

HOUSE "M", MONDEAL RETAIL PARK, BETWEEN ISKCON TEMPLE AND RAJPATH CLUB, S. G. HIGHWAY, BODAKDEV,
AHMEDABAD - 380059. PHONE : (0) 29710100 - 29710200 E-mail : janiandco@gmail.com

REF. NO. 11705/2019

To,

M/s RUDRAM DEVELOPER
A Partnership firm

TITLE CERTIFICATE-CUM-TITLE REPORT

Reg.: Non Agricultural land bearing Final Plot No.
66/1 admeasuring about 2460 sq. mtrs
(given in lieu of land of Survey No 384 paiki
admeasuring about 4920 sq.mtrs out of
total land admeasuring about 16392 sq.mtrs)
of Draft Town Planning Scheme No. 30
(Gota) situate, lying and being at Moje Gota,
Taluka Ghatlodiya in the Registration
District of Ahmedabad and Sub District of
Ahmedabad - 8 (Sola) and belonging to M/s
RUDRAM DEVELOPER, a Partnership firm.



As per instructions, we have examined the titles of the above referred property and have caused to be taken searches (partly manual and partly computerized upto the date of search i.e. 29-06-2020) of the available revenue and registration record for last 30 years through our search clerk and from that and from the information given to 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 land 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:

➤ **Chain of Title:-**

1. It appears that the land bearing Survey No. 384 admeasuring about Acre 4 - 02 Gs was belonging to Manubhai Prabhudas Patel since prior to the year 1960.

2. That as per order passed by Assistant Officer, Vadodara, Oil and Natural Gas Corporation, bearing No C&M L IX/4.12 dated -07-1972, land admeasuring about 2268 sq.mtrs of Survey No 384 paiki is acquired for use of laying Crude oil Pipe line from Kalol-Koyli via Navagam under The Petroleum Pipe Line Act, 1962. Mutation Entry to the said effect was made in the revenue record vide Entry No 1330 dated 01-09-1972.
3. That as per declaration of Bank of India dated 07-10-1977 charge of Bank of India, Ognaj Branch is recorded in the revenue record vide Entry No 1446 dated 07-10-1977.
4. That as per No Dues certificate of Bank of India, Ognaj Branch land bearing Survey No 384 stands released from the charge of said bank as said Manubhai Prabhudas repaid entire loan amount. Mutation Entry to the said effect is made in the revenue record vide Entry No 1565 dated 22-04-1980.
5. Meanwhile said (1) Manubhai Prabhudas Patel (2) Vishnubhai Manubhai Patel (3) Ghanshyambhai Manubhai Patel and (4) Hemantbhai Manubhai Patel had agreed to sell the land of Survey No 384 to Vikram Park (Gota) Co-operative Housing Society (Proposed), through its promoter Mayurbhai Mangaldas and Janakbhai Virjibhai vide Agreement for sale dated 17-05-1995 which was registered before the Sub Registrar of Ahmedabad-2 (Vadaj) at Serial No 2565 dated 17-05-1995.
6. That said Manubhai Prabhudas Patel entered into Agreement for sale in favour of (1) Kishorbhai Khamanchand (2) Dipakbhai Nanchand and (3) Maljibhai Devkaranbhai with respect to sale of land of Survey No 384 which was registered before the Sub Registrar of Ahmedabad-2 (Wadaj) at Serial No 3890 dated 11-09-1997.



