

Shalin N. Parikh

Advocate & Mediator

To,

Date: 16.08.2022

Maitrey Mahendrakumar Mehta & others

Residing at: D/42, Samkit Bungalows,
Amba Township, Trimandir,
Adalaj, Gandhinagar-382421.

Dear Sir/s,

REPORT ON TITLE

Sub: Investigation of Title of an immovable property being Plot No. 28 (forming part of Final Plot No. 780), having plot area 765.89 square meters i.e. 916 square yards together with construction of residential bungalow standing thereon admeasuring 193.91 square meters situated at The Brahman Mitramandal Co-Operative Housing Society Ltd., Ellisbridge, Ahmedabad forming part of Non-Agricultural land bearing Final Plot No. 778, 779, 780 & 781 etc. of Town Planning Scheme No. 3/5 within the sim of Mouje Chhadavad, Taluka Sabarmati, District Ahmedabad within the Jurisdiction of Registration Sub-District Ahmedabad-3 (Memnagar).

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I refer to your instructions to investigate the Title and give my Report on Title with respect to the aforesaid immovable property being Plot No. 28 (forming part of Final Plot No. 780), having plot area 765.89 square meters i.e. 916 square yards together with construction of residential bungalow standing thereon admeasuring 193.91 square meters (hereinafter referred to as the "said property") situated at The Brahman Mitramandal Co-Operative Housing Society Ltd. (hereinafter referred to as the "said society") situate, lying and being of Non-



P. H. Parikh & Co.

5th Floor, Sumeru Centre, Nr. Parimal Underpass, Ahmedabad - 380 007.

Phone : 079-26650316, 26650376, 098985 43694

e-mail : attorneymrparikh@gmail.com

Agricultural land bearing Final Plot No. 778, 779, 780 & 781 etc. of Town Planning Scheme No. 3/5 within the sim of Mouje Chhadavad, Taluka Sabarmati, District Ahmedabad within the Jurisdiction of Registration Sub-District Ahmedabad-3 (Memnagar). Said property is bounded as under:

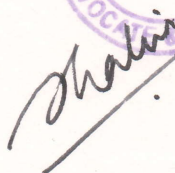
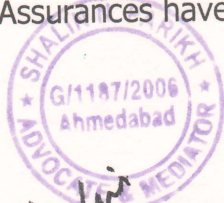
On or towards East: T. P. Road
On or towards West: Sub Plot no. 26
On or towards North: Sub Plot no. 27
On or towards South: T. P. Road

SEARCHES:

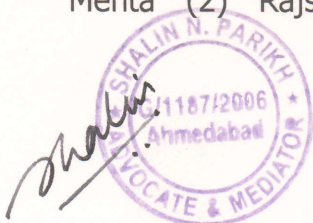
1. I have caused searches to be taken of available revenue records and the records of Sub-Registrar of Assurances at Ahmedabad-4 (Paldi) and Ahmedabad-3 (Memnagar) relating to the aforesaid property of the period from 1994 till 29.06.2022 and the search receipts pertaining to the said land are enclosed herewith as mentioned below:

Years	Receipt No.	Date
1994-2011	202200400024408	29.06.2022
2011-2022	202200100021461	29.06.2022

We may state that some records pertaining to the said property are destroyed, torn or not in proper shape. The record pertaining to the said property which is available with the Office of The Sub – Registrar of Assurances have been verified.

2. I further state that I have also published a public notice on 27.06.2022 in "Gujarat Samachar" a local daily, inviting claims and objections from the general public if any in the subject matter, in response to which I have not received any objection/claim from anybody.
3. I further state that I have also perused and taken into consideration certain agreements, deeds, conveyance, documents of title, papers, Resolutions of the said society, permissions relating thereto and produced before me. Based upon the search report prepared by my search clerk of the available records of Mamlatdar, Talati and Sub-Registrar of Ahmedabad-4 (Paldi) and Ahmedabad-3 (Memnagar) and the perusal of above papers and documents so far submitted to me, my opinion and report on title is as under:
4. I find from the revenue records that at present the said non-agricultural land situated, lying and being Final Plot No. 780, admeasuring 10561 square meters and other Final Plots bearing Nos. 705, 706, 707A, 707B, 776+777, 778, 779 & 781 total admeasuring 59695 square meters comprised in the Town Planning Scheme No. 3/5 of Mouje Chhadavad, Taluka Sabarmati, District Ahmedabad appears in the name of The Brahman Mitramandal Co-Operative Housing Society Ltd.
5. I further find from the copies of the documents and society's records furnished to me that at present immovable property being Plot No. 28 (forming part of Final Plot No. 780), having plot area 765.89 square meters i.e. 916 square yards together with construction of residential bungalow standing thereon admeasuring 193.91 square meters situated at The Brahman Mitramandal Co-Operative Housing Society Ltd. appears to be in the joint names of (1) Maitrey Mahendrakumar Mehta (2) Rajshekhar Mahendrakumar Mehta & (3) Bhadresh



