

Ref. No. 5044

To,

"Pioneer Infra", a partnership
firm through its Admn. Partner,
Sureshbhai Savjibhai Patel (Bhalala),
Resi.: Shyamved Solitaire, Near Suraj
Marble, Opp. Gurukul, Zundal, Gandhinagar.

TITLE CERTIFICATE WITH REPORT

Reg :- Non-agricultural land bearing **Final Plot No. 17**, containing by admeasurements **3338 Sq. Mtrs.** (allotted in lieu of Survey No. 13/2 Paiki 1, containing by admeasurements 5564 Sq. Mtrs.) of T.P. Scheme No. 409B, situate lying and being at Moje Zundal, Taluka Gandhinagar in the Registration District and Sub District Gandhinagar and belonging to a partnership firm, "**Pioneer Infra**".



As per instructions I have got necessary searches made for more than last 30 years from the **available** Revenue Records and Registration Records through our Search Clerk and have gone through relevant documents/papers and have investigated the title to the land in question and report on title as under :-

- 1... Originally prior to the year 1945, Mohanlal Amnbaram Mehta was owner, occupier and possessor of the land bearing Survey No. 13/2.
- 2... Thereafter, the owner and occupier of the land Mohanlal Amnbaram Mehta died intestate on dated 27-4-1945 leaving behind him his legal heirs Maneklal Mohanlal Mehta and Hariprasad Mohanlal Mehta and hence their names have been entered in the revenue records upon hereditary rights and entry to that effect was entered in the Mutation Register by Entry No. 1495 dated 18-12-1946.
- 3... Thereafter, name of Jivabhai Desaiabhai entered as a Simple Tenant of the land bearing Survey No. 13/2 and entry to that effect was entered in the Mutation Register by Entry No. 2877 dated 5-10-1966.
- 4... Thereafter, the land bearing Survey No. 13/2 was recorded in joint names of Maneklal Mohanlal Mehta and Hariprasad Mohanlal Mehta, but it was recorded in single name of Hariprasad Mohanlal Mehta by Entry No. 2914 hence Maneklal Mohanlal Mehta has given an objection

application following procedure thereunder, land bearing Survey No. 13/2 Paiki South side Aker 2-18 Guntha recorded in the absolute name of Maneklal Mohanlal Mehta and North side Survey No. 13/2 Paiki Aker 2-04 Guntha recorded in the absolute name of Hariprasad Mohanlal Mehta and entry to that effect was entered in the Mutation Register by Entry No. 2955 dated 10-6-1967.

- 5... Thereafter, in the matter of investion U/s. 32(G) of the Tenancy Act, tenant of the land was not present or denied to purchase the land, hence the tenant has been removed from the record as per order of the Mamlatdar ALT vide Order No. TNC/473/59, dated 22-2-1959 and the case to be disposed off U/s. 32(P) of the Tenancy Act and entry to that effect was entered in the Mutation Register by Entry No. 2965 dated 18-7-1967.
- 6... Thereafter, in the matter of investion U/s. 32(P) of the Tenancy Act, tenant has been removed initially from record of the land as per Tribunal Case No. Zundal-32P-18/67, dated 16-9-1967 and by virtue of that the land has given to the landowner-Hariprasad Mohanlal for self farming with Pratibandhit Satta Prakar and entry to that effect was entered in the Mutation Register by Entry No. 3016 dated 19-12-1967.
- 7... Thereafter, owner and occupier of the land, Hariprasad Mohanlal has took partition in his existence for the land bearing Survey No. 13/2, Aker 2-04 Guntha and by virtue of that the land came to the share of his Son Guruprasad Hariprasad and entry to that effect was entered in the Mutation Register by Entry No. 3201 dated 2-3-1973.
- 8... Thereafter, the land was transferred to Guruprasad Hariprasad even it was given to the landowner U/s. 32P(7)(8) of the Tenancy Act, hence the land was transferred without prior permission of the Hon. District Collector and committed breach of conditions therefore the Mamlatdar & Krushi Panch, Gandhinagar has issued Order No. Ganot Case/5845/88, dated 19-1-1989 to take possession if the land from Hariprasad Mohanlal and dispose off the matter U/s. 84C(4) of the Tenancy Act and entry to that effect was entered in the Mutation Register by Entry No. 3900 dated 3-3-1989.
- 9... Thereafter, the land was transferred as above and thus committed breach of conditions hence the land was entered to the Government Authority as per Tenancy Order No. 5845/88, dated 19-1-1989 and entry to that effect was entered in the Mutation Register by Entry No. 3938 dated 16-11-1989.



