

13/02/2020

TITLE REPORT

of

Part (5,229.70 M²) of Block No. 377 (Total Area 6,374M²)
Corresponding to Old R. S. No. 481 of village Kalali,
Vadodara.

for

VHD Realty;
208, V3 LANDMARK,
Near Gopinathji Car showroom
Atladra-Padra Road,
Atladra, VADODARA

Mrs. R. S. Desai

B.Sc.,LL.M., Advocate

7, Daxa Colony, Nizampura
Vadodara - 390 002

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13/02/2020

VHD Realty
208, V3 Landmark
Near Gopinathji Car Showroom,
Atladra-Padra Road
Atladra
District Vadodara

TITLE REPORT

WHEREAS I have been requested by yourself, to investigate into the titles of open non-agricultural lands being part of Block No.377 (5,229.70 M², of total area of 6,374 m²), corresponding to old R. S. No. 481 of village Kalali, in registration district and sub-district Vadodara, more particularly described hereunder, and hereinafter referred to as the **Said Lands**, and to submit a report in respect of such investigation, and,

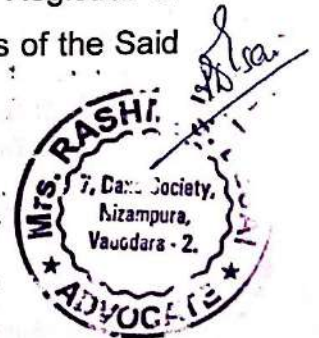
WHEREAS I have perused the various documents placed before me, had a notice inviting any right or claim, of any person, in or towards the Said Lands, got published in a local daily, (and the objection received has been resolved) , had a search carried out at the Office of the Sub Registrar of Assurances at Vadodara, and generally investigated into the titles of the Said Lands.

NOW, THEREFORE, I am to report as under :

DESCRIPTION OF THE SAID LANDS

Open non-agricultural lands, being part admeasuring 5,229.70 sq. mts., (of total area of 6,374 m²), of Block No. 377, corresponding to old R.S. No. 481, of village Kalali, in registration district and sub-district Vadodara, having the following details :

Tenure : Non-Agricultural Lands



Area (Total) : 6,374 sq. mts., (Of Block No. 377, as per records.)

Area under investigation : 5,229.70 M²

Account No. : 130

Assessment : Rs. 7:56 Ps.

Boundaries :

East by Land bearing Block No. 408 of Kalali .

West by Land bearing Block No. 376 and part of lands of Block No. 377 (towards south)

North by Land bearing Block No. 408 of Kalali

South by Lands bearing Block Nos. 378 and 407 of Kalali

The exact position and extent of the Said Lands is shown in the Plan Annexed hereto as **Annexure -1**, in right slanted lines .



1. DOCUMENTS SCRUTINIZED

1. Certified copies of V. F. No. 7/12 of R. S. No. 481 form 1951-52 to 1988-89, and of Block No. 377 from 1989-90 to 2006 and from 2016 to 2019.
2. Certified copies of all record of right entries appearing in the above.
3. Certified copies of V. F. No. 8A, showing lands bearing Block No. 377 of village Kalali, to be in the holding of Rajnikantbhai Jashbhai Patel and others.
4. Original non-TP validation plan of Block Nos. 348, 376 and 377 of village Kalali, approved by Vadodara Mahaanagar Seva Sadan .
5. Original NA order No. CA/NA/VADODARA/KALALI /377/1008074/2019 dated 23/05/2019, Passed by the Collector, Vadodara.
6. Certified copy of Hissa Form No. 4, along with Plan/measurement sheet.

2. BRIEF HISTORY OF HOLDING OF LANDS :

- 2.1 That the property under investigation comprises of a parcel of open land, which is part (admeasuring 5,229.70 m²) of land (designated as Plot No. 2, as shown in **Annexure -1**) of Block No. 377 (total area

6,374 m²), which Block No. 377 corresponds, to old Revenue Survey Number (R.S. No.) 481 of village Kalali , in registration district and sub-district Vadodara.

