



ADVOCATES & NOTARY

Earth Associates

OFFICE : Earth Associates, 214, Silver Square, Opp. Dena Bank, Nr. Dipak School,
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Ref No.TC/39/2021

To,
M/s. Shree Developers,
Mouje- Nikol, Tal. Asarva,
Dist.- Ahmedabad.

TITLE CLEARANCE CERTIFICATE

Reg.: Investigation of title for an immovable property being non-agriculture land for multipurpose uses bearing Sub Plot no.3 admeasuring 1868 sq. mts. land forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and allotted Final Plot No.140 admeasuring about 9834 Sq. mts. of Mouje- Nikol, Taluka- Asarva, in the Registration Dist. and Sub-Dist. of Ahmedabad more particularly described in the schedule hereunder written belongs to M/s. Shree Developers and its partner.

This is to certify that I have caused necessary searches to be taken with the available revenue records and Sub -Registry records for a period of last thirty years as annexed herewith and perusal and verification of copies of title deeds/documents produced to me by the above mentioned parties. I gave a public notice published in the daily newspaper "Gujarat Samachar" on 26th day of January' 2021, inviting claims, if any, in upon or to the property above referred to. I haven't received any claim till date in response thereto.

[1]





ADVOCATES & NOTARY

Earth Associates

Accordingly I have investigated the title to the aforesaid property as detailed and described in the Title Report annexed herewith and believing the same to be true, correct and genuine I hereby opine that the title of the said land is found clear, marketable and free from all charges or encumbrances and reasonable doubts subject to:

- a) Usual Declaration cum Indemnity on Title being made.
- b) To follow the laws applicable and in force, at the relevant time, to effect legally or properly sale, transfer or other transaction in connection of said lands.
- c) Result of pending SPCS/840/2010.

THE SCHEDULE ABOVE REFERRED TO

ALL THAT piece or parcel of immovable property being non- agriculture land for multipurpose uses bearing Sub Plot no.3 admeasuring 1868 sq. mts. land forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and allotted Final Plot No.140 admeasuring about 9834 Sq. mts. of Mouje-Nikol, Taluka- Asarva, in the Registration Dist. and Sub-Dist. of Ahmedabad bounded as follows:

- | | | |
|-------------------------|---|---------------------------|
| On or towards the East | : | Land of F.P.No.137 |
| On or towards the West | : | Land of Sub Plot No.1 & 2 |
| On or towards the North | : | T. P. Road |
| On or towards the South | : | Land of Sub Plot No.1 |





ADVOCATES & NOTARY

Earth Associates

DATED THIS 26th day of February' 2021 at Ahmedabad.



S. D. Mishra
Advocate & Notary



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Ref No.TCR/39/2021

To,

M/s. Shree Developers,

Mouje- Nikol, Tal. Asarva,

Dist.- Ahmedabad.

REPORT ON TITLE

Reg.: Investigation of title for an immovable property being non-agriculture land for multipurpose uses bearing Sub Plot no.3 admeasuring 1868 sq. mts. land forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and allotted Final Plot No.140 admeasuring about 9834 Sq. mts. of Mouje-Nikol, Taluka- Asarva, in the Registration Dist. and Sub-Dist. of Ahmedabad more particularly described in the schedule hereunder written belongs to M/s. Shree Developers and its partner.

I have caused necessary searches to be taken with the Revenue and Sub Registry records. I have taken root of title commencing from about 1986, prior to more than 30 years from as of now. For detailed facts and particulars, references may be taken from the documents, papers writings and records furnished to me and referred to herein below;



[1]



ADVOCATES & NOTARY

Earth Associates

1. Originally the land of survey no.517/2 admeasuring Acre-4, Guntha-3 above referred to prior to 1960 belongs to Becharji Jugaji by virtue of payment of land revenue, hence his name was entered in the column of occupier. Ref. mutation entry no.133 dated 26/05/1959.
2. Thereafter the name of Shankar Jaga was entered in the revenue record of said land as ordinary tenant as per section 23. Ref. mutation entry no.232 dated 29/05/1959.
3. Thereafter mutation entry no.262 entered in the computerized 7/12 of said land; however said land is applicable to said land and it is applicable to the land bearing Survey no.211/2 hence not narrated here.
4. Thereafter under inquiry of section 32-G it was resolved that Shankar Jaga is a joint land owner and he does not tenant therefore as per the order passed by the Hon. Mamlatdar and agriculture land tribunal dated 27/03/1961 in Tri.Case No.333 Nikol the inquiry held under Tenancy Act Section 32-G was closed. Ref. mutation entry no.628 dated 05/05/1962.
5. Thereafter a mutation entry no.851 dated 05/01/1967 has been entered in the revenue record of said land stating that earlier said land together with other land of Nikol village were declared reserved land for Industrial Zone A and entry to that effect has been entered in the second column of said land; now the Government does not intent to acquire the said land as the Government has not published the notice under section 6 of Land Acquisition Act within timeline hence vide order dated 14/6/1966 issued by Government of Gujarat through Revenue Department the said land together with other land of Nikol village declared free and the revenue entry of reservation for Industrial Zone A entered earlier in second column of said land has been removed.

