

HOUSE "M", MONDEAL RETAIL PARK, BETWEEN ISKCON TEMPLE AND RAJPATH CLUB, S. G. HIGHWAY, BODAKDEV,
AHMEDABAD - 380059. PHONE : (26860026, 26860827, 27430880) E-mail : janiandco@gmail.com
(O) 29710100 - 29710200

REF. NO.

10955/1/2018

To,

Unnati Developers, a Partnership Firm

TITLE CERTIFICATE CUM REPORT

Reg:- Non-Agricultural Land bearing proposed Final Plot No. 377 paiki admeasuring 4973 Sq. mtrs. (given in lieu of old Survey No. 377 paiki admeasuring 8288 Sq. mtrs.) given in lieu of proportionate land of Block/Survey No. 95 paiki situate, lying and being at Moje Rāndheja, Taluka Gandhinagar, in the Registration District of Gandhinagar and Sub District of Gandhinagar and belonging to Unnati Developers, a Partnership Firm .



As per instructions, we have examined the titles of the above referred land and have caused to be taken searches (partly manual and partly computerized upto the date of search i.e. 19-02-2019) of the available revenue and registration record for last 30 years through our search clerk and from that and from the affidavit filed before us and believing the same to be true, correct and trustworthy and also believing the revenue records/documents/copies/papers etc furnished in its file to be true and genuine, and also upon the information given by the owners that no transfer/agreement was made in respect of the said property during the period for which the record is not available which would make the titles defective, we hereby give our certificate cum report on title as under:-

1. That prior to year 1966, land bearing Survey No. 377 admeasuring Acre 3-14 Gs. i.e. 13557 Sq. mtrs. was belonging to Mohanlal Jesangdas.
2. That Patel Mohanbhai Jesangbhai died intestate on 15-12-1966, leaving behind his only son viz. Patel Nathabhai Mohanbhai.

Thereafter Patel Nathabhai Mohanbhai had also passed away on 15-01-1967. Hence names of his heirs viz. (1) Patel Amthiben wd/o Nathabhai Mohanbhai (2) Patel Dashrathbhai Nathabhai (3) Patel Baldevbhai Nathabhai (4) Patel Savitaben Nathabhai (5) Patel Arvindbhai Nathabhai and (6) Patel Natvarbhai Nathabhai were entered in the revenue records of the land bearing Survey No. 377. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 3816 dated 16-02-1967.

3. Mutation Entry No. 7104 is in respect of other land. Hence it is not dealt with herein.
4. Mutation Entry No. 7224 is not fully provided to us. Hence it could not be dealt with herein.
5. That the amount of loan taken from Randheja Vikas Mandali has been repaid by Patel Dashrathbhai Nathabhai, pursuant to which the charge created on the land bearing Survey No. 377 has been released. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 7523 dated 11-06-1980.
6. That a charge of the Randheja Vividh Karyakari Sahkari Mandli Ltd. was created on land bearing Survey No. 377 by Patel Dashrathbhai Nathabhai and its effect was made in the revenue records of the said land vide Entry No. 7866 dated 29-08-1983.
7. That some mistakes were found in the Computerized record of land of Survey No. 377 and other land, pursuant to which vide order bearing No. Jamin/Vashi/08 dated 25-09-2008 of Mamlatdar, Gandhinagar, rectifications of Computerized record of land of Survey No. 377 and other lands were made accordingly. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 11429 dated 29-01-2009.



8. Thereafter Baldevbhai Nathalal died intestate on 21-02-2014. Hence names of his heirs viz. (1) Anandiben Baldevbhai wd/o Baldevbhai (2) Rakeshbhai Baldevbhai Patel (3) Hetalben Baldevbhai Patel and (4) Prakashbhai Baldevbhai Patel were entered in the revenue records of the land bearing Survey No. 377. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 13883 dated 04-04-2016.
9. That the amount of loan taken from Randheja Vividh Karyakari Sahkari Mandali Ltd. has been repaid by Patel Amthiben wd/o Nathalal Mohanbhai and 8 others, pursuant to which the charge created on the land bearing Survey No. 377 has been released. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 13974 dated 19-07-2016.
10. Thereafter (1) Rakeshbhai Baldevbhai Patel (2) Hetalben Baldevbhai Patel (3) Prakashbhai Baldevbhai Patel released their rights from the land bearing Survey No. 377, in favour of Anandiben wd/o Baldevbhai Nathalal Patel. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 13980 dated 25-07-2016.
11. That as per order of the Prant Officer, Gandhinagar bearing no. Jamin/Promulgation /Randheja/6/16 dated 28-06-2016, the public notice for promulgation of re-survey of land records was ordered to be published inviting written objection within 30 days of such publication. Upon receiving objections within the aforesaid period in respect of public notice, required corrections were made and new records were accordingly prepared and were verified by Mamlatdar, Gandhinagar. Thereafter the Prant Officer, Gandhinagar evaluated the same and finalized the re-survey records and promulgated the same vide order bearing no. PO/Re-Survey /Promulgation /Randheja /16 dated 02-09-2016. Accordingly the re-survey records with new and old survey numbers, area and occupier's name in respect of land bearing



