Akash R Patel
ADVOCATE
GUJARAT HIGH COURT

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Ahmedabad.

Date: 17/07/2021

Title Report

TO

Associated Buildcon

A registered Partnership Firm

Having its registered address at

Block No: 146/k, Final Plot No: 227/3,

T.P Scheme No: 65, Opp Vrundavan Heights,
New S.G Road, Gota, Ahmedabad

Sub: Title report of Non-agricultural land being Block No: 146/k (Old Survey No: 111) admeasuring 6697 Sq.mtr, T.P Scheme No: 65 (Jagatpur) of Registration District-Ahmedabad Sub-District Ahmedabad-8(Sola), Ghatlodiya Taluka, Muje Jagatpur.

Ref: (1) Revenue record village form No:7,12 & 6

(2) Public Notice dated 09/07/21 published on 09/07/21 in Sandesh Gujarati edition, Ahmedabad

(3) Application No: 8835 dated 16/07/21 in Sub-Registrar-Sola and Receipt No: 2021308023612.

(4) Encumbrances report issued by the Sub-Registrar, Ahmedabad dated 16/07/21

On the instruction of Associated Buildcon, A registered Partnership firm, Having its registered address at Block No: 146/k, Final Plot No: 227/3, T.P Scheme No: 65, Opp Vrundavan Heights, New S.G Road, Gota, Ahmedabad, I have carried out search of the Non-agricultural land mention in the sub-column for the last 30 years by way of manual search of old revenue record and 10 year computerized report issued by the sub-registrar, Ahmedabad and after going thru entire revenue record produced by the client I am giving my Title report as under;

1 ***<u>OBSERVATION OF REVENUE RECORD AND REVENUE ENTRIES</u>***

1.1 That Revenue Entry no: 258 came to be posted and certified in the revenue record in the name of Somabhai Shivabhai Patel. That Government has recovered complete revenue after abolition of Jat Inambi Act from Somabahi on 01/08/1955 and subject land granted to him as Khalsa Raiyatvari hede.

1.2 That revenue entry no: 272 posted and certified pursuant to order of the Tenancy Authorities name of the tenant came to be deleted from the revenue record for non-cultivation of land for 2 years.

1.3 That Revenue Entry no: 315 dated 03/10/1961 came to be posted in revenue record for survey no: 111 admeasuring 8-A-11-G and same is certified by the authority. That revenue entry no: 315 is partition entry amongst brothers as following;

- Admeasuring 2-A-31-G in share of Babarbhai Jenabhai patel & Madhabhai Jenabhai Patel Jointly

-Admeasuring 2-A-30-G in share of Somabhai Shivabhai & Talsibhai Shivabhai jointly

-Admeasuring 2-A-30-G in share of Talsibhai Maganbhai, Shankarbhai Chakubhai, Pasabhai Dahiyabhai and Dahiben Chagganbhai jointly

1.4 That Mardhabhai Jenabhai Patel by way of sale deed dated 04/07/1960 purchased share of Talsibhai Shivabhai Patel and Somabhai Shivabhai Patel admeasuring 2-A-30-G in old survey no: 111, for which revenue entry no: 316 dated 03/10/1961 came to be posted and certified in the revenue record.

1.5 That Mardhabhai Jenabhai Patel by way of registered sale deed dated 23/06/1964 sale his share admeasuring 2-A-30-G old survey no: 111 pakki (Survey no: 111/2) to Ambalal Kevalbhai Prajapati and Bababhai Kevalbhai Prajapati. That for which revenue entry no: 402 dated 25/09/1964 came to be posted and certified in the revenue record.

1.6 That Talsibhai Maganbhai, Shankarbhai Chakubhai, Pasabhai Dahiyabhai and Dahiben Chagganbhai by way of registered sale deed dated 23/06/1964 sale their share admeasuring 2-A-30-G old survey no: 111 pakki (Survey no: 111/3) to Ambalal Kevalbhai Prajapati and Bababhai Kevalbhai Prajapati. That for which revenue entry no: 403 dated 25/09/1964 came to be posted and certified in the revenue record.