- 2.2 Tracing the history of the property under investigation, it is seen that land bearing R.S. No. 481 of village Kalali was originally agricultural land, admeasuring 1 Acre and 23 Gunthas. The revenue records reflect that since the past more than 68 years, these lands stand in the name of RAJNIKANTBHAI JASHBHAI PATEL, to whose name they were mutated, upon a partition of all family lands, effected by his father Jashbhai Hirabhai Patel. This fact has been recorded at record of rights Entry No. 174.
- 2.3 Later, upon consolidation of lands, the said land parcel bearing R.S. No. 481 of Kalali, was given **Block No. 377** with an area of **6,374 m²**. During his lifetime, the said Rajnikantbhai Jashbhai Patel, got the names of his legal heirs : Jayaben Rajnikant Patel (wife), Tushar Rajnikant Patel (son), and Manoj Rajnikant Patel (son), taken on record. Record of rights Entry No. 1228 dated 13/09/1996 ,has been posted to this effect .
- 2.4 Permission for multipurpose non-agricultural use, of lands bearing Block No. 377, of Kalali has been granted by the Collector, Vadodara, vide Order No. CA/NA/VADODARA/KALALI /377/1008074/2019 dated 23/05/2019.
- 2.5 The owners of this land parcel bearing Block No. 377 of Kalali, along with the owners of lands bearing Block Nos. 348 and 376 of Kalali, were desirous of carrying on development of their lands. Inasmuch as no town planning scheme had become applicable, to the area in which these land parcels lie, the owners of Block Nos. 348, 376 and 377 of Kalali, applied for non-TP validation, (a procedure, ensuring how much, and which part of the these lands may be reserved for public purpose, and as set back area for roads etc., and which part may be used for development purpose) . The Vadodara Mahanagar Seva Sadan (VMSS), has approved a non-TP validation plan, including all three Block Nos. (348, 376 and 377) of Kalali. Accordingly the entire



area of Block No. 348 of Kalali, admeasuring 6,172 m², and about 1,033.28 m² being the North-Western portion of Block No. 376, has been reserved for Public purpose, and small portions of Block Nos. 348 and 376 have been reserved as set back for public road widening. No portion of the lands under investigation are indicated for any reservation. A copy of the approved non-TP validation plan annexed hereto as **Annexure -2**, is self explanatory.

3. **OTHER ASPECTS**

3.1 **Charge over the lands :**

Record of rights Entry No. 1028 dated 14/08/1986 and Entry No. 1100 dated 04/06/1988, reveal that loans were availed of, against security of lands bearing R.S. No. 481 and other lands of village Kalali, from Indian Overseas Bank. However it appears, from record of rights entry No. 1300 dated 09/08/1999, and No. 2956 dated 01/04/2019 that the loans were duly repaid and that the charge stood satisfied. No other recorded charge could be found .

3.2 **Permission for non - agricultural use :**

Permission for multipurpose non-agricultural use of the whole Block No. 377 has been granted by the Collector, Vadodara, vide Order No. CA/NA/VADODARA/KALALI /377/1008074/2019 dated 23/05/2019. The lands can therefore be used for any non-agricultural purpose.

3.3 **Zone :**

Vadodara Urban Development Authority has issued a Zone Certificate No. 77553 dated 25/07/2019, according to which the said Block No. 377 falls in Health and Medical Node -4.

3.4 **Affidavit of landowners :**

The owners of the land parcel bearing Block No. 377 of village Kalali, in registration district and sub-district Vadodara, have executed an affidavit to the effect that they have not created any charge or encumbrance over their lands, neither are they subject to any acquisition or requisition or litigation or attachment or order of attachment of any Court or Tribunal or department or authority.



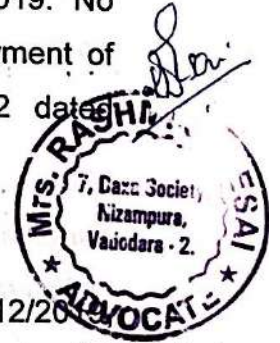
4. **SEARCH AT THE OFFICE OF THE SUB - REGISTRAR**

That I had got a search carried out at the Office of the Sub-Registrar of Assurances, Vadodara, from 1989 to 1993 and from 1994 to 2019. No objectionable or adverse entries were found. The receipts for payment of search fees, bear Nos. 2019014035252 and 2013016042312 dated 27/12/2019.

5. **PUBLIC NOTICE**

5.1 I had a public notice issued in Gujarat Samachar daily of 06/12/2019 inviting objections to the issuance of a title clearance certificate. A copy of the public notice is annexed hereto as **Annexure 3**. In response to my Public Notice, I received a public objection from Neeruben Chandrakant Amin, Ranjanben Pravinbhai Amin, Sharmishtaben Bhaskarbhai Patel and Geetaben Nikhilkumar Patel – all daughters of Jashbhai Hirabhai Patel and sisters of Rajnikantbhai Jashbhai Patel, claiming that they had a right in the land parcel, being Block No. 377 of Kalali. Copy of the newspaper notice, carrying the objections is annexed hereto as **Annexure 4**.

