



Ref No.: CSAA/JDP/2307/2018

Date: 28-11-2018

To,

M/s Umiya Buildcon,
Ahmedabad.



Re: IN THE MATTER OF INVESTIGATION TO THE TITLE of Agriculture land bearing Final Plot No. 76 admeasuring about 3338 Sq.Mtrs of T.P. Scheme No. 109 (Erstwhile Survey/Block No. 117) situate, lying, and being at Mouje: Hanspura, Taluka: Asarva and Registration Sub-District: Ahmedabad and District: Ahmedabad and belonging to M/s Umiya Buildcon.

In pursuance of your instructions to investigate/verify the titles of aforesaid property, we have caused searches to be taken of relevant revenue records available from the concerned Talati Office, E-Dhara, Dy. Mamlatdar and Registration records available at the concerned Office of the Sub-Registrar of Assurances for a period of last about Thirty Years through our search clerk. We have taken root of title for last about Thirty Years and verified the Documents, Papers, Writings and records submitted by the owners of the said property and believing the same to be true, genuine and obtained from original sources and relied on the facts stated by the owner/s of the said property and facts mentioned therein believing the same to be true. Our report on title and opinion thereof for its personal use is a stated hereafter. For detailed facts and particulars, reference may be taken from the documents, Papers, Writings and Records referred to herein below:

1. Originally, the land in question was independently owned, occupied and possessed by (1) Chanduji Shankarji, (2) Kalaji Shankarji, (3) Bai Sona Wd/o Shankarji Vaghaji, (4) Bai Reva Wd/o Lakhaji Vaghaji, (5) Kachraji Lakhaji, (6) Gabhaji Lakhaji and (7) Ramaji Lakhaji prior to the year 1980.
2. It appears from the records that the charge of the Hanspura Seva Sahakari Mandali Limited is standing on the said land.
3. Thereafter, the owners of the said land had repaid the loan taken from The Hanspura Seva Sahakari Mandali Limited and hence the charge of the said Society was deleted from the other rights of revenue record and entry to that effect was mutated in the revenue record vide Mutation Entry No. 1364 dated 24-2-1983 which was certified by the competent authority.
4. Thereafter, the Co-owner of the said land namely Kalaji Shankarji died intestate on 2-9-1998 leaving behind him his legal heirs as (1) Bajiben Wd/o Kalaji Shankarji, (2) Varsangji Kalaji, (3) Arjanji Kalaji, (4) Vikramji Kalaji, (5) Shardaben Kalaji, (6) Babalben Kalaji, (7) Shiviben Kalaji and (8) Lilaben



Kalaji and hence their names were entered in the revenue records upon succession rights and entry to that effect was mutated in the revenue record vide Mutation Entry No.1648 dated 3-3-2001 which was certified by the competent authority.

5. Thereafter, the Co-owners of the said land (1) Shardaben Kalaji, (2) Babalben Kalaji, (3) Shiviben Kalaji and (4) Lilaben Kalaji had voluntarily waived and relinquished their rights, title, interest, share and claim persisting in the said land in favour of their brothers of the said land and hence their names were deleted from the revenue records of the said land rights and entry to that effect was mutated in the revenue record vide Mutation Entry No. 1649 dated 3-3-2001 which was certified by the competent authority.
6. Thereafter, the Co-owner of the said land namely Revaben Wd/o Lakhaji Vaghaji died intestate on 2-7-1998 and hence her name was deleted from the revenue record of the said land and entry to that effect was mutated in the revenue record vide Mutation Entry No. 1656 dated 14-5-2001 which was certified by the competent authority.
7. Thereafter, the Co-owner of the said land namely Bai Sona Wd/o Shankarji Vaghaji died intestate on 16-1-1995 and hence her name was deleted from the revenue record of the said land and entry to that effect was mutated in the revenue record vide Mutation Entry No. 1661 dated 16-5-2001 which was certified by the competent authority.
8. Thereafter, the owners of the said land had obtained the loan from the Huka Seva Sahakari Mandali Limited and hence the charge of the said Society was created in other rights of revenue record and entry to that effect was mutated in the revenue record vide Mutation Entry No.1694 dated 1-3-2004 which was certified by the competent authority.
9. Thereafter, the Co-owner of the said land Chanduji Shankarji had submitted an application to enter the names of (1) Pratapji Chanduji Thakor, (2) Pathuji Chanduji Thakor, (3) Madhuben Chanduji Thakor and (4) Amarsinh Chanduji Thakor as co-owners of the said land during his survival and hence their names were entered in the revenue record and entry to that effect was mutated in the revenue record vide Mutation Entry No. 1885 dated 3-7-2008 which was CANCELLED on the ground of incomplete papers by the competent authority.
10. At present, Upon conducting the process of promulgation of computerized 7/12 record in pursuance of the standing instruction of the Government, on ascertaining from manuscript village record, computerized 7/12 record and village Form No. 6, the defects were noticed and hence, the Mamlatdar, Daskroi passed Order bearing No. RTS / Record Promulgation / 14 / 08 dated __-7-2008 for rectifying the said





defects and directed to insert Mutation Entry No. 1176 pertaining to occupiers and Mutation Entry No. 1200 in revenue record of Block No. 117 and entry to that effect was mutated in the revenue record vide Mutation Entry No.1892 dated 18-7-2008 which was certified by the competent authority.

