

Ref. No. :

Date : 29 / 10 / 2020

To,
M/s. S. S. Reality, a Partnership Firm
Ahmedabad.



TITLE REPORT



Re.: Non Agricultural use land bearing Final Plot No. 50 admeasuring about : 8886 Sq. Mtrs.[allotted in lieu of Block No. 812 (Khata No. 1508) admeasuring about : 12694 Sq. Mtrs., or thereabouts] of Town Planning Scheme No. 216 (Shilaj), situated, lying and being at Mouje Village Sim of Shilaj, Taluka : Ghatlodia, District of Ahmedabad and Sub-District of Ahmedabad-9 (Bopal) alongwith the projection of proposed scheme of Residential cum Commercial Units named as “KAVERI SOHAM VIVANTA” in/upon the aforesaid land belonging to M/s. S. S. Reality, a Partnership Firm being the absolute Owner-Occupier.
(Hereinafter referred to as the said “Property”)

As per instructions given by you, I have caused necessary searches to be taken with the Revenue Records and Sub-Registry Records and from the information and documents obtained from the owner and also taken the Declaration of said property holder and informations provided to us by the property holder and have gone through relevant papers and have investigated the titles of the said property relating to M/s. S. S. Reality, a Partnership Firm is clear and marketable and free from all reasonable doubts subject to the following :-

Survey No. 532:-

Land bearing Old Survey No. 532 being Agricultural land was held by Punjabhai Laldas as owner-occupier & self-cultivator as per Revenue Records.

Thereafter the said Land Owner Punjabhai Laldas died leaving behind him, his legal heirs namely : Bai Ugra Punjabhai Laldas Natural Guardian of Bhulabhai Punjabhai and Kantilal Punjabhai.
(Reference : Revenue Entry No. 3076, dated 15.02.1942).

Thereafter land owners applied for joining the name of Keshavlal Laldas in the revenue record of the said property. And as a result of that his names was entered in the revenue record being the Co-Owner.

(Reference : Revenue Entry No. 3077, dated 16.02.1942).

Thereafter One of the land owner Kantilal Punjabhai died without leaving any straight line heir behind therefore the said land vested in his parallel line heirs i.e. his brother Bhulabhai Punjabhai.
(Reference : Revenue Entry No. 3100, dated 18.10.1942).

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Thereafter land owners applied for joining the name of Bai Kamla D/o. Revabhai Laldas in the revenue record of the said property. And as a result of that her name was entered in the revenue record being the Co-Owner. (Reference : Revenue Entry No. 4533, dated 18.11.1965).

Thereafter One the said Land Owner Keshavlal Laldas died leaving behind him, his legal heirs namely : Natvarlal Keshavlal, Hiraben Keshavlal and Jyotiben Keshavlal.
(Reference : Revenue Entry No. 4858, dated 18.09.1968).

Thereafter out of aforesaid land owners Hiraben Keshavlal and Jyotiben Keshavlal waived their rights in favour of Natvarlal Keshavlal, accordingly their names were deleted from the revenue record.
(Reference : Revenue Entry No. 4859 dated 18.09.1968).

Thereafter the names of Legal Heirs of Late Punjabhai Laldas namely Chanchalben Punjabhai and Shantaben Punjabhai entered in the revenue record of the said property being the Co-Owner.
(Reference : Revenue Entry No. 4865, dated 06.11.1968).

Thereafter the names of Bhulabhai Punjabhai, Chanchalben Punjabhai and Shantaben Punjabhai entered in the revenue record as administrators of the said property.
(Reference : Revenue Entry No. 4866, dated 06.11.1968).

Thereafter the land owner availed loan from the Bank of India, accordingly the bank created charge / lien on the said property.
(Reference : Revenue Entry No. 5121, dated 29.09.1975).

Thereafter as per the scheme of amalgamation took place in the Shilaj Village, the land bearing Block No.721 was allotted in lieu of Revenue Survey No. 532.
(Reference : Revenue Entry No.5220, dated 30.12.1976).

Thereafter the land owner repaid the entire outstanding towards the aforesaid loan and accordingly the Bank of India released the charge / lien earlier kept on the said property.
(Reference : Revenue Entry No. 5493 dated 23.04.1981).



