

Vijay Khodidas Chauhan

Advocate



વિજય ખોડિદાસ ચૌહાણ

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2nd Floor, Dr. Shivnath Building,
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Court Road,
Bhavnagar – 364 001
(M): 9825552856

બીજો માળ, ડૉ. શિવનાથ બિલ્ડિંગ
અંબાજી માતાના મંદિર સામે, કોર્ટ રોડ
ભાવનગર – ૩૬૪ ૦૦૧
(મો): ૯૮૨૫૫૨૮૫૬

TO WHOM SO EVER IT MAY CONCERN

REF :

Investigation of title to land admeasuring 1705.36 Sq.Mts. with proposed commercial construction admeasuring 4629.89 Sq.Mts. on amalgamated CTS No.594, Sheet No.134, Ward No.6, known as **NAVAPARA PRIME**, situated at Near Kaveri Corporation, Way from Haluriya Chowk to Navapara, Bhavnagar belonging to **A. N. S. DEVELOPERS**, a partnership firm.

I have investigated title to land admeasuring 1705.36 Sq.Mts. with proposed commercial construction admeasuring 4629.89 Sq.Mts. on amalgamated CTS No.594, Sheet No.134, Ward No.6, known as **NAVAPARA PRIME**, situated at Near Kaveri Corporation, Way from Haluriya Chowk to Navapara, Bhavnagar is in ownership and in possession of **A. N. S. DEVELOPERS**, a partnership firm on the basis of verification of title documents and other evidences as enlisted hereinbelow for the same :

1. That immovable property, known as Pavallion House, situated at Navapara, Bhavnagar was sold by erstwhile Bhavnagar State to Bapubha Naranji Gohil vide deed dated 22.05.1926 and said Bapubha Naranji Gohil died intestate on 23.01.1960 leaving his said property in the hands of his heirs namely Mahavirsinh Baubha Gohil, Harisinh Baubha Gohil, Ghanshyamsinh Baubha Gohil, Kusumkuvarba Baubha Gohil, Lilaba alias Rukshmaniba Baubha Gohil and Induba Baubha Gohil and thereafter they had mutually distributed their said joint property and Harising Baubha Gohil and Ghanshyamsinh Baubha Gohil had obtained heirship certificate in their names from The District Court, Bhavnagar on 01.12.1961 in Misc. Civil Application No.87 of 1960 and other heirs of late Bapubha Naranji Gohil namely Kusumkuvarba Baubha Gohil, Lilaba alias Rukshmaniba Baubha Gohil and Induba Baubha Gohil and heirs of late Mahavirsinh Bapubha Gohil namely Majirajba Mahavirsinh Gohil give their consent for the same and on introduction of new city survey, the said property was



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recorded in the name of Harisinh Bapubha Gohil and Ghanshyamsinh Bapubha Gohil in city survey ward No.6, sheet No.134, survey No.594, 595, 598, 599, 600, 601, 602, 603, 604, 605/A & 605/B admeasuring 173.58 Sq.Mts., 234.25 Sq.Mts., 1156.53 Sq.Mts., 26.24 Sq.Mts., 20.48 Sq.Mts., 35.20 Sq.Mts., 20.67 Sq.Mts., 12.24 Sq.Mts., 34.57 Sq.Mts., 137.02 Sq.Mts. & 46.98 Sq.Mts. and city survey sanad were issued in their names.

2. Harisinh Bapubha Gohil and Ghanshyamsinh Bapubha Gohil had sold property admeasuring 117.73 Sq.Mts. of CTS No.598 paiki to Memon Abulgani Ibrahim vide sale deed registered at No.513 dated 25.02.1969 and said property was mutated in the name of said purchaser in city survey record and rest of property of CTS No.598 paiki was recorded as CTS No.598/1 admeasuring 964.03 Sq.Mts. in the name of Harisinh Bapubha Gohil and Ghanshyamsinh Bapubha Gohil.
3. Harisinhji Bapubha Gohil, one of the co-owner of above mentioned properties died intestate on 23.06.1985 leaving behind his undivided ½ share in above mentioned properties in the hands of his wife Rajkuvarba Harisinhji Gohil and sons Anirudhdhsinhji Harisinhji Gohil and Ravisinhji Harisinhji Gohil and daughters Jayaba Harisinhji Gohil and Jyotiba Harisinhji Gohil and out of them Rajkuvarba Harisinhji Gohil died intestate on 28.09.2003 and Ravisinhji Harisinhji Gohil, Anirudhdhsinhji Harisinhji Gohil, Jayaba Harisinhji Gohil and Jyotiba Harisinhji Gohil become joint owners for the share of late Harisinhji Bapubha Gohil in above mentioned properties and names of Ravisinhji Harisinhji Gohil, Jayaba Harisinhji Gohil and Jyotiba Harisinhji Gohil were entered in city survey record on 29.06.2010 and out of them Anirudhdhsinhji Harisinhji Gohil died intestate and unmarried on 28.12.2010 and his name was deleted from city survey record on 28.06.2012.
4. Ghanshyamsinhji Bapubha Gohil, one of the co-owner of above mentioned properties died intestate on 31.03.1983 leaving behind his undivided ½ share in above mentioned property in the hands of his wife Krushnadevi Ghanshyamsinhji Gohil and sons Hardevsinhji Ghanshyamsinhji Gohil and Harshadbhai Ghanshyamsinhji



