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KN&G/URG/F-1868/SUG/3875/2019

February 4, 2019

To,

M/s. Trinity Plaza
LG-1, Shefali Center,
Nr. Paldi Cross Road,
Paldi,
Ahmedabad-380 007

Kind attn.: **Mr. Hemen Hirenkumar Joshi**

Dear Sir,

REPORT ON TITLE

Sub: Non-agricultural land bearing City Survey no. 5753 admeasuring 1,015 sq. mtrs. comprised in the Town Planning Scheme no. 14 (Shahibaug) of Ahmedabad by Final Plot no. 189 paiki (Old Survey no. 75/2/1/2) situate at Mouje: Dariyapur-Kazipur, Taluka: Asarva and District: Ahmedabad.

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We have to refer to your instructions to investigate your title to the aforesaid non-agricultural land bearing City Survey no. 5753 admeasuring 1,015 sq. mtrs. comprised in the Town Planning Scheme no. 14 (Shahibaug) of Ahmedabad by Final Plot no. 189 paiki (Old Survey no. 75/2/1/2) (hereinafter referred to as the "**said land**") and give our Report on Title thereof, more particularly described in the **SCHEDULE** hereunder written.

We have caused searches to be taken of available revenue record and record of the Sub-Registrar of Assurances for more than 30 years.

We may state that, our Report on Title is based upon the available searches obtained from the revenue record and record of the Sub-Registrar of Assurances and copies of documents furnished to us and answers to the Requisitions on Title administered by us.

BRIEF FACTS AND HISTORY:

1. We find that earlier, the land bearing Survey no. 75/2/1 admeasuring 3,250 sq. yards of Mouje: Dariyapur-Kazipur, Taluka: Asarva, District: Ahmedabad belonged to one Gautambhai Jeevanbhai.



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[Signature]
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2. We find that, by a Deed of Partition dated 16.11.1959 registered by the Sub-Registrar of Assurances under Serial no. 6907, said Gautambhai Jeevanbhai effected a family partition of the land bearing Survey no.75/2/1 of Mouje: Dariyapur-Kazipur, whereby the land admeasuring 1,625 sq. yards on southern side came to the share of Padmaben Jeevanbhai and remaining portion of the land admeasuring 1,625 sq. yards on northern side remained with said Gautambhai Jeevanbhai.
3. We further find that, by a Deed of Conveyance dated 26.04.1960 registered by the Sub-Registrar of Assurances under Serial no. 3394, said Gautambhai Jeevanbhai sold and conveyed the land bearing Survey no. 75/2/1 paiki admeasuring 1,625 sq. yards of Mouje: Dariyapur-Kazipur to one Kikabhai Bhagubhai.
4. We further find that, by a Deed of Conveyance dated 26.04.1960 registered by Sub-Registrar of Assurances under Serial no. 3393, said Padmaben Jeevanbhai sold and conveyed the said land bearing Survey no.75/2/1 paiki admeasuring 1,625 sq. yards of Mouje: Dariyapur-Kazipur to said Kikabhai Bhagubhai.

Thus, said Kikabhai Bhagubhai became entitled to whole of the land bearing Survey no.75/2/1 of Mouje: Dariyapur-Kazipur admeasuring 3,250 sq. yards.

5. We find that thereafter, by a partition effected amongst brothers on 26.04.1960, the land bearing Survey no. 75/2/1 paiki admeasuring 2,060 sq. yards including 64.50 area of road came to share of Kikabhai Bhagubhai and land bearing Survey no. 75/2/1 paiki admeasuring 1,190 sq. yards came to share of Bakubhai Bhagubhai, in respect whereof a mutation entry no. 3411 was made on 23.02.1962 in revenue record.
6. It appears that, the land which came to share of Kikabhai Bhagubhai was given Survey no. 75/2/1/1 in revenue record and land which came to share of Bakubhai Bhagubhai was given Survey no. 75/2/1/2 in revenue record. We may state that, we are concerned with the land which came to share of Bakubhai Bhagubhai.

