

Sanjay H. Davda

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Advocate & Notary

3, Opp. Bhatiya Mahajan Vadi, Puja Avenue, Near Telephone Exchange, **ANJAR.** - Kutch

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11/06/2021

NON – ENCUMBRANCE CERTIFICATE

This to certify that, I the undersigned has investigated the title of the Immovable property which is more particularly described in herein under in " **Schedule of the Property** " which is owned by **Shri Navghan Vasanbhai Ahir** residing at Village : Ratnal. Ta. Anjar (herein referred as owner). Pursuing the title deeds relating thereto and taking necessary searches. I am of the opinion the title of the owner is respect of the said property are clear and marketable and free from non – encumbrances charges and / or claims.

SCHEDULE OF THE PROPERTY

Residential and Detached Dwelling Unit Purpose property situated on Non agriculture land R. S. No. 982 Paiky, Acre 5 – 25 Guntha i. e. 22764 Sq. Meters, area known as " **TRIVAK CITY SQUARE** " Plot No. 1 to 67, Total area of Plot admeasuring 14188. 99 Sq. Meters, Municipal Ward No. 12, situated in City Anjar. Sub Dist. Anjar. Dist. Kachchh within the registration jurisdiction of Sub-Registrar, Anjar.

Anjar – Kutch
Date : 11/06/2021


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Report of Investigation in respect of Immovable Property.

1. NAME, AND ADDRESS OF THE TITLE HOLDER OF THE PROPERTY :-

Shri Navghan Vasanbhai Ahir
Residing at Village : Ratnal. Ta. Anjar – Kutch.

2. DESCRIPTION OF THE PROPERTY.

Residential and Detached Dwelling Unit Purpose property situated on Non agriculture land R. S. No. 982 Paiky, Acre 5 – 25 Guntha, i. e. **22764 Sq. Meters, area known as " TRIVAK CITY SQUARE "** Plot No. 1 to 67, Total area of Plot admeasuring 14188. 99 Sq. Meters, Municipal Ward No. 12, situated in City Anjar. Sub Dist. Anjar. Dist. Kachchh within the registration jurisdiction of Sub-Registrar, Anjar.

3. DOCUMENTS STUDIED.

1. Hakkpatrak entry No. 714
2. Hakkpatrak entry No. 925
3. Hakkpatrak entry No. 956
4. Hakkpatrak entry No. 966
5. Hakkpatrak entry No. 1039
6. Hakkpatrak entry No. 1621
7. Hakkpatrak entry No. 10247
8. Hakkpatrak entry No. 10248
9. Hakkpatrak entry No. 10451
10. Hakkpatrak entry No. 10472
11. Hakkpatrak entry No. 10597
12. Copy of Sale Deed, Reg. No. 11387, Dtd. 05/12/2019 executed by Shri Hemalkumar Navinchadra Dave as a Power of Attorney Holder of Shri Amardeepsinh Mahavirsinh Vaghela regarding sale of



