TITLE CERTIFICATE WITH SEARCH REPORT

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Balchandbhai K. Patel
ASSOCIATES *(Advocates)*

Ref : 5096

To,

SHREE INFRA, A PARTNERSHIP FIRM

Ahmedabad.

Ref : IN THE MATTER OF INVESTIGATION of title to the non - agricultural land bearing Final Plot No. 9, admeasuring 1760 sq. mts., of T. P. Scheme No. 63 (Khoraj) comprised of Survey No. 451/2 admeasuring 2934 sq.mts., situate, lying and being at Mouje – Khoraj Taluka – Gandhinagar in the Registration District of Gandhinagar and Sub - District of Gandhinagar in the State of Gujarat.

TITLE INVESTIGATION REPORT

Pursuant to the request of land owner namely **Shree Infra, a partnership firm** we have carried out the work of the title investigation of the non - agricultural land bearing Final Plot No. 9, admeasuring 1760 sq. mts., of T. P. Scheme No. 63 (Khoraj) comprised of Survey No. 451/2 admeasuring 2934 sq.mts., situate, lying and being at Mouje – Khoraj Taluka – Gandhinagar in the Registration District of Gandhinagar and Sub - District of Gandhinagar in the State of Gujarat presently owned and possessed by **Shree Infra, a partnership firm.**

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.

MANISH KANUBHAI PATEL ★ ADVOCATE ★

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1. **Name of the Land owner / s:**

A. **SHREE INFRA, A PARTNERSHIP FIRM**

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

(a) **Nature of the said Land**

Freehold and non – agricultural land

(b) **Use of the said Land**

Non - agricultural use for multi purpose

3. **Description of the immovable properties under investigation:**

All that piece and parcel of freehold non - agricultural land bearing Final Plot No. 9, admeasuring 1760 sq. mts., of T. P. Scheme No. 63 (Khoraj) comprised of Survey No. 451/2 admeasuring 2934 sq.mts., situate, lying and being at Mouje – Khoraj Taluka – Gandhinagar in the Registration District of Gandhinagar and Sub - District of Gandhinagar in the State of Gujarat more particularly described in the **Schedule** here under written (herein after referred to as the **"said Land"**)

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

4.1 It has been observed by us that, the land under investigation i. e. Survey No. 451/2 was occupied by Nathabhai Jhaverbhai prior to the Year – 1952 meaning thereby he was the occupier and holder of the said land within the meaning of Sub Section 16 of Section 3 of Land Revenue Code and said fact is expressly evidenced and corroborated by 7/12 abstract of the said land of the Year – 1951-52.

4.2 It has been observed by that, the land in question was declared as "Fragment Land" in accordance with provision of Sections-5

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and 6 of "THE BOMBAY PREVENTION OF FRAGMENTATION AND CONSOLIDATION OF HOLDING ACT - 1947" and entry to that effect was entered in the revenue record vide mutation entry No.1551 dated 01-12-1951 which was certified by competent authority.

4.3 It has been observed by us that, the holder of said land namely Nathabhai Jhaverbhai had died intestate on 15-09-1973 leaving behind him his lineal descendants as (1) Hargovanlal Nathabhai, (2) Kachrabhai Nathabhai, (3) Shantaben Nathabhai and (4) Pashiben Nathabhai and hence, their names were brought on the revenue record upon succession right as is expressly corroborated and evidenced by certified mutation entry No. 3626 dated 15-10-1975.

4.4 It has been observed by us that, a charge of the Khoraj Seva Sahakari Mandali Ltd., was created over the land bearing Survey No. 451/2 by joint holder of the said land namely (1) Hargovanbhai Nathabhai and (2) Kachrabhai Nathabhai by availing loan of Rs. 1,50,000/- in favour of the Khoraj Seva Sahakari Mandali Ltd., as is expressly corroborated and evidenced by certified mutation entry 4102 dated 28-05-1984.

4.5 It has been observed by us that, the joint holders of the said land namely (1) Shantaben Nathabhai and (2) Pashiben Nathabhai had voluntarily waived and relinquished their right, title, claim and share persisting in the land bearing Survey No. 451/2 in favour of their brothers and hence, their names were deleted from the revenue record as is expressly corroborated and evidenced by certified mutation entry No. 4395 dated 21-08-1987.

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4.6 It has been observed by us that, the holders of the said land had entered into inter se family partition of the land under investigation together with land of other survey numbers during survival and by virtue of the said family partition, the land bearing Survey No. 451/2 came to the share of Kachrabhai Nathabhai as is expressly evidenced by certified mutation entry No. 4651 dated 14-06-1990.