1.7 That revenue entry no: 515 dated 03/03/1969 posted pursuant to consolidation scheme.

That pursuant to consolidation scheme new block number 146 admeasuring 8-A-11-G allotted against old survey no: 111 (as per partition 111/1, 111/2, 111/3 admeasuring A-8-11-G) to the land owners. That as per consolidation distribution Ambalal Kevalbhai Prajapati and Bababhai Kevalbhai Prajapati was owner and occupier of 5-A-21-G land and Talibhai Maganbhai, Shankarbhai Chakubhai, Pasabhai Dahiyabhai and Dahiben Chagganbhai was owner and occupier of 2-A-30-G land from consolidated block no: 146.

1.8 That Mardhabhai Jenabhai, Govindbhai Babarbhai, Hasumatiben Babarbhai jointly executed registered sale-deed dated 23/10/1967 in favour of Harjivandas Kevaldas and Chagganbhai Virabhai for 2-A-31-G of Block No: 146 (old survey no: 111/1) out of 8-A-11-G. That for which revenue entry no: 525 dated 10/05/1969 posted in revenue record, which was rejected on 08/08/1969 by authority for breach of Fragmentation Act. That Prant Officer, Viramgam Prant by order dated 25/11/1985 declared revenue entry no: 525 as breach of Fragmentation Act. That such order is posted in the revenue record by entry no: 891 dated 30/11/1985, which came to be certified on 19/02/1986.

1.9 That Ambalal Kevaldas Prajapati expired on 16/11/1983 and therefore, his legal heirs namely Amratlal Ambalal Prajapati, Govindbhai Ambalal Prajapati, Savitaben Ambalal Prajapati, Mitaben Ambalal Prajapati, Ramilaben Ambalal Prajapati and Laxmiben widow of Ambalal Prajapati brought on revenue record pursuant to succession revenue entry no: 938 dated 27/06/1990 which came to be certified on 02/04/1991.

1.10 That Harjivandas Kevaldas Prajapati also expired on 17/05/1991 and therefore, his legal heirs namely Somabhai Harjivandas Prajapati, Kantibhai Harjivandas Prajapati, Mohanbhai Harjivandas Prajapati, Nareshbhai Harjivandas Prajapati, Bharatbhai Harjivandas Prajapati, Shardaben Harjivandas Prajapati, Madhiben Harjivandas Prajapati, Gitaben Harjivandas Prajapati, menaben widow of Harjivandas Prajapati brought on revenue record pursuant to succession revenue entry no: 958 dated 02/08/1991.

1.11 That Bababhai Kevaldas also expired on 23/10/1985 and therefore, his legal heirs namely Laxmiben widow of Bababhai, Arvindbhai Bababhai, Hiraben, Shantaben, Sarasvatiben, lilaben daughters of Bababhai brought on revenue record pursuant to succession revenue entry no: 997 dated 01/07/1994, which came to be certified on 18/03/1995.

1.12 That chagganbhai Virabhai expired on 10/02/1986 and his legal heirs namely Bharatkumar Chagganbhai and Narmadaben Chagganbhai brought on revenue record pursuant to revenue entry no: 1062 date 07/12/1996, which came to be certified on 10/01/1997. That earlier succession entry no: 1008 was rejected by the authority but subsequently legal heirs brought on record pursuant to revenue entry no: 1062.

1.13 That pursuant to revenue entry no: 1061 dated 07/11/1996 Shardaben Harjivandas, Minaben Harjivandas, Gitaben Harjivandas relinquished their rights in favour of mother and brother and name of daughters of Harjivandas came to be deleted from the revenue record.

1.14 That Shantaben daughter of Bababhai Prajapati expired on 11/01/2002 and therefore, her legal heirs namely

Shakarabhai (husband), Maheshbhai, Pragneshbhai, Harshitaben brought on record pursuant to revenue entry no: 1281 dated 05/03/2003, which came to be certified on 18/05/2003.