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- Agricultural Land bearing Rev. Survey No. 982 paiki, hector 2 – 27 – 64 aare, Anjar.
13. Hakkpatrak entry No. 11346 regarding Sale Deed, Reg. No. 11387, Dtd. 05/12/2019 executed by Shri Hemalkumar Navinchadra Dave as a Power of Attorney Holder of Shri Amardeepsinh Mahavirsinh Vaghela regarding sale of Agricultural Land bearing Rev. Survey No. 982 paiki, hector 2 – 27 – 64 aare, Anjar.
 14. Copy of Appeal No. 93/2020 filed by Amardeepsinh Mahavirsinh Vaghela against Dr. Damyantiben Krishnakant Ganatra and others before the Court of Nayab Collector – Anjar.
 15. Copy of Sale Deed, Reg. No. 3695, Dtd. 25/06/2020 executed by Dr. Damyantiben Krishnakant Ganatra in favour of Shri Navghan Vasanbhai Ahir regarding sale of Agricultural land bearing Rev. Survey No. 982 paiki, Anjar Sim.
 16. Copy of Hakkpatrak entry No. 11450, Dtd. 25/06/2020 regarding Sale Deed, Reg. No. 3695, Dtd. 25/06/2020 executed by Dr. Damyantiben Krishnakant Ganatra in favour of Shri Navghan Vasanbhai Ahir regarding sale of Agricultural land bearing Rev. Survey No. 982 paiki, Anjar Sim.
 17. Hakkpatrak entry No. 11509
 18. Copy of an order passed below Ex. – 1, in regular civil suit No. 67/2020 by the Court of Second Add. Civil Judge, Anjar.
 19. Copy of Deed for Cancellation, Reg. No. 7083, Dtd. 08/10/2020 executed by Amardeepsinh Mahavirsinh Vaghela in favor of Dr. Damyantiben Krishnakant Ganatra regarding cancellation of sale deed, Reg. No. 11387, Dtd. 05/12/2019
 20. Hakkpatrak entry No. 11513
 21. Copy of an order passed below Ex. – 1, in regular civil suit No. 03/2020 by the Court of Second Add. Civil Judge, Anjar.
 22. Copy of Measurement Sheet M. R. No. 924/279/2020-21, Dtd. 22/10/2020 by the D I L R Office, Bhuj.
 23. Copy of N. A. Order No. 940/01/04/078/2020, Dtd. 26/10/2020 regarding N. A. by the Collector – Kutch
 24. Hakkpatrak entry No. 11520
 25. Copy of an order No. JMN – 5 – Ma. V. Niyamit / Reg. No. 105/2020, Dtd. 10/11/2020



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26. Letter No. AADA / TECH / DEV / W – 12 / 8651 / 168, Dtd. 20/01/2021 by Anjar Area Development Authority regarding approval of Lay-out Plan for N. A. and approved plan.
27. Letter No. AADA / TECH / DEV / W – 12 / 8651 / 591, Dtd. 07/05/2021 by Anjar Area Development Authority regarding approval of revised Lay-out Plan for N. A. and approved plan.
28. Copy of Public Notice published in Kutch Mitra Daily News Paper, Dtd. 19/05/2021

4. TRACING OF TITLE FOR 25 – 30 YEARS NEXT BEFORE SCRUTINY.

The history of Residential and Detached Dwelling Unit Purpose property situated on Non agriculture land R. S. No. 982 Paiky, Acre 5 – 25 Guntha, i.e. 22764 Sq. Meters, area known as "TRIVAK CITY SQUARE " Plot No. 1 to 67, Total area of Plot admeasuring 14188. 99 Sq. Meters, Municipal Ward No. 12, situated in City Anjar. Sub Dist. Anjar. Dist. Kachchh within the registration jurisdiction of Sub-Registrar, Anjar is gathered from the documents produced before me which is as follows.

All that piece and parcel of property referred above is part of originally agricultural land bearing old survey No. 340, area acre 5 – 00 gunthas and new survey No. 982 paiki, area Acre 5 – 25 Gunthas. Said Agricultural land was originally Inam Land and was held by Sorathia Dhana as a Inamdar governed by the provisions of the Bombay Inam (Kutch Area) Abolition Act, 1958 and considering the nature of Inam, he was declared as an occupant with transferrable and particle tenure by the Sp. Mahalkari Office under the provisions of the section – 7 (3) of Inam Abolition Act and Sorathia Dhana has distributed said land to his son Sorathia Hira Dhana. Pursuant thereto which an entry No. 714 has been entered in revenue record village form No. 6 and verified.

Thereafter said Sorathia Hira Dhana had fully and absolutely conveyed and transferred the said field to (1) Mansukhlal Devraj (2) Harendra Devraj (3) Amrutlal Dalichand and (4) Amrutlal Hirjibhai Pandya vide registered sale deed registered before the Sub – Registrar, Anjar in book No. 1, at Reg. No. 1597, on date 20. 11. 1981. Pursuant to said transaction requisite entry in revenue records have been duly entered vide entry No. 925 into and same has been duly mutated in the name said (1) Mansukhlal Devraj (2) Harendra



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Devraj (3) Amrutlal Dalichand and (4) Amrutlal Hirjibhai Pandya and thereby they became sole and absolute owner of the said field.

