



NON - ENCUMBRANCE CERTIFICATE

TO,
J. D. R. REALITY (a partnership firm)
having its registered office at : Satyam Shopping Center, Bhimjipura, Nava
Vadaj, Ahmedabad.

This is to certify that, (1) Flat No. 1 is belonging to Tikendra Lalchand Shah, (2) Flat No. 2 is belonging to Mohanlal Bhabhutmalji Shah, (3) Flat No. 3 is belonging to Patuben Kevalchandji Jain, (4) Flat No. 4 is belonging to Fakirchand Mohanlal Shah, (5) Flat No. 5 is belonging to Shobhanaben Mahendrakumar Shah, (6) Flat No. 6 is belonging to Vimlaben Mohanlal Shah, (7) Flat No. 7 is belonging to (1) Pushpaben Mafatlal Shah, (2) Mukesh Mafatlal Shah, (3) Prafullaben D/o. Mafatlal Shah W/o. Kamleshbhai Shah, (4) Shilpaben Nileshbhai Shah, (5) Romin Nileshbhai Shah, (6) Tejas Nileshbhai Shah and (7) Urvishkumar Nileshbhai Shah, (8) Flat No. 8 is belonging to Kumudben Suhashkumar Shah, (9) Flat No. 9 is belonging to Misrimal Chunilal Jain, (10) Flat No. 10 is belonging to Purneshkumar Babulal Singhi, (11) Flat No. 11 is belonging to (1) Suhash Manubhai Shah and (2) Manubhai Shah and (12) Flat No. 12 is belonging to Shernik Mohanlal Shah situated in the Amrutbindu Co-Operative Housing Society Limited situated on the non - agricultural land bearing Survey No. 107/1/2/1, T. P. Scheme No. 23 (Acher) of Final Plot No. 175 of Mouje - Acher, Taluka - Sabarmati, District - Ahmedabad & Sub - District - Ahmedabad - 2 (Vadaj).

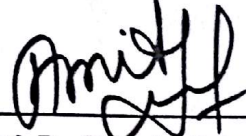
That, the said flat holders had executed Deed of Development in favour of J. D. R. Reality registered in the Office of the Sub Registrar of Assurances at Ahmedabad-2 (Vadaj) under Sr. No. 16919 dated 24-09-2019 for the purpose of redevelopment work of the said society.

Pursuant of scrutiny of records of said properties I have not found of any charge created on said properties and above said Flat owners / developer has not borrowed loan against charge of said properties and / or construction / project standing thereon with any bank, company or financial institution and land is having clear and marketable & encumbrance free.

I have issued this Certificate only on the basis of search obtained from Sub - Registrar Office, Ahmedabad.

Date : 27-02-2020
Place : Ahmedabad.




Amit D. Patel, Advocate
Enrolment No. G / 809 / 2009.





To,
J. D. R. REALITY, a partnership firm
Ahmedabad.

Ref No. 272

Ref : IN THE MATTER OF INVESTIGATION about rendering legal opinion for title of non - agricultural land bearing Final Plot No. 175 admeasuring 698 sq. mts., of T. P. Scheme No. 23(Acher) comprised of Survey No. 107/1/2/1 on which different -12 – flats are constructed in Amrutbindu Co. Op. Housing Society Ltd., including the undivided right in the land of common plot and road belonging to (1) Flat No. 1 Tikendrakumar Lalchand Shah, (2) Flat No. 2 Mohanlal Bhabhutmalji Shah, (3) Flat No. 3 Patuben Kevalchandji Jain, (4) Flat No. 4 Fakirchand Mohanlal Shah, (5) Flat No. 5 Shobhanaben Mahendrakumar Shah, (6) Flat No. 6 Vimlaben Mohanlal Shah, (7) Flat No. 7 Pushpaben Mafatlal Shah and others, (8) Flat No. 8 Kumudben Suhashkumar Shah, (9) Flat No. 9 Misrimal Chunilal Jain, (10) Flat No. 10 Purneshkumar Babulal Singhi, (11) Flat No. 11 Suhash Manubhai Shah and others and (12) Flat No. 12 Shrenik Mohanlal Shah situate, lying and being at Mouje – Acher Taluka Sabarmati in the Registration District of Ahmedabad and Sub – District Ahmedabad- 2 (Vadaj) in the State of Gujarat.