1.15 That Hiraben daughter of Bababhai Prajapati expired on 04/11/1999 and therefore, her legal heirs namely Bhimabhai (husband), Vishnubhai, Dineshbhai, Yoginaben brought on record pursuant to revenue entry no: 1282 dated 05/03/2003, which came to be certified on 19/05/2003.

1.16 That pursuant to revenue entry no: 1298 dated 14/07/2003 all the land owners partitioned land amongst them in of A-2-30-G and A-2-30-G.

1.17 That Laxmiben widow of Ambalal Prajapati expired on 14/01/1993 and her name came to be deleted from the revenue record pursuant to revenue entry no: 1284 dated 12/03/2003, which came to be certified on 19/05/2003.

1.18 That land admeasuring A-2-30-G of Block No: 146 pakki A-5-21-G, came to be transferred by registered sale deed by Arvindbhai Bababhai and other in favour of Somabhai Virchanddas Patel by executing registered dated 15/03/2003 in sub-registrar Vadaj Ahmedabad. That pursuant to revenue entry no: 1299 dated 15/07/2003 same is mutated in the revenue record and certified on 23/09/2003.

1.19 That land admeasuring A-2-30-G of Block no.146 paiki A-5-21-G came to be transferred by registered sale deed by Amrutbhai Ambalal Prajapati and others in favor of Varvabhai Somabhai Patel and Rameshbhai Somabhai Patel by executing registered sale deed dated 06/10/2003 in sub-registrar Ahmedabad Vadaj. That pursuant to revenue entry no.1310 dated 07/01/2003 same is mutated in revenue record and certified on 25/11/2003.

1.20 That Land block no.146 paiki H-3-33-RA-87.sq.mtr paiki H-1-11-RA-29 sq.mtr land came to be transferred by Kantibhai, Somabhai, Mohanbhai, Nareshbhai, Bharatbhai, Menaben and Bharatkumar jointly in favour of Parsottambhai Becharbhai Patel, Dahyabhai Becharbhai Patel, Vanjibhai Ukabhai, Shakkarbhai Lilabhai Rabari and Raymalbhai Lilabhai Rabari by executing registered sale deed dated 17/10/2002 which came to be mutated in revenue record by mutating revenue entry no.1569 dated 07/06/2006, which came to be certified on 29/07/2006.

1.21 That Menaben widow of Harjivandas Kevaldas expired on 23/04/2004, and thereby, by revenue entry no.1568 dated 07/06/2006 her name deleted from revenue record, which came to certified on 28/07/2006.

1.22 That block no.146 paiki H-3-RA-33-87 sq.mtr was jointly owned by Somabhai Virchanddas, Dahyabhai Somabhai and Rameshbhai Somabhai, Parsottambhai Becharbhai Patel, Dahyabhai Becharbhai Patel, Vanjibhai Ukabhai, Shakkarbhai Lilabhai Rabari and Raymalbhai Lilabhai Rabari and therefore, owners approached Dy. Collector, Viramgam Prant for permission under section 31(1)(b) for block division, which came to be granted by Dy Collector by order dated 30/06/2007 which came to be mutated in revenue record by revenue entry no: 1663 dated 09/07/2007 and certified on 14/09/2007. That as there was mistake in area in the order of the Dy Collector corrected order came to be passed which is mutated in the revenue record as entry no: 1854 dated 20/08/2009 and certified on 07/10/2009.

1.23 That Block no: 146 came to be divided into three parts pursuant to Dy Collector order and further DILR measured the land on 03/10/2007 by K.G.P S.R No: 25 and following measurements are even effect in revenue record as;

(1) Block No: 146/A admeasuring 1-H-11-RA-63Sq.mtr

(2) Block No: 146/B admeasuring 1-H-11-63 sq.mtr

(3) Block No: 146/K admeasuring 1-H-11-62 sq.mtr

That effect of such given in revenue record by revenue entry no: 1855 dated 20/08/2009 and same is certified on 07/10/2009.

