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RAJESH J. SUTAR B. Com., LL.B.(Sp.)
Advocate, Gujarat High Court

206, Krishna Chambers "B", 2nd Floor, station Road, BHUJ (KUTCH)

Resi. : " Shantikunj " Junavas P. O. MADHAPAR Tal. : BHUJ (K)
Ref.No. _____ Date : 13/07/2020

TITLE CLEARANCE CERTIFICATE

Sub. : Title opinion on the property of Commercial Plot No. 1 & 2 of
13431.53 Sq. Mtr. at RSN 344/P1, situated at Madhapar Tal. : Bhuj (K).

With reference to your later, on the basis of the original Revenue records forwarded to me pertaining to the said immovable property and the other related information submitted by you & client, I have conduct a detailed search & investigation and submit my report as under :

1) Name & address of the mortgager/title holder :

Sunilbhai Nagjibhai Devani,
Resi.: Jamnagar

Chetan manilal Thacker &
Kirtibhai Manilal Thacker

Resi.: Bhuj
Tal: Bhuj- Kutch

2) Title deeds in original seen by me :

Original sale deed No. 10038 Dtd. 03/12/2015 of Agri. RSN 344/P1, situated at Madhapar Tal. : Bhuj (K). in favour of present owneres Sunilbhai Nagjibhai Devani, Kirti Manilal Thacker & Chetan Manilal Thacker.

3) Description of property :

Commercial Plot No. 1 & 2 of 13431.53 Sq. Mtr. at RSN 344/P1, situated at Madhapar Tal. : Bhuj (K).

Rajesh J. Sutar & Co. Advocates, Bhuj (K). - (M) 09879081414.

Boundaries :

Plot No. 1

North : Govt. Waste Land and After
That Road of 36.00 Mtr.
South : Land at RSN 344/P2
East : 12 Mtr. Internal Road
West : Govt. Waste Land & Water Way

Plot No. 2

Govt. Waste Land and After
That Road of 36.00 Mtr.
Common Plot and after that
Land at RSN 344/P2
Govt. Waste Land
12 Mtr. Internal Road

Search in sub registrar office :

i) Location of property : Village. Madhapar, Tal. : Bhuj – Kachchh.

ii) Search & investigation :

After inspecting all these, I further took search in to the record of Sub-Registrar Bhuj – Kachchh, of last 30 years i.e. 1990 to 2020 in index II, book no. I,

The Property of RSN 344 originally belonged to Kanbi Radhabai Premji Gami As Per Entry No. 993.

Thereafter, Kanbi Radhabai Premji Gami owner of said Property, given the part of said Property i.e. 344/P to her son Vishram Premji Gami at RSN 344 As Per Entry No. 1028 and as per family Partition dt. 24/08/1984.

After That Vishram Premji Gami owner of the said land applied for convert said land into old tenure from new tenure by the order of Mamlatdar Dt. 03/10/2003 as per entry No. 2392 Dt. 15/10/2003.

Thereafter, Vishram Premji Gami owner of said Property, sold the said Property at RSN 344/P1 wide registration Deed No. 14247 at Rs. 32,40,000/- Dt. 28/09/2010 to Deven Ishwarbhai Patel.

After That Both Party Cancel Above Deed No. 14247 and for that both party Deven Ishwarbhai Patel and Vishram Premji Gami execute Reg. deed of cancel No. 1479 Dtd. 18/02/2015 and Vishram Premji Gami become owner of said Land of RSN 344/P1.

Thereafter, Vishram Premji Gami owner of said Property, sold the said Property at RSN 344/P1 wide registration Deed No. 1696 at Rs. 36,00,000/- Dt. 24/02/2015 to Kantaben Harji Varsani, Pravin Kanji Tanna & Hitesh Jivrajbhai Chaudhri.

Thereafter, Kantaben Harji Varsani, Pravin Kanji Tanna & Hitesh Jivrajbhai Chaudhri owners of said Property, sold the said Property at RSN 344/P1 wide registration Deed No. 10038 at Rs. 45,00,000/- Dt. 03/12/2015 to present owners Sunilbhai Nagjibhai Devani, Kirti Manilal Thacker & Chetan Manilal Thacker.