[2]





ADVOCATES & NOTARY

Earth Associates

6. Thereafter the joint owner of said land Shankarji Jagaji was died intestate on 08/08/1969 leaving behind him his legal heir namely 1.Kankuben widow of Shankarji Jagaji, 2. Mohanji Shankraji, 3. Dhanaji Shankraji, 4. Budhaji Shankraji, 5. Shakaraji Shankraji, 6.Samiben D/o.Shankarji, 7. Sitaben D/o.Shankarji,8. Surajben D/o.Shankarji. Accordingly the names of said legal heir have been entered in the revenue record of said land. Ref. mutation entry no.1001 dated 19/07/1970.
7. Thereafter the co-owner of said land Becharji Jugaji released, relinquished and waived all his undivided right title and interest pertain to said land in favour of other co-owner of said land. Accordingly the name of the said legal heir has been deleted from the revenue record of said land. Ref. mutation entry no.1002 dated 19/07/1970
8. Thereafter the co-owner of said land 1.Kankuben widow of Shankarji Jagaji, 2.Surajben D/o. Shankarji, 3. Samiben D/o. Shankarji,4. Sitaben D/o.Shankarji have released and relinquished all their right title and interest pertain to said land in favour of 1. Mohanji Shankraji, 2. Dhanaji Shankraji, 3. Budhaji Shankraji, 4. Shakaraji Shankraji. Accordingly the names of the said legal heir have been deleted from the revenue record of said land. Ref. mutation entry no.1004 dated 19/07/1960.
9. Thereafter the co-owner of said land Budhaji Shakaraji died intestate on 08/03/2001 leaving behind him his legal heir namely 1. Kanubhai Budhaji, 2. Kailasben Budhaji and 3. Gangaben widow of Budhaji Shakaraji. Similarly the co-owner of said land Dhanaji Shakaraji died intestate on 02/02/2002 leaving behind him his legal heir namely 1.Sendhaji Dhanaji, 2. Laxmiben Dhanaji, 3.Kantaben Dhanaji, 4. Kamuben Dhanaji and 5. Dhuliben widow of Dhanaji





ADVOCATES & NOTARY

Earth Associates

Shakaraji. Also the co-owner of said land Shakaraji Shakaraji died intestate on 03/08/1999 leaving behind him his legal heir namely 1. Gabhaji Shakaraji, 2. Vishnubhai Shakaraji, 3. Madhuben Shakaraji, 4. Kantaben Shakaraji, 5. Kokilaben Shakaraji, 6. Harkhaben Shakaraji and 7. Surajben widow of Shakaraji Shankarji. Accordingly the names of said legal heir have been entered in the revenue record of said land. Ref. mutation entry no.3518 dated 06/08/2004.

10. Thereafter the co-owner of said land Mohanji Shankarji died intestate on 30/11/2006 leaving behind him his legal heir namely 1. Nathiben widow of Mohanji Thakor, 2. Chehariben Mohanji, 3. Baldevji Mohanji, 4. Kailashben Mohanji and 5. Babubhai Mohanji. Accordingly the names of said legal heir have been entered in the revenue record of said land. Ref. mutation entry no.4353 dated 23/12/2006.

11. Thereafter the owner of the said land 1. Nathiben widow of Mohanji Thakor, 2. Cheharben Mohanji, 3. Baldevji Mohanji, 4. Kailashben Mohanji, 5. Babubhai Mohanji, 6. Kanubhai Budhaji, 7. Kailasben Budhaji, 8. Gangaben widow of Budhaji Shakaraji, 9. Sendhaji Dhanaji, 10. Laxmiben Dhanaji, 11. Kantaben Dhanaji, 12. Kamuben Dhanaji, 13. Dhuliben widow of Dhanaji, 14. Gabhaji Shakaraji, 15. Vishnubhai Shakaraji, 16. Madhuben Shakaraji, 17. Kantaben Shakaraji, 18. Kokilaben Shakaraji, 19. Harkhaben Shakaraji and 20. Surajben widow of Shakaraji Shankarji sold, conveyed and transferred the said land of survey no.517/2 admeasuring 15985 sq. mts. paiki admeasuring 13378 sq. mts. to (1) Rasikbhai Virjibhai Patel (undivided 70% share) and (2) Baghajibhai Shambhubhai Patel (undivided 30% share) by way of sale deed dated 18/07/2007





ADVOCATES & NOTARY

Earth Associates

registered before the sub registrar office at Ahmedabad-7 (Odhav) under sr. no.5712. Ref. mutation entry no.4631 dated 26/07/2007.

