

HITESH LAIWALA
MAHARSHI LAIWALA
ADVOCATES & TAX-CONSULTANTS

To,
Wall Street Business Hub,
HG-27, ITC Building,
Majura Gate, Ring Road,
Surat-395002.

Under your instructions, I have gone through and perused carefully the papers listed and annexed hereto, related to the land more particularly described in Schedule hereunder written and forming part of this report, for the purposes of investigating titles thereof and for appraising you about the titles of the said land. My observations, based on what transpires from available papers, are as under.

1. THE LAND :

- 1.1 The lands bearing survey No. 725 (725 + 728) of Village Dumas, Taluka Choryasi, District Surat admeasured Acre 2-20 Gunthas.
- 1.2 With the extension of limits of Surat Municipal Corporation (SMC for short), village Dumas has been included in the extended limits of SMC. Choryasi Taluka has been split up and a separate taluka Surat City is made for SMC area. Now the said Surat city Taluka is further divided and the land of village Dumas is within the limits of Majura Taluka.
- 1.3 With the application of Town Planning Scheme No. 77 (Dumas, Bhimpor, Gavier) the aforesaid lands has been identified as O.P. No. 209 and F.P.No. 209 has been allotted in lieu thereof.

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Maharshi

- 1.4 The said land is converted to Non Agriculture for commercial purpose. For the sake of connivance, the land more particularly described in schedule is hereinafter referred to as the "said land".

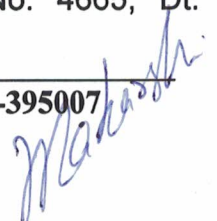
2. ZONING AND DEVELOPMENT REGULATIONS :

- 2.1 The land in question is designated for residential use under the Master Plan of Surat Urban Development Authority (SUDA for short), constituted under the provisions of The Gujarat Town Planning and Urban Development & Regulations Act, 1976.
- 2.2 The said land has been converted to Non Agriculture for residential purposes vide order of Collector, Surat bearing No. (J)Ba.Kha/TPS/ Ragi.No.948/06-07, Dt.29/12/2006.
- 2.3 The said land has been converted to Non Agriculture for commercial purposes vide order of Collector, Surat bearing No.(J)Ba.Kha/TPS/Sec.67/Ragi.No.44/2018-19,Dt 26/9/2018.
- 2.4 The plans for construction of a commercial high rise building has been approved by Surat Municipal Corporation vide Development Permission bearing No. TDO/DP/No.: 70, Dt. 30/07/2019.

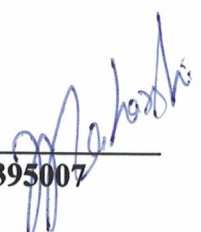
3. HISTORY OF DEVOLUTION OF TITLE AS IT TRANSPIRES FROM AVAILABLE PAPERS :

- 3.1 The land bearing survey No. 725, admeasuring Acre 2-20 Gunthas of village Dumas belonged to Maganlal Nagarbhai & Naginbhai Nagarbhai and their names stood on revenue records as Kabjedar.
- 3.2 Area of the land in question was reduced from Acre 2-20 Gunthas to Acre 2-11 Gunthas on account of canal and durasti is reflected vide entry No. 1200, Dt. 09/04/1964. The said entry was certified on Dt. 11/08/1964.

- 3.3 Partition took place amongst the two brothers Maganlal Nagarbhai & Naginbhai Nagarbhai vide agreement Dt. 02/05/1970 and pursuant to that the entire land stood allotted to Naginbhai Nagarbhai. Mutation entry No. 1690 Dt. 06/06/1970 is posted on revenue records to give effect to the said partition and the same is certified on Dt.14/07/1970. Name of Naginbhai Nagarbhai is continued on revenue records as sole owner.
- 3.4 As recorded in entry No. 3683 Dt. 30/06/2002 on village form No. VI, Naginbhai Nagarbhai expired on Dt. 21/05/2002 but not before leaving a will and/or testament Dt. 27/08/1999, registered in the office of Sub-Registrar Surat at Sr. 22974 of Book No.3 on Dt. 27/08/1999. Under the said will, it appears, the said land was given to Upendrabhai Naginbhai and Bhalchandra@ Rajubhai Naginbhai, his sons. By the aforesaid entry, name of Naginbhai Nagarbhai was deleted from revenue records of the said land and name of Upendrabhai Naginbhai & Bhalchandra@ Rajubhai Naginbhai was mutated. The said entry was certified on Dt. -/-/2002.
- 3.5 By Sale Deed Dt. 15/3/2004 registered in the office of Sub Registrar, Surat at Sr.No. 2696 of Book No.1 on Dt.15/3/2004, Bhupendrabhai Naginbhai Patel & Bhalchandra @ Rajubhai Naginbhai Patel have sold the said land in favour of Jayantibhai Nathubhai Ajudiya & Savjibhai Govindbhai Patel. Pursuant to said sale, name of the purchasers have been mutated on revenue records vide entry No. 4205 Dt. 22/03/2004, duly certified on Dt. 1/12/2004.
- 3.6 On application of Savjibhai Govindbhai, name of his wife Hansaben Savjibhai was proposed to be entered on revenue records as kabjedar and mutation entry No. 4665, Dt.