4.7 It has been observed by us that, the joint holder of said land namely Kachrabhai Nathabhai had expired intestate on 21-06-1999 leaving behind him his lineal descendants as (1) Kantibhai Kachrabhai, (2) Jayantibhai Kachrabhai, (3) Rajubhai Kachrabhai, (4) Savitaben Kachrabhai, (5) Kapilaben Kachrabhai and (6) Chanchalben Wd/o. Kachrabhai Nathabhai and hence, their names were brought on the revenue record upon succession right as is expressly corroborated and evidenced by certified mutation entry No. 5901 dated 16-08-1999.

4.8 It has been observed by us that, a charge of the Khoraj Seva Sahakari Mandali Ltd., was created over the land bearing Survey No. 451/2 by joint holder of the said land namely Kantibhai Kachrabhai by availing loan in favour of the Khoraj Seva Sahakari Mandali Ltd., as is expressly corroborated and evidenced by certified mutation entry 6144 dated 10-04-2001.

4.9 It has been observed by us that, a charge of the Khoraj Seva Sahakari Mandali Ltd., was created over the land bearing Survey No. 451/2 by joint holder of the said land namely Kantibhai Kachrabhai by availing loan in favour of the Khoraj Seva Sahakari Mandali Ltd., as is expressly corroborated and evidenced by certified mutation entry 6934 dated 17-12-2006.

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4.10 It has been observed by us that, the charge was released by the Khoraj Seva Sahakari Mandali Ltd., vide its No Due Certificate dated 07-10-2010 whereby the charge created vide mutation entry No. 4102 dated 28-05-1984, 6144 dated 10-04-2001 and 6934 dated 17-12-2006 was released as is expressly evidenced by certified mutation entry No. 8222 dated 28-10-2010.

4.11 It has been observed by us that, the context of the standing instructions issued by the Government, at present, upon conducting the process of Promulgation of computerized record, on ascertaining the village record from manuscript and computerized 7/12 and village form No. 6, the mistakes were noticed and hence, the Mamlatdar Gandhinagar passed order bearing No. Jamin / Vashi / 08 dated 18-09-2008 for rectification the errors as is expressly corroborated and evidenced by certified mutation entry No. 7778 dated 26-05-2009.

4.12 It has been observed by us that, the holders of the said land had entered into inter se family partition of the land under investigation together with land of other survey numbers during survival and by virtue of the said family partition, the land bearing Survey No. 451/2 came to the share of (1) Rajubhai Kachrabhai Patel, (2) Savitaben Kachrabhai and (3) Kapilaben Kachrabhai as is expressly evidenced by cancelled mutation entry No. 8393 dated 05-04-2011.

4.13 It has been observed by us that, the holders of the said land had entered into inter se family partition of the land under investigation together with land of other survey numbers during survival and by virtue of the said family partition, the land bearing Survey

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No. 451/2 came to the share of (1) Rajubhai Kachrabhai Patel, (2) Savitaben Kachrabhai and (3) Kapilaben Kachrabhai as is expressly evidenced by cancelled mutation entry No. 8654 dated 06-03-2012.

4.14 It has been observed by us that, a charge of the Khoraj Seva Sahakari Mandali Ltd., was created over the land bearing Survey No. 451/2 by joint holder of the said land namely Kantibhai Kachrabhai by availing loan in favour of the Khoraj Seva Sahakari Mandali Ltd., as is expressly corroborated and evidenced by certified mutation entry 8977 dated 17-04-2013.

4.15 It has been observed by us that, the charge was released by the Khoraj Seva Sahakari Mandali Ltd., vide its No Due Certificate dated 21-09-2017 whereby the charge created vide mutation entry No. 8977 was released as is expressly evidenced by certified mutation entry No. 10156 dated 13-10-2017.

4.16 It has been observed by us that, the name of Jayatibhai Kachrabhai was standing as joint holder of said land but his real name is Jayantibhai Kachrabhai and hence, the Mamlatdar Gandhinagar passed order bearing No. Mam/Jamin / SR 344 / 14 / Vasi.2803 / 14 dated 13-06-2014 directing to mention his name as Jayantibhai Kachrabhai instead of Jayatibhai Kachrabhai as is expressly corroborated and evidenced by certified mutation entry 9262 dated 17-06-2014.

