

Shirke & Associates

Vijaykumar J. Shirke

B. Com., LL.B., D. L. P., D. I. R. & P. M.

ADVOCATE (GUJARAT HIGH COURT)



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CERT.NO.VJS/TCC/O/2022-23/78

Date:- 08/10/2022

To,
M/s. Hayosha Infratech a Partnership Firm,
"Samruddhi Hayosha", M.M. Vora Showroom,
Soma Talav Road, Vadodara
Vadodara.

**TITLE CLEARANCE CERTIFICATE in respect of land bearing Block /
R. S. No. 240 (Old Survey No. 386 & 387) admeasuring 1-66-93 H.A.,
T. P. No. 40, F. P. No. 128 admeasuring 1-00-16 Sq. Mtrs. of Village:
Kapurai Taluka & Dist: Vadodara.**

Sir,

As desired by you the available records of Sub-Registrar, Vadodara, have been verified by me for the period from 1990 to 03/10/2022 for investigation of title in respect of above property. I have also verified documents mentioned in schedule. On the basis of the said documents my REPORT/CERTIFICATE is given as under:

- 1) It appears that land bearing Survey No. 386 & 387 of Village: Kapurai Taluka & Dist: Vadodara was originally belongs to Gordhanbhai Mangalbhai. The said mutation entry is entered at sr. no. 56 in the village records..
- 2) It appears that name of Chunilal Tribhovan is entered at protected tenant in the said land. The said mutation entry is entered at sr. no. 457 in the village records and duly certified by the competent authority.
- 3) It appears that as per Ganot Vahivat Order No. 767/16/04/1956 issued by Competent authority that name of Chunilal Tribhovan has waive his rights as protected tenant from the said land. The said mutation entry is entered at sr. no. 537 dated : 10/07/1956 in the village records and duly certified by the competent authority.

- 4) It appears that Gordhanbhai Mangalbhai expired 17/05/1959 therefore name of his legal heirs (1) Taraben widow of Gordhanbhai (2) Geetaben (3) Kailashben (4) Bhanuben (5) Mandaben (6) Piplaben (7) Sudhaben Minor through their natural guardian Taraben entered in the village record. The said mutation entry is entered at sr. no. 660 dated : 05/07/1959 in the village records and duly certified by the competent authority.
- 5) It appears that Taraben Gordhanbhai sold the said land to Chunilal Tribhovan in consideration of Rs. 3,500/-. The said transaction is registered on 27/08/192 in the office of sub registrar, Vadodara. The said mutation entry is entered at sr. no. 720 dated : 10/07/1962 in the village records and duly certified by the competent authority.
- 6) It appears that Chunilal Tribhovandas Patel expired on 16/06/1984 therefore name of his legal heirs (1) Chandanben Chunilal (2) Vidhyaben Chunilal as (3) Jivanbhai Chunilal (4) Vinodbhai Chunilal (5) Manguben Chunilal Tribhovandas (6) Jagdishbhai Chunilal (7) Chandrakant Chunilal (8) Bhanuben Chunilal and (9) Kantilal entered in the village record. The said mutation entry is entered at sr. no. 1762 dated : 23/07/1984 in the village records and duly certified by the competent authority on 02/09/1984.
- 7) It appears that Kantilal Tribhovanbhai expired on 18/10/1989 therefore name of his legal heirs (1) Saraswatiben Kantilal (2) Nirmalaben Kantilal (3) Kalawatiben Kantilal (4) Anilaben Kantilal leal heirs of Ashokbhai Kantilal (5) Meenaben Ashokbhai (6) Pratik Ashokbhai (7) Krunali Ashokbhai (8) Shashikant Kantilal (9) Lalitchandra Kantilal and (10) Pallavi Kantilal entered in the village records. The said mutation entry is entered at sr. no. 3015 dated : 22/08/2008 in the village records and duly certified by the competent authority on 19/01/2009.
- 8) It appears that as Per Order No. RTS/Appeal/265/2008 & RTS/Appeal/157/2009 Dated : 31/03/2010 issued by Dy. Collector, Vadodara that appeals are allowed and mutation entry no. 1762 cancelled and as per RTS/Takrari/Case/73/2008 dated : 19/01/2009 issued by Mamlatdar Shri, Vadodara that mutation entry no. 3015 is cancelled. The said mutation entry is entered at sr. no. 3351 dated :



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15/05/2010 in the village records and duly certified by the competent authority on 31/05/2010.

9) It appears that as per Order No. MVV/HKP/VDD/186/2012 Dated : 18/08/2018 issued by Additional Secretary (Vivad), Ahmedabad that the appeal is rejected and the Order passed in RTS/RA/Case No. 74/2010 dated : 07/09/2012 is confirmed. The said mutation entry is entered at sr. no. 4781 dated : 03/10/2010 in the village records and duly certified by the competent authority on 06/11/2017.