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7. It appears that, the Collector, Ahmedabad vide his order bearing no. LND/553 dated 07.08.1954 granted permission for non-agriculture use of the said land bearing Survey no. 75/2/1 of Mouje Dariyapur-Kazipur.
8. We find that, the Ahmedabad Municipal Corporation issued a commencement certificate / development permission on 24.07.1962 for construction of a bungalow on the said land bearing Survey no. 75/2/1 of Mouje: Dariyapur-Kazipur. We find that, a bungalow admeasuring 389.56 sq. mtrs. was then constructed on the said land.
9. We find that thereafter, upon demise of Kikabhai Bhagubhai on 07.01.1973 and in pursuance of his last Will and Testament made on 22.12.1972, land bearing Survey no. 75/2/1/1 came to belong to Bakubhai Bhagubhai. A mutation entry no. 8323 was made on 12.02.1975 in revenue record in that respect. We, however, are not concerned with the said land bearing Survey no.75/2/1/1 of Mouje: Dariyapur-Kazipur for the purpose of investigation of title.
10. We find that thereafter, proceedings under Section 8(4) commenced under the Urban Land (Ceiling and Regulation) Act, 1976 in respect of properties of owner including said land bearing Survey no. 75/2/1 of Mouje Dariyapur-Kazipur. We find that by an Order of Additional Collector (ULC) bearing no. ULC/U7/Remand/DK/211, dated 21.05.1990, said land bearing Survey no. 75/2/1 paiki was not considered as vacant urban land and proceedings were then closed with respect to the said land. A mutation entry no. 17408 was made on 17.11.1997 in revenue record in that respect.
11. We find that thereafter, said land bearing Survey no. 75/2/1 of Mouje Dariyapur-Kazipur was comprised in the Town Planning Scheme no. 14 by Final Plot no. 189 admeasuring 3,274 sq. yards.
12. We find that, said land of Survey no. 75/2/1/2 which was comprised in Town Planning Scheme no. 14 by Final Plot no. 189 paiki was included in the city survey limits and therefore, the revenue record were transferred to city survey record and said land was given City Survey no. 5753 admeasuring 1,015 sq. mtrs.

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13. We find that thereafter, upon demise of said Bakubhai Bhagubhai on 11.02.1996, names of his heirs viz. (1) Vidyutbala Wd./o Bakubhai Shah, (2) Usmin Bakubhai Shah and (3) Kalpna Bakubhai Shah were mutated in revenue record. A mutation entry no. 16056 was made on 11.07.1996 in revenue record in that respect.
14. We however, find that, by a last Will and Testament of said Bakubhai Bhagubhai made and published on 30.06.1994, whereby said land bearing Survey no. 75/2/1/2 admeasuring 1,190 sq. yards equivalent to 995 sq. mtrs. of Mouje: Dariyapur-Kazipur, Taluka Asarva, District Ahmedabad comprised in the Town Planning Scheme no. 14 (Shahibaug) of Ahmedabad by Final Plot no. 189 paiki was bequeathed to his son Usminbhai Bakubhai, subject to life estate of his widow Vidyutbalaben.
15. We find that, upon demise of Usminbhai Bakubhai on 07.12.2014, names of his heirs viz. (1) Shobhna Wd./o Usmin Shah, (2) Khyati D/o Usmin Shah and (3) Laxita D/o Usmin Shah were entered in City Survey Record on 23.04.2015 by entry no. 6326.
16. We find that thereafter, by Deed of Release dated 15.09.2015 registered by the Sub-Registrar of Assurances under Serial no. 13157, said Khyati D/o Usmin Shah and Laxita D/o Usmin Shah released their rights over the said land of City Survey no. 5753 of Mouje Dariyapur-Kazipur in favour of Shobhna Wd./o Usmin Shah and a mutation entry no. 6848 was made in city survey record on 09.10.2015, in that respect.
17. We find that thereafter, said Vidyutbala Wd./o Bakubhai Shah on 10.06.2013, her name was deleted from city survey record and that her life estate in the said land was also cancelled and a mutation entry no. 6849 was made in city survey record on 09.10.2015, in that respect.