TITLE INVESTIGATION REPORT

Pursuant to the request of land developer, **J. D. R. REALITY**, a partnership firm, we have carried out of the work of title investigation of the freehold non - agricultural land bearing Final Plot No. 175 admeasuring 698 sq. mts., of T. P. Scheme No. 23(Acher) comprised of Survey No. 107/1/2/1 on which different -12 – flats are constructed in Amrutbindu Co. Op. Housing Society Ltd., including the undivided right in the land of common plot and road belonging to (1) Flat No. 1





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Tikendrakumar Lalchand Shah, (2) Flat No. 2 Mohanlal Bhabhutmalji Shah, (3) Flat No. 3 Patuben Kevalchandji Jain, (4) Flat No. 4 Fakirchand Mohanlal Shah, (5) Flat No. 5 Shobhanaben Mahendrakumar Shah, (6) Flat No. 6 Vimlaben Mohanlal Shah, (7) Flat No. 7 Pushpaben Mafatlal Shah and others, (8) Flat No. 8 Kumudben Suhashkumar Shah, (9) Flat No. 9 Misrimal Chunilal Jain, (10) Flat No. 10 Purneshkumar Babulal Singhi, (11) Flat No. 11 Suhash Manubhai Shah and others and (12) Flat No. 12 Shrenik Mohanlal Shah situate, lying and being at Mouje – Acher Taluka Sabarmati in the Registration District of Ahmedabad and Sub – District Ahmedabad- 2 (Vadaj) in the State of Gujarat (the “Said Land”) presently owned and possessed by the said society and its twelve members (the Land Owners / the Flat Owners).

To this intent, we have caused the searches of the available records of the concerned Office of the Sub Registrar Assurances for a period of last Thirty Years and have perused and scrutinized copy of the documents / papers / revenue records as are made available to us and believing the same to be true, corrects and genuine and also based on the information / clarification as are made available to us by or through you and relying upon the same to be true and correct, we submit our title report as under for your personal purpose.

1. Name of the Land Owner / s:

A. AMRUTBINDU CO. OP. HOUSING SOCIETY LTD., and its above referred – 12 – flat members

2. Nature of the Land in Question and its Uses :

(a) Nature of the said Land

Freehold and non - agricultural land on which construction of - 12- flats are existing.



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(b) Use of the said Land

Non- agricultural use for residential purpose

3. Description of the Immovable properties under investigation :

All that piece and parcel of freehold non - agricultural land bearing Final Plot No. 175 admeasuring 698 sq. mts., of T. P. Scheme No. 23(Acher) comprised of Survey No. 107/1/2/1 on which different -12 - flats are constructed in the Amrutbindu Co. Op. Housing Society Ltd., including the undivided right in the land of common plot and road belonging to (1) Flat No. 1 Tikendrakumar Lalchand Shah, (2) Flat No. 2 Mohanlal Bhabhutmalji Shah, (3) Flat No. 3 Patuben Kevalchandji Jain, (4) Flat No. 4 Fakirchand Mohanlal Shah, (5) Flat No. 5 Shobhanaben Mahendrakumar Shah, (6) Flat No. 6 Vimlaben Mohanlal Shah, (7) Flat No. 7 Pushpaben Mafatlal Shah and others, (8) Flat No. 8 Kumudben Suhashkumar Shah, (9) Flat No. 9 Misrimal Chunilal Jain, (10) Flat No. 10 Purneshkumar Babulal Singhi, (11) Flat No. 11 Suhash Manubhai Shah and others and (12) Flat No. 12 Shrenik Mohanlal Shah situate, lying and being at Mouje - Acher Taluka Sabarmati in the Registration District of Ahmedabad and Sub - District Ahmedabad- 2 (Vadaj) in the State of Gujarat more particularly described in the **Schedule** here under written (herein after referred to as the "**said Land**") on which construction of -12- flats is existing.

