

Yogesh I. Rana

ADVOCATE
(Gujarat High Court)

Cell : 98795 57892

Date :

TITLE CLEARANCE CERTIFICATE

To,

Nyalkaran Pioneer a Partnership Firm,
Vadodara.

SUB: TITLE CLEARANCE CERTIFICATE regarding the land bearing
Registration District Sub district Vadodara being at Moje Village
Bhayali bearing Block / Survey No. 249 (Old Survey No. 302/1)
admeasuring 0-40-47 sq. mtrs., Non Agricultural land.

And

Registration District Sub district Vadodara being at Moje Village
Bhayali bearing Block / Survey No. 253 (Old Survey No. 303/1)
admeasuring 0-40-96 sq. mtrs., Non Agricultural land.

On request and as desired to issue a *Title Clearance Certificate and non -
encumbrances Certificate* in respect of the land bearing Registration
District Sub district Vadodara being at Moje Village Bhayali bearing
Block / Survey No. 249 (Old Survey No. 302/1) admeasuring 0-40-47 sq.
mtrs., Non Agricultural land.

And

Registration District Sub district Vadodara being at Moje Village Bhayali
bearing Block / Survey No. 253 (Old Survey No. 303/1) admeasuring 0-
40-96 sq. mtrs., Non Agricultural land., hence I, *Yogesh I. Rana,*
Advocate, do hereby give my opinion as to the details of which are as
under:



1. I have been supplied with the following documents regarding land
bearing Registration District Sub district Vadodara being at Moje Village
Bhayali bearing Block / Survey No. 249 (Old Survey No. 302/1)
admeasuring 0-40-47 sq. mtrs., Non Agricultural land.

And

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Registration District Sub district Vadodara being at Moje Village Bhayali bearing Block / Survey No. 253 (Old Survey No. 303/1) admeasuring 0-40-96 sq. mtrs., Non Agricultural land., and I have gone through the same :

- a. A copy of the 7/12 extract of the Revenue Survey no. 302 paiki 1, of Moje Bhayali Ta. Dist. Vadodara from the year 1951 – 52 to 1960 – 61 of the said land.
- b. A copy of the 7/12 extract of the Revenue Survey no. 302 paiki 1, of Moje Bhayali Ta. Dist. Vadodara from the year 1961 – 62 to 1969 – 70 of the said land.
- c. A copy of the 7/12 extract of the Revenue Survey no. 302 paiki 1, of Moje Bhayali Ta. Dist. Vadodara from the year 1971 – 72 to 1981 – 82 of the said land.
- d. A copy of the 7/12 extract of the Block / Survey No. 249 (Old Survey No. 302/1), of Moje Bhayali Ta. Dist. Vadodara from the year 1982 – 83 to 1987 – 88 of the said land.
- e. A copy of the 7/12 extract of the Block / Survey No. 249 (Old Survey No. 302/1), of Moje Bhayali Ta. Dist. Vadodara from the year 1988 – 89 to 1994 – 95 of the said land.
- f. A copy of the 7/12 extract of the Block / Survey No. 249 (Old Survey No. 302/1), of Moje Bhayali Ta. Dist. Vadodara from the year 1996 – 97 to 2002 – 03 of the said land.
- g. A copy of the 12 extract of the Block / Survey No. 249 (Old Survey No. 302/1), of Moje Bhayali Ta. Dist. Vadodara from the year 2004 – 05 to 2006 – 07 of the said land.
- h. A copy of the 12 extract of the Block / Survey No. 249 (Old Survey No. 302/1), of Moje Bhayali Ta. Dist. Vadodara from the year 2012 – 13 to 2014 – 15 of the said land.



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- i. A copy of the 12 extract of the Block / Survey No. 249 (Old Survey No. 302/1), of Moje Bhayali Ta. Dist. Vadodara from the year 2016 – 17 to 2018 – 19 of the said land.
- j. A copy of the 12 extract of the Block / Survey No. 249 (Old Survey No. 302/1), of Moje Bhayali Ta. Dist. Vadodara from the year 2020 – 21 to 2022 – 23 of the said land.
- k. A copy of the Village form no. 6 of Moje Bhayali Ta. Dist. Vadodara.
- l. A copy of Hiss Form No. 4 of Block / Survey No. 249.
- m. A copy of Zone Certificate issued by Vadodara Urban Development Authority in the name of Vipulbhai Patel vide No. UDA / Zone Certi. / 60812 / 2017 on dtd. 04/04/2017.
- n. A copy of the N. A. Order passed by the Collector Vadodara vide his order no. N.A. / S.R / 632 / 2017 – 18, and Jamin - D / Kalam – 65 / VASHI / 4803 to 11/18 dtd. 10/08/2018.