12. Thereafter by virtue of order passed by the Hon. Mamlatdar Ahmedabad dated 24/09/2008 bearing no.RTS/Sudharo/Kshatiyadi/S.R.No.1283/08 stating that hand written revenue record were verified with the computerized revenue record of village form no. 7/12 and 6 and rectified the mistake accordingly. Ref. mutation entry no.5423 dated 27/09/2008.
13. Thereafter by virtue of order passed by the Hon. Mamlatdar Ahmedabad dated 30/09/2008 bearing no.RTS/Sudhara hukam/Kshatiyadi/S.R.No.2362/08 stating that hand written revenue record were verified with the computerized revenue record of village form no. 7/12 and 6 and rectified the mistake accordingly. Ref. mutation entry no.5506 dated 05/11/2008.
14. Thereafter the owner of the said land had applied for the partition of said land as per their share before the DILR and as per the order passed by the Ho.DILR, Ahmedabad in Pu.Pa.No.51, M.R.No.Spe.-1/132/07-08 read with the endorsement of Hon. City Mamlatdar, Ahmedabad bearing no.RTS/KJP/SRNo./Vashi-6069/08 dated 26/11/08 said land of Survey no.517/2 admeasuring 16491 sq. mts. divided into two parts... i.e. (1) Survey no.517/2/1 admeasuring 13378 sq. mts. belongs to Rasikbhai Virjibhai Patel (undivided 70% share) and Baghjibhai Shambhubhai Patel (undivided 30% share) and (2) Survey no.517/2/2 admeasuring 3113 sq. mts. belongs to 1. Nathiben widow of Mohanji Thakor, 2. Cheharben Mohanji, 3. Baldevji Mohanji, 4. Kailashben Mohanji, 5. Babubhai Mohanji, 6. Kanubhai Budhaji, 7. Kailasben Budhaji, 8. Gangaben widow of Budhaji Shakaraji, 9. Sendhaji Dhanaji, 10. Laxmiben Dhanaji, 11. Kantaben Dhanaji, 12. Kamuben Dhanaji, 13. Dhuliben widow of

[5]





ADVOCATES & NOTARY

Earth Associates

Dhanaji, 14. Gabhaji Shakaraji, 15. Vishnubhai Shakaraji, 16. Madhuben Shakaraji, 17. Kantaben Shakaraji, 18. Kokilaben Shakaraji, 19. Harkhaben Shakaraji and 20. Surajben widow of Shakaraji Shankarji. Ref. mutation entry no.5592 dated 03/01/2009.

15. Thereafter a mutation entry of Lis pendens entered in the revenue record of the said land stating that the plaintiff -filed a civil suit in respect to land bearing Survey no.497, 517/2/1 and 517/2/2 before the court of Hon. Sr. Civil Judge, Ahmedabad Rural bearing Regu. Civil Suit No.840/2010 for the particulars prayed in the suit and said lis pendens was registered before the Sub Registrar office at Ahmedabad-7 (Odhav) on 19/05/2011 under sr. no.7251 therefore on submission of said registered document the mutation entry of lis pendens was entered in the second column of said land. Ref. mutation entry no.7518* dated 24/06/2011. Said entry was cancelled by the circle officer on 08/08/2011 as it does not have any court order.

16. Thereafter through notification dated 17/03/2012 issued by the Revenue Department, the Daskroi taluka and City Taluka of Ahmedabad district were revised and declared two new taluka as Ahmedabad (East) and Ahmedabad (West) apart from Nikol village included under the Ahmedabad (East) taluka. Entry to that effect has been entered in the revenue record of said land vide mutation entry no.8261 dated 03/05/2012.

17. Thereafter mutation entry entered in the revenue record of said land stating that the earlier owner of said land Shankarji Jagaji sold the said land of Survey no.517/2 admeasuring Acre-4, Guntha -1 to Bahecharji Jugaji by way of saledeed dated 06/01/1939 registered under sr.no.132. Said entry was rejected by the circle officer due to





ADVOCATES & NOTARY

Earth Associates

mismatch of record on 18/02/2015. Ref. mutation entry no.10306# dated 10/12/2014.

18. Thereafter the co-owner of said land Kantaben Shakaraji died intestate on 20/10/2010 leaving behind her legal heir namely 1. Alpa Shakaraji Thakor wife of Sanjaykumar, 2. Amitkumar Shakaraji Thakor and 3. Komalben Shakaraji Thakor wife of Ajaykumar. Accordingly the names of said legal heir have been entered in the revenue record of said land. Ref. mutation entry no.11021 dated 07/12/2015.
19. Thereafter said land of Survey No. 517/2/1, 517/2/2, T.P. Scheme No.111 Final Plot No.140 paiki Sub Plot No.2 admeasuring 3086.62 sq. mts., had been granted Non- Agriculture use permission for commercial uses by Hon. District Collector, Ahmedabad on dated 10/03/2017 bearing no.CB/CTS-1/N.A./Nikol/S.No.517/2/1 Vi./ S.R.1476/2016. Ref. mutation entry no.11853 dated 14/03/2017.
20. Thereafter said land of Survey No. 517/2/1, 517/2/2, T.P. Scheme No.111 Final Plot No.140 paiki Sub Plot No.1 admeasuring 4879.38 sq. mts., had been granted Non- Agriculture use permission for residential uses by Hon. District Collector, Ahmedabad on dated 10/03/2017 bearing no.CB/CTS-1/N.A./Nikol/S.No.517/2/1 Vi./ S.R.1477/2016. Ref. mutation entry no.11854 dated 14/03/2017.
21. Thereafter further mutation entered in the revenue record of said land stating that the earlier owner of said land Shankarji Jagaji sold the said land of Survey no.517/2 admeasuring Acre-4, Guntha -1 together with land of survey no.497 admeasuring Acre-2, Guntha-37 to Bahecharji Jugaji by way of sale deed dated 06/01/1939 registered under sr.no.132. Said entry was rejected by the Mamlatdar Asarva as per the order of RTS/Nikol/Vechan Nondh





ADVOCATES & NOTARY

Earth Associates

No.12007/Case No.34/2017 dated 06/09/2017. Ref. mutation entry no.12007# dated 20/05/2017.