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Gohil and daughters Jayshriba Ghanshyamsinhji Gohil and Kumkumba Ghanshyamsinhji Gohil and out of them Harshadbhai Ghanshyamsinhji Gohil died intestate on 06.10.2002 leaving behind his wife Niranjanba Harshadbhai Gohil and son Abhishek Harshadbhai Gohil and daughter Bhuvneshvariba Harshadbhai Gohil and they become joint owners for the share of late Ghanshyamsinhji Bapubha Gohil in above mentioned properties and names of Hardevsinhji Ghanshyamsinhji Gohil, Jayshriba Ghanshyamsinhji Gohil, Kumkumba Ghanshyamsinhji Gohil, Niranjanba Harshadbhai Gohil, Abhisheshk Harshadbhai Gohil and Bhuvneshvariba Harshadbhai Gohil were entered in city survey record on 29.06.2010 and out of them Abhishek Harshadbhai Gohil died intestate and unmarried on 08.11.2010 and his name was deleted from city survey record on 28.06.2012.

5. That heirs of late Lilaba alias Rukshmaniba Bapubha Gohil and heirs of late Induba Bapubha Gohil had filed Sp. Civil Suit No.71 of 2012 in the court of The Principal Senior Civil Judge, Bhavnagar against Hardevsinhji Harisinhji Gohil and others for their share in above mentioned property and also filed application for interim injunction vide Ex.5 and notice of the said suit was also issued to the heirs of late Kumkumba Ghanshyamsinhji Gohil but they did not appear in court, that means they has not intereste in suit matter and subsequently parties of the said suit has compromised and filed withdrew pursis ON 05.05.2018 and said suit was disposed of accordingly on 05.05.2018.
6. That one Aarifbhai Ismailbhai Kalva has filed Sp. Civil Suit No.87 of 2017 against Ravirajsinh Harisinhji Gohil and others on the basis of sale agreement and subsequently said plaintiff Arifbhai Ismailbhai Kalva withdrew said suit on 14.09.2019 and said suit was disposed of accordingly on 14.09.2019
7. **[1] JADEJA ARJUNSINH ARUNSINH JADEJA, [2] JADEJA DIVYARAJ ARUNSINH, [3] JAKA MUSTUFA SAJIDBHAI AND [4] KALVA ABDULKADAR ARIFBHAI** has purchased land admeasuring 1781.19 Sq.Mts. as peer record and admeasuring 1810.27 Sq.Mts. as per site with 485.37 Sq.Mts. construction standing thereon bearing city survey ward No.6, sheet No.134, survey No.594, 595, 598/1, 599, 600, 601,



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602, 603, 604, 605/A & 605/B, situated at Near Kaveri Corporation, Way from Haluriya Chowk to Navapara, Bhavnagar from [1] **RAVIRAJSIKH HARISINHIJI GOHIL** alias **RAVIKUMAR HARISINHIJI GOHIL**, [2] **JAYABA HARISINHIJI GOHIL** alias **JAYA MANGALSINHI CHUDASAMA**, [3] **JYOTIBA HARISINHIJI GOHIL** alias **JYOTI KISHOR ZALA**, [4] **COL.HARDEVSINHIJI** alias **HARDIPSINHIJI GHANSHYAMSINHIJI GOHIL**, [5] **JAYSHRIBA GHANSHYAMSINHIJI GOHIL** alias **JAYSHRI MEHTA GHANSHYAMSINHI**, [6] **KUMKUMBA GHANSHYAMSINHIJI GOHIL** alias **KUMKUM YOGESH BATHWAR**, [7] **NIRANJANBA HARSHADBHAI GOHIL** alias **NIRANJANA HARSHADKUMAR GOHIL** AND [8] **BHUVNESHVARIBA HARSHADBHAI GOHIL** alias **BHUVNESHVAR HARSHADKUMAR GOHIL** with confirming parties [1] **UMABA TEJPALSINHI JADEJA**, heirs of late Rukshmaniba alias Lilaba Bapubha Gohil, [2] **BHARATIBA KISHORSINHI SARVAIYA**, **ADITIBA B. PARMAR** AND **RAGHVENDRASINHI SAHDEVSINHI RANA**, heirs of late Nirmlaba alias Induba Bapubha Gohil, [3] **RAJESHRIABA ARUNSINHI JADEJA**, **DHARMENDRASINHI GAJENDRASINHI ZALA**, **HARPALSINHI GAJENDRASINHI ZALA** AND **KASHMIRAB VIJAYSINHI RATHOD**, heirs of late Prabhatba Gajendrasinhi Zala [daughter of late Mahavirsinhi Bapubha Gohil] vide sale deed registered at No.1906 dated 07.05.2018 in the office of The Sub Registrar, Bhavnagar-2 and said properties were mutated in the name of said purchasers in city survey record on 02.05.2019 and Bhavnagar Municipal Corporation vide its resolution No.1286 dated 05.12.2020, transferred said properties in the name of said purchasers.