11. Thereafter, the Co-owner of the said land namely Kachraji Lakhaji died intestate on 17-1-2009 leaving behind him his legal heirs as (1) Chandaben Wd/o Kachraji Lakhaji, (2) Harkhaben Kachraji, (3) Shendhaji Kachraji, (4) Vishnuji Kachraji, (5) Maheshji Kachraji and (6) Vinaben Kachraji and hence their names were entered in the revenue records upon succession rights and entry to that effect was mutated in the revenue record vide Mutation Entry No.1949 dated 18-3-2009 which was certified by the competent authority.
12. Thereafter, the owners of the said land had repaid the loan taken from The Huka Seva Sahakari Mandali Limited and hence the charge of the said Society was deleted from the other rights of revenue record and entry to that effect was mutated in the revenue record vide Mutation Entry No. 2030 dated 26-3-2010 which was certified by the competent authority.
13. Thereafter, the Co-owners of the said land (1) Chanduji Shankarji, (2) Gabhaji Lakhaji, (3) Ramaji Lakhaji, (4) Bajiben Wd/o Kalaji Shankarji, (5) Varsangji Kalaji, (6) Arjanji Kalaji and (6) Vikramji Kalaji have agreed to sale and convey the land admeasuring about 4636 Sq.Mtrs. of total 5564 Sq.Mtrs. to (1) Amrutbhai Alias Amratbhai Chehrabhai Rabari and (2) Kantibhai Nanubhai Prajapati by Agreement for Sale registered in the office of Sub-Registrar of Assurances under Serial No. 3755 dated 15-4-2010.
14. Thereafter, the Owners of the said land (1) Gabhaji Lakhaji, (2) Ramaji Lakhaji, (3) Bajiben Wd/o Kalaji Shankarji, (4) Varsangji Kalaji, (5) Arjanji Kalaji, (6) Vikramji Kalaji, (7) Chandaben Wd/o Kachraji Lakhaji, (8) Harkhaben Kachraji, (9) Shendhaji Kachraji, (10) Vishnuji Kachraji, (11) Maheshji Kachraji and (12) Vinaben Kachraji and (13) Chanduji Shankarji have executed Power of Attorney in favour of (1) Jitendrakumar Nagjibhai Patel and (2) Nareshbhai Haribhai Patel registered in the office of Sub-Registrar of Assurances under Serial No. 5085 dated 30-4-2011.
15. Thereafter, the Owners of the said land (1) Gabhaji Lakhaji, (2) Ramaji Lakhaji, (3) Bajiben Wd/o Kalaji Shankarji, (4) Varsangji Kalaji, (5) Arjanji Kalaji, (6) Vikramji Kalaji, (7) Chandaben Wd/o Kachraji Lakhaji, (8) Harkhaben Kachraji, (9) Shendhaji Kachraji, (10) Vishnuji Kachraji, (11) Maheshji Kachraji and (12) Vinaben Kachraji and (13) Chanduji Shankarji have executed Power of Attorney in favour of (1) Jitendrakumar Nagjibhai Patel and (2) Nareshbhai Haribhai





Patel registered in the office of Sub-Registrar of Assurances under Serial No. 5086 dated 30-4-2011.