1.24 That pursuant to revenue entry no: 2216 dated 03/05/2012 subject land included in the newly constituted taluka Ahmedabad (West) pursuant to Government notification dated 17/03/2012 by Revenue Department, Gujrat State.

1.25 That pursuant to order dated 19/12/2017 of the civil court Ahmedabad below Exh-32 name of legal heirs of late Shakkarbhai Lilabhai Rabari brough on record of civil suit for which revenue entry no: 2809 dated

29/01/2018 came to mutated in the revenue record and certified on 02/04/2018.

1.26 That Co-owner Shakkarbhai @ Shankarbhai Lilabhai Rabari expired on 01/08/2016 and her widow Kankuben Shankarbhai Rabari expired on 30/01/1996 their legal heirs Tejmalbhai, Amariben, Rekhaben, Bharatbhai brough on revenue record pursuant to succession revenue entry no: 2819 dated 07/03/2018 which came to be certified on 20/06/2018.

1.27 That co-owner Dahiyabhai Becharbhai Patel expired on 03/03/2016 and his legal heirs Vakhatben widow of Dahiyabhai, Vasudevbhai, Hansaben, Dashrathbhai brought on revenue record pursuant to succession revenue entry no: 2837 dated 30/04/2018 which came to be certified on 19/06/2018.

1.28 That Block No: 146/k (old survey no: 111) admeasuring 11162 sq.mtr came to be included in Town Planning Scheme No: 65 (Jagatpur) and Final Plot No: 227/3 admeasuring 6697 sq.mtr allotted. That pursuant to order dated 08/10/2018 of the Collector, Ahmedabad u/s 65 of the Land Revenue code, land of the Final Plot No:

227/3 admeasuring 6697 converted into non-agriculture purpose for multipurpose use.

1.29 That owners of land Block No: 146/k of District Ahmedabad Sub-District Ahmedabad-8 (Sola) Ghatlodiya, muje Jagatpur Block No: 146/k (old survey no: 111) admeasuring 11162 sq.mtr land, T.P Scheme No: 65 (Jagatpur) Final Plot NO: 227/3 admeasuring 6697 sq.mtr land of multipurpose NA use came to be transferred by Parshottambhai Becharbhai (20%), Vanjibhai Ukabhai (20%), Raymalbhai Lilabhai (20%), Tejmalbhai Shankarbhai Rabari, Amriben Shankarbhai Rabari, Ambaben SHankarbhai Rabari, Rekhaben Shankarbhai Rabari, Bharatbhai SHankarbhai Rabari (jointly 20%), Vakhatben Dahiyabhai Patel, Vasudevbhai Dahiyabhai Patel, Hanshaben Dahiyabhai Patel, Dashratbhai Dahiyabhai Patel (jointly 20%) in favour of one Associated Buildcon a registered partnership firm- partner Pradipkumar Savjibhai Dholu by registered sale deed dated 20/04/2019 duly registered on 25/04/2019 in the office of Sub-Registrar Ahmedabad-8 (sola).

1.30 That pursuant to revenue entry no: 2918 dated 29/04/2019 name of the Associated Buildcon mutated in the revenue record and same is certified on 24/07/2019 by the order dated 24/07/2019 passed by the City Mamlatdar Ghatlodiya, Ahmedabad.

1.31 That seller of the land also executed one indemnity bond to the Associated Buildcon which is registered in the office of Sub Registrar Ahmedabad-8(Sola) by document dated 20/04/2019 registered on 25/04/2019.

1.32 That seller of the land also executed registered Power of attorney in favour of Pradipkumar Savjibhai Dholu Partner of Associated Buildcon partnership firm, which registered in the office of sub-registrar Ahmedabad-8 (sola).