10) It appears that Deceased- Saraswatiben Kantilal Patel and Legal heirs of deceased Nirmalaben Kantilal 1. Nitinbhai Jashbhai Patel filed Special Civil Suit No. 656/2008 in the Hon'ble Civil Court of Vadodara against Jivanlal Chunilal Patel & others in respect of said land. Thereafter the said suit was rejected by the hon'ble Civil Court of Vadodara by order dated : 02/04/2018. The said mutation entry was entered at sr. no. 4935 dated : 24/08/2018 in the village records and duly certified by the competent authority.

11) It appears that as per Order No. RTS/RA/74/2010 Dated : 07/09/2012 issued by Collector, Vadodara that the said appeal is rejected and order passed in Case No. RTS/Appeal/265/2008 and RTS/Appeal/157/2009 Dated : 31/03/2010 issued by Dy. Collector, Vadodara is confirmed. The said mutation entry was entered at sr. no. 4937 dated : 27/08/2018 in the village records and duly certified by the competent authority.

12) It appears that as per Order No. Jamin/Vashi/916/201 dated : 27/08/2018 issued by Mamlatdar Shri, Vadodara and Order No. RTS/Appeal/265/2008 Dated : 31/03/2010 issued by Dy. Collector, Vadodara that mutation entry no. 1762 is certified / confirm except name of Kantilal Tribhovandas entered in the village record. The said mutation entry was entered at sr. no. 4938 dated : 27/08/2018 in the village records and duly certified by the competent authority 15/10/2008.

13) It appears that (1) Chandanben Chunilal Patel expired on 19/03/1997 (2) Manguben alias Manjulaben wife of Chagan Natha expired on 07/06/2007 (3) Jivanbhai Chunilal expired on 17/10/2018 (4) Vinodbhai

Chunilal expired on 17/01/2011 (5) Bhanuben Chunilal expired on 20/12/2002 (6) Kokilaben Naginbhai expired on 13/08/2018 and (7) Shobhnaben Jivanlal expired -on 19/06/1984 (8) Dakshaben expired on 15/09/2012 ad (9) Bhupendrabhai expired on 15/06/2015 therefore name of their legal heirs (1) Chandrikaben alias Suket Chhaganbhai Patel (2) Harikrushhna Chhaganbhai Patel (3) Devendra Naginbhai Patel (4) Shilpa Naginbhai Patel (5) Upendra Nagainbhai Patel (6) Atmiya Balkrushna Patel (7) Monikaben Bhupendrabhai Patel (8) Atmiya Bhupendrabhai Patel (9) Ishita Bhupendrabhai Patel (10) Damyantiben Vinodbhai Patel (11) Bharatbhai Vinodbhai Patel (12) Kiranben Vinodbhai Patel and (13) Nayanbhai Vinodbhai Patel entered in the village record. The said mutation entry was entered at sr. no. 4985 dated : 31/12/2018 in the village records and duly certified by the competent authority 01/03/2019.

14) It appears that Vinodbhai Chunilal Patel expired on 17/01/2011 therefore name of his legal heirs (1) Damyantiben Vinodbhai Patel (2) Bharatbhai Vinodbhai Patel (3) Kiranben Vinodbhai Patel and (4) Nayanbhai Vinodbhai Patel entered in the village record. The said mutation entry was entered at sr. no. 4986 dated : 21/12/2018 in the village records and duly certified by the competent authority

15) It appears that Vidhyaben Chunilal Patel expired on 08/03/2019 therefore name of her legal heirs (1) Patel Krishnakant Bhailalbhai (2) Patel Pushpaben Bhailalbhai (3) Patel Kumudben Bhailalbhai (4) Patel Gopalbhai Bhailalbhai (5) Patel Hansaben Bhailalbhai and (6) Patel Yogeshbhai Bhailalbhai entered in the village record. The said mutation entry was entered at sr. no. 5053 dated : 05/04/2019 in the village records and duly certified by the competent authority on 15/05/2019.

16) It appears that partition affected between the family therefore said land bearing Block No. 240 admeasuring 1-66-93 H.A. of Moje Kapurai Tal & Dist Vadodara came to the share of (1) Jagdishbhai Chunilal Patel (2) Chandrakant Chunilal Patel (3) Atmiya Balkrushna Patel (4) Monikaben Bhupendrabhai Patel (5) Atmiya Bhupendrabhai Patel and (6) Ishitaben Patel. The said mutation entry was entered at sr. no. 5353 dated : 09/03/2021 in the village records and duly certified by the competent authority on 16/04/2021.