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Thereafter in pursuance of the amalgamation scheme implemented in Shilaj Village, the land bearing Block No.812 was allotted in lieu of Revenue Survey No. 532/2 (i.e. part of Survey No.532) and the said Block No.812 was allotted to Bhulabhai Punjabhai, Chanchalben Punjabhai, Shantaben Punjabhai and Kamlaben D/o. Revabhai Laldas being absolute owners-occupiers.
(Reference : Revenue Entry No.6101, dated 15.04.1987).

Thereafter out of aforesaid land owners Chanchalben Punjabhai waived her rights in favour of others owners, accordingly her name was deleted from the revenue record.
(Reference : Revenue Entry No. 6887 dated 21.06.1994).

Thereafter the said Land Owner Shantaben Punjabhai and Kamlaben D/o. Revabhai Laldas died, accordingly their name were deleted from the revenue record.
(Reference : Revenue Entry No. 6908, dated 26.07.1994).

Thereafter the said Bhulabhai Punjabhai and his co-parcenor Pravinkumar Bhulabhai and Savitaben W/o. Bhulabhai Punjabhai sold and conveyed the said land bearing Block No. 812 to Kanaiyalal Maganlal, Maheshbhai Kanaiyalal, Nitinbhai Kanaiyalal and Pareshbhai Kanaiyalal and executed Two (02) Sale Deeds (each of 50% land), duly registered in the office of Sub Registrar vide Sr. No.2408, dtd.28.09.1994 and Sr. No.2521, dtd.06.10.1994.
(Reference : Revenue Entry No.6992, dated 29.11.1994).
(Reference : Revenue Entry No.6993, dated 29.11.1994).

Thereafter the Daskroi Taluka and City Taluka of Ahmedabad were amalgamated and two (02) new taluka namely Ahmedabad City West and Ahmedabad City East were organized. Accordingly the Shilaj Village was involved in the territories of Ahmedabad City West by an order passed by Revenue Department Vide No. Pa.Fa.Ra./102011/275/L/1, dtd.17.03.2012.
(Reference.: Revenue Entry No. 11767, dated 03.05.2012).

Thereafter One of the Land Owner Kanaiyalal Maganlal Patel died on dtd.23/10/2010 leaving behind him, his legal heirs namely : Maheshbhai Kanaiyalal Patel, Nitinbhai Kanaiyalal Patel, Pareshbhai Kanaiyalal Patel and Shilpaben Kanaiyalal Patel.
(Reference : Revenue Entry No. 11872, dated 24.09.2012).



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But as the said land owner Kanaiyalal Maganlal Patel executed a WILL on dtd.15/07/2010 during his lifetime and under said "WILL" he bequeathed his undivided portion in the said land to Maheshbhai Kanaiyalal, Nitinbhai Kanaiyalal and Pareshbhai Kanaiyalal, the name of Shilpaben Kanaiyalal Patel was deleted in the revenue record with her consent given in the form of affidavit. (Reference : Revenue Entry No. 11873, dated 24.09.2012).

Remark : In addition to the said affidavit the said Shilpaben Kanaiyalal Patel released her rights in favour of Maheshbhai Kanaiyalal Patel, Nitinbhai Kanaiyalal Patel, Pareshbhai Kanaiyalal Patel by way of executing Release Deed duly registered in the office of Sub Registrar of Ahmedabad – 13 (City) Vide Sr. No. 2482, dtd.31.12.2014.

The land bearing Block No. 812 admeasuring about He.Are.Sq.Mtrs.: 1-26-94, included in Town Planning Scheme No. 216 (Shilaj) and allotted Final Plot No. 50, admeasuring about 8886 sq. mtrs.

Thereafter above referred owner-occupiers applied to convert the said property from Agricultural Land into Non Agricultural Land and District Collector, Ahmedabad converted the said land into Non Agricultural Land by his / her order No.: CB/Land-1/N.A./S.R.844/2017, dtd.19.07.2018. (Reference : Revenue Entry No.13725, dated 03.08.2018).

Thereafter the said (1) Maheshbhai Kanaiyalal Patel, (2) Nitinbhai Kanaiyalal Patel and (3) Pareshbhai Kanaiyalal Patel sold and conveyed the said property to M/s. S. S. Reality, a Partnership Firm by way of executing Sale Deed registered in the office of Sub Registrar Ahmedabad – 09 (Bopal) vide Sr. No. 7951, dtd.09.10.2020. (Reference : Revenue Entry No. 14691, dated 09.10.2020).