And

- o. A copy of the 7/12 extract of the Revenue Survey no. 303 paiki 1, of Moje Bhayali Ta. Dist. Vadodara from the year 1951 – 52 to 1960 – 61 of the said land.
- p. A copy of the 7/12 extract of the Revenue Survey no. 303 paiki 1, of Moje Bhayali Ta. Dist. Vadodara from the year 1961 – 62 to 1969 – 70 of the said land.
- q. A copy of the 7/12 extract of the Revenue Survey no. 303 paiki 1, of Moje Bhayali Ta. Dist. Vadodara from the year 1971 – 72 to 1981 – 82 of the said land.



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- r. A copy of the 7/12 extract of the Block / Survey No. 253 (Old Survey No. 303/1), of Moje Bhayali Ta. Dist. Vadodara from the year 1982 – 83 to 1987 – 88 of the said land.
- s. A copy of the 7/12 extract of the Block / Survey No. 253 (Old Survey No. 303/1), of Moje Bhayali Ta. Dist. Vadodara from the year 1988 – 89 to 1994 – 95 of the said land.
- t. A copy of the 7/12 extract of the Block / Survey No. 253 (Old Survey No. 303/1), of Moje Bhayali Ta. Dist. Vadodara from the year 1996 – 97 to 2002 – 03 of the said land.
- u. A copy of the 12 extract of the Block / Survey No. 253 (Old Survey No. 303/1), of Moje Bhayali Ta. Dist. Vadodara from the year 2004 – 05 to 2006 – 07 of the said land.
- v. A copy of the 12 extract of the Block / Survey No. 253 (Old Survey No. 303/1), of Moje Bhayali Ta. Dist. Vadodara from the year 2012 – 13 to 2014 – 15 of the said land.
- w. A copy of the 12 extract of the Block / Survey No. 253 (Old Survey No. 303/1), of Moje Bhayali Ta. Dist. Vadodara from the year 2016 – 17 to 2018 – 19 of the said land.
- x. A copy of the 12 extract of the Block / Survey No. 253 (Old Survey No. 303/1), of Moje Bhayali Ta. Dist. Vadodara from the year 2020 – 21 to 2022 – 23 of the said land.
- y. A copy of the Village form no. 6 of Moje Bhayali Ta. Dist. Vadodara.
- z. A copy of Registered Sale Deed executed by Jethabhai Haribhai Patel in favor of Smt. Ramaben Bhodabhai Patel for the Block / Survey No. 253 (Old Survey No. 303/1) admeasuring 0-40-96 sq. mtrs. and the same was registered in the office of Sub Registry, Vadodara



aa. A copy of Plan issued by Vadodara Urban Development Authority vide No. UDA / Plan / M. D. P. V. Yo / 204084 / 2018 dtd. 25/06/2018.

bb. A copy of Zone Certificate issued by Vadodara Urban Development Authority in the name of Bhavin Trivedi vide No. UDA / Zone Certi. / 70609 / 2018 on dtd. 25/06/2018.

cc. A copy of the N. A. Order passed by the Collector Vadodara vide his order no. N.A. / S.R / 632 / 2017 – 18, and Jamin - D / Kalam – 65 / VASHI / 4803 to 11/18 dtd. 10/08/2018.

dd. A copy of Title Clearance Certificate issued by Advocate Mukesh B. Shah for the said land on dtd. 25/07/2019.

ee. A copy of Partnership Deed executed between Nyalkaran Pioneer a Partnership Firm through Parther 1. Chirinbhai Ramesh Golaviya 2. Gokulbhai Pravinbhai Golaviya 3. Ravi Rameshbhai Kachadia 4. Sagarbhai Bhodabhai Ramani for Block / Survey No. 249 admeasuring 4047 sq. mtrs. and Block / Survey No. 253 admeasuring 4096 sq. mtrs total admeasuring 8143 sq. mtrs and the same was notarized before the notary B.R.Patel at Vadodara vide Registration No 4919 and Notary Registration No. 25 dtd. 15/07/2022.



ff. A copy of Raja Chitthi issued by Vadodara Mahanagar palika in the name of Anil Bhodabhai Patel vide No. Ward / 10 / HB / 50 / 2022 – 2023 dtd. 16/09/2022.

gg. A copy of Development Agreement executed by 1. Akshaybhai Arvindbhai Rabari 2. Patel Bhodabhai Ramjibhai (H.U.F.) 3. Ramaben Bhodabhai Patel and 4. Anilbhai Bhodabhai Patel in favour of Nyalkaran Pioneer a Partnership Firm through