22. Thereafter the Hon. City Dy. Collector (East) Ahmedabad by way of order dated 20/12/2017 in the RTS/Appeal/Case No.102/2017 rejected the appeal of Appellant as the appeal filed by the appellant was time barred and was not maintainable on the ground of Limitation. Ref. mutation entry no.12548 dated 18/01/2018.
23. Thereafter being aggrieved with the order dated 10/03/2017 bearing no.CB/CTS-1/N.A./Nikol/S.No.517/2/1 Vi./ S.R.1476/16 passed by the District Collector, Ahmedabad, Rameshchandra Becharji Thakor the legal heir of late Becharji Jaguji Thakor has filed a revision application before the Hon. Secretary Revenue Department (Dispute) Ahmedabad with Case No.MaViVi/Bakhap/ Amad/3/2018 against the Hon Collector and legal heir of land owner whereby the Hon. Secretary Revenue Department (Dispute) Ahmedabad on 11/05/2018 passed an order and rejected the revision application of applicant and upheld the order dated 10/03/2017 bearing no.CB/CTS-1/N.A./Nikol/S.No.517/2/1 Vi./ S.R.1476/2016 passed by the District Collector, Ahmedabad. Ref. mutation entry no.12868 dated 25/05/2018.
24. Thereafter being aggrieved with the order dated 10/03/2017 bearing no.CB/CTS-1/N.A./Nikol/S.No.517/2/1 Vi./S.R.1477/16 passed by the District Collector, Ahmedabad, Rameshchandra Becharji Thakor the legal heir of late Becharji Jaguji Thakor has filed a revision application before the Hon. Secretary Revenue Department (Dispute) Ahmedabad with Case No.MaViVi/Bakhap/ Amad/5/2018 against the Hon Collector and legal heir of land owner whereby the Hon. Secretary Revenue Department (Dispute) Ahmedabad on 11/05/2018 passed an order and rejected the revision application of





ADVOCATES & NOTARY

Earth Associates

applicant and upheld the order dated 10/03/2017 bearing no.CB/CTS-1/N.A./Nikol/S.No.517/2/1 Vi./ S.R.1477/16 passed by the District Collector, Ahmedabad. Ref. mutation entry no.12869 dated 25/05/2018.

25. Thereafter the owner of said land 1. Nathiben widow of Mohanji Thakor, 2. Chehariben @ Kantaben Mohanji, 3. Baldevji Mohanji, 4. Kailashben @ Kaliben Mohanji, 5. Babubhai Mohanji, 6. Kanubhai Budhaji, 7. Kailasben Budhaji, 8. Gangaben widow of Budhaji Shakaraji, 9. Sendhaji Dhanaji, 10. Laxmiben Dhanaji wife of Jayantilal, 11. Kantaben Dhanaji wife of Fatesinh, 12. Kamuben Dhanaji wife of Rameshji, 13. Dhuliben widow of Dhanaji, 14. Gabhaji Shakaraji, 15. Vishnubhai Shakaraji, 16. Madhuben Shakaraji wife of Ashaji, 17. Kokilaben Shakaraji wife of Dineshji, 18. Harkhaben Shakaraji wife of Bharatbhai, 19. Surajben widow of Shakaraji Shankarji, 20. Alpaben Shakaraji Thakor wife of Sanjaykumar, 21. Amitkumar Shakaraji Thakor and 22. Komalben Shakaraji Thakor wife of Ajaykumar sold, conveyed and transferred the said land of survey no.517/2/2 admeasuring 3113 sq. mts. of T.P.Scheme No.111 F.P.No.140 admeasuring 9834 sq. mts. paiki admeasuring 1868 sq. mts. of Sub Plot No.3 to Hardik Ashokbhai Patel by way of sale deed dated 18/06/2018 registered before the sub registrar office at Ahmedabad-12 (Nikol) under sr. no.1243. Ref. mutation entry no.12919 dated 26/06/2018. While certification of said entry circle officer has made endorsement that the name of seller has to be read as per the sale deed instead of mutation entry.

26. Thereafter further mutation entered in the revenue record of said land stating that the owner of said land 1. Nathiben widow of Mohanji Thakor, 2. Chehariben @ Kantaben Mohanji, 3. Baldevji Mohanji, 4. Kailashben @ Kaliben Mohanji, 5. Babubhai Mohanji, 6.

