

122, Gitanjali Complex, Opp. "C" Division Police Station, Kalanala, Bhavnagar

Date : 04/01/2022

TO WHOM SO EVER IT MAY CONCERN

Subject : Legal Opinion regarding title of the an immovable property i.e. residential non-agricultural land admeasuring 11841.00 smqt. known as "Kunvarba Residency" of Final Plot No.26, Original Plot No.15, T.P. Scheme No.2/B (Fulsar), R.S. No.36/1 Paiky 2 of Village : Chitra, Taluka Bhavnagar city and District : Bhavnagar.

Owner: Jekabhai Bijalbhai Baraiya and others.

With reference to the above, I have received relevant documents and papers for issuance of title clearance report of the property mentioned in the subject. I have gone through the relevant Xerox, documents and papers; my opinion regarding title of the property is as under.



It appears from the documents that originally Mr. Mangubhai Bhikhabhai, Bijalbhai Bhikhabhai, Devjibhai Bhikhabhai and Ravjibhai Ukabhai are holding the land of R.S. No.33/1, 35, 36/1 and 36/3 as a Sanrakshit Ganotiya under The Bombay Tenancy and Agricultural lands Act 49 and through entry No.78 their names were entered in the revenue record of above land.

Thenafter tenants namely Mangubhai Bhikhabhai and others have paid Rs.1640/- and Mahalkari Saheb through their order Dated : 30/03/1960 issued sale certificate in the name of Mangubhai Bikhabhai and others and in respect of that entry No.629 has been entered in to the revenue record on Dt.26/10/1961 and the same has been certified by competent officer.

Apart from Mangubhai Bhikhabhai, his other brothers also had shares in the lands including land of revenue survey no.36/1 of village Chitra. The joint owners got the land measured and distributed the land between the joint owners, according to which 3-37 acres of survey no.36/1 Guntha land came to the sole ownership of Bijalbhai Bhikhabhai. An entry in respect of which has been entered in the Revenue Record vide entry No.3, Dated : 21/02/1980.

122, Gitanjali Complex, Opp. "C" Division Police Station, Kalanala, Bhavnagar

..2..

Thenafter Mr. Bijalbhai Bhikhabhai expired, therefore the land of R.S. No.35, 36/1 Paiky and 38 came to the ownership of (1) Dulabhai Bhijalbhai (2) Jekabhai Bijalbhai (3) Valjibhai Bijalbhai (4) Lakhmanbhai Bijalbhai (5) Jayantibhai Bijalbhai (6) Dineshbhai Bijalbhai the legal heirs of late Bijalbhai Bhikhabhai. The name of above legal heirs has been entered throug entry No.3076, Dated : 13/08/1990 and said entry has been certified by City Mamlatdar, Bhavnagar.

Subsequently in respect of breatch of condition throuh entry No.2029, dated : 21/02/1980 entered in the revenue record of village Chitra, Deputy Collector, Bhavnagar by his order dated 19/10/1995 resolved Entry No.2029, dated : 21/02/1980 as correct.



Thenafter Bijalbhai Bhikhabhai due to his old age applied before competent authority to enter the names of his sons (1) Dulabhai Bijalbhai (2) Jekabhai Bijalbhai (3) Valjibhai Bijalbhai (4) Lakhmanbhai Bijalbhai and (5) Jayantibhai Bijalbhai in revenue record of R.S. No.35, 36/1 Paiky and 38 Paiki and accordingly the above names entered in the revenue record of above survey numbers through entry No.4393, Dated : 24/01/1997.

Thenafter from the joint owners of the land of R.S. NO.36/1 Paiky 2, Mr. Dulabhai Bijalbhai Baraiya expired on 10/02/2015 and his son Mukeshbhai Dulabhai Baraiya expired on 17/08/2006, therefore the names of legal heirs namely (1) Renukaben Dulabhai Baraiya, W/o. Dulabhai Baraiya (2) Rajeshbhai Dulabhai Baraiya - Son (3) Jyotiben Dulabhai Baraiya - Daughter (4) Rakeshbhai Dulabhai Baraiya - Son (5) Ritaben Dulabhai Baraiya - Daughter (6) Valshaliben Dulabhai Baraiya, W/o. late Mukeshbhai Dulabhai Baraiya - Daughter in law (7) Minor Shivang Mukeshbhai Baraiya - Grand Son have been entered in the revenue record through entry No.7112, Dated : 01/07/2021 and City Mamlatdar, Bhavnagar has also certified the said entry on Dt.26/08/2021.

