

H DESAI & CO

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Ref. No. 114/2018/BJM of 2020 Date:

REPORT ON TITLE.

Re: IN THE MATTER OF Due Diligence of Title with respect to property, being Plot No. 10, admeasuring about 868.65 Sq.mts., in Maharashtra Brahmin Co-op. Housing Society Ltd., forming part of the land situate at Changispur (sim), Taluka Sabarmati, in the Registration District Ahmedabad and Sub District Ahmedabad – 3 (Memnagar), bearing Final Plot No. 453, of Town Planning Scheme No. 3 (Ellisbridge) Varied Final, given City Survey No. 4001; main bungalow thereon is given City Survey No. 4000; and out-house thereon is given City Survey No. 3999, in T. P. Scheme No. 3/3-4 (Shekhpur-Khanpur-Changispur) Ward.



We have undertaken the work of Due Diligence of Title with respect to the property above referred to. We have caused necessary searches to be taken with the revenue and sub registry records. We have taken root of title commencing from about 1980, prior to more than thirty-five years from now. Our Report on Title is as stated hereafter. For detailed facts and particulars, references may be taken from the documents, papers, writings and records referred to herein below.

A. DESCRIPTION OF PROPERTY:

1. The property under due diligence of title is in Maharashtra Brahmin Co-op. Housing Society Ltd., Society registered under the Bombay Co-operative Societies Act, 1925 and deemed to be registered under the Gujarat Co-operative Societies Act, 1961. 

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2. It is Plot No. 10 in / of the Society. The said plot forms part of the land of Final Plot No. 453, of Town Planning Scheme No. 3 (Ellisbridge) Varied Final. This bigger land of Final Plot admeasured about 20785 Sq.mts., is held by the Society since more than fifty years, and as on date is registered in the name of Society.
3. The Plot of Land is included in City Survey, and is given City Survey No. 4001 of 868.65 Sq.mts. The main bungalow thereon is given City Survey No. 3999. The out-house thereon is given City Survey No. 4000. It is City Survey Ward. T. P. Scheme No. 3/3-4 (Shekhpur-Khanpur-Changispur)..
4. The construction has been put up as per plans sanctioned by Ahmedabad Municipal Corporation as per Rajachiththy, dated 25th June, 1969, bearing No. 55. Building Use Permission is granted by Ahmedabad Municipal Corporation, dated 10th September, 1974, bearing No. CR/494/37. As per sanctioned plan Plot Area is 855.33 Sq.mts. which in City Survey is fixed 868.65 Sq.mts.
5. Said Bigger Land of Society of Final Plot No. 453 in the revenue record is non-agricultural land.

Boundaries of Plot No. 10, City Survey No. 4001

		As per Plot No.	As per City Survey No.
North by	:	Road	Road
South by	:	Plot No. 12	Survey No 4004
East by	:	Road	Road
West by	:	Plot No. 9	Survey No. 3998



B DETAILS OF TITLE HOLDER:

NAME : M/S. RAJSHREE BUILDCON,
PAN : AAZFR2072A
STATUS : a Partnership Firm formed under the
Indian Partnership Act,
ADDRESS : A-602, Ganesh Plaza,
Near Navrangpura Bus Stand,
Navrangpura, Ahmedabad - 9

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C. DETAILS OF PURCHASE BY TITLE HOLDER

1. The property under Due Diligence of Title is purchased by the Title Holder M/s. Rajshree Buildcon from Nitin Prahlad Riswadkar as "Vendor" and (1) Shobhana Nitin Riswadkar and (2) Tilak Nitin Riswadkar as "The Co-Vendors" (hereinafter referred to as the Previous Owners), by a Deed of Conveyance on Sale, dated 9th May, 2019, registered under Serial No. 4235.