Mahendrakumar Mehta (hereinafter referred to as "member-shareholder").

6. I may state that for the purpose of the investigation of Title I have considered the Title history of the said property from the year 1974.

BRIEF HISTORY AND FACTS OF THE SAID PROPERTY

1. I find from the available searches, revenue records and documents perused to me that prior to year 1974, the land bearing Final Plot Nos. 705, 706, 707A, 707B, 776+777, 778, 779, 780 & 781 of Town Planning Scheme No. 3/5 of Mouje Chhadavad, Taluka Sabarmati, District Ahmedabad was owned and possessed by The Brahman Mitramandal Co-Operative Housing Society Ltd.
2. I further find that The Brahman Mitramandal Co-Operative Housing Society Ltd. is registered under the provisions of the Bombay Co-Operative Societies Act, VII of 1925 and deemed to be registered under the provisions of Gujarat Co-Operative Societies Act, 1961 bearing registration No. B-62 dated 5th May, 1927. The society is tenant ownership type of society.
3. Thereafter, said The Brahman Mitramandal Co-Operative Housing Society Ltd. made sub plots on the land of Final Plot Numbers owned by them including on land bearing Final Plot No. 780 of Town Planning Scheme No. 3/5 of Mouje Chhadavad, Taluka Sabarmati, District Ahmedabad owned by them.
4. I find that thereafter, Competent Authority has given the non-agriculture use permission to the land bearing Final Plot No. 780 of



Town Planning Scheme No. 3/5 with certain terms and conditions mentioned therein.

5. Thereafter, Ahmedabad Municipal Corporation had approved the layout plan and given residential construction permission to the Sub Plot No. 28 of Final Plot No. 780+781, Town Planning Scheme No. 3/5 vide its Case No. C/3/272 under Rajachitthi No. 113 (Commencement Certificate) dated 12.04.1979.
6. I find that thereafter, Mahendrakumar Hirprasad Mehta paid necessary land contribution and share contribution to The Brahman Mitramandal Co-Operative Housing Society Ltd. and in lieu thereof said Society allotted property being Plot No.28 to Mahendrakumar Hirprasad Mehta as first allottee member-shareholder of said Society. (Note: I have not been furnished the allotment letter or old share certificate for my perusal).
7. Thereafter, Mahendrakumar Hirprasad Mehta died intestate on 30.05.1974, leaving behind him his legal heirs namely (1) Chandrikaben wd/o. Mahendrakumar Hirprasad Mehta, (2) Hemangini d/o. Mahendrakumar Hirprasad Mehta, (3) Maitrey s/o. Mahendrakumar Hirprasad Mehta, (4) Rajshekhar s/o. Mahendrakumar Hirprasad Mehta & (5) Bhadresh s/o. Mahendrakumar Hirprasad Mehta.
8. I further find that thereafter, as per Society Resolution No. 11 dated 10.10.1974, names of (1) Chandrikaben wd/o. Mahendrakumar Hirprasad Mehta, (2) Maitrey s/o. Mahendrakumar Hirprasad Mehta, (3) Rajshekhar s/o. Mahendrakumar Hirprasad Mehta & (4) Bhadresh s/o. Mahendrakumar Hirprasad Mehta were recorded as member



shareholder in the society records pertaining to the said property being Plot No. 28 along with residential bungalow thereon.