8. The City Survey Superintendent, Bhavnagar vide its order dated 26.08.2019, allowed amalgamation of CTS No.594, 595, 598/1, 599, 600, 601, 602, 603, 604, 605/A & 605/B into CTS No.594 admeasuringn 1705.36 Sq.Mts. and issued amalgamated sketch for the same.
9. **SHRI NAHINBHAI ABDULHAFIZ KAZI**, **SHRI SANJAYKUMAR BACHUBHAI VEGAD** AND **YASH ARUNBHAI PATEL** entered into partnership in the name and style of **A. N. S. DEVELOPERS** vide partnership deed dated



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25.01.2021 and thereafter **JADEJA ARUNSINH DILIPSINH AND JAKA SAJIDBHAI IBRAHIMBHAI** are entered as partners in the said firm and supplementary partnership deed has been executed between them on 25.01.2021.

10. **A. N. S. DEVELOPERS**, a partnership firm through its authorized partner Nahinbhai Abdulhafiz Kazi purchased land admeasuring 1705.36 Sq.Mts. of amalgamated CTS No.594, Sheet No.134, Ward No.6, situated at Near Kaveri Corporation, Way from Haluriya Chowk to Navapara, Bhavnagar from **[1] JADEJA ARJUNSINH ARUNSINH JADEJA, [2] JADEJA DIVYARAJ ARUNSINH, [3] JAKA MUSTUFA SAJIDBHAI AND [4] KALVA ABDULKADAR ARIFBHAI** vide sale deed registered at No.1907 dated 05.04.2021 in the office of The Sub Registrar, Bhavnagar-1 and said property was mutated in the name of said purchaser firm in city survey record and Bhavangar Municipal Corporation vide its resolution No.63 dated 12.04.2021, transferred said property in the name of said purchaser firm.
11. Bhavnagar Municipal Corporation approved proposed commercial & residence flat building plan for CTS No.594 and issued development permission No.4 on 28.06.2021 and said **A. N. S. DEVELOPERS**, a partnership firm give name of his said project as **NAVAPARA PRIME**.
12. That one Jivubha Hamirji Chudasama, tenant in part portion of captioned premises through his power of attorney holder Jinabhai Nathubhai Algotar has filed Regualr Civil Suit No.178 of 2018 against land owners and others in the court of The Principal Senior Civil Judge, Bhavnagar and subsequently said Jivubha Hamirji Chudasama through his power of attorney holder Jinabhai Nathubhai Algotar has withdrew the said suit on 04.08.2019 and has hand over the tenant premises and executed notarized agreement for the same on 04.08.2018 and subsequently after demise of Jivubha Hamirji Chudasama, his heirs namely Nilaba Jivubhai Chudasama and others has filed Regular Civil Suit No.302 of 2018 in the court of The Principal Senior Civil Judge, Bhavnagar for declaration and injunction against Jadeja Arjunsinh Arunsinh and others, but present owner i.e. **A. N. S. DEVELOPERS**, a partnership firm is not party in the said suit and said suit is pending in



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court of law. As per said suit, plaintiffs are heirs of deceased tenant Jivubha Hamirji Chudasama and claiming tenancy rights for 989.00 Sq.Mts. on captioned property, not claiming ownership and not challenge title of original owners, but deceased tenant through his power of attorney holder has vacated tenant premises and after that present suit is filed.

13. That the searches of the record for the last 31 years from 1991 to 2021 has been carried out in the office of The Sub Registrar of Assurance, Bhavagar on 26.07.2021, did not reveal any subsisting charge, mortgage or any other kind of encumbrances registered thereatover the said property. It is hererby certify that the title of **A. N. S. DEVELOPERS**, a partnership firm to the said property briefly described in **THE SCHEDULE** hereinafter is **CLEAR, MARKETABLE AND FREE FROM ANY ENCUMBRANCES OVER THE SAID PROPERTY.**

THE SCHEDULE
BRIEF DESCRIPTION OF THE PROPERTY

All that pieces and parcel of land admeasuring 1705.36 Sq.Mts. with proposed commercial construction admeasuring 4629.89 Sq.Mts. on amalgamated CTS No.594, Sheet No.134, Ward No.6, known as **NAVAPARA PRIME**, situated at Near Kaveri Corporation, Way from Haluriya Chowk to Navapara, Bhavnagar and bounded are as under ::

- NORTH** : Property known as Kaveri Corporation bearing CTS No.596 and CTS No.605/C
- EAST** : Gully
- SOUTH** : Technical High School bearing CTS No.592 and Properties of CTS No.593, 598/2 & 598/3
- WEST** : Public Road

Dated 18th August, 2021

[V. K. CHAUHAN]
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Bar Council of Gujarat
Enrollment No.G/319/1983

