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(Gujarat High Court)
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Shrivastava & Associates
Advocates & Consultants

Banking, Corporate & Legal Consultant

Ref. No. VAD / 2014 / 59

Date : 25 / 06 / 2014

TO WHOM SO EVER IT MAY CONCERN

LEGAL OPINION CUM NON ENCUMBRANCE CERTIFICATE & LEGAL SCRUTINY REPORT

REF. : Title Opinion on the NON - AGRICULTURAL LAND being Block / Survey No. 279 (Old Survey No. 325), admeasuring 9308 Sq. Mt., bearing Khata No. 390 and Aakar Rs.10.31 situated in the village sim KALALI, Tal. & Dist. Vadodara presently owned by Mr. KIRITBHAI AMBALAL PATEL & Mr. DINESHBHAI AMBALAL PATEL.

Following Documents were scrutinized by me :

- (1) Copies of the Revenue Records (6, 7/12, 8 - A) reflecting the names of Mr. KIRITBHAI AMBALAL PATEL & Mr. DINESHBHAI AMBALAL PATEL vide Entry No. 2222
- (2) Copy of the N. A. Order vide No. N. A. / S.R./989/2013-2014 and No. Land - / D / Section - 65 / Vasi / 1333 to 1341 / 14, dated 01/03/2014
- (3) Copy of Construction Permission issued by VUDA vide No. UDA / Plan - 1 / Permission / 6 / 2014, dated 03/03/2014

I have carefully scrutinized on the basis of the copies of the documents of title produced before me in respect of said Lands which is in the name of Mr. KIRITBHAI AMBALAL PATEL & Mr. DINESHBHAI AMBALAL PATEL.

I hereby submit my legal opinion cum non - encumbrance certificate & legal scrutiny report as hereunder :

That the said captioned agricultural land being Survey No. 325 of village moje KALALI, Tal. & Dist. Vadodara was originally owned by Chimanbhai Sanabhai prior to 1951 as per Revenue Entry No. 1 / 36.

That, as per R. E. No. 431, dated 11/07/1963 reflects for Tenancy right delete for the caption land.

That, as per R. E. No. 497, dated 30/09/1965 reflects for Aakar correction entry from the caption land.

That, as per R. E. No. 605, dated 01/04/1966 reflects that said Chimanbhai Sanabhai had obtained loan of Rs.2700/- from Bil Juth Vividh Karyakari Sahkari Mandli, Vadodara thus the charge of the said Mandali was mutated in the Revenue Records and which was duly certified by competent authority.

Harish Patel (Advocate)



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That, as per R. E. No. 687, dated 20/05/1969 reflects that the name of Prabhudas Sanabhai were entered as a joint owner of the captioned land as per verbal agreement and his name was mutated in revenue Records along with the name of owner Chimanbhai Sanabhai. The said entry was duly certified by competent authority.

That as per R. E. No. 792, dated 01/01/1976 reflects that the Chimanbhai Sanabhai and Prabhudas Sanabhai Rai had obtained loan from State Bank of Saurashtra, Vadodara thus the charge of the said Bank was mutated in the Revenue Records and thereafter the said loan was repaid by Chimanbhai Sanabhai Rai and Prabhudas Sanabhai Rai and the charge of the Bank was deleted vide R. E. No. 915 on 05/01/1982 which was duly certified by competent authority.

That, as per R. E. No. 1043, dated 08/01/1987 reflects that partition took place on 17/05/1986 between Chimanbhai Sanabhai Rai and Prabhudas Sanabhai Rai and as per the said partition, the captioned land being Survey No. 325 was mutated in the name of Chimanbhai Sanabhai Rai but said entry was duly cancelled by the competent Authority.

That as per R. E. No. 1117, dated 02/07/1990 reflects that the Chimanbhai Sanabhai and Prabhudas Sanabhai Rai had obtained loan from Indian O Bank, Kalali Branch, Vadodara thus the charge of the said Bank was mutated in the Revenue Records and thereafter the said loan was repaid by Chimanbhai Sanabhai Rai and Prabhudas Sanabhai Rai and the charge of the Bank was deleted vide R. E. No. 1207 on 01/03/1996 which was duly certified by competent authority.

That, as per R. E. No. 1209, dated 11/03/1996 reflects that partition took place between Chimanbhai Sanabhai Rai and Prabhudas Sanabhai Rai and as per the said partition, the captioned land being Block No. 279 was mutated in the name of Chimanbhai Sanabhai Rai and said entry was duly cancelled by the competent Authority Circle Officer Vadodara Gramya.

Thereafter said Chimanbhai Sanabhai Rai had sold / convey the said land to Gohil Kantibhai Desai and Patel Arunbhai Chandrakant by way of Sale Deed vide registered Sr. No. 10719 on 17/11/2007 and the entry for the same was duly mutated in the Revenue Record vide R. E. No. 1669, dated 21/01/2008 which was duly certified by competent authority on 05/03/2008.

Thereafter said Arunbhai Chandrakant Patel as a owner and Kantibhai Desai and Gohil as a confirming party had executed a Registered Banakhat in favour of Kiritbhai Ambalal Patel for land adm. 2327 Sq. Mt. out of total 9308 Sq. Mt. and the said Banakhat was Registered with Office of Sub – Registrar Assurance, Vadodara vide Sr. No. 576, dated 15/06/2013.

Thereafter said Arunbhai Chandrakant Patel had executed a Registered Power of Attorney in favour of Dineshbhai Ambalal Patel for land adm. 2327 Sq. Mt. out of total 9308 Sq. Mt. and the said Banakhat was Registered with Office of Sub – Registrar Assurance, Vadodara vide Sr. No. 577, dated 15/06/2013.