[9]





ADVOCATES & NOTARY

Earth Associates

Kanubhai Budhaji, 7. Kailasben Budhaji, 8. Gangaben widow of Budhaji Shakaraji, 9. Sendhaji Dhanaji, 10. Laxmiben Dhanaji wife of Jayantilal, 11. Kantaben Dhanaji wife of Fatesinh, 12. Kamuben Dhanaji wife of Rameshji, 13. Dhuliben widow of Dhanaji, 14. Gabhaji Shakaraji, 15. Vishnubhai Shakaraji, 16. Madhuben Shakaraji wife of Ashaji, 17. Kokilaben Shakaraji wife of Dineshji, 18. Harkhaben Shakaraji wife of Bharatbhai, 19. Surajben widow of Shakaraji Shankarji, 20. Alpaben Shakaraji Thakor wife of Sanjaykumar, 21. Amitkumar Shakaraji Thakor and 22. Komalben Shakaraji Thakor wife of Ajaykumar sold, conveyed and transferred the said land of survey no.517/2/2 admeasuring 3113 sq. mts. of T.P.Scheme No.111 F.P.No.140 admeasuring 9834 sq. mts. paiki admeasuring 1868 sq. mts. of Sub Plot No.3 to Hardik Ashokbhai Patel by way of sale deed dated 18/06/2018 registered before the sub registrar office at Ahmedabad-12 (Nikol) under sr. no.1243. Ref. mutation entry no.12929 dated 28/06/2018. Said entry was certified by Mamlatdar Asarwa on 26/10/2018 as per RTS/Naroda/Vechan Nondh No.12929/Case No.42/2018.

Further 1. Nathiben widow of Mohanji Thakor, 2. Chehariben @ Kantaben Mohanji, 3. Baldevji Mohanji, 4. Kailashben @ Kaliben Mohanji, 5. Babubhai Mohanji, 6. Kanubhai Budhaji, 7. Kailasben Budhaji, 8. Gangaben widow of Budhaji Shakaraji, 9. Sendhaji Dhanaji, 10. Laxmiben Dhanaji wife of Jayantilal, 11. Kantaben Dhanaji wife of Fatesinh, 12. Kamuben Dhanaji wife of Rameshji, 13. Dhuliben widow of Dhanaji, 14. Gabhaji Shakaraji, 15. Vishnubhai Shakaraji, 16. Madhuben Shakaraji wife of Ashaji, 17. Kokilaben Shakaraji wife of Dineshji, 18. Harkhaben Shakaraji wife of Bharatbhai, 19. Surajben widow of Shakaraji Shankarji, 20. Alpaben Shakaraji Thakor wife of Sanjaykumar, 21. Amitkumar

[10]





ADVOCATES & NOTARY

Earth Associates

Shakaraji Thakor and 22. Komalben Shakaraji Thakor wife of Ajaykumar given and granted a POA to Hardik Ashokbhai Patel in respect to said land of survey no.517/2/2 admeasuring 3113 sq. mts. of T.P.Scheme No.111 F.P.No.140 admeasuring 9834 sq. mts. paiki admeasuring 1868 sq. mts. of Sub Plot No.3 to Hardik Ashokbhai Patel by way of power of attorney dated 23/05/2018 registered before the sub registrar office at Ahmedabad-12 (Nikol) under sr. no.1244.

27. Thereafter being aggrieved with the order dated 19/09/2007 certifying the mutation entry no.4631 Certified by Circle officer, Shaherkotada, Ahmedabad, Rameshchandra Becharji Thakor the legal heir of late Becharji Jaguji Thakor has filed an appeal before the Hon. City Dy. Collector (East) Ahmedabad with Case No.RTS/Appeal/Case No.18/2018 against the Dy. Mamlatdar and legal heir of land owner whereby the Hon. City Dy. Collector (East) Ahmedabad on 07/08/2018 passed an order and rejected the revision appeal of applicant as the said appeal is time barred and not maintainable on the ground of limitation and directed the Mamlatdar to rectify the assess of said land as per the non-agriculture land and recover the dues if any. Ref. mutation entry no.13079 dated 31/08/2018.

28. Thereafter being aggrieved with the order dated 29/01/2007 certifying the mutation entry no.4353, Rameshchandra Becharji Thakor the legal heir of late Becharji Jaguji Thakor has filed an appeal before the Hon. City Dy. Collector (East) Ahmedabad with Case No.RTS/Appeal/Case No.17/2018 against the Dy. Mamlatdar and legal heir of land owner whereby the Hon. City Dy. Collector (East) Ahmedabad on 07/08/2018 passed an order and rejected the revision appeal of applicant as the said appeal is time barred and





ADVOCATES & NOTARY

Earth Associates

not maintainable of the ground of limitation. Ref. mutation entry no.13080 dated 31/08/2018.

29. Thereafter being aggrieved, Rameshchandra Becharji Thakor the legal heir of late Becharji Jaguji Thakor has filed an appeal before the Hon. City Dy. Collector (East) Ahmedabad with Case No.RTS/Appeal/Case No.16/2018 against the Dy. Mamlatdar and legal heir of land owner whereby the Hon. City Dy. Collector (East) Ahmedabad on 07/08/2018 passed an order and rejected the revision appeal of applicant as the said appeal is time barred and not maintainable of the ground of limitation and directed the Mamlatdar to rectify the assess of said land as per the non-agriculture land and recover the dues if any. Ref. mutation entry no.13081 dated 31/08/2018.

30. Thereafter being aggrieved, Rameshchandra Becharji Thakor the legal heir of late Becharji Jaguji Thakor has filed an appeal before the Hon. City Dy. Collector (East) Ahmedabad with Case No.RTS/Appeal/Case No.14/2018 against the Dy. Mamlatdar and legal heir of land owner whereby the Hon. City Dy. Collector (East) Ahmedabad on 07/08/2018 passed an order and rejected the revision appeal of applicant as the said appeal is time barred and not maintainable of the ground of limitation. Ref. mutation entry no.13082 dated 31/08/2018.