- 10... Thereafter, in the matter of case before Deputy Collector, Gandhinagar U/s. 74 of the Tenancy Act, Resolution No. Ganot/Appeal/S.R. 40/89 issued on dated 13-1-1991 to reject the dispute application and stayed order of the Mamlatdar & Krushi Panch, Gandhinagar, dated 19-1-1989 as permanent and entry to that effect was entered in the Mutation Register by Entry No. 3989 dated 22-2-1991.
- 11... Thereafter, the Hon. Special Secretary, Revenue Department has issued Order No. TEN/VA/337/91, dated 23-8-1996 and by virtue of that, reinvestigation application has been granted and cancelled order of the Mamlatdar & Krushi Panch, Gandhinagar, dated 19-1-1989 stating "to enter Government Authority" and also instructed the Hon. District Collector, Gandhinagar to initiate procedure U/s. 63 of the Tenancy Act subject to consent of the landowners for premium and entry to that effect was entered in the Mutation Register by Entry No. 4342 dated 7-9-1996.
- 12... Thereafter, owner and occupier of the land, Guruprasad Hariprasad died intestate on dated 28-4-2000 leaving behind him his legal heirs Ushaben wd/o Guruprasad Hariprasad, Mayankkumar Guruprasad and Harnis Guruprasad and hence their names have been entered in the revenue records upon hereditary rights and entry to that effect was entered in the Mutation Register by Entry No. 4569 dated 5-5-2000.
- 13... Thereafter, co-owner and co-occupier of the land, Ushaben wd/o Guruprasad Hariprasad died intestate on dated 3-7-2001 and hence her name has been deleted from the revenue records upon hereditary rights and entry to that effect was entered in the Mutation Register by Entry No. 4675 dated 4-7-2001.
- 14... Thereafter, legal heirs of Late Bhanuben alias Babuben d/o Mohanlal Ambalal w/o Late Ramprasad Raja namely, Nareshchandra Ramprasad and others have initiated R.C.S. No. 109/06 before the Hon. Principal Senior Civil Judge, Gandhinagar and executed a Lispendence Notice, registered in the office of the sub-registrar of Gandhinagar on dated 4-12-2006 under Serial No. 11220 and entry to that effect was entered in the Mutation Register by Entry No. 5438 dated 30-12-2006.
- 15... Thereafter, in the matter of tenancy case before Mamlatdar & Krushi Panch, Gandhinagar it has been proven that the land is owned and occupied by Mayank Guruprasad Mehta and Harnis Guruprasad Mehta and the land was not transferred hence investigation of the matter has



been closed as per order of the Mamlatdar & Krushi Panch, Gandhinagar vide Order No. Ganot Case No. 16/06, dated 14-10-2009 and entry to that effect was entered in the Mutation Register by Entry No. 6174 dated 25-1-2010.

- 16... Thereafter, in the matter of appeal before the Prant Officer, Gandhinagar said authority has granted dispute application by their Order No. RTS/Appeal/S.R. 117/08 and also rejected Mamlatdar, Gandhinagar's Order No. Dispute Case No. 81/07, dated 15-10-2007 (regarding certification of the Entry No. 5438) and entry to that effect was entered in the Mutation Register by Entry No. 6301 dated 28-6-2010.
- 17... Thereafter, dispute application of Babulal Ramprasad Mehta and others was filed and dismissed by the Prant Officer, Gandhinagar by their Order No. RTS/Appeal/S.R. 73/2008, dated 16-12-2010 and entry to that effect was entered in the Mutation Register by Entry No. 6572 dated 27-1-2011.
- 18... Thereafter, as per letter of the Deputy Collector (L.A.), Appeal, Gandhinagar vide Letter No. Ganot/Revision/S.R./87/2010, dated 6-8-2011 land bearing Survey No. 13/2 Paiki 1 has been taken under revision U/s. 76(K) of the Tenancy Act and entry to that effect was entered in the Mutation Register by Entry No. 6756 dated 2-9-2011.
- 19... Thereafter, the Deputy Collector (L.A.), Appeal, Gandhinagar has withdrawn revision notice by their Order No. Ganot/Revision/S.R./87/2010, dated 19-10-2011 and also continue order of the Mamlatdar & Krushi Panch, Gandhinagar, dated 14-10-2009 as permanent and entry to that effect was entered in the Mutation Register by Entry No. 6855 dated 30-12-2011.
- 20... Thereafter, co-owner and co-occupier of the land, Mayank Guruprasad died intestate on dated 7-3-2012 and hence his name has been deleted from the revenue records upon hereditary rights and entry to that effect was entered in the Mutation Register by Entry No. 6920 dated 12-4-2012.
- 21... Thereafter, the Hon. District Collector, Gandhinagar has converted the land bearing Survey No. 13/2 Paiki 1, containing by admeasurements 5564 Sq. Mtrs. in to Old Tenure conditions from Pratibandhit Satta Prakar for agricultural purpose by their Order No. CB/Ganot/Vashi-4064/2012, dated 20-4-2012 and entry to that effect was mutated in the Mutation Register vide Entry No. 6930, dated 21-4-2012.