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Parther 1. Chirinbhai Ramesh Golaviya 2. Gokulbhai Pravinbhai Golaviya 3. Ravi Rameshbhai Kachadia 4. Sagarbhai Bhodabhai Ramani for Block / Survey No. 249 admeasuring 4047 sq. mtrs. and Block / Survey No. 253 admeasuring 4096 sq. mtrs total admeasuring 8143 sq. mtrs and the same was registered in the office of Sub Registry, Vadodara vide Registration No. 18415 dtd. 21/09/2022.

hh. A copy of Power of Attorney executed by 1. Akshaybhai Arvindbhai Rabari 2. Patel Bhodabhai Ramjibhai (H.U.F.) 3. Ramaben Bhodabhai Patel and 4. Anilbhai Bhodabhai Patel in favour of Nyalkaran Pioneer a Partnership Firm through Parther 1. Chirinbhai Ramesh Golaviya 2. Gokulbhai Pravinbhai Golaviya 3. Ravi Rameshbhai Kachadia 4. Sagarbhai Bhodabhai Ramani for Block / Survey No. 249 admeasuring 4047 sq. mtrs. and Block / Survey No. 253 admeasuring 4096 sq. mtrs total admeasuring 8143 sq. mtrs and the same was registered in the office of Sub Registry, Vadodara vide Registration No. 18418 dtd. 21/09/2022.

2. Considering the above referred documents and after verifying the revenue records that its transpires as under :

Non-Agricultural Land bearing Old Revenue Survey No. 302/ 1, Block No. 249 admeasuring 4047 sq. Mtrs.

Old Revenue Survey No. 302/3 was originally owned by Becharbhai Kalidas Virtue of Partition vide Mutation Entry No. 760.



The abovementioned land bearing Old Revenue Survey No. 302/1 was originally owned by Shankarbhai Dharnabhai and he sold the said land in favour of Shantilal Motibhai vide Sale Deed dated 07.04.1953 for an amount of Rs. 6499. Name or the purchaser was inserted in the Revenue Records vide Mutation Entry NO. 246.

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Becharbhai Kalidasbhai Land owner of Old Revenue Survey No. 302/3, expired on 22.10.54 and upon his death names of his legal heirs 1) Shamalbhai Becharbhai, 2) Lakshmidas Becharbhai, and 3) Maganbhai Becharbhai through their Administrator Lakshmidas Becharbhai were mutated in the revenue records. Effect giving the said entry is Mutation Entry No. 1591 dated 28.05.1955.

The above mentioned Sale of Old Revenue Survey No. 302/1 was against Section 63-64 of Tenancy Act and thus fine under Section 84/1 was levied and upon payment of the said fine, mutation Entry No. 1246 was regularized. Effect or the said order for certifying the mutation Entry no. 1246 was Mutated vide Mutation Entry No. 2725 dated 18.11.1959.

Lakshmidas Becharbhai, one of the Land owners of Old Revenue Survey no. 302/3 had expired on 16.12.1969 and upon his death the said land was transferred in the name of his Widow Maniben in accordance to the Affidavits given by the heirs. Name of Maniben was inserted vide Mutation Entry No. 5314 dated 25.06.1971.

Land owner of Old Revenue Survey No. 302/1, Shantibhai Motibhai expired and upon his death names of his legal heirs 1) Chandrakant Shantilal, 2) Rameshbhai Shantilala and 3) Bhupendrabhai Shantilal was inserted in the Revenue Records vide Mutation Entry No. 5467 dated 28.04.1973.



Shyamaldas Becharbhai, one of the Land owners of Old Revenue Survey no. 302/3 had expired on 13.09.1972 and upon his death the said land was transferred in the name of his Widow Shyamaldas. Name of Hemaben was inserted vide Mutation Entry No. 6023 dated 19.11.1979.

Old Revenue Survey No. 302/ 1 and 302/3 both admeasuring 4150 Sq. Mtrs. and 4150 Sq. Mtrs respectively. By the typographical error made by the Talati, Old Revenue Survey no. 302/1 was allotted block no. 249

instead of Block No. 251 and vice versa. Names of Land owners was also interchanged. The said mistake was prolonged and all the permission have been granted considering the said aspect and the Additional Collector Vadodara Rural has also issued a Letter to that effect to Collector, Vadodara on 21.01.2018 bearing No. Jamin/Vashi/208/ 18 and has opined that there is No Objection in issued the Permission for Non-Agriculture use. Thus, Block No. 249, was retained as old Revenue Survey no. 302/1 which was owned by heirs of Becharbhai Kalidasbhai.