1.33 That Gouriben wife of Vanjibhai Ukabhai also executed registered confirmation deed dated 20/04/2019 which is duly registered on 25/04/2019 in the office of sub-registrar Ahmedabad-8 (sola).

1.34 That Jaliben wife of Tejmalbhai Shakkarbhai Rabari and other family members have also executed registered confirmation deed dated 20/04/2019 in the office of sub-registrar Ahmedabad-8 (sola) duly registered on 25/04/2019.

1.35 That Jayaben wife of Vasudevbhai Dahiyabhai and other family members have also executed registered confirmation deed dated 20/04/2019 in the office of sub-registrar Ahmedabad-8 (sola) duly registered on 25/04/2019.

1.36 That Associate buildcon through its authorized Partner Pradip Savjibhai Dholu executed lease deed for 25.96 sq.mtr of Block No: 146/k in favour of Torrent Power Ltd on 22/06/2020 which is duly registered in the office of sub-registrar Ahmedabad-8(Sola).

2 ***Legal Opinion based on Revenue Record and Sub-Registrar record***

That in view of examination of revenue record from last 30 years and more and Sub-Registrar record I find every transaction of the land in accordance with law and as per my opinion title of the land is clear and marketable.

3 ***Public Notice***

That I have invited objection from public at large pursuant to Public Notice dated 09/07/21 published on 09/07/21 in Sandesh Gujarati edition, Ahmedabad. That I have received objection from one Kanubhai Rabari alleged to have entitled for 25% share out of profit of sale of land.

That said kanubhai Rabari had filed Civil Suit being Regular Civil Suit No: 308 of 2016 in the civil court, Ahmedabad at Mirzapur. That said civil suit has been rejected by the Civil Court Ahmedabad on 01/02/2019. That against rejection of civil suit said kanubhai Rabari objector had filed Appeal before District Court, Ahmedabad being Regular Civil Appeal No: 18/2019 which is pending as on today. That Kanubhai Rabari had filed stay application before the District court, Ahmedabad which was rejected by the District court Ahmedabad on 11/06/2019. That against rejection of injunction application in appeal Kanubhai Rabari has filed Special Civil Application No: 14184 of 2019 before the Hon'ble Gujarat High court which pending as on today without any prohibitory order. That kanubhai Rabari has not challenged sale deed in favour of the Associated Buildcon and therefore, there is no litigation pending challenging the title of the Associated Buildcon pursuant to registered sale deed.

That looking to the court proceedings initiated by objector and orders passed thereon, there is no right, title and interest in the land but his claim is to the extend of 25% of the profit amount after selling of land. That I am not hesitate to opine that said objector has no right, title and interest in the subject land and till date no civil court or Hon'ble High court has granted any prohibitory order in favour of him against the true land owners who are registered owner of the land, and therefore, Associate buildcon is in law free to develop his land as per the local law and said objector cannot prevent them to develop their property.

That so far as possession of the land is concern Associate buildcon is having lawful possession of the land pursuant to registered sale deed dated 24/04/2019 and their name is mutated in record of rights and objector has not produced any lawful document in support of his alleged claim. That objector not having any valid lawful document in support of this claim nor there is any prohibitory order in favour of the objector against the Associated Buildcon, and therefore, objection of the objector Kanubhai Rabari is hereby rejected and I am issuing present title report in favour of Associated Buildcon in positive as under.

4 Conclusion of Title

That I Advocate Akash R Patel upon verification of Revenue records and record of Sub-Registrar, Ahmedabad is of the opinion that Non-agricultural land being Non-agricultural land being Block No: 146/k (Old Survey No: 111) admeasuring 6697 Sq.mtr, T.P Scheme No: 65 (Jagatpur) of Registration District- Ahmedabad Sub-District Ahmedabad-8(Sola), Ghatlodiya Taluka, Muje Jagatpur is free from **encumbrances and title of the property is clear and marketable.**

Akash R Patel

Advocate

G/1735/2011

AKASH R. PATEL

Advocate - Gujarat High Cort

Sanad No G/1735/2011