General:-

And by that the said property i.e. Non Agricultural use land bearing Final Plot No. 50 admeasuring about : 8886 Sq. Mtrs.[allotted in lieu of Block No. 812 (Khata No. 1508) admeasuring about : 12694 Sq. Mtrs., or thereabouts] of Town Planning Scheme No. 216 (Shilaj), situated, lying and being at Mouje Village Sim of Shilaj, Taluka : Ghatlodia, District of Ahmedabad and Sub-District of Ahmedabad-9 (Bopal) came to M/s. S. S. Reality, a Partnership Firm as the absolute ownership and possession.



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Thereafter the **M/s. S. S. Reality**, a Partnership Firm, decided to construct a scheme of Residential Cum Commercial Units in the aforesaid land. Accordingly prepared and submitted the plans of construction in the office of Ahmedabad Municipal Corporation. And the said plans have been sanctioned by Ahmedabad Municipal Corporation vide its Case Nos. **BHNTI/NWZ/170720/CGDCRV/A3638/R0/M1** (for Block "A+B"), **BHNTS/NWZ/170720/CGDCRV/A3639/R0/M1** (for Block "C+D+E") & **BHNTS/NWZ/170720/CGDCRV/A3640/R0/M1** (for Block "F+G") all dtd.26.10.2020. Accordingly Commencement Letter (Vikas Parvangi) has also been issued in the same concern.

(Reference : Plans Approved by AMC and Commencement Letter issued by the same authority).

Accordingly the **M/s. S. S. Reality**, a Partnership Firm have projected scheme of Residential Cum Commercial Units in the name of "**KAVERI SOHAM VIVANTA**" in pursuance of the aforesaid plans and it the building is under-construction.

And since then the said property i.e. Non Agricultural use land bearing Final Plot No. 50 admeasuring about : 8886 Sq. Mtrs.[allotted in lieu of Block No. 812 (Khata No. 1508) admeasuring about : 12694 Sq. Mtrs., or thereabouts] of Town Planning Scheme No. 216 (Shilaj), situated, lying and being at Mouje Village Sim of Shilaj, Taluka : Ghatlodia, District of Ahmedabad and Sub-District of Ahmedabad-9 (Bopal) alongwith the projection of proposed scheme of Residential cum Commercial Units named as "**KAVERI SOHAM VIVANTA**" in/upon the aforesaid land belonging to **M/s. S. S. Reality**, a Partnership Firm.

I have taken search relating to the said property. I have taken search for the period from 1989 to 2019 (running – 2020) relating to the said property. I have searched the concerned Sub-Registrar Records for the said period.

As a part of investigation of title, I have published a public notice in daily newspaper "Gujarat Samachar" dtd.09.01.2020 regarding the said property in the name of Previous owner and in pursuance the said public notice, I have not received any objection from anybody for the said property.

Devolution No.1 :-

One Public Warning was published by Pushpaben Bhulabhai and Pragnaben Bhulabhai on dtd.04.09.2020 in daily News Paper "Sandesh" through Advocate Vijaykumar K. Parmar referring

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therein Special Civil Suit No.31 of 2008 which suit was filed in the Court of Ahmedabad (Rural) at Mirzapur and later on transferred in the Court of Additional Civil Judge and given new Regular Civil Suit No.998 of 2015. And also mentioned in the Public Warning that the Civil Suit is Dismissed for Default. Main purpose of the Public Warning appears to be of obstructing the Title Clearance Procedure under the illegitimate claim of having share in the said property. Considering the facts of aforesaid Civil Suit and observing the events of chain of title we came to the conclusion that the said Pushpaben Bhulabhai and Pragnaben Bhulabhai were not co-parcenors of the said property as per the Hindu Law as the land was sold in the year 1994 (before the Amendment took place in Hindu Succession Act) by Bhulabhai Punjabhai alongwith the co-parcenors Pravinkumar Bhulabhai and Savitaben W/o. Bhulabhai Punjabhai to Kanaiyalal Maganlal Patel and others by Two (02) Reg. Sale Deeds as referred herein above in the recitals of this Title Report. And to confirm the said fact and Provision of Law the previous land owners (1) Maheshbhai Kanaiyalal Patel, (2) Nitinbhai Kanaiyalal Patel and (3) Pareshbhai Kanaiyalal Patel also preferred Legal Opinion from H. Desai & Co. Advocates & Solicitors and the same view was adopted by H. Desai & Co. in their opinion dtd.19.09.2020 with deeply interpreting the provisions of Hindu Succession Act and Amendment took place in the said Act w.e.f. 20th December, 2004 and the copy of the said opinion is annexed herewith. Moreover as per the declaration of the previous property holder they were neither in knowledge nor any notice / process have been served to them regarding restoration application if any filed by the said Pushpaben Bhulabhai and Pragnaben Bhulabhai.

