

Kishorkant H. Pathak
B. Com., LL. M. (Gold Medalist)
ADVOCATE (Guj. High Court)

Office / Resi. :
A – 65, Geetgunjan Society,
Near Pragatinagar Society,
Harni Ring Road, Vadodara – 390022.
Phone: 0265 – 2488825.

Date : 08 / 02 / 2020

To
M/s. HARI AUM DEVELOPERS
a partnership firm through its partner
Devendrabhai Ratilal Patel
House No. : 14, SHIVAM BUNGALOWS
Block No. : 109, 110 & 111,
Near Auro Ville - 2, Bill - Kalali Road,
Kalali, Vadodara - 390 012.

Sub. :- Title Clearance Certificate.

Ref. :- Title Clearance in the matter of Non Agricultural land bearing Block No. : 109 (Old Survey No. : 119/1) admeasuring 4350 Sq. Mtrs., Block No. : 110 (Old Survey No. : 120), admeasuring 1922 Sq. Mtrs. and Block No. : 111 (Old Survey No. : 121) admeasuring 3441 Sq. Mtrs. in all aggregating 13253 Sq. Mtrs. of Mouje : KALALI, Ta. & Dist. : Vadodara in Registration District and Sub District, Vadodara presently owned and occupied by M/S. HARI AUM DEVELOPERS a partnership firm represented by its Managing Partner Shri Devendrabhai Ratilal Patel.

With reference to the above, I have been supplied with the relevant Land Revenue Record, Sale Deed etc. related to Land bearing Block No. : 109 (Old Survey No. : 119/1) admeasuring 4350 Sq. Mtrs., Block No. : 110 (Old Survey No. : 120), admeasuring 1922 Sq. Mtrs. and Block No. : 111 (Old Survey No. : 121) admeasuring 3441 Sq. Mtrs. in all aggregating 13253 Sq. Mtrs. of Mouje : KALALI.

I have also caused search in Sub Registrar Office, Vadodara - 1 (City) on 05/02/2020 for which search receipt fee nos. : 2020014003228

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for the year : 1991 to 1994 and Nos. : 2020016004063 has been issued for the period from 1995 to 2020 search in Sub Registrar Office, Vadodara - 3 (Akota) on 05/02/2020 and Nos. : 2020318000472 has been issued for the period from 2012 to 2020 search in Sub Registrar Office, Vadodara - 8 (Rural) on 05/02/2020 (copies enclosed).

	<u>Block No. : 109 (Old</u> <u>R. S. No. : 119/1)</u>	<u>Block No. : 110 (Old</u> <u>R. S. No. : 120)</u>
On or toward East	: Land of Block No. : 107 and 108.	: Land of Block No. : 111.
On or toward West	: Government Nalia Road (Sim of Bill Village)	: Government Nalia Road (Sim of Bill Village)
On or toward North	: Land of Block No. : 110 & 111.	: Land of Block No. : 116.
On or toward South	: Land of Block No. : 106.	: Land of Block No. : 109.

	: <u>Block No. : 111 (Old R. S. No. : 121)</u>
On or toward East	: Government Nalia Road (Sim of Bill Village)
On or toward West	: Land of Block No. : 110.
On or toward North	: Land of Block No. : 115.
On or toward South	: Land of Block No. : 109.

A. Village Form No. : 6 showing entry no. : 138, 372, 413, 414, 515, 825, 846, 1194, 1234, 1246, 1347, 1706, 1715, 1748, 1755, 2144, 2203, 2280, 2363 and 2800.

B. Village Form No. : 7/12 for the year : 1951 – 1952 to 2018 – 2020.

C. Village Form No. : 8 - A showing Account No. : 399 in the name of Shri Hemantbhai Tribhovanbhai Patel for Block Nos. : 109, 110 & 111.