4. Devolution of Title of the Land in Question :-

4.1 It has been observed by us that, the land bearing Survey No. 107/ 1/2/1 paikee was owned and occupied by Amrutbindu Co. Op. Housing Society Ltd., prior to the Year - 1981 meaning thereby the said society is occupier of the said non - agricultural land (The said society is a co. op. society registered under the provision of Gujarat Co. Op. Societies Act, 1961 and its Regi. No. is Gh - 7573 dated 15-01-1980).





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- 4.2 It has been observed by us that, thereafter, the said the Amrutbindu Co. Op. Housing Society had floated the scheme of residential flats on the said non – agricultural land.
- 4.3 It has been observed by us that, the Junior Assistant, Town Planning Department issued commencement letter bearing No. 443 on 07-09-1977 meaning thereby development permission was granted to the said society for commencement of construction thereon.
- 4.4 It has been observed by us that, thereafter, the said society had allotted said -12- flats to respective members after completion of construction work.

Balchandbhai K. Patel

HISTORY OF FLAT NO.1

- 4.5 It has been observed by us that, Sushilaben Lalchand Shah had paid necessary land contribution, share contribution and administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate Share Certificate its distinctive No. 001 to 005 dated 05-02-2017 in favour of Sushilaben Lalchand Shah and allotted the membership right and ownership right of Flat No. 1 admeasuring 85 sq. yds., construction.
- 4.6 It has been observed by us that, thereafter, the owner of the said flat namely Sushilaben Lalchand Shah had died intestate on 25-11-2006 and Lalchand Jaychandji Shah also died intestate on 28-06-1997 leaving behind them their lineal descendants as (1) Tikendrabhai Lalchand Shah, (2) Lalitaben Lalchand Shah, (3) Ashaben Lalchand Shah, (4) Alkaben Lalchand Shah, (5) Hasumatiben Lalchand Shah, (6) Satishkumar Lalchand Shah





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and (7) Bharat Lalchand Shah and said fact is expressly corroborated from the produced record.

4.7 It has been observed by us that, thereafter, the joint holders of the said flat namely (1) Lalitaben Lalchand Shah, (2) Ashaben Lalchand Shah, (3) Alkababen Lalchand Shah, (4) Hasumatiben Lalchand Shah, (5) Satishkumar Lalchand Shah and (6) Bharat Lalchand Shah had voluntarily waived their right, claim and share persisting in the said flat in favour of Tikendra Lalchand Shah by Deed of Release registered in the Office in the Sub Registrar of Assurances at Ahmedabad-2 (Vadaj) under Sr. No. 2202 dated 05-02-2019 and said share certificate was transferred in the name of Tikendrakumar Lalchand Shah.

4.8 It has been observed by us that, the said property was included in city survey record and it was given City Survey No. 1149 in Ward No. 1330.

4.9 It has been observed by us that, the owner of the said flat had repaid the loan obtained from Gujarat State Co. Op. Housing Finance Corporation Ltd., and hence, the charge of the said bank was removed as is expressly corroborated and evidenced by certified mutation entry No. 438 dated 16-09-2015 which was entered in the city survey record.

HISTORY OF FLAT NO. 2

4.10 It has been observed by us that, Mohanlal Bhabhutmal Shah had paid necessary land contribution, share contribution and administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate Share Certificate its distinctive No. 006 to 010 dated 05-02-2017 in





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favour of Mohanlal Bhabhutmal Shah and allotted the membership right and ownership right of Flat No. 2 admeasuring 85 sq. yds., construction.

4.11 It has been observed by us that, the said property was included in city survey record and it was given City Survey No. 1151 in Ward No. 1336.

4.12 It has been observed by us that, the owner of the said flat had repaid the loan obtained from Gujarat State Co. Op. Housing Finance Corporation Ltd., and hence, the charge of the said bank was removed as is expressly corroborated and evidenced by certified mutation entry No. 441 dated 16-09-2015 which was entered in the city survey record.