Now as per the provisions of Hindu Laws, it is very clear that Pushpaben Bhulabhai and Pragnaben Bhulabhai at the time of Sale Conveyance, did not have any share or interest which required them to join in the completion of Sale. The Sale is not in any way adversely affected by their said purported claim, Therefore we do not consider this Public Warning tenable.

Devolution No.2 :-

That the sister of (1) Maheshbhai Kanaiyalal Patel, (2) Nitinbhai Kanaiyalal Patel and (3) Pareshbhai Kanaiyalal Patel namely Shilpaben D/o. Kanaiyalal Maganlal inspite of releasing her entire share in the said land in favour of aforesaid Three (03) by executing Registered Release Deed vide Sr. No.2492/2014 filed Special Civil Suit No.47/2018 in the Court of Civil Judge (S.D.) Ahmedabad Rural wherein the dispute was settled outside the court and conditions were agreed by and between the parties to the suit accordingly a Karar Dad Pursis was signed and submitted by the





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parties in the Civil Suit which was allowed and recorded by the Hon'ble Civil Judge wherein the said Shilpaben D/o. Kanaiyalal Maganlal claims / rights from the said property and suit has been disposed off by order of Hon'ble Civil Judge passed on dtd.30.08.2019. The Decree was drawn by the Hon'ble Civil Judge accordingly, which Decree has been registered by (1) Maheshbhai Kanaiyalal Patel, (2) Nitinbhai Kanaiyalal Patel and (3) Pareshbhai Kanaiyalal Patel in the office of Sub Registrar of Ahmedabad-4 (Paldi) vide Sr. No.12435 dtd.24.09.2019. And the Lis Pendence earlier registered with the Sub Registrar of Ahmedabad-9 (Bopal) vide Sr. No.9579 dtd.13.08.2018 was also cancelled by way of Cancellation Deed duly registered in the office of Sub Registrar of Ahmedabad-9 (Bopal) vide Sr. No.14675 dtd.12.12.2019.

Therefore we do not find any reason not to give a healthy Title Clearance Certificate in this concern.

As a part of investigation of title, I have searched Revenue Records and Sub-Registry Records, I have not found any charges and any dues. There is not any dues or charges of any Bank or any Government or Semi Government or any Financial Institutions. The said property is free from charges and dues.

I may state that the title of **M/s. S. S. Reality**, a Partnership Firm with respective to the above mentioned said property is clear and marketable and free from any encumbrances and doubts subject to :

- (1) Pursue the rules & conditions laid down in N.A. Permission.
- (2) Use as per the plans approved by Ahmedabad Municipal Corporation vide its Case Nos. **BHNTI/NWZ/170720/CGDCRV/A3638/R0/M1** (for Block "A+B"), **BHNTS/NWZ/170720/CGDCRV/A3639/R0/M1** (for Block "C+D+E") & **BHNTS/NWZ/170720/CGDCRV/A3640/R0/M1** (for Block "F+G") dtd.26.10.2020.
- (3) Get the project registered with Real Estate Regulatory Authority.

DATED THIS 29th DAY OF OCTOBER, 2020




Maulik D. Modi

Advocate
(Enrollment No. G / 997 / 2002)

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.

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2. The Search of complete registration record is not available due to tearing of Book No. 2 of Registration Records of some years and the Search of registration record for some years is only available through Computerized Search Mode as per the prevailing government rules therefore due to the aforesaid reasons, no responsibility regarding accuracy of the said entire search of registration record is taken by me.
3. Please ascertain that the Govt. authorities have not put any restrictions in making construction on the 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 respect of said land.
4. We are informed that at present no litigation / suits are filed / pending before any judicial / Quasi Judicial authorities.