16. Thereafter, the Owners of the said land (1) Gabhaji Lakhaji, (2) Ramaji Lakhaji, (3) Bajiben Wd/o Kalaji Shankarji, (4) Varsangji Kalaji, (5) Arjanji Kalaji, (6) Vikramji Kalaji, (7) Chandaben Wd/o Kachraji Lakhaji, (8) Harkhaben Kachraji, (9) Shendhaji Kachraji, (10) Vishnuji Kachraji, (11) Maheshji Kachraji and (12) Vinaben Kachraji and (13) Chanduji Shankarji have executed Power of Attorney in favour of (1) Jitendrakumar Nagjibhai Patel and (2) Nareshbhai Haribhai Patel registered in the office of Sub-Registrar of Assurances under Serial No. 5087 dated 30-4-2011.
17. Thereafter, upon the reconstitution of Ahmedabad city and Dascroi Taluka of Ahmedabad District vide Resolution No.PFR/102011/275/L/1 dated 17-3-2012, two different Taluka of Ahmedabad Taluka are formed as Ahmedabad (East) and Ahmedabad (West) and accordingly Hanspura village was covered within the Taluka Boundaries of Ahmedabad city (East) and entry to that effect was mutated in the revenue record vide Mutation Entry No. 2296 dated 3-5-2012 which was certified by the competent authority.
18. That, the Regular Civil Suit No. 764/ 2012 was filed in the Court of Principle Senior Civil Judge, Ahmedabad(Rural) at Ahmedabad in connection with the land in question and pursuance to which, Lis-pendency bearing No. 1055 dated 7-5-2013 was registered in the office of the Sub-Registrar of Assurances and entry to that effect was mutated in the revenue record vide Mutation Entry No. 2409 dated 17-6-2013 which was CANCELLED by the competent authority on the ground that injection order was not granted by the court.
19. Thereafter, the Owners of the said land (1) Gabhaji Lakhaji, (2) Ramaji Lakhaji, (3) Bajiben Wd/o Kalaji Shankarji, (4) Varsangji Kalaji, (5) Arjanji Kalaji, (6) Vikramji Kalaji, (7) Chandaben Wd/o Kachraji Lakhaji, (8) Harkhaben Kachraji, (9) Shendhaji Kachraji, (10) Vishnuji Kachraji, (11) Maheshji Kachraji and (12) Vinaben Kachraji and (13) Chanduji Shankarji have agreed to sell and convey the said land to (1) Manubhai Bababhai Patel, (2) Kamleshbhai Govindbhai Patel, (3) Harshadbhai Govindbhai Patel, (4) Rameshbhai Nenabhai Patel and (5) Vikasbhai Nenabhai Patel by Agreement for Sale registered in the office of Sub-Registrar of Assurances under Serial No. 24 dated 3-1-2014 followed by deed of rectification registered in the office of Sub-Registrar of Assurances under Serial No. 2314 dated 17-10-2016.
20. Thereafter, the Co-owner of the said land namely Chanduji Shankarji died intestate on 13-8-2016 and his wife Laxmiben Chanduji died intestate on 27-3-2006 leaving behind them their





legal heirs as (1) Pratapji Chanduji Thakor, (2) Pathuji Chanduji Thakor, (3) Madhuben Chanduji Thakor and (4) Amarsinh Chanduji Thakor and hence their names were entered in the revenue records upon succession rights and entry to that effect was mutated in the revenue record vide Mutation Entry No.2682 dated 23-9-2016 which was certified by the competent authority.

21. Thereafter, the District Collector (Tenancy Branch), Ahmedabad vide their Order bearing No. A.C.B / T.N.C – 2 / Premium / Hanspura / S.R. 423 / 2016 dated 15-11-2016 and released the land in question from the restricted tenure land for Non-Agricultural residential purpose and entry to that effect was mutated in the revenue record vide Mutation Entry No. 2700 dated 18-11-2016 which was certified by the competent authority.
22. Thereafter, the owners of the said land namely (1) Gabhaji Lakhaji, (2) Ramaji Lakhaji, (3) Bajiben Wd/o Kalaji Shankarji, (4) Varsangji Kalaji, (5) Arjanji Kalaji, (6) Vikramji Kalaji, (7) Chandaben Wd/o Kachraji Lakhaji, (8) Harkhaben Kachraji, (9) Shendhaji Kachraji, (10) Vishnuji Kachraji, (11) Maheshji Kachraji and (12) Vinaben Kachraji, (13) Pratapji Chanduji Thakor, (14) Pathuji Chanduji Thakor, (15) Madhuben Chanduji Thakor and (16) Amarsinh Chanduji Thakor had sold and conveyed the said land to (1) Dipen Nareshbhai Patel and (2) Chetan Hareshkumar Patel by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No. 2598 dated 19-11-2016 and the said sale deed was confirmed by (1) Manubhai Bababhai Patel, (2) Kamleshbhai Govindbhai Patel, (3) Harshadbhai Govindbhai Patel, (4) Rameshbhai Nenabhai Patel and (5) Vikasbhai Nenabhai Patel and entry to that effect was mutated in the revenue record vide Mutation Entry No. 2701 dated 19-11-2016 which was certified by the competent authority. The said entry was standing as the disputed entry and was certified by Mamlatdar, Asarva vide their Order No. RTS/Hanspura/ Vechan Nondh No. 2701/ Case No. 42/2016 dated 3-5-2017 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 2976 dated 18-9-2018 which was certified by the competent authority.
23. Thereafter, the owners of the said land namely (1) Gabhaji Lakhaji, (2) Ramaji Lakhaji, (3) Bajiben Wd/o Kalaji Shankarji, (4) Varsangji Kalaji, (5) Arjanji Kalaji, (6) Vikramji Kalaji, (7) Chandaben Wd/o Kachraji Lakhaji, (8) Harkhaben Kachraji, (9) Shendhaji Kachraji, (10) Vishnuji Kachraji, (11) Maheshji Kachraji and (12) Vinaben Kachraji, (13) Pratapji Chanduji Thakor, (14) Pathuji Chanduji Thakor, (15) Madhuben Chanduji Thakor and (16) Amarsinh Chanduji Thakor have executed deed of confirmation in favour of (1) Dipen Nareshbhai Patel and (2) Chetan Hareshkumar Patel registered in the office of the Sub-Registrar of Assurances under Serial No. 2625 dated 22-11-2016.