- 12/07/2005 was posted but the said entry came to be rejected on Dt. 27/12/2005. Therefor in my view it has no bearing on the titles of the land as specially when there is no transaction by way of registered deed.
- 3.7 By Sale Deed Dt. 20/10/2005 registered in the office of Sub Registrar, Surat at Sr.No. 12286 of Book No.1 on Dt.20/10/2005, Jayantibhai Nathubhai Ajudiya & Savjibhai Govindbhai Patel have sold the said land in favour of Hasmukhbhai Dhanjibhai Mendpara. Pursuant to said sale, name of the purchaser has been mutated on revenue records vide entry No. 5069 Dt. 02/06/2006, duly certified on Dt. 27/03/2007.
- 3.8 By Sale Deed Dt. 24/03/2006 registered in the office of Sub Registrar, Surat at Sr.No. 4684 of Book No.1 on Dt.29/03/2006, Hasmukhbhai Dhanjibhai Mendpara has sold the said land in favour of Nitaben Saileshbhai Shah. Pursuant to said sale, name of the purchaser has been mutated on revenue records vide entry No. 5568 Dt. 16/07/2007, duly certified on Dt. 26/12/2007.
- 3.9 The survey No. 725 has been converted to N.A. for residential use as stated in para 2.2 above.
- 3.10 The Final Plot No. 209 has been converted to N.A. for commercial use as stated in para 2.3 above.
- 3.11 Nitaben Saileshbhai Shah has sold the land by registered sale deed Dt. 12/06/2019 registered in the office of Sub-Registrar, Surat at Sr. No. 9866 of Book No.1 on Dt. 13/06/2019 in your favour.
- 3.12 By the correction deed Dt.28/08/2019, registered in the office of Sub-Registrar, Surat at Sr.No.14653 of Book No.1 on Dt.28/08/2019, the discrepancy in the area of Final Plot is corrected.



4. OTHER OBSERVATIONS :

- 4.1 It appears that revenue and civil litigations were initiated by Bhanuben, D/o Naginbhai Nagarji to challenge the will of Naginbhai Nagarji Dt. 27/08/1999, registered in the office of Sub-Registrar Surat at Sr. 22974 of Book No.3 on Dt. 27/08/1999. However ultimately the said proceedings have been settled between the heirs of Naginbhai Nagarji under the will and natural heirs in the RTS/Revi. case No.17/2008 before the Collector Surat and Reg. Civil Suit No. 9/2004. The plaintiff in the aforesaid suit unconditionally withdrew the suit and the same was disposed of on Dt. 15/07/2008. All the five daughters of Naginbhai Nagarbhai viz. Bhanuben, Premilaben, Sushilaben, Hansaben and Sudhaben confirmed the sale transaction in favour of Jayantibhai Ajudiya & Savjibhai Govindbhai vide deed of confirmation Dt. 14/07/2008, registered at Sr. No. 11713 in the office of sub registrar Surat on Dt. 15/07/2008. I am told that all the aforesaid proceedings have been finally closed and no other proceedings are pending in any Court or before any authority under any law for the time being in the force.
- 4.2 Under tentative reconstitution of T P Scheme No.77 (Dumas, Bhimpor, Gavier) the T P Officer has corrected the F P Area as 5985 sq. mts. instead of 5984 sq. mts. Collector Surat has granted NA permission for commercial use in respect of 5984 sq.mts. as per Draft TP proposal. Therefor the additional land of 1 sq.mts. remains NA for residential use. Plans for construction of commercial complex are approved only in respect of 5985 sq.mts. a portion of 1 sq.mt. is shown on the plan by hatch line. Copy of latter Dt. 15/02/2019 of T P officer is enclosed.

5. SEARCH

- 5.1 On my request, Advocate Keyur Shukla has taken search in the office of Sub-Registrar, Surat and has submitted his reports Dt.19/8/2019.
- 5.2 His reports do not reflect any additional transaction in respect of the land in question, save and except specifically referred to in my report.
- 5.3 No charge or lien is recorded on the revenue records.