4.17 It has been observed by us that, the name of Rajubhai Kachrabhai Patel was standing as joint holder of said land but his real name is Rajeshbhai Kachrabhai Patel and hence, the Mamlatdar

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Gandhinagar passed order bearing No. Mamc /Jamin / SR 697 / 14 / Vashi.7771 / 14 dated 30-09-2014 directing to mention his name as Rajeshbhai Kachrabhai Patel instead of Rajubhai Kachrabhai Patel as is expressly corroborated and evidenced by certified mutation entry 9336 dated 09-10-2014.

4.18 It has been observed by us that, joint holder of said land namely Chanchalben Wd/o Kachrabhai Nathabhai had died intestate on 21-03-2016 and hence, her name was deleted from the revenue record as is expressly corroborated and evidenced by certified mutation entry 9809 dated 20-05-2016.

4.19 It has been observed by us that, the mutation entry No. 9810 dated 25-05-2016 was entered in the revenue record inadvertently and hence it was rejected by the authority.

4.20 It has been observed by us that, the joint holders of the said land namely Kantibhai Kachrabhai,(2) Savitaben Kachrabhai, (3) Jayantibhai Kachrabhai and (4) Kapilaben Kachrabhai had voluntarily waived relinquished their right, title, claim and share persisting in the land bearing Survey No. 451/2 admeasuring 2934 sq.mts., together with other land in favour of Rajeshbhai Kachrabhai by executing Deed of Release registered in the Office of Sub-Registrar of Assurances at Gandhinagar under Sr. No. 5611 dated 27-04-2017 as is expressly corroborated and evidenced by certified mutation entry No. 10047 dated 08-05-2107.

4.21 It has been observed by us that, the land in question was held by Rajeshbhai Kachrabhai Patel in the revenue record and he

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submitted an application to the revenue authority to enter the names of his lineal descendants namely (1) Kamlaben Rajeshbhai, (2) Sarikaben Rajeshbhai and (3) Maulin Rajeshbhai as joint holders of the said land during survival and hence, their names were entered as joint holders as defined in Sub Section 25 of Section 3 of the Land Revenue Code as is expressly corroborated and evidenced by certified mutation entry No. 10104 dated 17-07-2017.

4.22 It has been observed by us that, the land in question was new tenure land in nature and hence, the occupiers of said land had submitted an application to the Collector Gandhinagar for converting the said land into old tenure land for non - agricultural purpose and after the consideration of said application, the Collector Gandhinagar passed order bearing No. CB / Ganot / Vashi.4950 to 4958 / 2018 dated 06-07-2018 and released land in question from restriction laid down by the statutory Provision of Section-43 Tenancy Act converting into old tenure land for non- agricultural purpose for residential purpose for 1600 sq. mts., out of 1760 sq.mts., and for commercial purpose for remaining 160 sq.mts., land with a condition stipulated in the said order as is expressly corroborated and evidenced by certified mutation entry No. 10346 dated 07-07-2018.

4.23 It has been observed by us that, the provisions of the Gujarat Town Planning and Urban Development Act-1976 were made applicable to the land bearing Survey No. 451/2 admeasuring 2934 sq.mts., by merging into Draft Town Planning Scheme No. 63 (Khoraj) and land bearing Survey No. 451/2 is given Final Plot No. 9 and its area is fixed to the extent of 1760 sq. mts., and

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Form-F is issued in accordance with the Provision of Rules 21 & 35 of the Gujarat Town Planning and Urban Development Rules-1979 enacted under the said act.

4.24 It has been observed by us that, the holder of said land namely Rajeshbhai Kachrabhai Patel had submitted an application dated 30-08-2018 to the District Collector, Gandhinagar for obtaining non-agricultural use permission and on consideration of said application, the District Collector, Gandhinagar passed order bearing No. CB / N. A. / Gandhinagar / Khoraj / 451/2 / 994610 / 2018 dated 17-10-2018 and granted non-agricultural use permission to the said land bearing Final Plot No. 9 admeasuring 1760 sq.mts., of T. P. Scheme No. 63 (Khoraj) comprised of Survey No. 451/2 for multipurpose in accordance with THE PROVISION OF SECTION-65, 66, AND 67 OF LAND REVENUE CODE-1879 AND THE PROVISIONS OF RULES -100,101 OF THE GUJARAT LAND REVENUE RULES-1972 and as is expressly corroborated and evidenced by mutation entry No. 10450 dated 13-11-2018.