Thenafter from the joint owners of the land of R.S. NO.36/1 Paiky 2, Mr. Bijalbhai Bhikhabhai expired on 14/10/2018, therefore the name of Mr. Bijalbhai Bhikhabhai has been deleted from the revenue through entry No.7119, Dated : 06/08/2021 and City Mamlatdar, Bhavnagar has certified the said entry on Dt.06/10/2021.

..3..

122, Gitanjali Complex, Opp. "C" Division Police Station, Kalanala, Bhavnagar

..3..

Thenafter from the joint owners of the land of R.S. NO.36/1 Paiky 2, Shivang Mukeshbhai Baraiya become adult and in respect of that Minor to Adult entry has been entered through entry No.7139, Dated : 08/01/2022 and City Mamlatdar, Bhavnagar has certified above entry on Date : 14/03/2022.

Thenafter from the joint owners of the land of R.S. NO.36/1 Paiky 2, Mr. Laxmanbhai Bijalbhai Baraiya has applied before competent authority to correct the name Lakhmanbhai Bijalbhai Baraiya to Laxmanbhai Bijalbhai Baraiya, accordingly City Mamlatdar, Bhavnagar through their order No.E-dhara/Vashi/679/2022, Dated : 09/02/2022 ordered to correct the name from Lakhmanbhai Bijalbhai Baraiya to Laxmanbhai Bijalbhai Baraiya. In respect of above order entry No.7145 has been entered on Dt.14/02/2022 and City Mamlatdar, Bhavnagar has certified the above entry on Dt.12/04/2022.



Thenafter the present owners applied before Collector, Bhavnagar to transfer the said land from new condition to old condition for non-agricultural usage and Collector, Bhavnagar through their order No.1045/14/12/001/2012, Dated : 02/11/2022 granted the permission for non-agricultural old condition for the land admeasuring 11841.00 sqmt. of F.P. No.26, O.P. No.14, R.S. No.36/1 Paiky 2, Village : Chitra, Taluka and District : Bhavnagar and also granted the permission for residential non-agricultural usage through their order No.1093/14/12/001/2022, Dated : 10/11/2022 and earlier Bhavnagar Municipal Corporation has approved Layout plan through their permission letter no.22, Dated : 12/09/2022.

The relevant search has been carried out by me in the office of sub-registrar Bhavnagar-1 for the year 1992 to 2001 and in the office of sub-registrar, Bhavnagar-3 for the year of 2001 to 2012 and in the office of sub-registrar, Bhavnagar-2 for the year of 2012 to 2022 and search fees are paid to the office of the sub-registrar, Bhavnagar under receipt No.202301100000080, 202301300000030 and 202301200000109 respectively.

I have examined relevant documents and papers produced before me for issuance of this title clearance report, I hereby give my opinion that the title of **Jekabhai Bijalbhai Baraiya and others** towards the

..4..

122, Gitanjali Complex, Opp. "C" Division Police Station, Kalanala, Bhavnagar

..4..

..an immovable property i.e. residential non-agricultural land admeasuring 11841.00 smqt. known as "Kunvarba Residency" of Final Plot No.26, Original Plot No.15, T.P. Scheme No.2/B (Fulsar), R.S. No.36/1 Paiky 2 of Village : Chitra, Taluka Bhavnagar city and District : Bhavnagar is clear, marketable & free from any encumbrances.

THE SCHEDULE**-:: Description of the property:-**

An immovable property i.e. residential non-agricultural land admeasuring 11841.00 smqt. known as "Kunvarba Residency" of Final Plot No.26, Original Plot No.15, T.P. Scheme No.2/B (Fulsar), R.S. No.36/1 Paiky 2 of Village : Chitra, Taluka Bhavnagar city and District : Bhavnagar. As per approved lay-out plan area of net plotting is 8502.90 Sqmt., area of common plot is 1184.15 sqmt. and area of internal road and curveture is 2153.95 sqmt., Total land area is 11841.00 Sqmt. The whole plotting is bounded as under :

Towards North	:	Adjoining land of F.P. NO.36 allotted against land of R.S. No.34 Paiky.
Towards South	:	Adjoining land of R.S. No.36/4 Paiky.
Towards East	:	Adjoining 24.00 wide road.
Towards West	:	Adjoining land of F.P. No.25 allotted against land R.S. No.37.

Dated : January 04, 2023

**K. K. Jagad,**

Advocate

Enrollment No.G/451/2011