24. That, the Special Civil Suit No. 92/ 2017 was filed in the Court of Principle Senior Civil Judge, Ahmedabad(Rural) at Ahmedabad in connection with the land in question and pursuance to which, Lis-pendency bearing No. 447 dated 2-4-2017 was registered in the office of the Sub-Registrar of Assurances.

Subsequently the said Lis-pendency was cancelled by cancellation deed registered in the office of the Sub-Registrar of Assurances under Serial No. 2025 dated 26-12-2017.

25. Thereafter, the Provisions of Town Planning and Urban Development Act-1976 were made applicable to the land in question and Form No. F was issued in accordance with the provisions of Rules 21 and 35 made there under and accordingly Final plot No. 76 was given to the said land and the area was fixed to the extent of 3338 Sq.Mtrs.
26. Thereafter, the owners of the said land namely (1) Amrutbhai Alias Amratbhai Chehrabhai Rabari, (2) Kantibhai Nanubhai Prajapati and (3) Vanabhai Nanubhai Prajapati have executed deed of confirmation in favour of (1) Dipen Nareshbhai Patel and (2) Chetan Hareshkumar Patel registered in the office of the Sub-Registrar of Assurances under Serial No. 842 dated 7-4-2018.
27. Thereafter, the District Collector, Ahmedabad vide their Order No. ACB / TNC / Premium / Mudat / Hanspura – 117 / 2017 dated 5-1-2018 had extended the time to convert the said land to Non-Agricultural Land and entry to that effect was mutated in the revenue record vide Mutation Entry No. 2872 dated 4-6-2018 which was certified by the competent authority.
28. Thereafter, the Collector, Ahmedabad vide their Order No. ACB/TNC-3/Tatkal N.A./S.R – 203 /2017 dated 22-1-2018 had granted Non-Agricultural Use permission to the said land and entry to that effect was mutated in the revenue record vide Mutation Entry No. 2873 dated 4-6-2018 which was certified by the competent authority.
29. Thereafter, the owners of the said land namely (1) Dipen Nareshbhai Patel and (2) Chetan Hareshkumar Patel have sold and conveyed the said land to M/s Umiya Buildcon by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No. 21802 dated 28-11-2018.
30. As a part of investigation of title, we have also caused Public Notice in the daily news paper "GUJARAT SAMACHAR" dated 8-12-2017 and inviting any claim, rights, title, interest, objection or obligation or obligation, if any in, on or upon the said land, pursuant to which, we have not received any claim/objection from any persons, in response thereto.





The aforesaid report/opinion is reference of revenue records and sub-registry records relevant for purposes to study the devolution of title and to ascertain any charge or encumbrance and does not contain entire revenue or sub-registry records. It is to be noted that the search of complete registration records is not available due to tearing of pages of Books available for inspection. We have also pursued the copies of papers, documents, statements etc. produced/submitted by you and relied on the facts mentioned therein believing the same to be true and trustworthy.

We have been informed by you that the said property has not been given in security and neither you nor your predecessor in title, your heirs, assigns, executors, administrators, successors etc. have created any charge or encumbrances of any nature whatsoever thereon, nor the said property is subject matter of any pending proceedings or any order, decree, attachment or any order of any court or authority is operating against the said property adversely affecting the title, nor any portion thereof is under acquisition or requisition under any law and there are no other facts or particulars, which can adversely affect your title.

In view of aforementioned facts and circumstances and perusal of the deeds, documents, papers, writings and records etc. submitted/furnished by the owner/s of the captioned property and believing the same to be true, genuine and obtained from original sources. It appears that the titles of the captioned property shall be clear, marketable and free from all encumbrances and beyond reasonable doubts subject to:-

- (I) Usual Declaration-cum-Indemnity on title being made by the owners and also confirming the aforesaid facts and circumstances.
- (II) Fulfillment of the provision of relevant prevailing laws.
- (III) Confirmation of major members of HUF and safeguards of minors being protected.
- (IV) Search of complete registration record is not available due to tearing of pages of Books available for inspection.

Yours faithfully,

For, Chetan Shah and Associates, Advocates

J.D.Patel
ADVOCATE