D. TRACING OF TITLE:

1. Originally one Prahlad Vasudev Riswadkar and Smt. Rekha Prahlad Riswadkar were member and share holder of the Society. They held ten shares of the Society, under the cover of Share Certificate, dated 30th June, 1974, bearing Share Certificate No. 10, each of the face value of Rs. 50/-, fully paid-up, bearing Distinctive Nos. 91 to 100. They also held the said Plot No. 10 allotted by the Society.
2. Said Prahlad Vasudev Riswadkar died on 7th October, 1984. However, it appears that prior to his death, his name was deleted, and the name of his only son Nitin Prahladbhai Riswadkar was entered in the records of the Society alongwith the name of his mother Smt. Rekha Prahlad Riswadkar. Endorsement of transfer is made on the reverse of the said Share Certificate. As per endorsement of Transfer, Resolution for the same is passed, bearing No. 1, in the meeting of the Society, held on 4th December, 1980. He died intestate and he had no other son or daughter.
3. Said Smt. Rekha Prahlad Riswadkar died on 26th June, 1999. The names of family members of her son Nitin Prahlad Riswadkar, namely Shobhana Nitin Riswadkar (daughter-in-law) and Tilak Nitin Riswadkar (grand-son) were entered. Endorsement of transfer is made on the reverse of the said Share Certificate. Resolution for the same is passed, bearing No. 2 in the meeting of the Society, held on 9th September, 1999.
4. Accordingly, the said property as on date stands in the name of Nitin Prahlad Riswadkar, Shobhana Nitin Riswadkar and Tilak Nitin Riswadkar in the Society record. In City Survey Record, it stands in the name of Nitin Prahlad Riswadkar. Apparently, Nitin Prahlad Riswadkar is the sole successor in title from the original



owners his father and mother, Prahlad Vasudev Riswadkar and Smt. Rekha Prahlad Riswadkar, as their only son. But since names of his wife and son are joined and entered in Society record, and transaction of the said property will be required to be effected jointly by them.

5. Thereafter, Nitin Prahlad Riswadkar as "Vendor" and (1) Shobhana Nitin Riswadkar and (2) Tilak Nitin Riswadkar as "The Co-Vendors" has sold and conveyed the Plot No. 10, admeasuring about 868.65 Sq.mts., to the Title Holder M/s. Rajshree Buildcon as "Purchaser", by or under a Deed of Conveyance on Sale dated 9th May, 2019, registered under Serial No. 4235. as stated in Para "D" above on page 3 above. The said sale is supported by Possession Letter, and Letter recording handing over of title deeds, all dated 9th May, 2019, attested by Public Notary
6. The name of M/S. RAJSHREE BUILDCON has been entered in the record of the Society and the said Shares are also transferred in its name pursuant to the Resolution passed in Annual General Meeting of the Society held on 28th July, 2019, bearing Resolution No. 5.3.1.
7. The name of M/S. RAJSHREE BUILDCON has been mutated in the Revenue Record (City Survey Record) pursuant to the Mutation Entry No. 7337 dated 9th August, 2019.

E. PUBLIC NOTICE:

1. As a part of verification of title, prior to sale, we gave public notice appeared in the daily newspaper Gujarat Samachar of 8th August, 2018, inviting claims, if any, in, upon or to the property above referred to. We have not received any claim in response thereto.

F. SANCTION OF DEVELOPMENT PLANS:

1. The plans, specifications and design have been sanctioned by Ahmedabad Municipal Corporation as per its commencement letter (Rajachitthi) dated 18th January, 2020, for residential use bearing No 02979/071019/A2884/R0/M1.



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G. DISCLAIMER:

1. The aforesaid Report is reference of available revenue and sub registry records, only relevant for the purposes to study the devolution of title, and to ascertain any charge or encumbrance, and does not contain entire revenue or sub registry records. We have relied upon the same without going into the details or further legal validation / scrutiny of records and proceedings referred to therein and implication thereof.
2. As reported by our Search Clerk / Search Advocate, who has taken search of the revenue and sub registry records, it is found that some of the record is not maintained properly or damaged / torn, or not otherwise available. Search may lack or miss some particulars, which are taken care.
3. Title Holder M/S. RAJSHREE BUILDCON through its Designated Partner Mr. Bhadreshbhai Babulal Shah has made Declaration and Indemnity on Title dated 6th June. 2020, attested by Public Notary. We have relied upon the same. We have not made or carried out visit, verification, inspection or measurements at the site of the said property under due diligence of title.

H. OPINION ON TITLE:

1. Accordingly, we hereby certify that the title of M/S. RAJSHREE BUILDCON to the property above referred to is clear, marketable, free from all encumbrances and reasonable doubt, subject to :-
 - a) Usual representations and warranties and indemnity on title and Disclaimer as aforesaid.
 - b) Rules, regulations and bye-laws of the Society.
 - c) Laws applicable and in force, at the relevant time, to effect legally and properly sale, transfer or other transaction with respect to the said property.

DATED THIS 20TH DAY OF JUNE, 2020.

H. Desai & Co.

ADVOCATES AND SOLICITORS

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