5.2 Upon a scrutiny of the land records, and various other documents placed before me, I find, that land bearing R.S. No. 481 (now corresponding to Block No. 377) of village Kalali, had fallen to the share of Rajnikantbhai Jashbhai Patel, upon a partition of the family lands, effected by his father Jashbhai Hirabhai Patel, prior to 1951. It can be seen, that the partition was effected, prior to the enactment of the Hindu Succession Act, 1956, and notwithstanding that, the females of a family had no coparcenary rights, back then. Since property received on partition of joint Hindu family property, becomes the absolute property of the recipient of that share, he would be entitled to deal with it in any manner as deemed fit. Upon partition of the family lands, Rajnikantbhai therefore, became the absolute owner of R.S. No. 481 (Block No. 377) of Kalali and the objectors – Neeruben Patel and others had no right or interest in this land parcel. They therefore had no right to claim any right in the lands under investigation. They also were not competent to call to question, their father's right to partition. Accordingly a reply was given to the objectors. However, notwithstanding that the sisters-



Neeruben and others, had no right to question their father's right to partition., with a view to maintain cordial relations, the present landowners Rajnikantbhai and others, decided to pay the objectors, Neeruben and others. On such payment being made by the Landowners, they have entered into an agreement, with the Objectors, recording their mutual understanding.

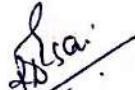
6. AFFIDAVIT OF LANDOWNERS

The Landowners : Rajnikantbhai and others, have executed an affidavit to the effect, there is no charge or lien, or restraint order or attachment order in respect of the lands bearing Block No. 377.

7. LEGAL OPINION

That on the basis of the available documents, possible search at the Office of the Sub Registrar of Assurances, Vadodara, proper attention given to the Objection to Public notice, got published by me, in Gujarat Samachar daily of 06/12/2019, the "Samjuti Karar" entered into, between the Landowners and the Objectors, the affidavit executed by Rajnikantbhai, I am of the opinion, and confirm, that the titles of the above described lands are clear, valid, legal, unambiguous, unencumbered and marketable and vest at present in Rajnikantbhai Jashbhai Patel, Jayaben Rajnikantbhai Patel, Manoj Rajnikantbhai Patel, and Tushar Rajnikantbhai Patel, whose right to the said lands is freehold.