- 22... Thereafter, owners and occupiers of the land, Harnis Guruprasad has sold and conveyed the agricultural land bearing Survey No. 13/2 Paiki 1, containing by admeasurements 5564 Sq. Mtrs. to (1) Narmadaben d/o Narbheram Motiram Thakkar w/o Hargovandas Thakarshibhai (owner of undivided 80% land share) and (2) Hasmukhbhai Ramanbhai Patel (owner of undivided 20% land share) by sale deed, registered in the office of the sub-registrar of Gandhinagar on dated 31-5-2012 under Serial No. 7006 and entry to that effect mutated in the Mutation Register by Entry No. 6969 dated 31-5-2012.
- 23... Thereafter, the DILR, Gandhinagar has filled D.P. No. 49 and by virtue of that the land bearing Survey No. 13/2, containing by total admeasurements 11028 Sq. Mtrs. has been divided in two parts (1) Survey No. 13/2/1, containing by admeasurements 5564 Sq. Mtrs. belonging to Narmadaben d/o Narbheram Motiram Thakkar w/o Hargovandas Thakarshibhai (owner of undivided 80% land share) and Hasmukhbhai Ramanbhai Patel (owner of undivided 20% land share) and (2) Survey No. 13/2/2, containing by admeasurements 5564 Sq. Mtrs. belonging to Jayantilal Ambalal Patel, Prakashbhai Lalbhai Patel, Dineshbhai Mafatlal Patel, Lalitaben d/o Motibhai Mathurbhai Patel w/o Jagdishbhai Ranchhodbhai Patel and Bipinbhai Mafatlal Patel and entry to that effect mutated in the Mutation Register by Entry No. 7186 dated 29-4-2013, but the competent has cancelled this entry on dated 3-6-2013.
- 24... Thereafter, in the matter of Appeal From Order No. 235/2014, Civil Application No. 5556/2014 before the Hon. High Court of Gujarat at Ahmedabad, Hon. Court Authority has issued order on dated 18-9-2014 and remanded back to the Trial Court in the impugned judgement and order, dated 5-5-2014 in Spl.C.S. No. 309/2012 by Fifth Additional Senior Civil Judge, Gandhinagar and the order was quashed and set aside with direction to decide such application afresh after consolidating all the suits of Spl.C.S. No. 109/2006, R.C.S. No. 453/2010 and Spl.C.S. No. 309/2012, and till then parties of the suit shall maintain Staus Quo Qua ownership and possession of the suit property, and entry to that effect was entered in the Mutation Register by Entry No. 7645 dated 16-12-2014, but the competent authority has rejected this entry on dated 18-3-2015 as the record was not matched hence entry to that effect was further entered in the Mutation Register by Entry No. 7830 dated 9-7-2015 and the competent authority has certified this entry on dated 23-12-2015.