Thus, said Shobhnaben Usminbhai Shah became entitled to said property situate at Mouje: Dariyapur-Kazipur, Taluka: Asarva and District: Ahmedabad being non-agricultural land bearing City Survey no. 5753 admeasuring 1,015 sq. mtrs. comprised in the Town Planning Scheme no. 14 (Shahibaug) of Ahmedabad by Final Plot no. 189 paiki (Old Survey no.



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- 75/2/1/2) TOGETHER WITH construction of a Bungalow thereon admeasuring 389.56 sq. mtrs.
18. We find that, by a Deed of Conveyance dated 24/09/2018 registered by the Sub-registrar of Assurances on 25/09/2018 under serial no. 17918, said Shobhnaben Usminbhai Shah sold and conveyed the said non-agricultural land bearing City Survey no. 5753 admeasuring 1,015 sq. mtrs. comprised in the Town Planning Scheme no. 14 (Shahibaug) of Ahmedabad by Final Plot no. 189 paiki (Old Survey no. 75/2/1/2) TOGETHER WITH construction of a Bungalow thereon admeasuring 389.56 sq. mtrs. to M/s. Trinity Plaza, a partnership firm.
19. We find from the searches of Sub-registrar of Assurances that, by a Deed of Mortgage dated 25/09/2018 registered by the Sub-registrar of Assurances on the same day under serial no. 17921, said M/s. Trinity Plaza, a partnership firm has mortgaged the said property being City Survey no. 5753 admeasuring 1,015 sq. mtrs. comprised in the Town Planning Scheme no. 14 (Shahibaug) of Ahmedabad by Final Plot no. 189 paiki (Old Survey no. 75/2/1/2) together with construction of a Bungalow thereon admeasuring 389.56 sq. mtrs. to Shriram City Union Finance Limited, a non-banking financial institution duly registered under the Companies Act, 1956 and created a charge over the said land and property.
20. We have been informed that currently, the said construction of Bungalow has been demolished by said partnership viz. M/s. Trinity Plaza.
21. We find from the part plan furnished to us that, there is road widening from 60 feet to 100 feet and thus, there may be road alignment to said land.
22. We find that said land bearing Final Plot no. 189 of Town Planning Scheme no. 14 (Shahibaug) is in Residential Zone-1.
23. We may state that, earlier, we have caused a Public Notice to be issued in local daily "Gujarat Samachar" on 30.05.2018, inviting claims and objections from general public, if any. We may state that at that time we had not received any objection from anybody. We have therefore, discarded with issuance of public notice inviting claims from general public.



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24. We have not found any other charges and encumbrances from the record and documents furnished to us.

CONCLUSION:

We find that said M/s. Trinity Plaza, a partnership firm is entitled to the said land situate at Mouje: Dariyapur-Kazipur, Taluka: Asarva and District: Ahmedabad within Registration Sub-District: Ahmedabad-6 (Naroda), being non-agricultural land bearing City Survey no. 5753 admeasuring 1,015 sq. mtrs. comprised in the Town Planning Scheme no. 14 (Shahibaug) of Ahmedabad by Final Plot no. 189 paiki (Old Survey no. 75/2/1/2) and its title to the said land is clear and marketable, subject to charge of said Shriram City Union Finance Limited.

SCHEDULE

All that piece and parcel of the non-agricultural land situate at Mouje: Dariyapur-Kazipur, Taluka: Asarva and District: Ahmedabad within Registration Sub-District: Ahmedabad-6 (Naroda), being non-agricultural land bearing City Survey no. 5753 admeasuring 1,015 sq. mtrs. comprised in the Town Planning Scheme no. 14 (Shahibaug) of Ahmedabad by Final Plot no. 189 Paiki (Old Survey no. 75/2/1/2), which is bounded as follows:

On the East : 60 Ft. Wide Road
On the West: Old Survey no. 75/2/1/1
On the North: Internal Society's Road
On the South: Society

Thanking you,

Yours faithfully,

For, K. Nanavati & Gandhi Associates

U. R. Gandhi

U. R. Gandhi
Solicitor



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PARTNER