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- D. Xerox copy of partnership deed of M/s. SHREEKUNJ ENTERPRISE, executed by partners of the said partnership firm on 01/04/2013.
- E. Original sale deed executed by Kantilal Maganlal Thakkar in favour of Shri Hemantbhai Tribhovanbhai Patel for sale of agriculture land bearing (1) Old Revenue Survey No. : 119/1, Block No. : 109, admeasuring 4350 Sq. Mtrs., (2) Old Revenue Survey No. : 120, Block No. : 110, admeasuring 1922 Sq. Mtrs. and (3) Old Revenue Survey No. : 121, Block No. : 111, admeasuring 6981 Sq. Mtrs. in all aggregating 13253 Sq. Mtrs. for sale consideration of Rs. 3,00,00,000/- duly registered in the office of Sub Registrar, Vadodara - 8 (Rural) at Sr. No. : 357 alongwith Registration Fee receipt No. : 2014318000704, Dtd. 10/03/2014 and Certified copy of Index - 2 showing entry no. : 357 issued by Sub Registrar, Vadodara - 8 (Rural) for Registration of aforesaid sale deed.
- F. Order dtd. 30/06/2014 issued by District Collector, Vadodara for conversion of agriculture land of Block Nos. : 109, 110 & 111 in all aggregating admeasuring 13253 Sq. Mtrs. to Non Agriculture Residential use.
- G. Building permission bearing No. : UDA / Plan - 1 / Permission / 11 / 2015, Dtd. 17/05/2015 issued by Vadodara Urban Development Permission, Vadodara in the name of Shri Hemantbhai Tribhovanbhai Patel.
- H. Revised Building permission bearing No. : UDA / Plan - 4 / Permission / 126 / 2018, Dtd. 16/02/2019 issued by Vadodara Urban Development Permission, Vadodara in the name of Shri Hemantbhai Tribhovanbhai Patel.

- I. Original sale deed executed on 29/01/2020 by Hemantbhai Tribhovanbhai Patel in favour of M/s. Hari Aum Developers a partnership firm through its Managing Partner Shri Devendrabhai Ratilal Patel for sale of agriculture land bearing (1) Old Revenue Survey No. : 119/1, Block No. : 109, admeasuring 4350 Sq. Mtrs., (2) Old Revenue Survey No. : 120, Block No. : 110, admeasuring 1922 Sq. Mtrs. and (3) Old Revenue Survey No. : 121, Block No. : 111, admeasuring 6981 Sq. Mtrs. in all aggregating 13253 Sq. Mtrs. for sale consideration of Rs. 5,00,00,000/- duly registered in the office of Sub Registrar, Vadodara - 3 (Akota) at Sr. No. : 1537 on 03/02/2020 alongwith Registration Fee receipt No. : 202016003187, Dtd. 29/01/2020 and Certified copy of Index - 2 showing entry no. : 357 issued by Sub Registrar, Vadodara - 3 (Akota) for Registration of aforesaid sale deed.

1. **As regard Non Agriculture land bearing Block No. : 109 of Mouje : Kalali, Ta. & Dist. : Vadodara.**

- i. On perusal of the above documents papers and search taken it is observed that, originally agricultural land bearing Revenue Survey Nos. : 119/1 was recorded in land revenue record in the name of Shri Bhailalbhai Motibhai Patel and after his death on 20/12/1996 and Shri Bhupendrabhai Bhailalbhai Patel also expired prior to him on 14/08/1994 agriculture land under reference mutated under successions in the joint names of his / their surviving legal heirs namely (1) Sumjuben widow of deceased Bhailalbhai, (2) Premilaben widow of deceased Bhupendrabhai, (3) Rachnaben Bhupendrabhai, (4) Sandipkumar Bhupendrabhai Patel etc. in land revenue record vide mutation entry no. : 1234, Dtd. 24/12/1996, duly approved by competent land revenue authority on 15/02/1997. ✓

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- ii. However, the record shows that, said Shri Bhailalbhai Motibhai Patel executed a WILL during his life time in favour of namely (1) Mistry Ukabhai Govindbhai, (2) Mistry Shamjibhai Govindbhai and (3) Mistry Rekhaben Ukabhai having equal share in agriculture land under reference and accordingly their names have been mutated as joint owners in land revenue record vide mutation entry no. : 1246, Dtd. 01/05/1997, duly approved by competent land revenue authority on 23/07/1997.

2. **As regard Non Agriculture land bearing Block No. : 110 of Mouje : Kalali, Ta. & Dist. : Vadodara.**

- i. Originally land bearing Old Revenue Survey No. : 120 alongwith other survey numbers were recorded in land revenue record in the name of Shri Vallabhbhai Zaverbhai and after his death name Shri Madhavbhai Vallabhbhai Patel was mutated in land revenue record vide mutation entry no. : 138.
- ii. The record shows that, as per the oral partition of the agriculture land bearing Old Revenue Survey No. : 120 and other survey numbers, land bearing Old Revenue Survey No. : 120 came to the share of Paragbhai Haribhai Patel vide mutation entry no. : 413, dtd. 01/03/1961. But he expired on 28/09/1961, his surviving legal heirs made family partition and accordingly agriculture land bearing Old Revenue Survey No. : 120 came to the share of Parshotambhai Paragbhai Patel and vide mutation entry no. : 414, Dtd. 08/12/1961 his name was mutated as owner in land revenue record duly approved by cometent land revenue authority.
- iii. The record shows that, the agriculture land under reference was occupied and possessed by Shri Arvindbhai Dahyabhai

Patel and note Shri Parshotambhai Paragbhai Patel and therefore the agriculture land under reference vide mutation entry no. : 825, dtd. 24/06/1976 mutated in the name of Shri Arvindbhai Dahyabhai Patel duly approved by competent land revenue authority.