- 25... Thereafter, co-owner and co-occupier of the land, Narmadaben d/o Narbheram Motiram Thakkar w/o Hargovandas Thakarshibhai died intestate on dated 31-12-2016 leaving behind her legal heirs Lilaben Hargovandas, Hansaben Hargovandas, Jashvantbhai Hargovandas, Gitaben Hargovandas, Surekhaben Hargovandas, Forum Jagdishbhai & Vishnubhai Jagdishbhai and hence their names have been entered in the revenue records upon hereditary rights and entry to that effect was entered in the Mutation Register by Entry No. 8205 dated 3-9-2016, but the competent authority has rejected this entry on dated 6-1-2017.
- 26... Thereafter, co-owner and co-occupier of the land, Narmadaben d/o Narbheram Motiram Thakkar w/o Hargovandas Thakarshibhai died intestate on dated 31-3-2016 but prior to her death, she had executed a Will, registered in the office of the sub-registrar of Gandhinagar on dated 4-7-2015 under Serial No. 9579 of Book No. 3 and by virtue of that, she had appointed Jashvantbhai Hargovandas Thakkar and Vishnubhai Jagdishbhai Thakkar as beneficiaries for the land bearing Survey No. 13/2 Paiki 1, containing by total admeasurements 5564 Sq. Mtrs. Paiki 80% land share i.e. 4451.02 Sq. Mtrs. as its joint owners and occupiers and entry to that effect was entered in the Mutation Register by Entry No. 8234 dated 26-9-2016, but the competent authority has rejected this entry on dated 6-1-2017.
- 27... Thereafter, in the matter of Spl.C.S. No. 109/2006 before the Hon. Principal Civil Judge, Gandhinagar, the said court authority by its order, dated 25-7-2016, allowed application of the Plaintiff at Exh. 5 and further directed to maintain Status-Quo with respect to all suit properties of Late Mohanlal Ambaram, and entry to that effect was entered in the Mutation Register by Entry No. 8276 dated 26-10-2016.
- 28... Thereafter, Legal heirs of Bhanumatiben alias Babuben d/o Mohanlal Ambalal w/o Late Ramprasad Raja namely, Nareshchandra Ramprasad Raja (Mehta) and others were initiated R.C.S. No. 453/2010 before the Hon. Principal Senior Civil Judge, Gandhinagar against Harnis Guruprasad and others, but the Plaintiffs have withdrawn the suit unconditionally as per Withdraw Pursis under Exh. 50 hence the court authority has issued order on dated 13-10-2017 to dispose off the suit and entry to that effect was entered in the Mutation Register by Entry No. 8556 dated 27-10-2017.
- 29... Thereafter, Legal heirs of Bhanumatiben alias Babuben d/o Mohanlal Ambalal w/o Late Ramprasad Raja namely, Nareshchandra Ramprasad Raja



(Mehta) and others were initiated R.C.S. No. 309/2012 before Hon. Principal Senior Civil Judge, Gandhinagar against Harnis Guruprasad and others, but the Plaintiffs have withdrawn the suit unconditionally as per Withdraw Pursis under Exh. 50 hence the court authority has issued order on dated 13-10-2017 to dispose off the suit and entry to that effect was entered in the Mutation Register by Entry No. 8560 dated 1-11-2017.

30... Thereafter, Legal heirs of Bhanumatiben alias Babuben d/o Mohanlal Ambalal w/o Late Ramprasad Raja namely, Nareshchandra Ramprasad Raja (Mehta) and others were initiated R.C.S. No. 109/2006 before Hon. Principal Senior Civil Judge, Gandhinagar against Surendrabhai Maneklal Mehta and others, and in the matter Hon. court authority has permitted the Plaintiff to delete from the Plaint at Exh. 14 by their order on dated 29-11-2017 and entry to that effect was entered in the Mutation Register by Entry No. 8592 dated 21-12-2017.

31... Thereafter, Legal heirs of Bhanumatiben alias Babuben d/o Mohanlal Ambalal w/o Late Ramprasad Raja namely, Nareshchandra Ramprasad Raja (Mehta) and others were initiated Spl.C.S. No. 109/2006 before Hon. Principal Senior Civil Judge, Gandhinagar against Surendrabhai Maneklal Mehta and others, and in the matter Hon. court authority has permitted the Plaintiff to delete from the Plaint at Exh. 1 by their order on dated 29-11-2017 and entry to that effect was entered in the Mutation Register by Entry No. 8612 dated 5-1-2018.