After that the owners of the said land at RSN 344/P1, Sunilbhai Nagjibhai Devani, Kirti Manilal Thacker & Chetan Manilal Thacker applied for N.A. for residential purpose and they get sanction for the same as per Order No. 13/2018-19 by Collector Kacheri Bhuj-Kutch, Dt. 23/08/2018 after procedure of Layout Plan & Plots maps.

After that Sunilbhai Nagjibhai Devani, Kirti Manilal Thacker & Chetan Manilal Thacker owners of the said Residential Plot No. 1 & 2 at RSN 344/P1 applied for change the purpose of residential to Commercial and they get sanctioned for the same as per Order No. 393/2020 by Collector & Jilla Magistrate Kacheri Bhuj-Kutch, Dt. 09/07/2020.

Copy of Revenue record (lal book) and no due certificate of Madhapar Junavash Gram Panchayat Dtd. 17/01/2020 produce before me which reflect name of Present owner.

Since Than, Sunilbhai Nagjibhai Devani, Kirti Manilal Thacker & Chetan Manilal Thacker owners of the Commercial Plot No. 1 & 2 at S.N. 344/P1 of Madhapar Tal. : Bhuj (K).

This TCR Based on only search at Registrar office and document Produce before me.

Any document related to NOC of personal liabilities of owner if any not produce before me.

- iii) I confirm and state that the original title deed submitted is the original registered before sub - Registrar, Bhuj - Kachchh. seen by me and title deed is original and not fake.
- iv) Whether the property is ancestral and/or under joint ownership. If so details of the Co-parceners / karta and/or the co-owners.
Yes, joint owners of the said property at Plot No. 1 & 2 at RSN 344/P1 are Sunilbhai Nagjibhai Devani, Kirti Manilal Thacker & Chetan Manilal Thacker.
- v) Minors Interest
Not Applicable
- vi) Documents pending for registration
There is no documents pending for registration

- 4) Weather Urban Land(Selling and Regulation) is applicable in the state
The Urban Land (Selling and Regulation) act 1976 is applicable.
- 5) Weather the property is acquired under Land Acquisition Act, 1984 and applicability of other legislation
Not Applicable
- 6) Leasehold immovable property
Not Applicable

- 7) Investigation under income tax Act, 1961
Not Applicable
- 8) Investigation in regard to agriculture land.
This is not an agriculture land.
- 9) The details of the certified copies of the revenue records obtain to confirm that no dues are outstanding by the Owner/mortgagor
Copy of no due certificate of Madhapar Junavash Gram Panchayat Dtd. 17/01/2020 produce before me.
- 10) Any other special enactment which is applicable to the property proposed to be mortgager and affected the title
Not Applicable
- 11) If is a property owned by the company the additional safeguard like search before Registrar of companies to be obtained be stated.
Not Applicable
- 12) Whether the records of sub-registrar office or revenue authorities relevant to the property in question are available for verification through any online portal or computer system. If so, whether any verification or cross checking are made and the comments/ findings in this regard.
Not Available
- 13) In case of partition/ family settlement deeds, whether the partition made is valid in law, whether the original deed is available for deposit, whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his/her/their share. The modality/ procedure to be followed to create a valid and enforceable mortgage. Whether any of the documents in question are executed in counterparts or in more than one set? If so, additional precautions to be taken for avoiding multiple mortgages.
Not Applicable
- 14) Whether the property belongs to any trust or is subject to the rights of any trust? Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property? Is there any bar under local laws for creation of mortgage? The additional precautions/ permissions to be obtained for creation of valid mortgage as per the respective state/central laws.
Not Applicable
- 15) In case of partnership firm, whether the property belongs to the firm and the partnership deed is properly registered. Whether the partners have authority to create mortgage for and on behalf of the firm.
Not Applicable
- 16) If the property belongs to a limited company, Advocate to check the borrowing powers, board resolution, and authorization to create mortgage/ execution of documents, registration of any prior charges with the company registrar (ROC) Memorandum of association and articles of association etc. And submit details.
Not Applicable

- 17) In case of societies, Association, check the required authority/ power to borrow and whether the mortgage can be created as per their constitutional documents and applicable laws, and the requisite resolutions, bye-laws etc. The additional precautions/ permissions to be obtained for creation of valid mortgage as per the respective state/ central laws to be stated.