7. That said (1) Manubhai Prabhudas (2) Rameshbhai Parshottambhai (3) Harshadbhai Parshottambhai and (4) Rajendrabhai Parshottambhai have agreed to sell the land of Survey No 384 to Gopalbhai Chaturbhai Amin vide Agreement for sale dated 13-11-1997 which was registered before the Sub Registrar of Ahmedabad-2 (Vadaj) at Serial No 5110 dated 13-11-1997.
8. That easement rights of land admeasuring about 1094.33 sq.yards of Survey No 384 paiki was granted by Manubhai Prabhudas to Shital Omprakash Agrawal for right to use said land and adjoining land as access road. Mutation Entry to the said effect is made in the revenue record vide Entry No 2435 dated 27-10-1998.
9. The land bearing Survey No.384 was granted exemption under the provisions of Urban Land (Ceiling & regulation) Act, 1976 vide order bearing no. No ULC/Fo No-1/ U.2/ Gota/ 124/ NOC/ Vashi/99 dated 06-07-1999 passed by the Deputy Collector and Competent officer. The exemption was granted under the provisions of Section 20 (1) of the said Act and upon repeal of ULC Act, the exemption confirmed. Mutation entry to the said effect was made in the revenue records vide entry no. 2490 dated 27-05-1999.
10. That said Manubhai Prabhudas through his Power of Attorney Holder Subahubhai Mangaldas Shah sold and conveyed undivided 1/2 share of land admeasuring about 8196 sq.mtrs out of total land bearing Survey No 384 admeasuring about 16392 sq.mtrs to Pragjibhai Gordhanbhai Patel vide Sale deed dated 10-05-1999 registered at Serial No 1770 dated 10-05-1999. Mutation Entry to the said effect is made in the revenue record vide Entry No 2499 dated 23-05-1999. In the said sale deed Vikrampark (Gota) Co-operative Housing Society (Proposed) through its promoter Mayurbhai Mangaldas (joined as confirming party no 1 and (1) Vishnubhai Manubhai Patel (2) Ghanshyambhai Manubhai Patel and (3) Hemantkumar Manubhai Patel all through their Power of

Attorney Holder Subabhubhai Mangaldas Shah joined as confirming party no 2

11. That said Manubhai Prabhudas through his Power of Attorney Holder Subabhubhai Mangaldas Shah sold and conveyed undivided 1/2 share of land admeasuring about 8196 sq.mtrs out of total land bearing Survey No 384 admeasuring about 16392 sq.mtrs to Rameshbhai Vallabhbhai Patel vide Sale deed dated 10-05-1999 registered at Serial No 1769 dated 10-05-1999. Mutation Entry to the said effect is made in the revenue record vide Entry No 2500 dated 28-05-1999. In the said sale deed Vikrampark (Gota) Co-operative Housing Society (Proposed) through its promoter Mayurbhai Mangaldas joined as confirming party no 1 and (1) Vishnubhai Manubhai Patel (2) Ghanshyambhai Manubhai Patel and (3) Hemantkumar Manubhai Patel joined as confirming party no 2 all through their Power of Attorney Holder Subabhubhai Mangaldas Shah and confirmed the said Sale transaction.

12. That pursuant to the order passed by the Competent officer and Dy. Collector (ULC) bearing No ULC/Fo No-1/U.2/Gota/ 124 No Objection Certificate/Vashi/99 dated 06-07-1999, and upon repeal of Urban Land (Ceiling and Regulation) Act, 1999 on 30-03-1999, land bearing Survey No 384 was exempted from computation of the total land holdings under the provisions of the Urban Lands Ceiling Act, and Accordingly the possession of agricultural land bearing Survey No. 384 was vested with its original owner as the government has not opted to retain its possession. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 2524 dated 12-07-1999.

13. That one (1) Rekhaben d/o. Parshottambhai Bakorbhai (2) Mayaben d/o. Manubhai Prabhudas (3) Satuben d/o. Manubhai Prabhudas and (4) Madhuben wd/o Parshottambhai Bakorbhai filed Regular Civil Suit No 240/2001 against (1) Subabhubhai Mangalbai Shah (2) Pragjibhai Gobarbhai Patel (3) Rameshbhai

Vallabhbbhai Patel (4) Parshhottambhai Bakorbhai Patel and (5) Manubhai Prabhudas Patel before the court of Civil Judge (S.D.), Civil Court, Ahmedabad. Mutation Entry to the said effect was made in the revenue record vide Entry No 2776 dated 01-10-2005. Said entry was cancelled as per order passed in RTS Takrari Case No 30/2002

That subsequently compromise arrived at between both the parties pursuant to which, a withdrawal pursis dated 15-02-2003 under Exh 38 was submitted before the court by the plaintiffs for withdrawal of said suit which was recorded by the court and accordingly Third Joint Civil Judge (S.D.) vide its order dated 26-02-2003 disposed of the said suit as withdrawn unconditionally. Hence said suit now does not survive.