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17) It appears that (1) Jagdishbhai Chunilal Patel (2) Chandrakant Chunilal Patel (3) Atmiya Balkrushna Patel (4) Monikaben Bhupendrabhai Patel (5) Atmiya Bhupendrabhai Patel and (6) Ishitaben Bhupendrabhai Patel sold land bearing Block / R. S. No. 240 (Old Survey No. 386 & 387) admeasuring 1-66-93 H.A., T. P. No. 40, F. P. No. 128 admeasuring 1-00-16 Sq. Mtrs. of Village: Kapurai Taluka & Dist: Vadodara to M/s. Hayosha Infratech a Partnership Firm being represented by its Partner Patel Manojbhai Mangalbhai in consideration of Rs. 13,52,16,000/-. The said transaction is registered at sr. no. 15284 dated : 12/09/2022 in the office of sub registrar, Vadodara. The said mutation entry is entered at sr. no. 5642 dated: 17/09/2022 in the village records and yet to be certified by the competent authority.

18) It appears from the letter dated: 04/10/2022 issued by M/s. Hayosha Infratech a Partnership Firm that they are developing the scheme in the name and style of "Samruddhi Saffron" on the land bearing Block / R. S. No. 240 (Old Survey No. 386 & 387) admeasuring 1-66-93 H.A., T. P. No. 40, F. P. No. 128 admeasuring 1-00-16 Sq. Mtrs. of Village: Kapurai Taluka & Dist: Vadodara.

19) I have verified reassessment and valuation patrak issued by Deputy Town Development Officer, Vadodara Urban Development Authority for the said land in which it is mentioned that Patel Chunilal Tribhovandas is owner of land bearing Block / R. S. No. 240 (Old Survey No. 386 & 387) admeasuring 1-66-93 H.A. 1-00-16 Sq. Mtrs. of Village: Kapurai Taluka & Dist: Vadodara.

20) It appears that Jagdishbhai Chunilal Patel & others have obtained construction permission for the said land to construct plots and flats over the said land vide Rajachhithi No. Ward/16-HB-43/2022-23 Dated : 06/09/2022 issued by Deputy Town Development Officer, Vadodara Mahanagar Palika.

21) It appears Jagdishbhai Chunilal Patel have obtained permission to use the land admeasuring 0-93-58 H.A. out of total land admeasuring 1-66-93 H.A. for non agriculture residential and commercial purpose vides N.A. Order No. 754/19/17/045/2019 Dated: 27/08/2019 issued by Collector, Vadodara. The said mutation entry is entered at sr. no. 5150

dated: 27/08/2019 in the village records and duly certified by the competent authority 01/11/2019.

22) It appears Jagdishbhai Chunilal Patel have obtained permission to use the land admeasuring 0-6-58 H.A. out of total land admeasuring 1-66-93 H.A. for non agriculture residential and commercial purpose vides N.A. Order No. 1105/19/17/045/2019 Dated: 14/07/2022 issued by Collector, Vadodara. The said mutation entry is entered at sr. no. 5605 dated: 14/07/2022 in the village records and duly certified by the competent authority 05/08/2022.

23) I have published a public notice in daily news paper "Sandesh" and "Gujarat Samachar" on 22/08/2021 inviting objections if any against issuing title clearance certificate in respect of the above land. I have received objection dated : 27/08/2021 & 23/08/2021 given by Shashikant Kantilal Patel through his Advocate Bharat B. Patel claiming that their client's rights are involved in the said land and they have filed Civil Miscellaneous Application- DC No. 185/2021 filed in the Hon'ble District Court of Vadodara. The said appeal was rejected by the hon'ble court on 05/04/2022. I have not received any other objection within a prescribed time.

24) I have also verified village records in respect of above land in which name of (1) Jagdishbhai Chunilal Patel (2) Chandrakant Chunilal Patel (3) Atmiya Balkrushna Patel (4) Monikaben Bhupendrabhai Patel (5) Atmiya Bhupendrabhai Patel and (6) Ishitaben Bhupendrabhai Patel is shown as owner of land bearing Block / R. S. No. 240 (Old Survey No. 386 & 387) admeasuring 1-66-93 H.A of Village: Kapurai Taluka & Dist: Vadodara. (Name of M/s. Hayosha Infratech a Partnership Firm is required to be entered in the village record).