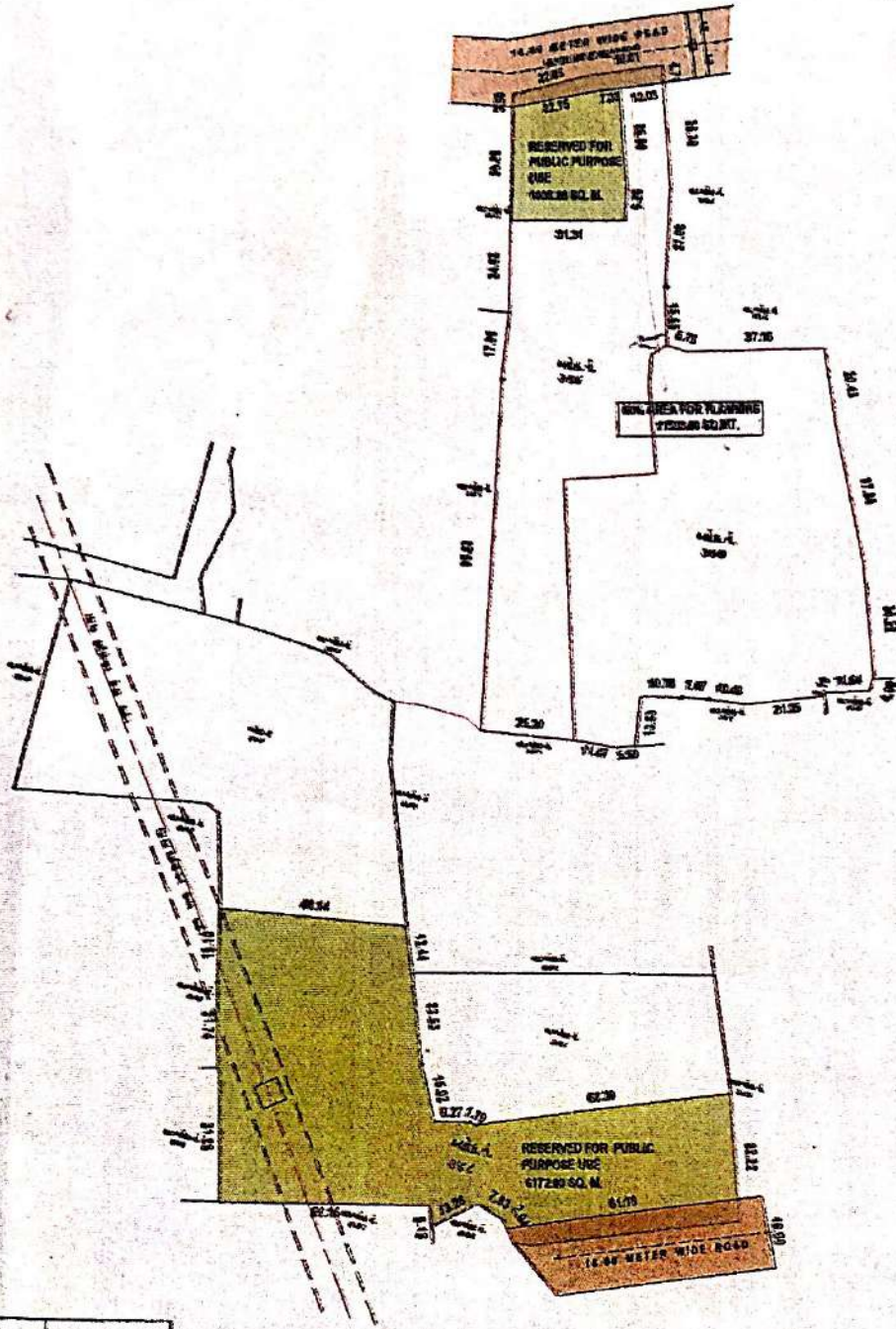
Baroda
13/02/2020


[Mrs. R. S. Desai]
Advocate




PLAN SHOWING PART PLAN FOR FUTURE REQUIREMENT OF LAND FOR PUBLIC PURPOSE & LAND FOR PLANNING

OPTION 2



SIGN. :

DY. TDO (B.P.)

[Signature]
20/7/19

SR. ARCHITECT

[Signature]
20/7/19

DY. TDO (T.P.)

[Signature]
20/7/19

LEO (T.P.)

[Signature]

BLOCK NO	AREA AS PER 7/12
BLOCK NO- 348	6172.00
BLOCK NO- 376	6677.00
BLOCK NO- 377	6374.00

 RESERVED FOR PUBLIC PURPOSE USE

ALL DIMENSIONS ARE IN METRES.

VILLAGE	BLOCK NO	TOTAL AREA AS PER 7/12	ORIGINAL LAND		RECONSTITUTED LAND	
			NO	AREA	NO	AREA
KALALI	348,376,377	19223.00 SQ.MT.	0	19223.00 SQ.MT.	0	11533.80 SQ.MT.



E. The net plot area which is to be considered for the purpose of development permission is 11533.80 sq.mt. and the dimensions of which are as shown in the drawing above.

TITLE REPORT

of

Part (57.84 M² + 500.85 M²) of Block No. 376 (Total Area 6,677 M²)
Corresponding to Old R. S. Nos. 479 and 480 of village Kalali,
Vadodara.

for

VHD Realty,
208, V3 LANDMARK,
Near Gopinathji Car showroom
Atladra-Padra Road,
Atladra, VADODARA

Mrs. R. S. Desai

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VHD Realty

13/02/2020

208, V3 Landmark

Near Gopinathji Car Showroom,

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Atladra

District Vadodara

TITLE REPORT

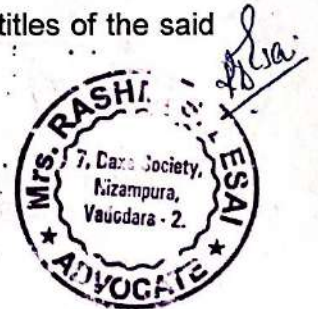
WHEREAS I have been requested by yourself, to investigate into the titles of **open non-agricultural lands being part (57.84 M² of centre-East portion and undivided undemarcated area of 500.85 M² out of total area of 6,677 m² of Block No. 376 corresponding to old R. S. Nos. 479 and 480 of village Kalali, in registration district and sub-district Vadodara, more particularly described hereunder, and hereinafter referred to as the Said Lands, and to submit a report in respect of such investigation, and,**

WHEREAS I have perused the various documents placed before me, had a notice inviting any right or claim, of any person, in or towards the Said Lands, got published in a local daily, and have received no objections or claims), had a search carried out at the Office of the Sub Registrar of Assurances at Vadodara, and generally investigated into the titles of the said lands.

NOW, THEREFORE, I am to report as under :

DESCRIPTION OF THE SAID LANDS

Open non-agricultural lands, being a strip admeasuring 57.84 M² of the centre-Eastern portion (hereafter called "**the Strip Land**") and an undivided undemarcated area of 500.85 M² (hereafter called "**the Road Land**") out of total land area of 6,677 m² of Block No. 376, corresponding to old R.S.