14. That as per order bearing No RTS/Appeal Case No 101/2001 dated 17-09-2001 passed by Deputy Collector, Viramgam Prant in the RTS Appeal No 101/2001 filed by Rekhaben Purshottambhai Patel with respect to Mutation Entry No 2499, temporary stay order to maintain status quo up to date of 08-10-2001 was issued. Mutation Entry to the said effect was made in the revenue record vide Entry No 2777 dated 02-10-2001. Said entry was cancelled with the order of Mamlatdar, Dascroi in RTS Takrari Case No 30/2002 dated 07-04-2003.

15. That being aggrieved by certification of earlier Mutation Entry No 2499 dated 23-05-1999, said (1) Rekhaben d/o Parshhottambhai Bakorbhai (2) Mayaben d/o Manubhai Prabhudas (3) Satuben d/o. Manubhai Prabhudas and (4) Madhuben wd/o Parshhottambhai Bakorbhai filed RTS Appeal No 101/2001 before Deputy Collector, Viramgam Prant and in the said appeal Deputy Collector vide its order bearing No RTS/Appeal/Case No 101/2001 dated 03-09-2002 rejected the said appeal. Mutation Entry to the said effect was made in the revenue record vide Entry No 2863 dated 20-09-2002.

16. That said (1) Rameshbhai Vallabhbhai Patel and (2) Pragjibhai Gobarbhai Patel both through their Power of Attorney Holder Chiragkumar Hasmukhlal Vyas sold and conveyed the land bearing Survey No 384 admeasurng about 16392 sq.mtrs to Mahesh Ramnikbhai Vaghasia vide Sale deed dated 07-02-2003 which is registered before the Sub Registrar of Ahmedabad-2(Vadaj) at Serial No 595 dated 07-02-2003. Mutation Entry to the said effect was made in the revenue record vide Entry No 2916 dated 10-02-2003.

17. That subsequently said (1) Manubhai Prabhudas Patel (2) Kamlaben Manubhai Patel (3) Santuben Manubhai Patel (4) Mayaben Manubhai Patel (5) Vishnubhai Manubhai Patel (6) Ghanshyambhai Manubhai Patel (7) Hemantbhai Manubhai Patel (8) Nilamben Vishnubhai Patel (9) Rinaben Ghanshyambhai Patel (10) Shitalben Hemantbhai Patel (11) Minor Ghenisha Vishnubhai Patel through her guardian her father Vishnubhai Manubhai Patel (12) Minor Dhruvisha Ghanshyambhai Patel through her guardian her father Ghanshyambhai Manubhai Patel (13) Minor Kathak Hemantbhai Patel through his guardian his father Hemantbhai Manubhai Patel and heirs of late Parshottambhai Bakorbhai Patel i.e. (1) Rameshbhai Parshottambhai Patel (2) Rajubhai Parshottambhai Patel (3) Rekhaben Parshottambhai Patel (4) Alpaben Rameshbhai Patel (5) Bhagwatiben wd/o Harshadbhai Parshottambhai (6) Kundanben Rajubhai Patel (7) Minor Brijesh Rameshbhai through his guardian his father Rameshbhai Parshottambhai Patel (8) Minor Rinku Rameshbhai through his guardian his father Rameshbhai Parshottambhai Patel (9) Minor Purvin Harshadbhai through his guardian his mother Bhagwatiben Harshadbhai Patel (10) Minor Rushabh Rajubhai through his guardian his father Rajubhai Parshottambhai Patel (11) Minor Shivangi Rajubhai through her guardian her father Rajubhai Parshottambhai Patel and (12) Madhuben wd/o Parshottambhai Bakorbhai Patel gave their confirmation with respect to abovestated sale deed dated 07-02-2003 registered before the Sub



Registrar of Ahmedabad-2 (Vadaj) at Serial No 595 and also confirmed the mutation entry no 2916 dated 10-02-2003 with respect to said sale deed and also gave their irrevocable consent to withdraw various suits/litigations filed by them i.e. (1) Regular Civil Suit No 240/2001 filed before the court of Third Additional Civil Judge, Ahmedabad (Rural) (2) MCA/A/F/O No 33 filed before the Second Extra Assistant Judge of Ahmedabad (Rural) (3) RTS Appeal No 101 of 2001 filed before Deputy Collector, Viramgam Prant (4) and Civil Suit No 93/1999 filed before the court of Third Civil Judge (Senior Division) vide confirmation deed which is registered before the Sub Registrar of Ahmedabad-2(Vadaj) at Serial No 855 dated 24-02-2003. Mutation Entry to the said effect was made in the revenue record vide Entry No 2919 dated 26-02-2003.