Maganbhai Becharbhai, one of the Land owners of Old Revenue Survey no. 302/1, Block No. 249 had expired on 24.10.1993 and upon his death the said land transferred in the name of his legal heirs 1) Rashmikant, 2) Dipakben, 3) Truptiben, 4) Tarulataben and 5) Maniben. Name of Joint owners were inserted Mutation Entry No. 9309 dated 18.07.1995.

Joint owners of Old Revenue Survey No. 302/1, Block No. 249 Truptiben, Tarlataben and Dipakben had waived off their right in favour of the remaining land owners vide Mutation Entry no. 9310 dated 18.07.1995.

Hemaben Shyamaldas had expired on 06.01.1997, and upon her death names of her legal heirs 1) Kantiben, 2) Naginbhai, 3) Rajnikantbhai, 4) Sumtiben, 3) Virbala, 6) Pratibhaben, 7) Vinubhai, 8) Dinubhai, and 9) Madhubhai were inserted in the Revenue Records vide mutation Entry No. 9896 dated 14.03.2001.



In the Instance of Family Partition in Old Revenue Survey No. 302/1, Block No. 249, Virbala, Sumtiben and Pratibhaben had waived of their rights in favour of the remaining Joint owners vide Mutation Entry no. 9916 dated 17.03.2001.

Maniben Maganbhai one of the Joint owners expired on 29.12.1996, and thus her name was deleted from the Revenue Records vide mutation Entry No. 10350 dated 15.06.2005.

Thus, the said land was jointly owned by 1) Maniben Lakshmidas Widow of lakshmidas Becharbhai, 2) Rashmikant Maganbhai, 3) Kantiben Shyamaldas, 4) Naginbhai Shyamaldas, 5) Rajnikantbhai Shyamaldas, 6) Vinubhai Shyamaldas, 7) Dinubhai Shyamaldas, and 8) Madhubhai Shyamaldas had sold and conveyed the said land in favour of 1) Akshay Arvindbhai Kothari, 2) Bholabhai Ramjibhai Patel (HUF) through its Karta Anil Bholabhai Patel and 3) Anil Bholabhai Patel through Registered Sale Deed dated 12/08/2005 registered at serial No. 6140 of 22.08.2005. The said land bearing Old Revenue Survey No. 302/1, Block No. 249 was transferred in the name of its purchasers vide Mutation Entry No. 10403 dated 18.10.2005.

Collector, Vadodara has permitted Non Agriculture use of the part of the said land adm. 2024 Sq. Mtrs for Residential Purpose and remaining land adm. 2023 sq. Mtrs. for Commercial purpose vide order bearing Ref No. N.A. /S.R. / 632/2017-18 dated 10.08.2018. Effect of the said order was given in the Revenue Records vide Mutation Entry No. 16206 dated 01.09.2018.

Non-Agricultural Land bearing Old Revenue Survey No. 303/1, Block No. 253 adm. 4096 Sq. Mtrs.

The Land was originally owned by Ravjibhai Purshottambhai and he sold the said land conditionally in favour of Manibhai Khodabhai and Mohanbhai Khodabhai for an amount of Rs. 6500/- vide Mutation Entry No. 802.



Name of Ravjibhai Purshottambhai was inserted in the Revenue Records as Protected Tenant vide Mutation Entry No. 1513/7.

Upon payment of the due amount, the conditional Sale in favour of Mohanbhai Khodabhai and Manibhai Khodabhai was reversed in favour of the Original land owner and name of the original land owner Ravjibhai Purshottambhai was again inserted vide Mutation Entry No. 1548.

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Protected Tenant, Ravjibhai Purshottambhai was deleted vide order passed in Tenancy Case No. 346/55. The said effect was given in the Revenue Records vide Mutation Entry No. 1742 dated 20.02.1956.

The above mentioned land was mutated in the name of 1) Mohanbhai Khodabhai and 2) Manibhai Khodabhai upon fulfilling the condition of Reverse Sale. Effect of the said reverse Sale was given vide Mutation Entry No. 2923 dated 02.05.1960.

Land owners 1) Mohanbhai Khodabhai and 2) Manibhai Khodabhai further Sold and conveyed the said land in favour of Manibhai Chuthabhai through registered Sale Deed dated 24.05.1961. Name of the purchaser was mutated in the Revenue Records vide Mutation Entry No. 4066 dated 02.10.1962.