3. **As regard Non Agriculture land bearing Block No. : 111 of Mouje : Kalali, Ta. & Dist. : Vadodara.**

- i. The record shows that, the agriculture land under reference was recorded in land revenue record in the name of Bai Lakhi widow of deceased Shankarbhai Govindbhai and after her death vide mutation entry no. : 372, dtd. 27/03/1961 agriculture land came to the share of Bai Ujam daughter of Desaibhai Govindbhai.
- ii. The record shows that, Shri Shivabhai Shankarbhai was tenant but he was not tilling the agriculture land under reference vide mutation entry no. : 515, dtd. 20/12/1964 his name has been deleted as tenant as per the order of Vadodara Taluka Tribunal, duly approved by competent land revenue authority.
- iii. The record shows that, all surviving legal heirs of Ujamben daughter of Desaibhai Govindbhai, gave consent to mutate agriculture land under reference in the name of Shri Upendrabhai Jashbhai Amin and accordingly vide mutation entry no. : 846, Dtd. 10/06/1978, his name has been mutated as owner of the agriculture land under reference.
- iv. The record shows that, said agriculture land bearing Revenue Survey No. : 121 and Block No. : 111 belonging to Shri Upendrabhai Jashbhai Amin was mutated in the joint names of (1) Rekhaben, (2) Alkaben, (3) Nitaben and (4)

Anupamaben in land revenue record vide mutation entry no. : 1194, Dtd. 18/03/1995, duly approved by competent land revenue authority.

- v. The record shows that, said Shri Upendrabhai Jashbhai Amin and others sold the land bearing Block No. : 111 under Registered Sale deed executed on 03/05/2001 in favour of Ukabhai Govindbhai Prajapati and Shamjibhai Govindbhai Prajapati and vide mutation entry no. : 1347, Dtd. 07/05/2001 their names have been mutated as owner in land revenue record, duly approved by competent land revenue authority.
4. The record shows that, said Arvindbhai Dahyabhai alias Paragbhai Patel sold the agriculture land bearing Block No. : 110 to S/shri Nikeshbhai Ghanshyambhai Patel, Bharatbhai Ghanshyambhai Patel, Kantibhai Jethalal Pandya, Pareshbhai Kantibhai Pandya and Vipulbhai Kantibhai Pandya for sale consideration of Rs. 4,00,000/- by executing sale deed on 28/03/2008 bearing Registration No. : 4141 and their by, they became joint land owners and vide mutation entry no. : 1748, Dtd. 10/07/2008 their names have been mutated in land revenue record in respect of agriculture land bearing Block No. : 110, duly approved by competent land revenue authority 22/08/2008.
5. The record shows that, said Ukabhai Govindbhai Prajapati alias Mali alias Mistry and two others sold the agriculture land bearing Block No. : 109 alongwith land bearing Block No. : 111 and 97 to S/shri Nikeshbhai Ghanshyambhai Patel, Bharatbhai Ghanshyambhai Patel, Kantibhai Jethalal Pandya, Pareshbhai Kantibhai Pandya and Vipulbhai Kantibhai Pandya for sale consideration of Rs. 4,00,000/- by executing sale deed on 28/03/2008 bearing Registration No. : 4141 and their by, they

became joint land owners and vide mutation entry no. : 1706, Dtd. 21/05/2008 their names have been mutated in land revenue record in respect of agriculture land bearing Block No. : 109 along with other two block numbers, duly approved by competent land revenue authority 27/06/2008.