32... Thereafter, dispute application of Lilaben Hargovandas Thakkar and others was granted as per order of the Prant Officer, Gandhinagar vide Order No. RTS/Appeal/SR. 70/2017, dated 15-2-2018 and by virtue of that Entry No. 8205 has been certified and entry to that effect was entered in the Mutation Register by Entry No. 8663 dated 23-2-2018.

33... Thereafter, dispute application of Jashvantbhai Hargovandas Thakkar and others was granted as per order of the Prant Officer, Gandhinagar vide Order No. RTS/Appeal/SR. 69/2017, dated 15-2-2018 and by virtue of that Entry No. 8234 has been certified and entry to that effect was entered in the Mutation Register by Entry No. 8664 dated 23-2-2018.

34... Thereafter, in the matter of Appeal From Order (1) No. 368 of 2016 with (2) No. 369 of 2016, (3) No. 367 of 2016 with (4) No. 316 of 2016 with (5) No. 34 of 2018 before the Hon. High Court of Gujarat, Ahmedabad, impugned common order passed by the Principal Senior Civil Judge,



Gandhinagar on dated 25-7-2016 below Application Exh. 5 in Spl.C.S. No. 109/2006, R.C.S. No. 453/2010 and Spl.C.S. No. 309/2012 is confirmed and all these appeals arising from the said order are dismissed with a view to see that Status Quo Qua the suit properties as ordered by the Trial Court and as confirmed by the authority of Hon. High Court of Gujarat, may not continue for long and further keeping in view the fact that, now the only surviving suit is the Spl.C.S. No. 109/2006, which is more than a decade old hence the Trial Court is directed to complete the hearing of the Spl.C.S. No. 109/2006 expeditiously, preferably within a period of two months from the date of receipt of the above order and entry to that effect was entered in the Mutation Register by Entry No. 8665 dated 26-2-2018.

35... Thereafter, the entire land bearing Survey No. 13/2 Paiki 1, containing by total admeasurements 5564 Sq. Mtrs. merged into T.P. Scheme No. 409/B and allotted Final Plot No. 17 and area of 3338 Sq. Mtrs. given to it.

36... Thereafter, the Hon. District Collector, Gandhinagar has released the land bearing Final Plot No. 17, containing by admeasurements 3338 Sq. Mtrs. (allotted in lieu of Survey No. 13/2 Paiki 1, containing by admeasurements 5564 Sq. Mtrs.) of T.P. Scheme No. 409/B from P.S.P. restrictions in to old tenure for non-agricultural purpose by their Order No. CB/Ganot/Vashi. 6215 to 6223/2018, dated 23-8-2018 and entry to that effect was mutated in the Mutation Register vide Entry No. 8928, dated 1-9-2018.

37... Thereafter, the owners and occupiers of the land, (1) Jashvantbhai Hargovandas Thakkar (co-owner of 2226 Sq. Mtrs.), (2) Vishnubhai Jagdishbhai Thakkar (co-owner of 2225 Sq. Mtrs. Paiki 946 Sq. Mtrs.) and (3) Hasmukhbhai Ramanbhai Patel (co-owner of 1113 Sq. Mtrs. Paiki 445 Sq. Mtrs.) have sold and conveyed the agricultural land bearing Survey No. 13/2 Paiki 1, containing by total admeasurements 5564 Sq. Mtrs. Paiki 3617 Sq. Mtrs. to (1) Bhupatbhai Savjibhai Bhalala (co-owner of 3617 Sq. Mtrs. Paiki 1809 Sq. Mtrs.) and (2) Ghanshyambhai Savjibhai Bhalala (co-owner of 3617 Sq. Mtrs. Paiki 1808 Sq. Mtrs.) by sale deed registered in the office of the sub-registrar of Gandhinagar on dated 19-5-2018 under Serial No. 8606 and entry to that effect mutated in Mutation Register by Entry No. 8937 dated 12-9-2018.

38... Thereafter, the Hon. District Collector, Gandhinagar has granted Non-Agricultural Use Permission for the land bearing Final Plot No. 17,



containing by admeasurements 3338 Sq. Mtrs. (allotted in lieu of Survey No. 13/2 Paiki 1, containing by total admeasurements 5564 Sq. Mtrs.) of T.P. Scheme No. 409B for multi purpose by their Order No. CB/NA/Gandhinagar/Zundal/13/2/p1/994487/2018, dated 17-10-2018 and entry to that effect was mutated in the Mutation Register vide Entry No. 9018, dated 4-12-2018.