Survey Nos. 1 to 9070 were published. Hence pursuant to the re-survey, the land bearing Survey No. 377 admeasuring 13557 Sq. mtrs. has been given New Block/Survey No. 95 admeasuring 13571 Sq. mtrs. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 14094 dated 20-01-2017.

12. That Savitaben Nathabhai died intestate on 24-01-1977. Hence name of her only heir viz. Ritaben d/o Savitaben and wife of Pankajkumar was entered in the revenue records of the land bearing Block/Survey No. 95. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 14153 dated 20-06-2017.

Note:- Ritaben Pankajkumar Patel has filled an affidavit dated 17-05-2018, whereby she has affirmed that she is d/o Savitaben Nathabhai and wife of Pankajkumar Patel. However in Mutation Entry No. 14153, her name is erroneously entered as Ritaben Nathabhai instead of Ritaben Pankajkumar.



13. Thereafter Arvindbhai Nathalal died intestate on 13-10-2016. Hence names of his heirs viz. (1) Ramilaben wd/o Arvindbhai Nathabhai Patel (2) Rupalben d/o Arvindbhai Patel and wife of Ghanshyambhai Patel (3) Sonalben Arvindbhai Patel (4) Jaydip Arvindbhai Patel (5) Vanitaben wd/o Rashminbhai Arvindbhai Patel and (6) Minor Purv Rashminbhai Patel through his guardian Vanitaben. Mutation Entry to the said effect was made in the revenue records of the land bearing Block/Survey No. 95 vide Entry No. 14154 dated 20-06-2017.

Note:- Rupalben Ghanshyambhai Patel has filled an affidavit dated 21-05-2018, whereby she has affirmed that she is d/o Arvindbhai Patel and wife of Ghanshyambhai Patel. However in Mutation Entry No. 14154, her name is erroneously entered as Rupalben Arvindbhai Patel instead of Rupalben Ghanshyambhai Patel.

14. That (1) Rupalben Arvindbhai Patel (2) Sonalben Arvindbhai Patel (3) Jaydip Arvindbhai Patel and (4) Vanitaben wd/o Rahminbhai

Arvindbhai Patel as self and as a guardian of Minor Purv Rashminbhai released their right from the land bearing Block/Survey No. 95 admeasuring 2171.36 Sq. mtrs. (Undivided land) out of land of Block/Survey No. 95 (old survey No. 377) totally admeasuring 13557 Sq. mtrs. (Before Promulgation) in favour of Ramilaben wd/o Arvindbhai Nathabhai Patel. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 14267 dated 28-11-2017. This mutation entry was cancelled as minors rights were released.

15. That Patel Amthiben wd/o Nathalal Mohanbhai died on 06-11-2007. Hence her name was deleted from the revenue records of the land bearing Block/Survey No. 95. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 14370 dated 22-03-2018.

16. Thereafter (1) Vanitaben wd/o Rashminbhai Arvindbhai Patel (2) Minor Purv Rashminbhai Patel through his guardian Vanitaben (3) Ritaben Pankajkumar Patel (4) Ramilaben wd/o Arvindbhai Nathabhai Patel (5) Sonalben Arvindbhai Patel (6) Aanandiben wd/o Baldevbhai Patel (7) Jaydip Arvindbhai Patel (8) Rupalben Arvindbhai Patel (9) Patel Dashrathbhai Nathalal and (10) Patel Natvarbhai Nathalal [all the persons as self and as Karta and Manager of their respective HUF, wherever applicable] sold and conveyed the Agriculture land bearing Block/Survey No. 95 admeasuring 13571 Sq. mtrs. to Divyang Jayantibhai Patel vide a sale deed dated 21-05-2018 registered before the Sub-Registrar of Gandhinagar at serial No. 10085 dated 21-05-2018. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 14467 dated 21-05-2018.