HISTORY OF FLAT NO. 3

4.13 It has been observed by us that, Shardaben Natvarlal Shah had paid necessary land contribution, share contribution and administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate Share Certificate its distinctive No. 11 to 15 dated 05-02-2017 in favour of Shardaben Natvarlal Shah and allotted the membership right and ownership right of Flat No. 3 admeasuring 85 sq. yds., construction.

4.14 It has been observed by us that, the owner of the said land namely Shardaben Natvarlal Shah had sold and conveyed the said flat to Patuben Kevalchand Jain by sale deed registered in the Office of the Sub Registrar of Assurances at Ahmedabad under Sr. No. 5253 dated 14-10-1996 and the basis of said sale deed, share certificate was transferred in the name of Patuben Kevalchand Jain.





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4.15 It has been observed by us that, the said property was included in city survey record and it was given City Survey No. 1152 in Ward No. 1339.

4.16 It has been observed by us that, the owner of the said flat had repaid the loan obtained from Gujarat State Co. Op. Housing Finance Corporation Ltd., and hence, the charge of the said bank was removed as is expressly corroborated and evidenced by certified mutation entry No. 444 dated 16-09-2015 which was entered in the city survey record.

4.17 We have examined that, the name of Patuben Kevalchandji Jain is appearing as Parvatiben Kevalchand Shah in city survey record but on going through the record, it transpires that, Patuben Kevachandji Jain and Parvatiben Kevalchand Shah is the same person and said fact is ascertained from the affidavit dated 28-04-2017 made by Patuben Kevalchandji Jain.

HISTORY OF FLAT NO. 4

4.18 It has been observed by us that, Fakirchand Mohanlal Shah had paid necessary land contribution, share contribution and administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate Share Certificate its distinctive No. 16 to 20 dated 05-02-2017 in favour of Fakirchand Mohanlal Shah and allotted the membership right and ownership right of Flat No. 4 admeasuring 79 sq. sq. yds., construction.

4.19 It has been observed by us that, the said property was included in city survey record and it was given City Survey No. 1154 in Ward No. 1343.



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HISTORY OF FLAT NO. 5

4.20 It has been observed by us that, Shobhanaben Mahendrakumar Shah had paid necessary land contribution, share contribution and administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate Share Certificate its distinctive No. 21 to 25 dated 05-02-2017 in favour of Shobhanaben Mahendrakumar Shah and allotted the membership right and ownership right of Flat No. 5 admeasuring 85 sq. yds., construction.

4.21 It has been observed by us that, the said property was included in city survey record and it was given City Survey No. 1149/I in Ward No. 1331.

4.22 It has been observed by us that, the owner of the said flat had repaid the loan obtained from Gujarat State Co. Op. Housing Finance Corporation Ltd., and hence, the charge of the said bank was removed as is expressly corroborated and evidenced by certified mutation entry No. 439 dated 16-09-2015 which was entered in the city survey record.



HISTORY OF FLAT NO. 6

4.23 It has been observed by us that, Bipinkumar Maneklal had paid necessary land contribution, share contribution and administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate Share Certificate its distinctive No. 26 to 30 dated 05-02-2017 in favour of Bipinkumar Maneklal and allotted the membership right and ownership right of Flat No. 6 admeasuring 85 sq. yds., construction.





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4.24 It has been observed by us that, the owner of the said land namely Bipinkumar Maneklal had sold and conveyed the said flat to Deviben Rajmalji by sale deed registered in the Office of the Sub Registrar of Assurances at Ahmedabad-2 (Vadaj) under Sr. No. 6190 (Old Sale Deed No. 5801 / 2000) dated 01-10-2004.

4.25 It has been observed by us that, thereafter, the owner of the said land namely Deviben Rajmalji had sold and conveyed the said flat to Vimlaben Mohanlal Shah by sale deed registered in the Office of the Sub Registrar of Assurances at Ahmedabad-2 (Vadaj) under Sr. No. 5334 (Old Sale Deed No. 5347/2003) dated 24-08-2004 and said share certificate was transferred in the name of Vimlaben Mohanlal Shah.

4.26 It has been observed by us that, the said property was included in city survey record and it was given City Survey No. 1151/1 in Ward No. 1337.