Manibhai Chuthabhai further Sold and conveyed the said land in favour of Jethabhai Haribhai vide Registered Sale Deed dated 08.03.1963. The said Land was transferred in the name of the purchaser Jethabhai Haribhai vide Mutation Entry No. 4160 dated 28.05.1963.

Jethabhai Haribhai further Sold and conveyed the said land in favour of Ramaben Bholabhai Patel vide Registered Sale Deed dated 30.10.1999 and the land was transferred in the name of the purchaser vide Mutation Entry No. 9740 dated 06.11.1999.



Collector, Vadodara has permitted Non Agriculture use of the said land for Residential Purpose vide order bearing Ref No. N.A. / S.R. / 1280 /2016 - 17 dated 28/04/2017. Effect of the said order was given in the Revenue Records vide Mutation Entry No. 15455 dated 24.05.2017.

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Thereafter, Raja Chitthi issued by Vadodara Mahanagar palika in the name of Anil Bhodabhai Patel vide No. Ward / 10 / HB / 50 / 2022 – 2023 dtd. 16/09/2022.

Note :

- Development Agreement executed by 1. Akshaybhai Arvindbhai Rabari 2. Patel Bhodabhai Ramjibhai (H.U.F.) 3. Ramaben Bhodabhai Patel and 4. Anilbhai Bhodabhai Patel in favour of Nyalkaran Pioneer a Partnership Firm through Parther 1. Chirinbhai Ramesh Golaviya 2. Gokulbhai Pravinbhai Golaviya 3. Ravi Rameshbhai Kachadia 4. Sagarbhai Bhodabhai Ramani for Block / Survey No. 249 admeasuring 4047 sq. mtrs. and Block / Survey No. 253 admeasuring 4096 sq. mtrs total admeasuring 8143 sq. mtrs and the same was registered in the office of Sub Registry, Vadodara vide Registration No. 18415 dtd. 21/09/2022.
- Power of Attorney executed by 1. Akshaybhai Arvindbhai Rabari 2. Patel Bhodabhai Ramjibhai (H.U.F.) 3. Ramaben Bhodabhai Patel and 4. Anilbhai Bhodabhai Patel in favour of Nyalkaran Pioneer a Partnership Firm through Parther 1. Chirinbhai Ramesh Golaviya 2. Gokulbhai Pravinbhai Golaviya 3. Ravi Rameshbhai Kachadia 4. Sagarbhai Bhodabhai Ramani for Block / Survey No. 249 admeasuring 4047 sq. mtrs. and Block / Survey No. 253 admeasuring 4096 sq. mtrs total admeasuring 8143 sq. mtrs and the same was registered in the office of Sub Registry, Vadodara vide Registration No. 18418 dtd. 21/09/2022.
- 3. I have also issued a public notice dated. 25/05/2022 in Gujarat Samachar and Sandesh Daily News Paper and no objection has been received by me for issuing a Title Clearance Certificate of the land bearing Registration District Sub district Vadodara being at Moje Village Bhayali bearing Block



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/ Survey No. 249 (Old Survey No. 302/1) admeasuring 0-40-47 sq. mtrs.,
Non Agricultural land.

And

Registration District Sub district Vadodara being at Moje Village Bhayali
bearing Block / Survey No. 253 (Old Survey No. 303/1) admeasuring 0-40-
96 sq. mtrs., Non Agricultural land.

4. Thus, looking to the above referred documents after getting detailed
searches in the office of sub registry, Vadodara and after verifying the
revenue records, I am of the opinion that the land bearing Registration
District Sub district Vadodara being at Moje Village Bhayali bearing Block
/ Survey No. 249 (Old Survey No. 302/1) admeasuring 0-40-47 sq. mtrs.,
Non Agricultural land. vide Receipt No. 202201400014277,
202201600019871, 202231800002328 dtd. 26/05/2022.

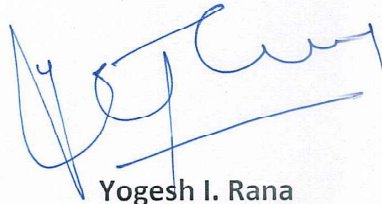
And

Registration District Sub district Vadodara being at Moje Village Bhayali
bearing Block / Survey No. 253 (Old Survey No. 303/1) admeasuring 0-40-
96 sq. mtrs., Non Agricultural land., vide Receipt No. 202201400014273,
202201600019861, 202231800002327 dtd. 26/05/2022 is clear,
marketable and free from the reasonable doubts and also free from all
encumbrances.

Date: 22/09/2022

Vadodara.




Yogesh I. Rana

Advocate

Enrollment No. G / 2277 / 2005