9. It further appears that Hemangini d/o. Mahendrakumar Hirprasad Mehta has relinquished her right, title, interest in the said property in favour of remaining co-owners. This facts are supported by a declaration dated 26.07.1974 executed before Notary Public. The same was produced before society. Also an Indemnity Bond was submitted to society on 10.08.1974 stating all the facts.
10. I further find that thereafter, said The Brahman Mitramandal Co-Operative Housing Society Ltd. has issued new Share Certificate bearing No. 23 for ten shares of Rs. 50/- each bearing Share Nos. 221 to 230 and new Share Certificate bearing No. 115 for ninety shares of Rs. 50/- each bearing Share Nos. 2811 to 2900 both dated 30.06.1995 in favour of (1) Chandrikaben wd/o. Mahendrakumar Mehta (2) Maitrey s/o. Mahendrakumar Mehta (3) Rajshekhar s/o. Mahendrakumar Mehta & (4) Bhadresh s/o. Mahendrakumar Mehta.
11. Thereafter, one of the co-owner Chandrikaben wd/o. Mahendrakumar Mehta died intestate on 30.09.2012, leaving behind her legal heirs namely (1) Hemangini d/o. Mahendrakumar Mehta (2) Maitrey s/o. Mahendrakumar Mehta (3) Rajshekhar s/o. Mahendrakumar Mehta & (4) Bhadresh s/o. Mahendrakumar Mehta.
12. Thereafter, said Hemangini d/o. Mahendrakumar Mehta & w/o. Jyotishman Adharvyu through her Power of Attorney Holder Rajshekhar Mahendrakumar Mehta relinquished her undivided 1/4th share in Plot No. 28 having plot area 765.89 square meters i.e. 916 square yards in favour of co-owners and her brothers (1) Maitrey s/o. Mahendrakumar Mehta (2) Rajshekhar s/o. Mahendrakumar Mehta &



- (3) Bhadresh s/o. Mahendrakumar Mehta by Release Deed (Without Consideration) dated 18.09.2015, which was registered with the Sub-Registrar of Assurances at Ahmedabad-3 (Memnagar) under serial No. 6794.
13. I find that thereafter, as per Resolution No. 6 passed in the meeting of Managing Committee dated 10.12.2017, names of (1) Maitrey s/o. Mahendrakumar Mehta (2) Rajshekhar s/o. Mahendrakumar Mehta & (3) Bhadresh s/o. Mahendrakumar Mehta were transferred in the Share Certificate No. 23 and 115 as members shareholders of the said society in respect to the property being Plot No. 28 along with construction of residential bungalow standing thereon.
14. Thereafter, The Brahman Mitramandal Co-Operative Housing Society Ltd. has issued a Certificate for no encumbrance over the said Plot No. 28 to (1) Maitrey Mahendrakumar Mehta (2) Rajshekhar Mahendrakumar Mehta & (3) Bhadresh Mahendrakumar Mehta dated 04.01.2018.
15. I find that thereafter, as per Notification No. AM-2018-536-M- JAM-102018-1360-G dated 05.07.2018, acquisition of land bearing Final Plot No. 780 of Town Planning Scheme No. 3/5 has been approved for Ahmedabad Metro Rail Project (North-West Corridor) Phase-1 in respect whereof by mutation entry no. 7799 dated 04.01.2019 was made in the revenue records.
16. I find that thereafter, Notification No. AM-2019-45-M-JAM-14-1218-1360-GH dated 16.10.2019 was published to initiate the proceedings of acquisition of land bearing Final Plot No. 780 of Town Planning Scheme No. 3/5 in respect whereof by mutation entry no. 7930 dated 19.12.2019 was made in the revenue records.



CONCLUSION:

I may state based on the above observations and inspection of the available searches, revenue records and documents furnished to me, that there are no encumbrances found and the title of the said an immovable property being Plot No. 28 (forming part of Final Plot No. 780), having plot area 765.89 square meters i.e. 916 square yards together with construction of residential bungalow standing thereon admeasuring 193.91 square meters situated at The Brahman Mitramandal Co-Operative Housing Society Ltd. Ellisbridge, Ahmedabad forming part of Non-Agricultural land bearing Final Plot No. 778, 779, 780 & 781 etc. of Town Planning Scheme No. 3/5 within the sim of Mouje Chhadavad, Taluka Sabarmati, District Ahmedabad within the Jurisdiction of Registration Sub-District Ahmedabad-3 (Memnagar) is clear, marketable and free from encumbrances subject to (1) Fulfillment of conditions laid down in the N.A. Order & (2) Usual declaration on title.

Thanking You,

Yours Faithfully,



Shalin N. Parikh

Shalin N. Parikh
Advocate & Mediator