Nos. 479 and 480, of village Kalali, in registration district and sub-district Vadodara, having the following details :

Tenure : Non-Agricultural Lands
Area (Total) : 6,677 sq. mts., (Of Block No. 376, as per records.)
Area under investigation : 57.84 M² of centre-Eastern portion (Strip Land) and also an undivided, undemarcated area admeasuring 500.85 M² (Road Land) being part of Said Block No.376 for common approach road.

Account No. : 559

Assessment : Rs. 7:31 Ps.

Boundaries :

Direction	Strip Land	Road Land
East	Part of Block No 377 of Kalali	Block No. 408 of Kalali
West	Remaining part of Block No. 376 of Kalali	Remaining part of Block No. 376 of Kalali
North	Road Land	18 mts. Naliya road
South	Block No. 377 of Kalali	Part of Block N. 376 and 377 of Kalali.

The exact position and extent of the Said Lands (Strip Land and Road Land) is shown in the Plan Annexed hereto as **Annexure -1**, in left slanted lines .

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1. DOCUMENTS SCRUTINIZED

1. Certified copies of V. F. No. 7/12 of R. S. Nos. 479 and 480 from 1952 to 1988-89, and of Block No. 376 from 1989-90 to 2006 and from 2016 to 2019.
2. Certified copies of record of right entries appearing in the above.
3. Certified copy of V. F. No. 8A, showing lands bearing Block No. 376 of village Kalali, to be in the holding of Madhav Realty.



4. Copy of non-TP validation plan of Block Nos. 348, 376 and 377 of village Kalali, approved by Vadodara Mahanagar Seva Sadan .
5. Original NA order No. NA/SR/ /2016-17 No. LND-D/Sec-65/WS/4627 to 4635/17 dated 05/09/2017, passed by the Collector, Vadodara.
6. Certified copy of Hissa Form No. 4, along with Plan/measurement sheet, for Block No. 376.
7. Zone Certificate No. 59802 dated 17/02/2017 for Block No. 376 of village Kalali issued by Junior Town Planner , Vadodara Urban Development Authority .
8. Original Sale Deed dated 22/03/2019 (registration No. 4829) for Sale of lands bearing Block No. 376 of village Kalali by Ghanshyambhai Madhavbhai Patel to partnership firm of Madhav Realty .

2. **BRIEF HISTORY OF HOLDING OF LANDS :**

- 2.1 That the property under investigation comprises of two small portions [a strip of land admeasuring 57.84 m² on the North-Eastern edge and an undivided, undemarcated area of land admeasuring 500.85 M², towards the Northern side, of Block No. 376, which will serve common approach road for the development to be carried out on Block Nos. 376 and 377] of open non-agricultural lands bearing Block No. 376 corresponding to old Revenue Survey Numbers (R.S. Nos.) 479 and 480 of village Kalali, in registration district and sub-district Vadodara.
- 2.2 Tracing the history of Block No. 376, of which the Said Lands, under investigation, is a part, it is seen that lands bearing R.S. Nos. 479 and 480 of village Kalali, were originally agricultural lands, respectively admeasuring 35 Gunthas and 31 Gunthas, (ie totally 1 Acre and 26 Gunthas). The revenue records reflect, that both land parcels- R.S. Nos. 479 and 480 were held by Vallavbhai Zaverbhai, from whom they were inherited by Madhavbhai Vallavbhai, upon demise of Vallavbhai Zaverbhai. This fact has been recorded vide record of rights entry No. 138 .