31. Thereafter being aggrieved with the order dated 19/07/1970 certifying the mutation entry no.1002, Rameshchandra Becharji Thakor the legal heir of late Becharji Jaguji Thakor has filed an appeal before the Hon. City Dy. Collector (East) Ahmedabad with Case No.RTS/Appeal/Case No.13/2018 against the Dy. Mamlatdar and legal heir of land owner whereby the Hon. City Dy. Collector (East) Ahmedabad on 07/08/2018 passed an order and rejected the





ADVOCATES & NOTARY

Earth Associates

revision appeal of applicant as the said appeal is time barred and not maintainable of the ground of limitation. Ref. mutation entry no.13083 dated 31/08/2018.

32. Thereafter said land of Survey No. 517/2/2 admeasuring 3113 sq. mts. paiki admeasuring 1868 sq. mts. land had been granted Non-Agriculture use permission for multipurpose uses by Hon. District Collector, Ahmedabad on dated 12/10/2019 bearing no.1473/07/14/004/2019. Ref. mutation entry no.14004 dated 12/10/2019.
33. Thereafter City Dy. Collector, Ahmedabad in RTS/Appeal/Case No.295/18 passed an order dated 10/08/2020 states that the entire proceedings certifying mutation entry no.12929 stands cancelled as said entry was entered without verification of necessary record as per Land Revenue Rules. Further in respect to saledeed no.1243 dated 18/06/18 mutation entry no.12919 dated 26/06/2018 was entered in the revenue record of said land and said entry was certified by the circle officer nikol on 27/08/2018, thereafter further mutation for said sale transaction was made vide mutation entry no.12929 dated 28/06/2018 was entered in the revenue record of said land and said entry became disputed and thenafter decided by the Asarva Mamlatdar on 26/10/2018 and the proceedings certifying the mutation entry no.12929 was improper hence cancelled by the sad order. Ref. mutation entry no.14555 dated 21/08/2008.
34. That the owner of the said land had planned a Commercial Project over the said land namely "SANKALP ICON" comprising 1 building Block consisting of total 82 numbers of Shops or Offices from Ground Floor to Fifth Floor and Parking in First Celler on the said Land and prepared planned and details drawing for the same and applied before the AMC for construction of commercial building and plans for the same was approved by Ahmedabad Municipal





ADVOCATES & NOTARY

Earth Associates

Corporation and issued Commencement Certificate (Rajachitthi) on dated 29/07/2020, bearing No. 03491/230120/A3259/R0/M1.

35. Thereafter the owner of the said land Hardik Ashokbhai Patel sold, conveyed and transferred land admeasuring 1868 sq. mts. of Sub Plot no.3 forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and allotted Final Plot No.140 admeasuring about 9834 Sq. mts. to Shree Developers, a partnership firm by way of saledeed dated 23/10/2020 registered before the sub registrar office at Ahmedabad-12 (Nikol) regisered under sr.no.13774. Ref. mutation entry no.14712 dated 26/10/2020.

Pursued the partnership deed of said partnership firm and it is found that 1. Nikhil Bhanubhai Patel, 2. Nirav Bharatbhai Patel, 3. Chirag Jaysukhbhai Radadiya, 4. Bhavinkumar Vinubhai Nadiyadara, 5. Prafullbhai Dhanjibhai Dobariya, 6. Sanjaybhai Dhanjibhai Badreshiya, 7. Mitesh Mansukhbhai Mangroliya, 8. Ketankumar Jethabhai Pansheriya and 9. Vishalkumar Mansukhbhai Kotadiya are the partners of said M/s. Shree Developers and all the aforesaid partners are entered into a partnership deed dated 14/11/2019.

36. While conducting search of sub registry record it was found that;

- a. That Chanchalben Pratapbhai D/o. Bechardas @ Becharji Jugaji had executed a confirmation deed in respect to land admeasuring 1868 sq. mts. of Sub Plot no.3 forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and allotted Final Plot No.140 admeasuring about 9834 Sq. mts. in favour of Hardik Ashokbhai Patel by way of confirmation deed dated 09/08/2018 registered before the sub





ADVOCATES & NOTARY

Earth Associates

registrar office at Ahmedabad-13 (City) registered under sr. no.1904.

- b. That Chanchalben Pratapbhai D/o. Bechardas @ Becharji Jugaji had executed a power of attorney in respect to land admeasuring 1868 sq. mts. of Sub Plot no.3 forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and allotted Final Plot No.140 admeasuring about 9834 Sq. mts. in favour of Hardik Ashokbhai Patel by way of power of attorney dated 09/08/2018 registered before the sub registrar office at Ahmedabad-13 (City) registered under sr. no.1905.
- c. That Laxmiben Juhaji D/o. Bechardas @ Becharji Jugaji had executed a confirmation deed in respect to land admeasuring 1868 sq. mts. of Sub Plot no.3 forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and allotted Final Plot No.140 admeasuring about 9834 Sq. mts. in favour of Hardik Ashokbhai Patel by way of confirmation deed dated 09/08/2018 registered before the sub registrar office at Ahmedabad-13 (City) registered under sr. no.1907.
- d. That Laxmiben Juhaji D/o. Bechardas @ Becharji Jugaji had executed a power of attorney in respect to land admeasuring 1868 sq. mts. of Sub Plot no.3 forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and allotted Final Plot No.140 admeasuring about 9834 Sq. mts. in favour of Hardik Ashokbhai Patel by way of power of attorney dated 09/08/2018 registered before the sub registrar office at Ahmedabad-13 (City) registered under sr. no.1908.