39... Thereafter, the Hon. District Collector, Gandhinagar has granted Revised Non-Agricultural Use Permission for the Final Plot No. 17, containing by admeasurements 3338 Sq. Mtrs. (allotted in lieu of Survey No. 13/2 Paiki 1, containing by total admeasurements 5564 Sq. Mtrs.) of T.P. Scheme No. 409B Paiki 333.80 Sq. Mtrs. for "Commercial Purpose" instead of "multi purpose" by their Order No. CB/Ganot/Vashi.788 to 795/19, dated 13-2-2019 and entry to that effect was mutated in the Mutation Register vide Entry No. 9109, dated 20-2-2019.

40... Thereafter, the owners and occupiers of the land, (1) Vishnubhai Jagdishbhai Thakkar (co-owner of total 5564 Sq. Mtrs. Paiki 1279 Sq. Mtrs.), (2) Hasmukhbhai Ramanbhai Patel (co-owner of total 5564 Sq. Mtrs. Paiki 668 Sq. Mtrs.), (2) Bhupatbhai Savjibhai Bhalala (co-owner of total 5564 Sq. Mtrs. Paiki 1809 Sq. Mtrs.), and (2) Ghanshyambhai Savjibhai Bhalala (co-owner of total 5564 Sq. Mtrs. Paiki 1808 Sq. Mtrs.) have sold and conveyed said non-agricultural land bearing Final Plot No. 17, containing by admeasurements 3338 Sq. Mtrs. (allotted in lieu of Survey No. 13/2 Paiki 1, containing by total admeasurements 5564 Sq. Mtrs.) of T.P. Scheme No. 409B to "**Pioneer Infra**", a partnership firm by sale deed registered in the office of the sub-registrar of Gandhinagar on dated 1-5-2019 under Serial No. 10226 and entry to that effect mutated in Mutation Register by Entry No. 9191 dated 4-5-2019.

41... Thereafter, the Ahmedabad Urban Development Authority (AUDA) has approved layout and building plans for the said land by their Letter No. PRM/94/7/2020/448 IPF No.E-nagar : JSK/07/2020/0096, dated 28-12-2020 / 5-1-2021.

42... I have issued a Public Notice in **GUJARAT SAMACHAR NEWS PAPER** dated **24-12-2020** inviting any claim, rights or encumbrances if any in respect of the said land. But till date, I have not received any objection or obligation in response thereof from anybody.

I have examined titles of the said land belonging to "**Pioneer Infra**", a partnership firm and have caused to be taken searches of the available



revenue and registration record for last 30 years through our search clerk to the **Non-agricultural** land bearing **Final Plot No. 17**, containing by admeasurements **3338 Sq. Mtrs.** (allotted in lieu of Survey No. 13/2 Paiki 1, containing by admeasurements 5564 Sq. Mtrs.) of T.P. Scheme No. 409B, situate lying and being at Moje Zundal, Taluka Gandhinagar in the Registration District and Sub District Gandhinagar and from that and from the Declaration-Cum-Indemnity Bond filed before us and believing the same to be true, correct and trustworthy and also believing the documents/papers/copies etc furnished in the case file shown to us to be true and genuine, and also based upon the information given by owners that no transfer/agreement was made in respect of the said land during the period for which the records is not available which would make the title defective. I hereby opine that the same is clear and marketable and free from reasonable doubts and without encumbrances **subject to :-**

- [1] Any other Law, Acts and Rules if applicable.
- [2] Fulfilment of conditions laid down in the N.A. Order and approved plans.
- [3] Provisions of the Town Planning and Urban Development Act and use as per Zone of AUDA and Plans of Construction being sanctioned by AUDA and Provisions of Town Planning Scheme.
- [4] Verification of all original documents.

DATED THIS 13TH DAY OF JANUARY, 2021.



(Sharad N. Darji)

Advocate

Note :

- [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 the year 1976 to 2007 of the Sub Registrar's office is destroyed/torn out hence it can not be inspected and its search is not available. That the computerized record (2007 to 2020) is not well prepared/maintained by the State Government Agency and hence may be erroneous and according to the report of the computerized search, I have issued this title clearance certificate cum report.