Not Applicable

- 18) If the property is a flat/ apartment or residential/ commercial complex, Advocate to interalia check/verify a) Promoters/ land owners title to the land/ building; b) Development Agreement/ Power of attorney c) Independent title verification of the land and/or building in question; d) Approval of building plan, permission of appropriate/ local authority, etc g) conveyance in favor of society/ condominium concerned : h) occupancy certificate/ allotment letter/ letter of possession: i) membership details in the society etc. j) share certificates k) No objection letter from the society: i) all legal requirements under the local/ municipal laws, regarding ownership of flats/ apartments/ building regulations, development control regulations, Co-operative' Laws etc: m) requirements for noting the bank charges on the records of the housing society, etc. and comment.

Not Applicable

- 19) Advocate also to check whether the name of mortgagor is reflected as owner in the revenue/ municipal/ village records, whether the property offered as security is clearly demarcated in the title documents, whether the property has clear access as per documents?

Copy of Revenue record (1st book) and no due certificate of Madhapar Junavash Gram Panchayat Dtd. 17/01/2020 produce before me which reflect name of Present owner .

- 20) Any bar/ restriction for creation of mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duty etc.

Not Applicable

- 21) Whether the governing law, the constitutional documents of the mortgagor (other than natural persons) permits creation of mortgage and additional precautions, if any to be taken in such cases.

Not Applicable

Certificate

I hereby certify that I have personally verified the information furnished in this report. The statements and other information given in the report are correct and true. So I certify that, **Sunilbhai Nagjibhai Devani, Kirti Manilal Thacker & Chetan Manilal Thacker** got a valid, clear, absolute and marketable title over the property shown above. I also certified there is no legal impediment.

Yours faithfully

{ **Rajesh J. Sutar** }
Advocate.

Encl. : Search Fees Receipt No. 2019041009155 Dtd. 06th July 2020.
Issued by Sub Registrar, Bhuj – Kutch.

Rajesh J. Sutar & Co. Advocates, Bhuj (K). – (M) 09879081414.

અરજી પહોંચ

મિલકત નું વર્ણન : રે સર્વે નં 344/1 પ્લોટ નં 1/2

Search in : માધાપર /MADHAPAR

પહોંચ નંબર ૨૦૨૦૦૪૧૦૦૮૧૫૫ અરજી નંબર ૩૮૮૮
તારીખ ૬ માહે જુલાઈ

અરજી વર્ષ ૨૦૨૦
સને ૨૦૨૦

રજુ કરનારનું નામ Rajesh J Sutar, Advocate

નીચે પ્રમાણે ફી પહોંચી

રૂ. પેશા

રજીસ્ટ્રેશન ફી.....

નકલ કરવા ની ફી સાઈડ / ફોલીયો.....

શેરોની નકલ કરવા માટે ફી.....

ટપાલ ખર્ચ.....

નકલો અથવા ચાદીઓ (કલમ ૬૪ થી ૬૭).....

શોધ અગર તપાસણી.....Year: 1990 2020

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દંડ કલમ-૨૫.....

કલમ-૩૪ (કલમ-૫૭).....

નકલ ફી ફોલીયો.....

ઈન્ડેક્સ-૨ ફી.....

કુલ એકદરે રૂ. ૩૨૦.૦૦

અંકે રૂપિયા ત્રણ સો વીસ પૂરા

દસ્તાવેજ

ના દિવસે તૈયાર થશે અને

તે રજીસ્ટર ટપાલથી મોકલવામાં

આવશે.

નકલ

કચેરીમાં આપવામાં

દસ્તાવેજ રજીસ્ટર ટપાલથી નીચેના સરનામે મોકલશો.

Jayantilal Mangaldas Gor
સબ રજીસ્ટ્રાર
ભુજ

અંકે રૂ. : 320.00

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સબ રજીસ્ટ્રાર, ભુજ