- 2.3 Madhavbhai Vallabhbai died on 16/05/1972, whereupon the two land parcels (R.S. Nos. 479 and 380) were mutated to the name of his heir, Rasik alias Rajendra Madhavbhai Patel, (minor through his guardian Bhupendra Madhavbhai Patel) . This is seen from record of rights entry No. 767 dated 14/09/1974. Thereafter these lands stand on the name of Rasikbhai alias Rajendra Madhavbhai Patel, till 1988-89, when consequent upon consolidation, lands bearing R.S. Nos. 479 and 480 of village Kalali, were given Block No. 376, which also continued to stand on the name of Rasikbhai alias Rajendra Madhavbhai Patel, till 2005-2006. Later there was a partition of all family lands, whereupon the said Block No. 376 of Kalali fell to the share of Ghanshyambhai (Rohitbhai)Patel, as seen from record of rights entry No. 2294 dated 25/04/2014, duly certified on 08/07/2014 .
- 2.4 Permission for non-agricultural residential use, of 6000 m² and non-agricultural commercial use of 677 M², of lands bearing Block No. 376, of Kalali, was granted by the Collector, Vadodara, vide Order No. NA/SR/ /2016-17 No. LND-D/Sec-65/WS/4627 to 4635/17 dated 05/09/2017. These non-agricultural lands are shown to be standing on the name of Ghanshyambhai Madhavbhai Patel in Hissa Form No. 4.
- 2.5 By a Sale Deed dated 22/03/2019, duly registered at the office of the sub registrar of Assurances, Vadodara, under serial No. 4829, the said land, bearing Block No. 376 of village Kalali, was sold by Ghanshyambhai (Rohitbhai) Madhavbhai Patel, to the partnership firm of Madhav Realty, whose partners are Devendra Ratibhai Patel and Ashok Harilal Tanna. This land parcel, being Block No. 376 of village Kalali has been mutated to the name of "Madhav Realty" vide record of rights entry No. 2955 dated 28/03/2019.
- 2.6 The owner of this land parcel, bearing Block No. 376 of Kalali, along with the owners of lands bearing Block Nos. 348 and 377 of Kalali, were desirous of carrying on development of their lands. Inasmuch as no town planning scheme had become applicable, to the area in which these land parcels lie, the owners of Block Nos. 348, 376 and 377 of Kalali, applied for non-TP validation, (a procedure, ensuring how



much, and which part of the these lands may be reserved for public purpose, and as set back area for roads etc. and which may be used for development purpose) . The Vadodara Mahanagar Seva Sadan (VMSS), has approved a non-TP validation plan, including all three Block Nos. (348, 376 and 377) of Kalali. Accordingly, the entire area of Block No. 348 of Kalali, admeasuring 6,172 m², and about 1,033.28 m² being the North-Western portion of Block No. 376, has been reserved for Public purpose, and small portions of Block Nos. 348 and 376 have been reserved as set back for public road widening. A copy of the approved non-TP validation plan annexed herewith (**Annexure 2**), is self explanatory.

3. OTHER ASPECTS

3.1 Charge over the lands :

Record of rights Entry No. 988 dated 06/10/84; Entry No.1068 dated 04/06/1988 and Entry No. 1119 dated 25/10/1990, reveal that loans were availed of, against security of R.S. Nos. 479, 480 and other lands, and later against Block No. 376, from Indian Overseas Bank, Kalali Branch. However it appears, from record of rights entry No. 1174 dated 21/05/94, and Entry No. 1212 dated 10/04/1996, that the loans were duly repaid, and that the charge stood satisfied. No other recorded charge could be found .

3.2 Permission for non - agricultural use :

Permission for non-agricultural residential use, of 6,000 M² and non-agricultural commercial use of 677 M² of lands bearing Block No. 376, of Kalali, was granted by the Collector, Vadodara, vide his Order No. NA/SR/ /2016-17 No. LND-D/Sec-65/WS/4627 to 4635/17 dated 05/09/2017. The lands can therefore be put to use, partly for residential and partly for commercial non-agricultural purpose.

3.3 Zone :

Vadodara Urban Development Authority has issued a Zone Certificate No. 59802 dated 17/02/2017, according to which, the said Block No. 377 falls in Health and Medical Node -4.



3.4 Affidavit of landowners :

The partners of Madhav Realty, who are the owners of the land parcel bearing Block No. 376 of village Kalali, in registration district and sub-district Vadodara, have executed an affidavit to the effect that they have not created any charge or encumbrance over their lands, neither are the lands subject to any acquisition or requisition or litigation or attachment or order of attachment of any Court or Tribunal or department or authority.

2

4. SEARCH AT THE OFFICE OF THE SUB - REGISTRAR

That I had got a search carried out at the Office of the Sub-Registrar of Assurances, Vadodara, from 1989 to 1993 and from 1994 to 2019. No objectionable or adverse entries were found. The receipts for payment of search fees bear Nos. 2019014035252 and 2013016042312 dated 27/12/2019.

5. PUBLIC NOTICE

I had a public notice issued in Gujarat Samachar daily of 06/12/2019, inviting objections to the issuance of a title clearance certificate. A copy of the public notice is annexed hereto as **Annexure 3**. In response to my Public Notice, I have not received any objections or adverse claims.