That subsequently, as stated in Para 13, the said Regular Civil Suit No 240/2001 has been unconditionally withdrawn vide order dated 26-02-2003. That with respect to Special Civil Suit No 93/1999 Compromise arrived at between the both parties pursuant to which Withdrawal pursis under Exh 172 was filed and accordingly Senior Civil Judge, Ahmedabad (Rural) vide its order dated 21-06-2013 ordered to disposed of the said suit as unconditionally withdrawn. Moreover as stated in Para 15 above, Deputy Collector vide its order bearing No RTS/Appeal/Case No 101/2001 dated 03-09-2002 rejected the appeal of Appellants.

18. Mutation Entry No 2937 dated 17-04-2003 is not related with subject land, hence not dealt with herein.

19. The being aggrieved by Mutation Entry No 2776 and 2777, RTS Appeal being No 30/2002 was filed before Deputy Collector, Viramgam Prant in which Deputy Collector vide its order bearing No RTS/Takrari/Case No 30/2002 dated 17-04-2003 ordered to reject the Mutation Entry No 2776 and ordered to cancel the

Mutation Entry No 2777. Mutation Entry to the said effect was made in the revenue record vide Entry No 2938 dated 17-04-2003.

20. That one Kishorbhai Khamanchand Goyal, Dipakbhai Nanchand Shah and Maljibhai Devkaranbhai Rabari filed Revision application before Collector, Ahmedabad against order of Deputy Collector, Ahmedabad dated 03-09-2002 passed in RTS Appeal Case No 101/2001 and prayed for interim injunction. In the said case Deputy Collector, Ahmedabad vide its order bearing No L.B./ Revision Application No 120/2002 dated 30-04-2003 said Revision application was granted and order to maintain status quo in the said land was issued and further names of appellants are directed to entered as defendant no 15 to 17 in the said application. Mutation Entry to the said effect was made in the revenue record vide Entry No 2955 dated 12-05-2003.

21. That against certification of mutation Entry No.2916 dated 02-11-2002, an RTS Appeal was filed before Deputy Collector, Viramgam Prant in which said Deputy Collector, Viramgam Prant vide its order bearing No RTS/Appeal/Case No 47/03 dated 01-01-2003 ordered to maintain status quo in the land of Survey No 384 until first hearing of said appeal. Mutation Entry to the said effect was made in the revenue record vide Entry No 2968 dated 02-06-2003.

22. That earlier against mutation of Entry No 2499 dated 24-07-1999, one Rekhaben d/o Parshottambhai Bakorbhai and others filed RTS Appeal bearing Deputy Collector, in which said Deputy Collector vide its order bearing No RTS/Appeal Case No 101/2001 dated 03-09-2002 rejected the said appeal of appellant and confirmed the certification of Mutation Entry No 2499. Being aggrieved by said order said Rekhaben d/o Parshottambhai Bakorbhai and others filed Revision application before Collector, Ahmedabad and mutation Entry No 2955 dated 12-05-2003 with respect to interim stay order in the said appeal was also made into revenue record. Thereafter Collector, Ahmedabad vide its order bearing No



LR/Devsthan Application No 120/2002 dated 08-10-2003 allowed application of appellants to withdraw the said appeal and maintained the earlier order of Deputy Collector, Virangam dated 03-09-2002. In the said appeal the prayer of opponent no 15 to 17 was rejected and their application was dismissed and pursuant to said order, Mamlatdar Daserol vide its order bearing No RTA/Vashti/1039/03 dated 20-11-2003 cancelled the earlier Mutation Entry No 2955 for maintaining status quo. Mutation Entry to the said effect was made in the revenue record vide Entry No 3039 dated 21-11-2003.

23. That being aggrieved against Mutation Entry No 2916 for Survey No 384 and other mutation entries of other land parcels, various Appeals being Appeal No 45/03 to 49/03 were filed before Deputy Collector, Virangam Prant. In the said appeals, Deputy Collector vide its order bearing No RTA/Appeal/Case No 45/03 to 49/03 dated 06-12-2004 rejected the said appeals. Mutation Entry to the said effect was made in the revenue record vide Entry No 3246 dated 19-01-2005.

