwarlal Patel, (3) Varshaben Ishwarbhai Patel have executed a deed in respect of their undivided share admeasuring 0-10-31 in the said land in favour of Shri Ketanbhai Ranchhodbhai Patel. But they have cancelled the said sale deed of said land by a deed registered in the office of the Sub-Registrar, Gandhinagar vide



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serial No.1505 dated 29/1/2010, but during our search we come across with the entry of the same in the year 2010. Therefore it is clear that the said sale deed No.12420 does not remain in force.

7. On verifying the record of said land for the year 2012 there is an entry of a document No.178 on 6/1/2012 and the same is an Agreement for Sale without Possession (Banakhat without possession) and the said Banakhat is executed in favour of one Shri Nilesh Jiterdrabhai Panchal by Shri Chinmay Arvindbhai Patel. But there is also an entry for cancellation of said Banakhat by a registered deed No.5871 dated 24/4/2014 and we have have found the entry of same in the year 2014. Therefore it is clear that the said Banakhat executed in respect of said land is no more in force.



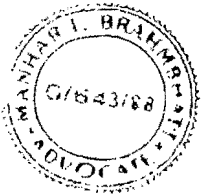
8. That, thereafter there is an entry of Registered Deed No.179 in the year 2012 which is a General Power of Attorney executed by said Shri Chinmay Arvindbhai Patel in favour Shri Dhaval Arvindbhai Patel, said document is registered on 6/1/2012.

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9. That, thereafter a Development Agreement with respect to the said land is registered vide No.5174 in the name of Dhaval Arvindbhai Patel. But the same was cancelled by a Cancellation Deed which is registered vide Sr.No.7988 dt.9/6/2014 and therefore it is clear that the said Development Agreement regarding said land does not remain in force.

10. Thereafter a Development Agreement with respect to the said land is executed between the present land owners and partners of a partnership firm namely Simraj Sidhdheshwari Buildings and the same is registered vide No.5756 dt.26/11/2013 and they have also not raised any dispute/objection against issuance of this title certificate.



11. That, as such in view of the aforesaid facts, as per the search of the record taken in the office of the Sub-Registrar, Gandhinagar and as per the information received during the search and the record which has been torn, we have not found any adverse remark or entry with respect to the aforesaid land, however the undersigned would not

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be responsible or liable for any entry is found later on with respect to the record which is torn and the person sought for this title certificate personally has given undertaking that in such even he himself will be responsible and liable for any such adverse entry and therefore for the record/documents placed before me, from the search of record of Sub-Registrar Gandhinagar Office and on the strength of the Declaration executed by the aforesaid Dhaval Arvindbhai Patel, the Power of Attorney Holder of the landowner Shri Chinmay Arvindbhai Patel I am of the opinion that said Shri Chinmay Arvindbhai Patel is the absolute owner and in occupation - possession of aforesaid land and his right, title and interest qua the said land are clear, marketable and free from any encumbrances whatsoever.



Ahmedabad

Dt. 19/09/2014

(Manhar I. Brahmbhatt)
Advocate