4.27 It has been observed by us that, the owner of the said flat had repaid the loan obtained from Gujarat State Co. Op. Housing Finance Corporation Ltd., and hence, the charge of the said bank was removed as is expressly corroborated and evidenced by certified mutation entry No. 442 dated 16-09-2015 which was entered in the city survey record.

HISTORY OF FLAT NO. 7

4.28 It has been observed by us that, Mafatlal Bhaichand Shah had paid necessary land contribution, share contribution and administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate





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Share Certificate its distinctive No. 31 to 35 dated 05-02-2017 in favour of Mafatlal Bhaichand Shah and allotted the membership right and ownership right of Flat No. 7 admeasuring 85 sq. yds., construction.

4.29 It has been observed by us that, we have examined that, the said property was included in city survey record and it was given City Survey No. 1152/I in Ward No. 1340.

4.30 It has been observed by us that, thereafter, the owner of the said flat Mafatlal Bhaichand Shah had died intestate on 15-01-2003 and his son Nilesh Mafatlal also died intestate 02-06-2018 leaving behind them their lineal descendants as (1) Mukesh Mafatlal Shah, (2) Pushpaben Mafatlal Shah, (3) Prafula Mafatlal Shah, (4) Shilpaben Nileshbhai Shah, (5) Romin Nileshbhai Shah, (6) Tejas Nileshbhai and (7) Urvishkumar Nileshkumar Shah from the produced record.

4.31 It has been observed by us that, the owner of the said flat had repaid the loan obtained from Gujarat State Co. Op. Housing Finance Corporation Ltd., and hence, the charge of the said bank was removed as is expressly corroborated and evidenced by certified mutation entry No. 445 dated 16-09-2015 which was entered in the city survey record.

HISTORY OF FLAT NO. 8

4.32 It has been observed by us that, Lataben Manubhai Shah had paid necessary land contribution, share contribution and administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate Share Certificate its distinctive No. 36 to 40 dated 05-02-2017 in





favour of Lataben Manubhai Shah and allotted the membership right and ownership right of Flat No. 8 admeasuring 79 sq. yds., construction.

4.33 It has been observed by us that, thereafter, the owner of the said land namely Lataben Manubhai Shah had sold and conveyed the said flat to Tejpal Panachand Shah by sale deed registered in the Office of the Sub Registrar of Assurances at Ahmedabad (Vadaj) under Sr. No. 17843/A dated 17-10-1886.

4.34 It has been observed by us that, we have examined that, the said property was included in city survey record and it was given City Survey No. 1154/I in Ward No. 1344.

4.35 It has been observed by us that, thereafter, the owner of the said land namely Tejpal Panachand Shah had sold and conveyed the said flat to Kumudben Suhashkumar Shah by sale deed registered in the Office of the Sub Registrar of Assurances at Ahmedabad-2 (Vadaj) under Sr. No. 703 dated 27-02-2002 as is expressly corroborated and evidenced by certified mutation entry No. 396 dated 27-4-2015 in City Survey Record.

4.36 It has been observed by us that, the owner of the said flat had repaid the loan obtained from Gujarat State Co. Op. Housing Finance Corporation Ltd., and hence, the charge of the said bank was removed as is expressly corroborated and evidenced by certified mutation entry No. 447 dated 16-09-2015 which was entered in the city survey record.

HISTORY OF FLAT NO. 9

4.37 It has been observed by us that, Sagarmal Chunilal Shah had paid necessary land contribution, share contribution and





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administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate Share Certificate its distinctive No. 41 to 45 dated 05-02-2017 in favour of Sagarmal Chunilal Shah and allotted the membership right and ownership right of Flat No. 9 admeasuring 85 sq. yds., construction.

4.38 It has been observed by us that, we have examined that, the said property was included in city survey record and it was given City Survey No. 1149/II in Ward No. 1332.

4.39 It has been observed by us that, the owner of the said flat had repaid the loan obtained from Gujarat State Co. Op. Housing Finance Corporation Ltd., and hence, the charge of the said bank was removed as is expressly corroborated and evidenced by certified mutation entry No. 440 dated 16-09-2015 which was entered in the city survey record.