Thereafter said (1) Mansukhlal Devraj (2) Harendra Devraj (3) Amrutlal Dalichand and (4) Amrutlal Hirjibhai Pandya had fully and absolutely conveyed and transferred the said field to (1) Shri Hariram Khetshi Chande (2) Shantaben Hariram Chande (3) Pratap Thakarshi Chande and (4) Vimlaben Pratap Chande vide registered sale deed registered before the Sub – Registrar, Anjar in book No. 1, at Reg. No. 235, on date 17. 02. 1982. Pursuant to said transaction requisite entry in revenue records have been duly entered vide entry No. 956 into and same has been duly mutated in the name of said Shri Champaklal Chunilal Shah and thereby he became sole and absolute owner of the said field.

Thereafter (1) Shri Hariram Khetshi Chande (2) Shantaben Hariram Chande (3) Pratap Thakarshi Chande and (4) Vimlaben Pratap Chande had applied before the Nayab Collector – Anjar to allot land of Rev. Survey No. 984 paiki, Land Acre 1 – 30 guntha as a adjoining land. Pursuant thereto the Nayab Collector, Anjar has approved said application and allotted land acre 1 – 30 gunthas of Rev. Survey No. 984 paiki as adjoining land vide his order No. JMN / Vashi / 2992 / 82, Dtd. 16/08/1982. Pursuant said order requisite entry in revenue records have been duly entered vide entry No. 966 into and same has been duly mutated in the name of said (1) Shri Hariram Khetshi Chande (2) Shantaben Hariram Chande (3) Pratap Thakarshi Chande and (4) Vimlaben Pratap Chande and thereby they became sole and absolute owner of the said field.

Thereafter out of area of said Revenue Survey No. 982 paiki, Land Acre 5 – 19 Gunthas and Revenue Survey No. 984 paiki, Land Acre 1 - 30 Gunthas has been converted in to non-agricultural for residential use vide an order No. Land – N A A 5 - / 83 / 84, Dtd. 30/04/1984 by the District Development Officer – Kutch. Pursuant said order requisite entry in revenue records have been duly entered vide entry No. 1039 into and same has been certified after due process.

Thereafter said N. A. order has been cancelled by the Secretary Vivad, Revenue Department, Ahmedabad vide his order Dtd. 30/04/1990. Pursuant said order requisite entry in revenue records have been duly entered vide entry No. 1621 into and same has been certified after due process.



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There after the death of Hariram Khetshi Chande, name of his nephew Dr. Damyantiben Krishnakant Ganatra has been entered as his legal heirs on the basis of application with Death Certificate and Will. Pursuant thereto an entry No. 10247 has been entered in revenue record Village Form No. 6 and certified after due process.

Thereafter joint owner of agricultural land bearing Rev. Survey No. 982 paiki (1) Shantaben Hariram Chande (2) Pratap Thakarshi Chande and (3) Vimlaben Pratap Chande has leave their right in favour of Dr. Damyantiben Krishnakant Ganatra. Pursuant thereto an entry No. 10248 has been entered in revenue record village form No. 6 and certified after due process.

Thereafter Shri Ashish Ramniklal Palan has filed a regular civil suit before the Court of Principal Senior Civil Judge, Anjar under the provision of section 34 and 38 of Special Relief Act – 1963 against Dr. Damyantiben Krishnakant Ganatra on Dtd. 24/06/2016 and said case registered as a RCS No. 143/2016. Thereafter Shri Ashish Ramniklal Palan has execute notice of lease pendency and said notice has been registered before the Sub – Registrar, Anjar vide Reg. No. 4231, Dtd. 28/06/2016. Pursuant thereto and entry No. 10451 has been entered in revenue record village form No. 6 and rejected by the Circle Officer, Anjar with the note " entry should be entered as per the order by Court ".