24. That a Notice of Lis Pendens with respect to Special Civil Suit No 216/2003 filed before the court of Principal Senior Civil Judge by Kishorbhai Khanchand Gohil and Dipakbhai Nanchand Shah with respect to land of Survey no 384 which is registered before the Sub Registrar of Ahmedabad-2 (Vadaj) at Serial No 1237 dated 12-02-2009. Mutation Entry to the said effect is made in the revenue record vide Entry No 4233 dated 12-03-2009. Said entry was cancelled on 08-05-2009 as no order for stay is produced.

25. That vide order of the Revenue Department bearing No PFR/102011/275/L/1 dated 17-03-2012, the Taluka City and Taluka Daserol in Revenue District Ahmedabad were reconstituted and new Talukas viz. Taluka Ahmedabad (East) and Taluka Ahmedabad (West) were formed and accordingly Meje Gota which formed part of Taluka Daserol was now made part of

Taluka Ahmedabad City (West). Mutation entry to the said effect was made in the revenue records of the land bearing Survey no. 109/1/2 vide Entry No. 5271 dated 03-05-2012.

26. That said Maheshbhai Ramnikbhai Vaghasia gifted the land of Survey No 384 admeasuring about 16392 sq.mtrs to Shri Bharatbhai Virjibhai Patel vide Gift deed dated 01-07-2015 which is registered before the Sub Registrar of Ahmedabad-13 (City) at Serial No 1397 dated 01-07-2015. Mutation Entry to the said effect is made in the revenue record vide Entry No 6240 dated 01-07-2005. Said entry is certified on 21-09-2015.
27. That being aggrieved by certification of Mutation Entry No 2435 dated 24-11-1998, said Bharatbhai Virjibhai Patel filed RTS Appeal No.44/2016 before Deputy Collector, Ahmedabad (West) in which application for condonation of delay of Appellant was allowed and hearing was kept on 13-09-2016. Mutation Entry to the said effect was made in the revenue record vide Entry No 6760 dated 16-09-2016.
28. That City Deputy Collector, Ahmedabad vide its order bearing No RTS/ Appeal/Case No 44/206 dated 13-10-2016 allowed the appeal of appellant Bharatbhai Virjibhai Patel and cancelled the earlier order of Mamlatdar dated 24-11-1998 for certification of Mutation Entry No 2435. Mutation Entry to the said effect was made in the revenue record vide Entry No 6793 dated 17-10-2016.
29. That one Shital Omprakash Agarwal filed Special Civil Application No 8704 of 2017 before Hon'ble High Court of Gujarat against said Bharatbhai Virjibhai Patel with respect to specific performance of easement agreement dated 14-07-1993 with respect to land of Survey No 384 paiki. In the said writ petition vide order dated 05-07-2017 of Hon'ble High Court of Gujarat, ad-interim relief granted earlier was ordered to be continued. Mutation Entry



to the said effect was made in the revenue record vide Entry No 7276 dated 05-10-2017.

30. That subsequently settlement arrived between both parties in the above filed Special Civil Application No 8704 of 2017, hence High Court of Gujarat vide its oral order dated 28-08-2011 disposed of the said petition as withdrawn in view of the settlement reached between the parties and interim relief stands vacated. Mutation Entry to the said effect is made in the revenue record vide Entry No 7664 dated 25-09-2018.
31. That on implementation of Draft Town Planning Scheme No.30 (Gota), land bearing Survey No 384 admeasuring about 16392 sq.mtrs is given Final Plot No 66/1 admeasuring about 2460 sq.mtrs and Final Plot No 66/2 admeasuring about 5736 sq.mtrs totally admeasuring about 8196 sq.mtrs
32. That N.A.Use permission for multipurpose use for land bearing Final Plot No 66/1 and 66/2 totally admeasuring about 8196 sq.mtrs of Draft Town Planning Scheme No 30 (Gota) (in lieu of land of Survey No 384) is granted by Collector, Ahmedabad vide its order bearing No CB/ N.A./ AHMEDABAD/ GOTA/ 384/ 1003937/2019 dated 16-02-2019. Mutation Entry to the said effect is made in the revenue record vide Entry No 7864 dated 15-03-2019 which is certified on 08-05-2019.
33. That said Bharatbhai Virjibhai Patel sold and conveyed said N.A. land bearing Final Plot No 66/2 admeasuring about 5736 sq.mtrs (having proportionate land of Survey No 384 paiki admeasuring about 11472 sq.mtrs) of Draft Town Planning Scheme No 30 (Gota) to M/s Dharm Buildcon, a Partnership firm vide sale deed dated 20-04-2019 which is registered before the Sub Registrar of Ahmedabad-08 (Sola) at Serial No 7487 dated 20-04-2019. Mutation Entry to the said effect is made in the revenue record vide Entry