4.40 It has been observed by us that, the name of holder of the said flat has been mentioned Chunilal Sagarmal Shah in City Survey Record but actually said name should be as Sagarmal Chunilal Shah and upon submission of application, rectification was made accordingly as is expressly corroborated and evidenced by certified mutation entry No. 566 dated 09-06-2017 in City Survey Record.

4.41 It has been observed by us that, thereafter, the owner of the said land namely Sagarmal Chunilal Shah, through his power of attorney holder Pravinkumar Sagarmal Jain had gifted the said flat to Misrilal Chunilal Jain by Deed of Gift registered in the Office of the Sub Registrar of Assurances at Ahmedabad-2 (Vadaj) under Sr. No. 20986 dated 30-11-2018 as is expressly





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corroborated and evidenced by certified mutation entry No.797 dated 12-12-2018 in City Survey Record and said share certificate was transferred in the name of Misrimal Chunilal Jain.

HISTORY OF FLAT NO. 10

4.42 It has been observed by us that, Mahendrakumar Manechand Mehta had paid necessary land contribution, share contribution and administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate Share Certificate its distinctive No. 46 to 50 dated 05-02-2017 in favour of Mahendrakumar Manechand Mehta and allotted the membership right and ownership right of Flat No. 10 admeasuring 85 sq. yds., construction.

4.43 It has been observed by us that, thereafter, the owner of the said land namely Mahendrakumar Manechand Mehta had sold and conveyed the said flat to Purneshkumar Babulal Singhi by sale deed registered in the Office in the Sub Registrar of Assurances at Ahmedabad under Sr. No. 13394/1 dated 23-05-1991 and said share certificate was transferred in the name of Purneshkumar Babulal Singhi.

4.44 It has been observed by us that, the said property was included in city survey record and it was given City Survey No. 1151/II in Ward No. 1338.

4.45 It has been observed by us that, the owner of the said flat had repaid the loan obtained from Gujarat State Co. Op. Housing Finance Corporation Ltd., and hence, the charge of the said bank was as is expressly corroborated and evidenced by certified mutation entry No. 443 dated 16-09-2015 which was entered in the city survey record.



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HISTORY OF FLAT NO. 11

4.46 It has been observed by us that, Niruben Manubhai Shah had paid necessary land contribution, share contribution and administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate Share Certificate its distinctive No. 51 to 55 dated 05-02-2017 in favour of Niruben Manubhai Shah and allotted the membership right and ownership right of Flat No. 11 admeasuring 85 sq. yds., construction.

4.47 It has been observed by us that, the said property was included in city survey record and it was given City Survey No. 1152/II in Ward No. 1341.

4.48 It has been observed by us that, the owner of the said flat had repaid the loan obtained from Gujarat State Co. Op. Housing Finance Corporation Ltd., and hence, the charge of the said bank was removed as is expressly corroborated and evidenced by certified mutation entry No. 446 dated 16-09-2015 which was entered in the city survey record.

4.49 It has been observed by us that, thereafter, the owner of the said flat Niruben Manubhai had died intestate on 10-03-2017 and Manubhai Vadilal Shah also died intestate on 21-09-1999 leaving behind them their lineal descendants as (1) Diptiben D/o. Manubhai Vadilal Shah, (2) Paresh Manubhai Shah and (3) Suhash Manubhai Shah and said fact is expressly corroborated and evidenced by certified mutation entry No. 678 dated 06-06-2018.

4.50 It has been observed by us that, thereafter, the joint holder of the said flat namely Diptiben D/o. Manubhai Vadilal Shah had





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voluntarily waived her right claim share persisting in the said flat in favour of (1) Paresh Manubhai Shah and (2) Suhash Manubhai Shah by Deed of Release registered in the Office of the Sub Registrar of Assurances at Ahmedabad- 2 (Vadaj) under Sr. No. 20403 dated 20-11-2018 is expressly corroborated and evidenced by certified mutation entry No. 795 dated 05-12-2018 and said share certificate was transferred in the names of (1) Paresh Manubhai Shah and (2) Suhash Manubhai Shah.