Note:- Thereafter (1) Shantaben wife of Dashrathbhai Nathabhai Patel (2) Mukeshbhai Dashrathbhai Patel (3) Kanubhai Dashrathbhai Patel (4) Ramilaben d/o Dashrathbhai Nathabhai Patel and wife of Rohitkumar (5) Rakeshbhai Baldevbhai Patel (6) Hetalben d/o Baldevbhai Nathabhai Patel and wife of Girishkumar



(7) Prakashbhai Baldevbhai Patel (8) Keyur Pankajbhai Patel (9) Kaushal Pankajbhai Patel (10) Pravinaben wife of Natvarlal Nathabhai Patel and (11) Hardik Natvarlal Patel executed a notarize Confirmation Deed in favour of Divyang Jayantibhai Patel and confirmed the sale of land bearing Block/Survey No. 95 admeasuring 13571 Sq. mtrs. to Divyang Jayantibhai Patel.

Note:- Objection had been raised against the said entry by Jivanbhai Hirabhai Desai and hence a Takrari Case No. 132/2018 was filed before Mamlatdar, Gandhinagar against Patel Dashrathbhai Nathabhai and 9 others. The objectionist Jivanbhai Hirabhai Desai had claimed that Late Arvindbhai Nathalal had not repaid the loan amount of Rs. 20,00,000/- which Arvindbhai Nathalal took from Jivanbhai Hirabhai Desai by mortgaging his share in the land bearing Block/Survey No. 95 admeasuring 2261.83 Sq. mtrs. (Undivided land) out of land of Block/Survey No. 95 totally admeasuring 13571 Sq. mtrs. Hence Jivanbhai Hirabhai Desai has a right to acquire the said land by the virtue of notarize deed of "Mortgage without possession".

However above stated objection was rejected by Mamlatdar, Gandhinagar vide order dated 11-09-2018 and said entry no. 14467 was ordered to be certified.

17. Thereafter (1) Dashrathbhai Nathalal Patel (2) Natvarbhai Nathalal Patel (3) Aanandiben wd/o Baldevbhai Patel (4) Ritaben Pankajkumar Patel (5) Ramilaben wd/o Arvindbhai Nathabhai Patel (6) Rupalben d/o Arvindbhai Patel and wife of Ghanshyambhai Patel (7) Sonalben Arvindbhai Patel (8) Jaydip Arvindbhai Patel (9) Vanitaben wd/o Rashminbhai Arvindbhai Patel and (10) Minor Purv Rashminbhai Patel through his guardian Vanitaben wd/o Rashminbhai Arvindbhai Patel [all the persons as self and as Karta and Manager of their respective HUF, wherever applicable] appointed Divyang Jayantibhai Patel to do all the necessary work with respect to Agriculture land bearing Block/Survey No. 95 admeasuring 13571 Sq. mtrs. vide a Deed of



Power of Attorney dated 21-05-2018 registered before the Sub-Registrar of Gandhinagar at serial No. 10087 dated 21-05-2018.

18. That the Non Agricultural use permission for multipurpose use was granted by the District Collector, Gandhinagar vide order bearing no. CB/NA/Gandhinagar/Randheja/95/998010/2019 dated 04-02-2019 in respect of the land bearing Block/Survey No. 95 admeasuring 13571 Sq. mtrs. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 14722 dated 06-03-2019. The said entry is yet to be certified.

19. That originally a portion of land bearing old Survey No. 377 paiki admeasuring 5283 Sq. mtrs. was included in Draft Town Planning Scheme No. 24 (Randheja - Pethapur) and was proposed to be allotted Final Plot No. 96 admeasuring 3170 Sq. mtrs.

That the erstwhile owner Divyang Jayantibhai Patel was desirous of getting the plans approved for remaining portion of land bearing old Survey No. 377 paiki admeasuring 8288 Sq. mtrs. which was not included in Draft Town Planning Scheme No. 24 (Randheja - Pethapur). Hence Gandhinagar Urban Development Authority has proposed to allot Final Plot No. 377 paiki admeasuring 4973 Sq. mtrs. in lieu of old Survey No. 377 paiki admeasuring 8288 Sq. mtrs. In this regard Junior Town Planner, GUDA vide its order bearing no. PRM/Randheja/309/12/2018 /1827/2019 dated 26-02-2019 approved Sub Plotting plans for proposed Final Plot No. 377 paiki admeasuring 4973 Sq. mtrs.