No 7885 dated 20-04-2019 which is certified on 03-07-2019 as per order passed in Takrari Case No 35/2019 dated 03-07-2019.

34. That said Bharatbhai Virjibhai Patel sold and conveyed said N.A. land bearing Final Plot No 66/1 admeasuring about 2460 sq.mtrs (having proportionate land of Survey No 384 paiki admeasuring about 4920 sq.mtrs) of Draft Town Planning Scheme No 30 (Gota) to M/s ANTHEM INFRAMINDS LLP, a Limited Liability Partnership firm vide sale deed dated 20-04-2019 which is registered before the Sub Registrar of Ahmedabad-08 (Sola) at Serial No 7490 dated 20-04-2019. Mutation Entry to the said effect is made in the revenue record vide Entry No 7886 dated 20-04-2019 which is certified on 30-07-2019 as per order passed in Takrari Case No 36/2019 dated 03-07-2019.

35. That being aggrieved by order of Collector Ahmedabad dated 16-02-2019 for grant of N.A. Use permission for land of Survey No 384, one Madanlal Prabhavilal Jaiswal filed appeal before Secretary, Revenue Department. In the said appeal, Secretary Revenue Department vide its order bearing No MVV/BKHP/Ahmed/ 22/2019 dated 15-07-2019 rejected the said Appeal and maintained the earlier order of Collector, Ahmedabad for grant of N.A. Use permission. Mutation Entry to the said effect is made in the revenue record vide Entry No 8018 dated 26-07-2019, which is certified on 03-09-2019. [Note:-We are not furnished with copy of said order]

36. That subsequently said M/s ANTHEM INFRAMINDS LLP, a Limited Liability Partnership firm sold and conveyed land bearing Final Plot No 66/1 admeasuring about 2460 sq.mtrs (given in lieu of land of Survey No 384 paiki admeasuring about 4920 sq.mtrs) of Town Planning Scheme No 30 (Gota) to M/s RUDRAM DEVELOPER, A Partnership firm vide Sale deed dated 16-10-2019 registered before the Sub Registrar of Ahmedabad-08 (Sola) at Serial No 18642 dated 16-10-2019. Mutation Entry to the said effect



was made in the revenue record vide Entry No 8111 dated 24-10-2019 which is certified on 06-02-2020

37. Public Notice:-

In response to our Public Notice published in daily news paper Gujarat Samachar dated 28-09-2019 and in Gujarat Samachar dated 28-09-2019 with respect to said land of earlier land owner M/ ANTHEM INFRAMINDS LLP, we have not received any objections from anyone till date.

38. Details of Pending Litigations

(1) Special Civil Suit No. 479/2009

That one Rajendra Rameshwardas Singal has filed Special Civil Suit No 479/2009 before the court of Principal Senior Civil Judge Ahmedabad (Rural) with respect to alleged agreement for sale dated 08-03-1998 entered by (1) Patel Manubhai Prabhudas (2) Patel Rameshbhai Parshottambhai (3) Patel Rekhaben Parshottambhai (4) Patel Rajendrakumar Parshottambhai (5) Patel Harshadbhai Parshottambhai and (6) Patel Madhuben wd/o Parshottambhai Bakorbhai all through their Power of Attorney Holder Jayantibhai Vadilal Shah in favour of said Rajendra Rameshwardas Singal for sale of land of Survey No 384 and other lands which was notarized and prayed for injunction against the transfer of land of Survey No 384 and other lands. It is pertinent to note that as per provisions of Indian Registration Act, the said Agreement for sale was required to be registered. Moreover at the time of execution of the alleged agreement for sale the said land was Agricultural land and Mr Rajendra Singal was non agriculturist residing in Delhi. Moreover the said suit is filed in the year 2009 with respect to alleged Agreement for sale executed in 1998. The said suit is still pending, however no adverse /injunction order has been passed.