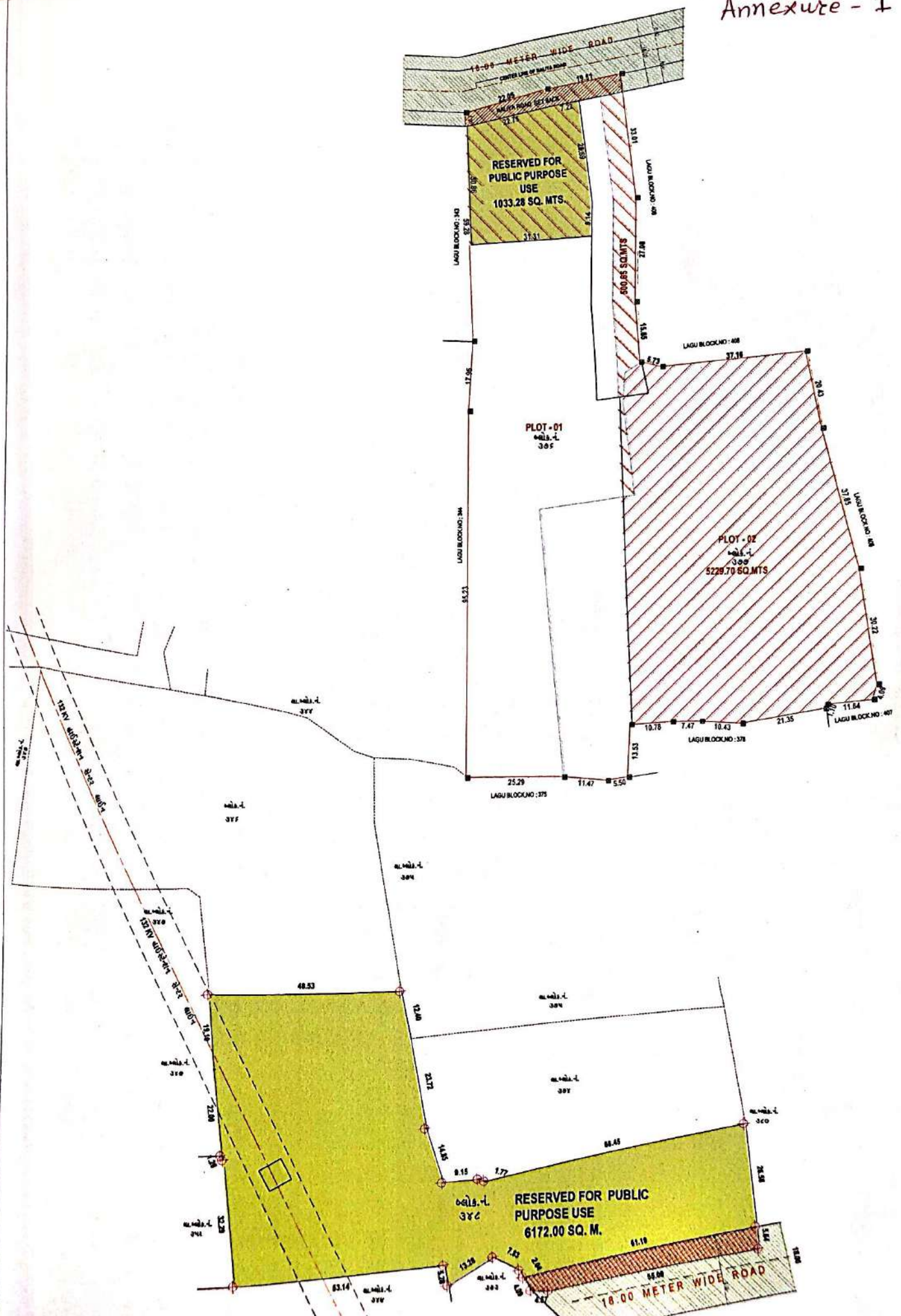
7. LEGAL OPINION

That on the basis of the available documents, possible search at the Office of the Sub Registrar of Assurances, Vadodara, lack of objections or adverse claims to Public notice issued by me in Gujarat Samachar daily of 06/12/2019 and the affidavit executed by partners of Madhav Realty, I am of the opinion, and confirm, that the titles of the above described lands are clear, valid, legal, unambiguous, unencumbered and marketable and vest at present in the partnership firm of Madhav Realty, whose right to the said lands is freehold.