ADVOCATES & NOTARY

Earth Associates

- e. That Bhanuben Khodaji D/o. Bechardas @ Becharji Jugaji's legal heir namely 1. Bhupendra Khodaji, 2. Ashvin Khodaji, 3. Late Bhartiben D/o. Bhanuben Khodaji wife of Chinubhai Thakor 's legal heir a) Anil Chinubhai by self and leagal guardian of Minor Darshan @ Dashrath Chinubhai and Minor Dhruvisha Chinubhai, B) Vaishali Chinubhai, c) Pujaben Chunubhai wife of Shaileshbhai Thakor have executed a confirmation deed in respect to land admeasuring 1868 sq. mts. of Sub Plot no.3 forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and allotted Final Plot No.140 admeasuring about 9834 Sq. mts. in favour of Hardik Ashokbhai Patel by way of confirmation deed dated 09/08/2018 registered before the sub registrar office at Ahmedabad-13 (City) registered under sr. no.1910.
- f. Similarly said Bhanuben Khodaji D/o. Bechardas @ Becharji Jugaji's legal heir namely 1. Bhupendra Khodaji, 2. Ashvin Khodaji, 3. Late Bhartiben D/o. Bhanuben Khodaji wife of Chinubhai Thakor 's legal heir a) Anil Chinubhai by self and leagal guardian of Minor Darshan @ Dashrath Chinubhai and Minor Dhruvisha Chinubhai, B) Vaishali Chinubhai, c) Pujaben Chunubhai wife of Shaileshbhai Thakor have given a power of attorney in respect to land admeasuring 1868 sq. mts. of Sub Plot no.3 forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and allotted Final Plot No.140 admeasuring about 9834 Sq. mts. in favour of Hardik Ashokbhai Patel by way of power of attorney dated 09/08/2018





ADVOCATES & NOTARY

Earth Associates

registered before the sub registrar office at Ahmedabad-13 (City) registered under sr. no.1911.

- g. That a notice of Lis pendens in respect to said land was found stating that the plaintiff- Chirag Rameshchandra Thakor -filed a civil suit in respect to land bearing Survey no.497 admeasuring 11837 sq. mts. and Survey No.517/2 and its part survey no.517/2/1 and 517/2/2 collectively admeasuring 13378 sq. mts. before the court of Hon. Sr. Civil Judge, Ahmedabad Rural bearing Regu. Civil Suit No.840/2010 for the particulars prayed in the suit and said lis pendens was registered before the Sub Registrar office at Ahmedabad-13 (City) on 28/08/2018 under sr. no.2051.

37. That for the issuance of the Title Report and Certificate in respect of said land a public notice inviting objections and claims from the public at large was issued in the daily newspaper "Gujarat Samachar" on 26th day of January' 2021 Ahmedabad, inviting claims, if any, in upon or to the property above referred to. In lieu of the said public notice I have received the following objection applications;

- a. An application dated 28/01/2021 seeking objection for issuance of Title clear Certificate is received by us sent through Advocate Dilip P. Prajapati under the instruction of his client Rameshchandra Becharbhai Thakor. It is stated in said objection application that said Rameshchandra Becharbhai Thakor having undivided heredity rights in and over said non-agriculture land for multipurpose uses bearing Sub Plot no.3 admeasuring 1868 sq. mts. land forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and





ADVOCATES & NOTARY

Earth Associates

allotted Final Plot No.140 admeasuring about 9834 Sq. mts. of Mouje-Nikol and he claimed that said land is of his ancestral land and for said land he had filed a Civil Suit before the Hon. Principal Senior Civil Judge, Ahmedabad Rural, Mirzapur Court bearing Regular Civil Suit no.501/2009. However said claimant has not submitted the copy of suit or any court order or any other document or any other evidence in support to his application.

Pursued said alleged claim of Rameshchandra Becharbhai Thakor in respect to said land, said claimant is claiming heredity right, title and interest on and over the said land however on verification of papers made available from you it is found that the aforesaid Plaintiff-Rameshchandra Bechardas Solanki preferred a RCS/501/2009 before the Hon. Senior Civil Judge, Ahmedabad Rural, Mirzapur Court bearing Regular Civil Suit no.501/2009 seeking declaration to receive the amount of 2.5 Vigha land forming part of said land of Survey no.497 admeasuring 11837 sq. mts. and Survey no.517/2/1 admeasuring 13378 sq. mts. or in case alternative remedy seeking permanent Injunction against the plaintiff-the original land owner whose name recorded in the 7/12 revenue record.

On perusing the record obtained from the Hon. Court it was found that the plaintiff of said suit has submitted withdraw pursis exh.34 before the court and declared to withdraw said suit unconditionally with respect to suit land bearing S.No.517/2/1, accordingly in said suit Hon. Civil Court on 08/07/2015 granted the aforesaid withdraw pursis and allowed the withdraw pursis with respect to suit land of S.No.517/2/1.