Thereafter Shri Rajeshkumar Chamanlal Thakkar has filed a special civil suit before the Court of Principal Senior Civil Judge, Anjar under the provision of section 34 and 38 of Special Relief Act – 1963 against Dr. Damyantiben Krishnakant Ganatra on Dtd. 21/07/2016 and said case registered as a SCS No. 22/2016. Thereafter Shri Rajesh Chamanlal Thakkar has execute notice of lease pendency and said notice has been registered before the Sub – Registrar, Anjar vide Reg. No. 5090, Dtd. 25/07/2016. Pursuant thereto and entry No. 10472 has been entered in revenue record village form No. 6 and rejected by the Circle Officer, Anjar with the note " entry should be entered as per the order by Court ".

Thereafter Shri Minant Rameshbhai Nanjibhai has filed a special civil suit before the Court of Principal Senior Civil Judge, Anjar under the provision of section 38 and 31 of Special Relief Act – 1963 against Dr. Damyantiben Krishnakant Ganatra on Dtd. 18/06/2016 and said case registered as a SCS No. 15/2016. Thereafter Shri Minant Rameshbhai Nanjibhai has execute notice of lease pendency and said notice has been registered before the Sub – Registrar,



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Anjar vide Reg. No. 7356, Dtd. 19/10/2016. Pursuant thereto and entry No. 10597 has been entered in revenue record village form No. 6 and rejected by the Circle Officer, Anjar with the note " entry should be entered as per the order by Court ".

Thereafter above said Civil Suit paiki (1) Regular Civil Suit No. 143/2016 has been Dismissed for Disposal on Dtd. 04/08/2018 by the Court of Principal Senior Civil Judge, Anjar and (2) Special Civil Suit No. 15/2016 has been uncontested rejected on Dtd. 10/05/2019 by the Court of Principal Senior Civil Judge, Anjar and (3) Special Civil Suit No. 22/2016 has been uncontested rejected on Dtd. 26/09/2020 by the Court of Principal Senior Civil Judge, Anjar

Thereafter Shri Amardeepsinh Mahavirsinh Vaghela has purchased said agricultural land bearing Rev. Survey No. 982 paiki, hector 2 – 27 – 64 aare from Hemalkumar Navinchandra Dave Power of Attorney Holder of Dr. Damyantiben Krishnakant Ganatra vide registered sale deed, Reg. No. 11387. Dtd. 05/12/2019. Pursuant thereto an entry No. 11346 has been entered in revenue record village form No. 6 and same has been rejected by the Mamlatdar, Anjar as per order in Takrari Case No. 03/2020.

Thereafter Shri Amardeepsinh Mahavirsinh Vaghela has filed the appeal before the Court of Nayab Collector, Anjar against the order by the Mamlatdar, Anjar in Takrari Case No. 3/20 and said appeal has been registered vide Case No. 93/20 under the provision of rules 108 (5) of Bombay Land Revenue Code.

Thereafter Shri Amardeepsinh Mahavirsinh Vaghela has filed a regular civil suit before the Court of Second Add. Civil Judge, Anjar under the provision of section 35 of Code of Civil Procedure - 1908 against Dr. Damyantiben Krishnakant Ganatra on Dtd. 01/02/2020 and said case registered as a RCS No. 67/2020.

Thereafter Shri Navghan Vasanbhai Ahir has purchased said agricultural land bearing Rev. Survey No. 984 paiki, Land Hactor 2 – 27 – 64 aare from Dr. Damyantiben Kanubhai Ganatra vide registered sale deed, Reg. No. 3695, Dtd. 25/06/2020. Pursuant thereto an entry No. 11450 has been entered in revenue record village form No. 6 and same has been certified by the Mamlatdar, Anjar as per order in Takrari Case No. 21/2020.



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Thereafter Dr. Damyantiben Krishnakant Ganatra has filed a special civil suit before the Court of Principal Senior Civil Judge, Anjar under the provision of section 35 of Code of Civil Procedure - 1908 against Amardeepsinh Mahavirsinh Vaghela on Dtd. 04/07/2020 and said case registered as a SCS No. 3/2020.