HISTORY OF FLAT NO. 12

4.51 It has been observed by us that, Champaben Achaldasji had paid necessary land contribution, share contribution and administrative contribution to the Amrutbindu Co. Op. Housing Society Ltd., and in lieu thereof, the said society issued Duplicate Share Certificate its distinctive No. 55 to 60 dated 05-02-2017 in favour of Champaben Achaldasji and allotted the membership right and ownership right of Flat No. 12 admeasuring 79 sq. yds., construction.

4.52 It has been observed by us that, the owner of the said land namely Champaben Achaldasji had sold and conveyed said flat to Mohanlal Hirachand by sale deed registered in the Office of the Sub Registrar of Assurances at Ahmedabad under Sr. No. 22513 and on the basis of the said sale deed, share certificate was transferred in the name of Mohanlal Hirachand.

4.53 It has been observed by us that, the said property was included in city survey record and it was given City Survey No. 1154/II in Ward No. 1345.

4.54 It has been observed by us that, the owner of the said flat had repaid the loan obtained from Gujarat State Co. Op. Housing





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Finance Corporation Ltd., and hence, the charge of the said bank was removed as is expressly corroborated and evidenced by certified mutation entry No. 448 dated 16-09-2015 which was entered in the city survey record.

4.55 It has been observed by us that, thereafter, the owner of the said flat Mohanlal Hirachand Jain had died intestate on 27-08-2001 leaving behind him his lineal descendants as (1) Sajanben Wd/o. Mohanlal Hirachand, (2) Shrenik Mohanlal, (3) Sangitaben Mohanlal, (4) Minaxiben Mohanlal and (5) Preetiben Mohanlal and said fact is expressly corroborated and evidenced by certified mutation entry No. 677 dated 06-06-2018.

4.56 It has been observed by us that, thereafter, the joint holders of the said flat namely (1) Preetiben Mohanlal Shah, (2) Sangitaben Mohanlal Shah, (3) Sajanben Mohanlal Jain as herself and power of attorney holder of Sr. No. 1 and 2 and (4) Minaxiben Mohanlal Shah had voluntarily waived their right, claim and share persisting in the said flat in favour of Shrenik Mohanlal Shah by Deed of Release registered in the Office of the Sub Registrar of Assurances at Ahmedabad- 2 (Vadaj) under Sr. No. 22241 dated 18-12-2012 on the basis of said release deed, share certificate was transferred in the name of Shrenik Mohanlal Shah.

COMMON HISTORY OF SURVEY NO. 107/1/2/1

4.57 It has been observed by us that, the sale transaction took place between Amrutbindu Co. Op. Housing Society Ltd., and original land owner was declared as unlawful transaction and hence, the Mamlatdar and ALT City Taluka passed order bearing No. Ganot Case / 52 / 85 dated 02-04-1986 and held the said transaction invalid inter alia directing to resume the land with the Government





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5. **Mutation of the name / s of the land owner / s in revenue records**

On bare perusal of latest Village Form No. 7, the name of Amrutbindu Co. Op. Housing Society Ltd., is appearing as occupier of the said land as defined in Sub Section 16 of Section 3 of the Land Revenue Code.

6. **Searches :**

6.1 We have caused the searches of the available records through our search clerk for last 30 years from the office of the concerned Sub-Registrar of Assurances and on bare perusal of said Sub-Registry Record we have not found any objectionable matter.

6.2 **Perusal of the revenue record as are made available to us :**

Nothing objectionable found in the copies of the revenue records as are produced by the land owner / s to us.

6.3 **Lis pendence / Litigations :**

That, the principal of Lis pendence is governed under the Provision of Section 52 of Transfer of Property Act, as well as the Provision of Section 18 of The Registration Act. It has been observed by us that, no any suit or matter is appeared as pending litigation in respect of said land in available search of Sub-Registry record and as per the say of the land owner / s no suit or litigation is pending in respect of the said land in any court established by the law including revenue court.

7. **Public Notice :**

As a part of investigation of title, we have published a public notice appeared in the daily newspaper "DIVYA BHASKAR" dated 13-02-2020 for inviting claim, objection, obligation, charges or lien in, on or upon said land, pursuant to which, we have not received any claim or objection in response thereto.