6. The record shows that, said Nikeshbhai Ghanshyambhai Patel and Four others executed agreement to sell without possession on 28/04/2010 in respect of agriculture land under reference alongwith other revenue survey numbers in favour of Naginbhai Amthabhai Waghela, duly registered in the office of Sub Registrar, Vadodara at Sr. No. : 5674.
7. The record shows that, said joint land owners Nikeshbhai Ghanshyambhai Patel and Four others and Shri Naginbhai Amthabhai Waghela as confirming party executed sale deed on 11/12/2012 in favour of Shri Kantilal Maganlal Thakkar for sale consideration of Rs. 3,11,00,000/- duly registered in the office of Sub Registrar, Vadodara - 8 (Rural) at Sr. No. : 296 / 2012 and vide mutation entry no. : 2203, Dtd. 21/08/2013 name of Shri Kantilal Maganlal Thakkar has been mutated in land revenue record in respect of agriculture land under reference alongwith land bearing other Block No. : 97, duly approved by competent land revenue authority and their by, said Shri Kantilal Maganlal Thakkar became owner of the said agriculture land.
8. The record shows that, said Kantilal Maganlal Thakkar land owner executed sale deed on 10/03/2014 in favour of Shri Hemantbhai Tribhovanbhai Patel for sale consideration of Rs. 3,00,00,000/- duly registered in the office of Sub Registrar, Vadodara - 8 (Rural) at Sr. No. : 357 / 2014 and vide mutation entry no. : 2280, Dtd. 10/03/2014 name of Shri Hemantbhai Tribhovanbhai Patel has been mutated in land revenue record in respect of agriculture land

bearing Block No. : 109, 110 & 111, duly approved by competent land revenue authority on 21/04/2014 and their by, said Shri Hemantbhai Tribhovanbhai Patel became owner of the said agriculture land.

The record shows that, partners of M/s. Shreekunj Enterprise executed a partnership deed on 01/04/2013 and as agreed by the partners in Para No. - (3), it is expressly agreed by the partners that the agriculture land would be purchased for development etc. alongwith other land by any one of the partners or more than one partner in his / their name/s and brought on the record of partnership firm. Accordingly, said Shri Hemantbhai Tribhovanbhai Patel as one of the partners of M/s. Shreekunj Enterprise, a partnership firm had purchased the said Agriculture land under reference out of the fund of the partnership business.

9. The record shows that, said Shri Hemantbhai Tribhovanbhai Patel obtained N. A. order on 30/04/2014 from District Collector, Vadodara for residential purpose and the said order has been mutated in land revenue record vide mutation entry no. : 2363, Dtd. 18/09/2014, duly approved by competent land revenue authority on 11/11/2014.
10. The record shows that, said Shri Hemantbhai Tribhovanbhai Patel obtained construction permission by getting the plan approved for construction of residential units from Vadodara Urban Development Authority, Vadodara on 07/05/2015 and thereafter obtained Revised building permission on 16/02/2019 by getting the plan approved from Vadodara Urban Development Authority, Vadodara.
11. The record shows that, said Shri Hemantbhai Tribhovanbhai Patel for and on behalf of M/s. Shreekunj Enterprise, a partnership firm executed sale deed on 29/01/2020 in favour of M/s. Hari Aum

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Developers a partnership firm represented through its Managing Partner Shri Devendrabhai Ratilal Patel for sale of Non Agriculture land under reference for sale consideration of Rs. 5,00,00,000/- duly registered in the office of Sub Registrar, Vadodara - 3 (Akota), duly registered on 03/02/2020 at Sr. No. : 1537 / 2020 and thereby said M/s. Hari Aum Developers a partnership firm has become owner of the Non Agriculture land under reference.

M/s. Hari Aum Developers, a partnership firm put up a housing scheme known as "SHIVAM BUNGALOWS" and started construction as per the revised building permission given by Vadodara Urban Development Authority, Vadodara.

In view of the above and search taken in the concerned offices of Sub Registrar of Assurance Vadodara, I have not come across any entry prejudicial to the right, title and interest of Shri Devendrabhai Ratilal Patel present owner and one of the partners of M/s. Hari Aum Developers, a partnership firm on whose behalf sale deed got executed in his favour in respect of Non agriculture land bearing Block No. : 109, admeasuring 4350 Sq. Mtrs., No. 110, admeasuring 1922 Sq. Mtrs. and No. : 111, admeasuring 6981 Sq. Mtrs. in all admeasuring 13253 Sq. Mtrs. of Mouje : Kalali, Ta. & Dist. : Vadodara in Registration District and Sub District, Vadodara and in my opinion M/s. Hari Aum Developers a partnership firm has clear, marketable and free from encumbers title in respect of non agriculture land under reference.

Date : 08/02/2020
Place : Vadodara.


Kishorkant H. Pathak
Advocate