6. CONCLUSION :

- 6.1 Having perused the documents referred to hereinabove and having examined the papers more particularly described in the list annexed hereto, I am of the opinion that the titles to the land, more particularly described in Schedule hereunder written appear to be clear and marketable in the hands of your firm M/s S. S. Enterprise subject to usual declarations.
- 6.2 This report is based on the copies of the documents furnished for my investigation and the same are annexed hereto and are marked as Annexure "1" to Annexure "20" and they form part of my report.

SCHEDULE HEREINABOVE REFERRED TO

All that piece and parcel of non agricultural land being the Final Plot No. 209, admeasuring **5985 sq.mts.** of T.P.Scheme No. 77 (Dumas, Bhimpur, Gavier) allotted in lieu of land bearing revision survey No. 725 (725 + 728) of village **Dumas**, Taluka **Majura**, District **Surat**.

Surat Dt.04-10-2019


Maharshi Hitesh Laiwala
Advocate

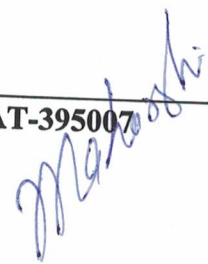
LIST OF DOCUMENTS RELIED UPON FOR THIS REPORT

1. Revenue records in respect of land bearing S.No. 725 of village Dumas Taluka Majura (earlier Taluka Chorasi), Dist. Surat.
2. Form "F" and plan showing final plot, issued under the Gujarat Town Planning & Urban Development Act, 1976 in respect of O.P.No. 209 of T.P.Scheme No.77 (Dumas, Bhimpor, Gavier).
3. Copy of latter No.: Narayo No. 77 (Dumas-Bhimpor-Gavier)/V.P.A/ Open Plot No. 209/2001, Dt. 15/02/2019 issued by T P officer.
4. Zoning Certificate issued by Surat Urban Development Authority (SUDA) under the provisions of The Gujarat Urban Development & regulations Act, 1976.
5. Copy of Order Dt.29/12/2006, bearing No.(J)Ba.Kha/TPS/Ragi.No.948/06-07 issued by Collector, Surat for grant of formal NA permission for residential use to the land in question.
6. Copy of Order Dt.26/9/2018, bearing No.(J)Ba.Kha/TPS/ Sec.67/Ragi.No.44/2018-19 issued by Collector, Surat for grant of formal revised NA permission to convert the land in question for commercial use.
7. Copy of Rajachitthi TDO/DP/No.: 70, dt. 30/07/2019 issued by Surat Municipal Corporation under which the plans for construction of commercial building are approved under the Gujarat Town Planning and Urban Development Act.
8. Copy of will of Naginbhai Nagarji Dt. 27/08/1999, registered in the office of Sub-Registrar Surat at Sr. 22974 of Book No.3 on Dt. 27/08/1999.
9. Copy of the order of Collector, Surat in RTS/Revi. case No.17/2008.
10. Copy of withdrawal purshish (Ex. 72) in Reg. Civil Suit No. 9/2004 and copy of order DT. 15/07/2018.
11. Copy of deed of confirmation Dt. 14/07/2008, registered at Sr. No. 11713 in the office of sub registrar Surat on Dt. 15/07/2008.

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12. Copy of Index-II certificate issued by Sub-Registrar, Surat for sale deed Dt. 15/3/2004 registered in the office of Sub Registrar, Surat at Sr.No. 2696 of Book No.1 on Dt.15/3/2004.
13. Copy of Index-II certificate issued by Sub-Registrar, Surat for sale deed Dt. 20/10/2005 registered in the office of Sub Registrar, Surat at Sr.No. 12286 of Book No.1 on Dt.20/10/2005.
14. Copy of Index-II certificate issued by Sub-Registrar, Surat for sale deed Dt. 24/03/2006 registered in the office of Sub Registrar, Surat at Sr.No. 4684 of Book No.1 on Dt.29/03/2006.
15. Copy of Index-II certificate issued by Sub-Registrar, Surat for sale deed Dt. 12/06/2019 registered in the office of Sub Registrar, Surat at Sr.No. 9866 of Book No.1 on Dt.13/06/2019.
16. Copy of Index-II certificate issued by Sub-Registrar, Surat for Correction Deed Dt.28/8/2019 registered in the office of Sub Registrar, Surat at Sr.No. 14653 of Book No.1 on Dt.28/8/2019.
17. Copy of Partnership Deed of M/s. Wall Street Business Hub.
18. Copies of the search reports issued by Advocate Keyur Shukla along with receipts for fees paid for search.