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8 Special Observation :

8.1 We are informed that, the original share certificates issued in the names of concerned flat holders at the relevant point of time have been lost and hence, the said society unanimously passed resolution on 19-01-2017 and took decision to issue duplicate share certificate in the name of concerned flat holders and hence, the number of duplicate share certificate is mentioned in the detail of concerned flat.

8.2 On close scrutiny of the record of the case in hand, it appears that, in some cases like sale transaction, release deed or heirship, entries are not entered in the city survey record. It is pertinent to note that, it is well settled legal position that mutation entries are only for fiscal purpose and mutation entries do not give title of the property and however, it would be advisable to enter such entry in city survey record.

9. Conclusions :

In view of what is stated in forgoing paras and the observations made by us, we are of the legal opinion that, the title of the land owner /s to his land more particularly described in Schedule hereunder written is clear, marketable and free from encumbrances and reasonable doubts subject to :

1. Affidavit of title being made by Amrtubindu Co. Op. Housing Society Ltd., through its Chairman.
2. Terms and condition laid down in N. A. Order, the Gujarat Town Planning and Urban Development Act, 1976 and rules made there under and Laws applicable and in force to effect legally and properly sale, transfer or any other transaction with respect to the said land.



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10. **Certificate about legal opinion :**

We give legal opinion that, **AMRUTBINDU CO. OP. HOUSING SOCIETY LTD.**, has valid, clear free from any charges or reasonable doubts and marketable title to the said land subject to the observations made in all forgoing paras and especially the observation made in para-9 above.

SCHEDULE

(Description of the land in question)

ALL THAT piece or parcel of non - agricultural land bearing Final Plot No. 175 admeasuring 698 sq. mts., of T. P. Scheme No. 23(Acher) comprised of Survey No. 107/1/2/1 on which different -12 – flats are constructed in Amrutbindu Co. Op. Housing Society Ltd., including the undivided right in the land of common plot and road belonging to (1) Flat No. 1 Tikendrakumar Lalchand Shah, (2) Flat No. 2 Mohanlal Bhabhutmalji Shah, (3) Flat No. 3 Patuben Kevalchandji Jain, (4) Flat No. 4 Fakirchand Mohanlal Shah, (5) Flat No. 5 Shobhanaben Mahendrakumar Shah, (6) Flat No. 6 Vimlaben Mohanlal Shah, (7) Flat No. 7 Pushpaben Mafatlal Shah and others, (8) Flat No. 8 Kumudben Suhashkumar Shah, (9) Flat No. 9 Misrimal Chunilal Jain, (10) Flat No. 10 Purneshkumar Babulal Singhi, (11) Flat No. 11 Suhash Manubhai Shah and others and (12) Flat No. 12 Shrenik Mohanlal Shah situate, lying and being at Mouje – Acher Taluka Sabarmati in the Registration District of Ahmedabad and Sub – District Ahmedabad- 2 (Vadaj) in the State of Gujarat.

Date : 27-02-2020

Place : Ahmedabad.




Amitbhai D. Patel. Advocate

Note of caution and disclaimer:-

- (a) This is to inform that Search of complete registration records is not available due to destruction of record and tearing of pages of Books available for inspection and



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hence it cannot be inspected and its search is not available and on that condition the above Title Report/Opinion is issued exclusively for his/her/their/it's personal use. This report on title contains some remarks and observation which should be observed

- (b) Please ascertain that the Government Authorities have not put any restrictions in making construction on said land because of any historical monument/religious place/water body/road lying and widening, etc. situated nearby or proposed public transportation system in surrounding areas. Also verify that there is no acquisition/reservation in said land/property and there are no pending litigation or injunction/status quo granted therein in respect of the said land/property. the above Title Report/Opinion is issued exclusively for his/her/their/it's personal use. It is pertinent to note that, this legal opinion about title of the land under investigation is rendered on the basis of xerox copies of papers and documents related to land / property.



Balchandbhai K. Patel
ASSOCIATES