25) I have also verified affidavit-cum-declaration submitted by M/s. Hayosha Infratech a Partnership Firm being represented by its Partner Patel Manojbhai Mangalbhai in which it is mentioned that firm is owner of land bearing Block / R. S. No. 240 (Old Survey No. 386 & 387) admeasuring 1-66-93 H.A., T. P. No. 40, F. P. No. 128 admeasuring 1-00-16 Sq. Mtrs. of Village: Kapurai Taluka & Dist: Vadodara and firm has not obtained any loan or financial facilities against the said land. Moreover the said land is not transferred in any manner either by way of sale,



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lease, gift, and mortgage or otherwise and as such the title of the said land is clear, marketable and free from all encumbrances

SCHEDULE

1. Photocopy of sale deed bearing regn. no. 15284 dated : 12/09/2022 in favour of M/s. Hayosha Infratech a Partnership Firm.
2. Photocopy of registration receipt and Index II of above sale deed.
3. Photocopy of judgement dated : 02/04/2018 passed in Special Civil Suit No. 656/2008 in the Hon'ble Civil Court of Vadodara against Jivanlal Chunilal Patel & others.
4. Photocopy of Rajachhithi No. Ward/16-HB-43/2022-23 Dated : 06/09/2022 issued by Deputy Town Development Officer, Vadodara Mahanagar Palika.
5. Photocopy of N.A. Order No. 754/19/17/045/2019 Dated: 27/08/2019 issued by Collector, Vadodara.
6. Photocopy of N.A. Order No. 1105/19/17/045/2019 Dated: 14/07/2022 issued by Collector, Vadodara.
7. Photocopy of reassessment and valuation patrak issued by Deputy Town Development Officer, Vadodara Urban Development Authority.
8. Photocopy of village form No.6, 7/12 & 8-A in respect of above land issued by Talati / Mantri.
9. Public Notice published in daily news papers "Gujarat Samachar" & "Sandesh" on 22/08/2021.

Place: Vadodara.

Date: 08/10/2022


[V. J. SHIRKE]
ADVOCATE

CERTIFICATE

THIS IS TO CERTIFY that, M/s. Hayosha Infratech a Partnership Firm is owner of land bearing Block / R. S. No. 240 (Old Survey No. 386 & 387) admeasuring 1-66-93 H.A., T.P. No. 40, F.P. No. 128 admeasuring 1-00-16 Sq. Mtrs. of Village: Kapurai Taluka & Dist: Vadodara and the title of the said land is CLEAR, MARKETABLE AND FREE FROM ALL ENCUMBRANCES.

Place: Vadodara.

Date: 07/10/2022


[V. J. SHIRKE]
ADVOCATE

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CERT.NO.VJS/RERA/2022-23/11

DATE: 08/10/2022

Advocate Enrollment No. G/673/1988

NON ENCUMBRANCES CERTIFICATE

I, Vijaykumar J. Shirke, Advocate undersigned has investigated the Title of the immovable property which is more particularly described herein under "Schedule of the Property" mentioned below, which is owned & Developed by **M/s. Hayosha Infratech a Partnership Firm**. By perusing the Title Deeds relating thereto and taking necessary search, I am of the opinion that the Title of said property (unsold) are clear, marketable and free from encumbrances, charges and/or claims.

SCHEDULE OF THE PROPERTY

The non agriculture land bearing Block / R. S. No. 240 (Old Survey No. 386 & 387) admeasuring 1-66-93 H.A., T.P. No. 40, F.P. No. 128 admeasuring 1-00-16 Sq. Mtrs. of Village: Kapurai Taluka & Dist: Vadodara and a residential scheme named "Samruddhi Saffron" is constructed over the said land.

Date: 08/10/2022.

Vadodara

VIJAYKUMAR J. SHIRKE
ADVOCATE

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CERT.NO.VJS/RERA/2022-23/11

DATE: 08/10/2022

Advocate Enrollment No. G/673/1988

:- TO WHOM SO EVER IT MAY CONCERN :-

I, Vijaykumar J. Shirke, Advocate, do hereby solemnly, declare that, I have experience of more than ten years in land related matters and issuing Title Clearance Certificates for which "no encumbrance" certificate is issued. I have issued Title Clearance Certificate No. **CERT.NO.VJS/TCC/O/2022-23/78** Dated : **08/10/2022** in respect of non agriculture land bearing Block / R. S. No. 240 (Old Survey No. 386 & 387) admeasuring 1-66-93 H.A., T. P. No. 40, F. P. No. 128 admeasuring 1-00-16 Sq. Mtrs. of Village: Kapurai Taluka & Dist: Vadodara and a residential scheme named "Samruddhi Saffron" is constructed over the said land for rights, title & interest over the said land. I am possessing required experience of more than ten years in land related matters in accordance to GUJ RERA Rules.

The contents mentioned above are true and correct. And nothing material has been concealed by me there from.

Date : 08/10/2022

Place: Vadodara

VIJAYKUMAR J. SHIRKE
ADVOCATE