4.25 It has been observed by us that, by Sale-Deed dated 12-12-2018 executed by (1) Rajeshbhai Kachrabhai Patel, (2) Kamlaben Rajeshbhai Patel, (3) Sarikaben Rajeshbhai Patel and (4) Maulin Rajeshbhai Patel as Vendor in their capacity as holders of the said land in bearing Survey No. 451/2 admeasuring 2934 sq.mts., in favour of Shree Infra, a partnership firm registered with the Office of the Sub –Registrar of Assurance Gandhinagar under Sr. No. 25224, the non – agricultural land bearing Final Plot No. 9 admeasuring 1760 sq.mts., of T. P. Scheme No. 63 comprised of Survey No. 451/2 admeasuring 2934 sq.mts., was sold to Shree Infra, a partnership firm.

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By virtue of aforesaid Sale Deed, the name of Shree Infra, a partnership firm was entered as occupier as defined in Sub Section 16 of Section 3 of the Land Revenue Code and said fact is expressly corroborated and evidenced by certified mutation entry No. 10483 dated : 06-03-2019

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

On bare perusal of latest Village Form No. 7, the names of (1) Rajeshbhai Kachrabhai Patel, (2) Kamlaben Rajeshbhai Patel, (3) Sarikaben Rajeshbhai Patel and (4) Maulin Rajeshbhai Patel are appearing as occupiers of the said land as defined in Sub Section 16 of Section 3 of the Land Revenue Code, but the titles of the land under investigation have already been transferred in the name Shree Infra, a partnership firm by virtue of Provision of Transfer of Property Act and Indian Registration Act, but entry that respect has not been entered or certified by the authority and hence, the names of the vendors are appearing in 7/12 abstract, but it is well settled position that, the mutation entries are only for fiscal purpose.

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 save and except our special observation made in para 8.

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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 **"GUJARAT SAMACHAR"** dated **09-02-2018** 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.

8 Special Observation :

8.1 On bare perusal of Partnership Deed of Shree Infra, it is expressly transpires that, (1) Rajeshbhai Kachrabhai Patel, (2) Bhargav Rameshbhai Patel, (3) Yuvrajsinh Prakashsinh Chauhan, (4) Avnish Mafatlal Patel, (5) Rajeshbhai Mafatlal Patel, (6) Sachinkumar Jitendrabhai Patel, (7) Narottambhai Ramjibhai Chautaliya and (8) Chandrakant Dhanjibhai Patel are the partners of the said firm and no any other person is partner therein.

8.2 On bare perusal of revenue record the instant case and order passed by the authority, it is crystal clear that, the land under investigation is non – agricultural land in nature and as per the well settled legal position, the laws relating to agricultural land are not applicable to non – agricultural land.

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8.3 It has been observed by us that, land under investigation has already been merged into Draft Town Planning Scheme No. 63 and as per the Provision of Section 121 of Gujarat Town Planning and Urban Development Act, 1976, the Provisions of the Bombay Tenancy and Agricultural Lands Act, 1948 as in force for the time being, shall not apply to any area of included in a Town Planning Scheme under the said act.

8.4 It has been observed by us that, land under investigation was declared as fragment land at the relevant point of time but now the Bombay Prevention of Fragmentation and Consolidation of Holding Act, 1947 has been amended vide act No. 14 /2012 by the legislature and according to the said amended act it is not forbidden by law to sell the land which was declared as fragment land in the past before the act was amended.

9. Boundaries of the said land :

We have mentioned the details of boundaries of basis of Sale Deed No. 25224 dated 12-12-2018.

10. 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 freeform encumbrances and reasonable doubts subject to :

1. Affidavit of title being made by Shree Infra, a partnership firm.
2. Fulfilment of Laws applicable and in force to effect legally and properly sale, transfer or any other transaction with respect to the said land and Gujarat Town Planning and

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Urban Development Act, 1976 and Rules made there under and terms and condition laid down in N. A. Order

11. Certificate :

We certify that, **SHREE INFRA, A PARTNERSHIP FIRM** 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-10 above.

SCHEDULE

(Description of the land in question)

ALL THAT piece or parcel of non - agricultural land bearing Final Plot No. 9, admeasuring 1760 sq. mts., of T. P. Scheme No. 63 (Khoraj) comprised of Survey No. 451 / 2 admeasuring 2934 sq.mts., situate, lying and being at Mouje – Khoraj Taluka – Gandhinagar in the Registration District of Gandhinagar and Sub - District of Gandhinagar in the State of Gujarat.

Date : 06-04-2019.
Place : Ahmedabad.

Manish Kanubhai Patel, Advocate
Enrolment No. G / 1504 / 2006.

NOTE OF CAUTION AND DISCLAIMER :-

* 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 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.
* 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 litigations or injunction/status quo granted therein in respect of the said land/property.