[18]





ADVOCATES & NOTARY

Earth Associates

However said claimant deliberately submitted the objection application but with it neither submitted any direct evidence nor any court order by which he can institute his claim or based on it issuance of title can be revoked.

- b. Similarly an application dated 28/01/2021 seeking objection for issuance of Title clear Certificate is received by us sent through Advocate Kirti P. Varia under the instruction of his client Chirag Rameshchandra Thakor. It is stated in said objection application that said Chirag Rameshchandra Thakor having undivided hereditory rights in and over said non-agriculture land for multipurpose uses bearing Sub Plot no.3 admeasuring 1868 sq. mts. land forming part of land bearing revenue Survey No.517/2/2 admeasuring 3113 sq. mts., included in Town Planning Scheme No. 111 of Nikol and allotted Final Plot No.140 admeasuring about 9834 Sq. mts. of Mouje-Nikol and he claimed that said land is of his ancestral land and for said land he had filed a Civil Suit before the Hon. Principal Senior Civil Judge, Ahmedabad Rural, Mirzapur Court bearing Special Civil Suit no.840/2010. However said claimant has not submitted the copy of suit or any court order or any other document or any other evidence in support to his application.

Pursued said alleged claim of Chirag Rameshchandra Thakor in respect to said land, said claimant is claiming hereditory right, title and interest on and over the said land however on verification of papers made available from you it is found that the aforesaid Plaintiff- Chirag Rameshchandra Thakor by self and as a power of attorney of Bhanuben Khodaji Thakor, Chanchalben Pratapji Thakor, Laxmiben Juhaji Thakor and





ADVOCATES & NOTARY

Earth Associates

Dahiben Shivaji Thakor preferred a SPCS/840/2010 before the Hon. Senior Civil Judge, Ahmedabad Rural, Mirzapur Court bearing Special Civil Suit no.840/2010 seeking ½ partition with respect to land of Survey no.497 admeasuring 11837 sq. mts. and Survey No.517/2 and its part Survey no.517/2/1 and 517/2/2 paiki admeasuring 13378 sq. mts. on the name of Becharji Jugaji the forefather of plaintiff and from the balance land ½ share to declare ½ share of Hiraben Jugaji the mother of plaintiff no.1 Chirag Rameshchandra Thakor. Further plaintiff has asked for cancellation of saledeed dated 06/07/2007 bearing sr.no.5712 and asked to declare said saledeed illegal, non-effective and voidable or in case alternative remedy seeking permanent Injunction against the plaintiff- the original land owner whose name recorded in the 7/12 revenue record.

On perusing the record obtained from the Hon. Court it was found that present suit is pending before the Hon Court, however Plaintiff no.2 though her legal heir and Plaintiff no.3 and 4 of said suit has executed confirmation deed dated 09/08/2018 bearing no.1910, 1904, 1907. Further the plaintiff has prayed partition from the land of Survey No.517/2 and its part Survey no.517/2/1 and 517/2/2 paiki admeasuring 13378 sq. mts. only they haven't prayed for the balance land of Survey no.517/2/2 admeasuring 3113 sq. mts.. However said claimant deliberately submitted the objection application but neither submitted any direct evidence nor any court order by which he can institute his claim or based on it issuance of title can be revoked.





ADVOCATES & NOTARY

Earth Associates

38. Said report is reference of Revenue and Sub Registry records relevant for the purpose to study the devolution of title and to determine any charge or encumbrances, and does not contain whole revenue or Sub registry records.
39. As reported by my search Clerk, who has taken the search of Sub Registry records, it is found that some of the records is not maintained properly or damaged or found in torn condition in the office of Sub Registrar. Hence search may lack some particulars.
40. I am informed by you that the said land was not given in security, nor you have created any charge or encumbrance of any nature whatsoever thereon, nor the said land is subject matter of any pending proceedings, nor any order, Decree or attachment or any order of any court or competent authority is in commission against the said property adversely affecting the title, nor any portion thereof is under acquisition or requisition under any law in force, nor the said land has been declared to be unfit for human habitation and there are no other facts or particulars which can adversely affect the title.

Accordingly, I hereby opine that the said land as on date solely belongs to M/s. Shree Developers and its partner and from the search of the record concerned, it appears that there is no charge or encumbrances over the said land. That said M/s. Shree Developers and its partners are the land owner of the said land; except them no any other person having any right, title or interest over the said land. That the said non-agriculture land is clear, marketable and free from any charge or encumbrances and free from reasonable doubts till this date subject to:-

- a) Usual Declaration cum Indemnity on Title being made.

[21]





ADVOCATES & NOTARY

Earth Associates

- b) To follow the laws applicable and in force, at the relevant time, to effect legally or properly sale, transfer or other transaction in connection of said lands.
- c) Result of pending SPCS/840/2010.



DATED THIS 26th day of February' 2021 at Ahmedabad.

S. D. Mishra
Advocate & Notary

Name :-

S. D. MISHRA
ADVOCATE & NOTARY
214, Silver Square, Nr. Dipak School,
Gangotri Circle Road, Nikol, Ahmedabad.

Reg. No. :- G/1135/2003

Bar Council of Gujarat