20. Thereafter Divyang Jayantibhai Patel sold and conveyed the land of Proposed Final Plot No. 377 paiki admeasuring 4973 Sq. mtrs. to Unnati Developers, a Partnership Firm through its Partner Anish Bharatbhai Shah vide a sale deed dated 14-03-2019 registered before the Sub-Registrar of Gandhinagar at serial No. 6108 dated 14-03-2019. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 14740 dated 26-03-2019. The said mutation entry is yet to be certified.

PUBLIC NOTICE

21. That we have published a Public Notice inviting objections against issuance of a clear title certificate in the daily newspaper 'Gujarat Samachar' on 09-01-2018 and in response to the same we have received the following objections:

- We have received an objection from Jivanbhai Hirabhai Desai claiming that he has a right, title and interest in the land bearing Block/Survey No. 95 admeasuring 2261.83 Sq. mtrs. (Undivided land) out of land of Block/Survey No. 95 totally admeasuring 13571 Sq. mtrs. as Arvindbhai Nathalal Patel had mortgaged the said land for the loan amount of Rs. 20,00,000/- (Rupees Twenty Lakhs only), in which Arvindbhai Nathalal Patel failed to repay the same, therefore by the virtue of notarize deed of "Mortgage without possession" he has a right to acquire the said land.
- We have replied to the aforesaid objection vide our letter dated 14-02-2018 whereby we have stated that the claim of the objectionist Jivanbhai Hirabhai Desai is fabricated and untenable at law as Arvindbhai Nathalal had already repaid the said loan amount. Moreover an "Agreement for sale" was entered into by and between Arvindbhai Nathalal and Jivanbhai Hirabhai Desai to sell the land bearing Survey No. 377 admeasuring 2259.5 Sq. mtrs. (Undivided land) out of land of Survey No. 377 totally admeasuring 13557 Sq. mtrs. which is registered before the Sub-Registrar of Gandhinagar at serial No. 6122 dated 26-04-2013.

However Deed of cancellation of above stated "Agreement for sale" was also registered before the Sub-Registrar of Gandhinagar at serial No. 7983 dated 09-06-2014, in which Desai Jivanbhai Hirabhai acknowledges that he has received the consideration amount with respect to said Agreement for sale and objectionist has further declared that all other Agreements/Documents executed between Jivanbhai Hirabhai Desai and Arvindbhai Nathalal stands cancelled.

Hence the claim and objection as raised by the objectionist is without substance and therefore rejected by us.



In view of what is stated above, we hereby opine that the title of above referred **Non-Agricultural Land** bearing proposed Final Plot No. 377 paiki admeasuring 4973 Sq. mtrs. (given in lieu of old Survey No. 377 paiki admeasuring 8288 Sq. mtrs.) given in lieu of proportionate land of Block/Survey No. 95 paiki situate, lying and being at Moje Randheja, Taluka Gandhinagar, in the Registration District of Gandhinagar and Sub District of Gandhinagar and belonging to **Unnati Developers, a Partnership Firm** shall be clear and marketable and free from reasonable doubts without encumbrances subject to:-

- [1] Fulfillment of the terms and conditions of the N.A. Use permission order and mutation entry with respect to N.A Use order being certified. (Reference Entry No. 14722)
- [2] Provisions of Town Planning and Urban Development Act and use as per Zone of GUDA and plans of construction being sanctioned by GUDA and provisions of Town Planning Scheme.
- [3] Mutation Entry No. 14740 being certified.

DATED THIS 2nd DAY OF APRIL, 2019

Hrush P. Jani
ATTORNEY-AT-LAW

Note of caution and disclaimer:-

- [1] This is to inform that Search of registration record of immediate past about 2-3 months is not available.
- [2] Please note that the registration record of most of the years from 1986 to 2006 of Sub Registrar's office is destroyed/torn out. Hence it cannot be inspected and its search is not available. That the computerized record is not well prepared/ maintained by State government agency and hence may be erroneous, resulting into our error.
- [3] Please ascertain that the Govt. authorities have not put any restrictions in making construction on said Land because of any historical monument/religious place/ water body, etc. situated nearby, or road

laying and widening, or proposed public transportation system in surrounding areas. Also verify that there is no acquisition/reservation in said Land and there are no pending litigations or injunction/status quo granted therein in respect of said Land.

- [4] We are informed that at present no litigation/suits are pending or filed afresh before any Judicial/Quasi Judicial authorities.
- [5] It was advisable that order of Civil Court should have been obtained at the time of sale of minors rights.