Baroda
13/02/2020

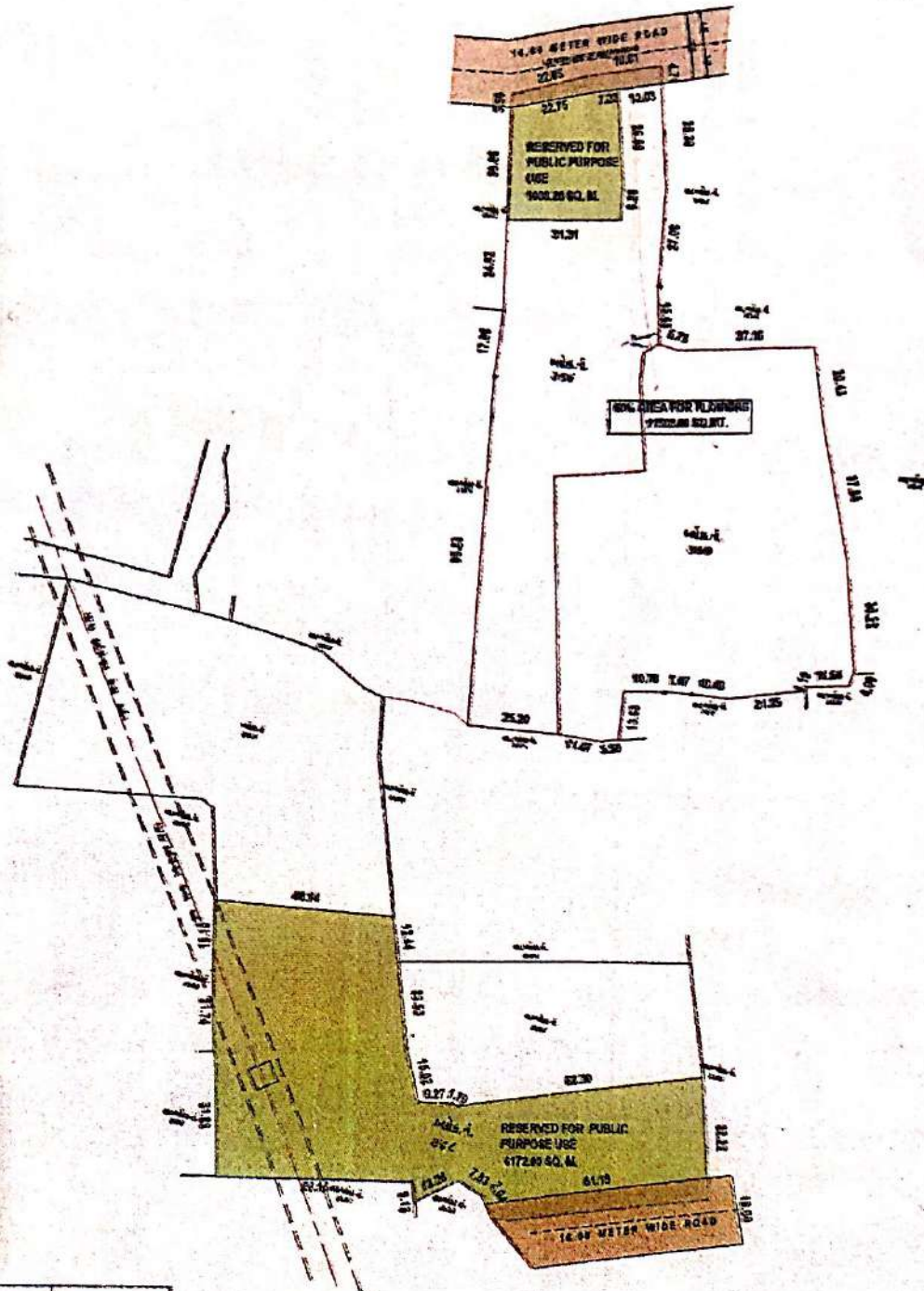
[Mrs. R. S. Desai]
Advocate





PLAN SHOWING PART PLAN FOR FUTURE REQUIREMENT OF LAND FOR PUBLIC PURPOSE & LAND FOR PLANNING

OPTION 2



SIGN :

DY. TDO (B.P.)

[Signature]
20/7/19

SR. ARCHITECT

[Signature]
20/7/19

DY. TDO (T.P.)

[Signature]
20/7/19

LEO (T.P.)

[Signature]

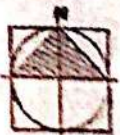
BLOCK NO	AREA AS PER 7/12
BLOCK NO- 348	6172.00
BLOCK NO- 376	6677.00
BLOCK NO- 377	6374.00



RESERVED FOR PUBLIC PURPOSE USE

ALL DIMENSIONS ARE IN METRES.

VILLAGE	BLOCK NO	TOTAL AREA AS PER 7/12	ORIGINAL LAND		RECONSTITUTED LAND	
			NO	AREA	NO	AREA
KALALI	348,376,377	19223.00 SQ.MT.	0	19223.00 SQ.MT.	0	11533.80 SQ.MT.



NOTE: The net plot area which is to be considered for the purpose of development permission is 11533.80 sq.mt, and the dimensions of which are as shown in the drawing above.