(2) Regular Civil Suit No 808/2016 and CMA No. 49/2018

That one Shaileshbhai Nanchand Shah has filed a Regular Civil Suit No 808/2016 before the Court of Senior Civil Judge, Ahmedabad (Rural) against Manubhai Prabhudas Shah and 8 others with respect to alleged agreement dated 02-03-1998 which was notarized before Notary P.K. Solanki. The said suit was filed in the year 2016 with respect to alleged Agreement for sale executed in the year 1998 and plaintiff had prayed for permanent injunction. It is pertinent to note that as per provisions of Indian Registration Act, the said Agreement for sale was required to be registered. Thereafter the said suit was dismissed for default upon absence of Plaintiff vide order dated 21-12-2017 passed by 7th Additional Civil Judge, Ahmedabad (Rural). Thereafter Civil Misc Application No 49/2018 is filed for restoration of said Regular Civil Suit No 808/2016. The said Application is pending at present, however the court has not granted any interim injunction and no adverse order is passed.

Therefore, on account of the above and based upon the information provided to us that no other adverse orders have been passed in the above pending litigations, we are of the opinion that at present, even though the said civil suit and Application are pending however, since no stay order or injunction or status-quo order has been granted in the said civil suit and application, mortgage of the said land parcel in the form of equitable mortgage is not prohibited and bank/financial institutions can grant loan/financial assistance and it shall not be in violation of any court order. In our opinion both above suit/application are weak in nature because the land has been transferred many times, Non Agricultural Use permission has been granted, plans have been approved. However, it is hereby clarified that the result or outcome of the said pending civil suit and Civil Misc Application shall be binding on the both the parties.



Plan Pass:-

That Plan for making commercial construction on the land of Final Plot No 66/1 of T.P. No 30 (Gota) is sanctioned by Ahmedabad Municipal Corporation vide its order bearing Case No BLNTI /NWZ/ 210819/ CGDCRV/A2761/R0/M1 and Rajachitthi No 02683/ 210819/ CGDCRV/ A2761/R0/M1 dated 22-10-2019.

RUDRAM ICON:

That as per the said approved plan, M/s Rudram Developer, Partnership firm has commenced commercial construction on the land of Final Plot No 66/1 and named it RUDRAM ICON.

In view of what is stated above, we hereby opine that the title of above referred Non Agricultural land bearing Final Plot No. 66/1 admeasuring about 2460 sq. mtrs (given in lieu of land of Survey No 384 paiki admeasuring about 4920 sq.mtrs out of total land admeasuring about 16392 sq.mtrs) of Draft Town Planning Scheme No. 30 (Gota) situate, lying and being at Moje Gota, Taluka Ghatlodiya in the Registration District of Ahmedabad and Sub District of Ahmedabad - 8 (Sola) and belonging to M/s RUDRAM DEVELOPER, A Partnership firm *shall be clear and marketable and free from reasonable doubts without encumbrances* subject to:-

[1] Usual declaration cum Indemnity bond being made at the time of Mortgage/transfer of said land.

[2] Result of pending civil suit no 479/2016 filed before the court of Principal Senior Civil Judge, Ahmedabad (Rural) and Civil Misc application no. 49/2018 filed before the court of 5th Additional Civil Judge, Ahmedabad (Rural)

[3] Provisions of The Town Planning and Urban Development Act and use as per Zone of AUDA/AMC and plans of construction being

sanctioned by AUDA/AMC and provisions of Draft Town Planning Scheme No.30 (Gota).

DATED THIS 29TH DAY OF JUNE, 2020

Huruk P. Jaw
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 the year 1986 to 1989 and 1990 to 1992 of Sub Registrar's office is destroyed/torn out. Hence it can not 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] As per Mutation Entry No 1330 dated 01-09-1972, land bearing Survey No 384 paiki admeasuring about 2268 was acquired for use of laying Crude oil Pipe line from Kalol-Koyli via Navagam.