Thereafter above said Civil Suit paiki (1) Regular Civil Suit No. 67/2020 has been disposed on Dtd. 26/09/2020 as suit withdrawn unconditionally by plaintiff and (2) Special Civil Suit No. 3/2020 has been disposed on 15/10/2020 as suit withdrawn unconditionally by plaintiff.

Thereafter appeal Case No. 093/2020 with the Court of Nayab Collector - Anjar has also disposed with order appeal has been deleted from appeal register. Pursuant thereto an entry No. 11509 has been entered in village form No. 6 and certified after due process.

Thereafter Shri Amardeepsinh Mahavirsinh Vaghela has executed deed for cancellation of sale deed, Reg. No. 11387, Dtd. 05/12/2019 in favour of Dr. Damyantiben Krishnakant Ganatra vide registered cancellation deed, Reg. No. 7083, Dtd. 08/10/2020. Pursuant thereto an entry No. 11513 has been entered in revenue record village form No. 6 and certified after due process.

Thereafter Shri Navghan Vasanhbhai Ahir has applied before the Collector - Kutch for granting permission to use said agricultural land for non agricultural multipurpose vide online application No. 30104202095198, Dtd. 28/08/2020. Pursuant thereto said application has approved by the Collector - Kutch vide online order No. 940/01/04/078/2020, Dtd. 26/10/2020. Pursuant thereto an entry No. 11520 has been entered in revenue record village form No. 6 and certified after due process.

The increase in measurement has also regularized by the Collector - Kutch vide his order No. JMN-5/Ma. V. Niyamit/Reg. No. 105/2020, Dtd. 10/11/2020.

Thereafter Shri Navghanbhai Vasanhbhai Ahir have got prepared a layout plan to use the said N. A. land bearing survey No. 982 paiki, admeasuring 22764.00 Sq. Mtrs. for non-agricultural residential purpose and got it approved from the Anjar Area Development Authority, Anjar. Pursuant to that the Anjar Area Development Authority, Anjar has approved same vide their letter No. AADA TECH / DEV / W- 12 / 8651 / 168, Dtd. 20/01/2021.



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Thereafter Shri Navghanbhai Vasانبhai Ahir have got prepared a revised layout plan to use the said N. A. land bearing survey No. 982 paiki, admeasuring 22764. 00 Sq. Mtrs. for non-agricultural residential purpose and got it approved from the Anjar Area Development Authority, Anjar. Pursuant to that the Anjar Area Development Authority, Anjar has approved same vide their letter No. AADA / TECH / DEV / W- 12 / 8651 / 591, Dtd. 07/05/2021.

Thereafter a public notice has been published by me in Kutch Mitra Daily News Paper Dtd. 19. 05. 2021 for invited the claim and objection regarding title for N. A. Land for Residential Purpose bearing Rev. Survey No. 982 paiki, admeasuring 22764. 00 Sq. Mtrs., of present owner Shri Navghan Vasانبhai Ahir. Not a single claim and objection comes before me since the date fixed for this. As above present owner Shri Navghan Vasانبhai Ahir is absolute owner of above property shown in schedule.

5. ENCUMBRANCES :

I have taken the search report from the Sub – Registrar, Anjar for last 30 years and no encumbrances is found.

6. FINAL CERTIFICATE.

From all these and as per the documents produced before me and believe to be genuine I am of the opinion that to Shri Navghan Vasانبhai Ahir owner of the Residential and Detached Dwelling Unit Purpose property situated on Non agriculture land R. S. No. 982 Paiky, Acre 5 – 25 Guntha, i. e. 22764 Sq. Meters, area known as " TRIVAK CITY SQUARE " Plot No. 1 to 67, Total area of Plot admeasuring 14188. 99 Sq. Meters, Municipal Ward No. 12, situated in City Anjar. Sub Dist. Anjar. Dist. Kachchh within the registration jurisdiction of Sub-Registrar, Anjar and his ownership is clear, marketable and free from all encumbrances.

Anjar – Kutch.

Date : 11/06/2021

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Advocate and Notary