Harish Patel (Advocate)



Thereafter said land owners Patel Arunbhai Chandrakant and Gohil Kantibhai Desaibhai had conveyed / sold the said total land 9308 Sq. Mt. to Kiritbhai Ambalal Patel and Dineshbhai Ambalal Patel by way of Reg. Sale Deed Sr. No. 950, dated 08/10/2013 (29/10/2013) and the entry for the same was duly mutated in the Revenue record vide R. E. No. 2222, dated 01/11/2003 and said entry was certified by competent authority on 17/01/2014.

That, competent authority Collector Vadodara vide Order No. N. A. / S.R./989/2013-2014 and No. Land - / D / Section - 65 / Vasi / 1333 to 1341 / 14, dated 01/03/2014 had declared the above said land adm. 9308 Sq. Mt. for the purpose of Non – Agricultural.

The Component Authorities Vadodara Urban Development Authority had passed the Layout Plan for carrying out construction work on the other said land vide Raja Chitthi No. UDA / Plan – 1 / Permission / 6 / 2014, dated 03/03/2014.

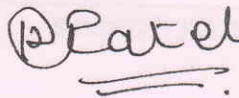
CERTIFICATE

I, hereby certify that from the documents referred above which was submitted to me and I have caused a necessary search in the Office of The Sub – Registrar, Vadodara for the period from 2000 to 2014 and verified the information furnished in the report and during my possible search I do not find any adverse entry having been registered against the said property being **NON - AGRICULTURAL LAND** being **Block / Survey No. 279 (Old Survey No. 325)**, admeasuring **9308 Sq. Mt.**, bearing **Khata No. 390** and **Aakar Rs.10.31** situated in the village sim **KALALI, Tal. & Dist. Vadodara** more described in **SCHEDULE** hereunder which owned by **Mr. KIRITBHAI AMBALAL PATEL & Mr. DINESHBHAI AMBALAL PATEL** is **CLEAR, MARKETABLE AND FREE FROM ENCUMBRANCES.**

SCHEDULE OF PROPERTY

An Immovable **NON - AGRICULTURAL LAND** being **Block / Survey No. 279 (Old Survey No. 325)**, admeasuring **9308 Sq. Mt.**, bearing **Khata No. 390** and **Aakar Rs.10.31** situated in the village sim **KALALI, Tal. & Dist. Vadodara** and bounded as follows :

EAST	: Survey No. 280 and 281
WEST	: Survey No. 278
NORTH	: Survey No. 282
SOUTH	: Survey No. 277


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અરજી પહોંચ

મેલકતનું વર્ણન સ.નં. 279 હે.આરે. 0-93-08

Search in : કલાલી/KALALI

પહોંચ નંબર: ૨૦૧૪૦૧૬૦૧૫૨૪૦

અરજી નંબર:

૭૫૦૬

અરજી વર્ષ:

૨૦૧૪

તા: ૧૮

માહે: જુન

સને: ૨૦૧૪

રજુ કરનારનું નામ Harish Patel

નીચે પ્રમાણે ફી પહોંચી

રૂ. પૈસા

રજીસ્ટ્રેશન ફી.....

નકલ કરવા ની ફી સાઈડ / કોલીયો.....

શેરોની નકલ કરવા માટે ફી.....

ટપાલ ખર્ચ.....

નકલો અથવા યાદીઓ (કલમ ૬૪ થી ૬૭).....

શોધ અગર તપાસણી.....

Year: ૨૦૦૦

૨૦૧૨

દંડ કલમ-૨૫.....

કલમ-૩૪ (કલમ-૫૭).....

નકલ ફી કોલીયો.....

ઈન્ડેક્સ-૨ ફી.....

આ સિવાયની બાબતોની ફી

કુલ એકંદરે રૂ.

૭૫

અંકે રૂપીયાપંચોતેર પુરા.

દસ્તાવેજ

નકલ

દસ્તાવેજ રજીસ્ટર ટપાલથી નીચેના સરનામે મોકલશો.

તે રજીસ્ટર ટપાલથી મોકલવામાં

કચેરીમાં આપવામાં

આવશે.

(Kishor A Damor)

સબ રજીસ્ટ્રાર

Akota

IGR-NIC

-8426282272197695463

૧૮/૬/૨૦૧૪

૪:૦૯:૩૩ pm

અરજી પહોંચ

મેલકતનું વર્ણન સન.279, હે.આરે. 0.93.08

Search in : કલાલી/Kalali

પહોંચ નંબર: ૨૦૧૪૩૧૮૦૦૧૮૪૫

અરજી નંબર: ૮૮૭

અરજી વર્ષ: ૨૦૧૪

તા: ૧૮

માહે: જુન

સને: ૨૦૧૪

રજુ કરનારનું નામ **Harish Patel**

નીચે પ્રમાણે ફી પહોંચી

રૂ. પૈસા

રજીસ્ટ્રેશન ફી.....

નકલ કરવા ની ફી સાઈડ / કોલીયો.....

○

શેરોની નકલ કરવા માટે ફી.....

ટપાલ ખર્ચ.....

નકલો અથવા યાદીઓ (કલમ ૬૪ થી ૬૭).....

○

શોધ અગર તપાસણી.....

Year :

૨૦૧૨

૨૦૧૪

૨૫

દંડ કલમ-૨૫.....

કલમ-૩૪ (કલમ-૫૭).....

નકલ ફી કોલીયો.....

ઈન્ડેક્સ-૨ ફી.....

આ સિવાયની બાબતોની ફી

કુલ એકંદરે રૂ.

૨૫

અંકે રૂપીયા પચીસ પુરા.

દસ્તાવેજ

નકલ

દસ્તાવેજ રજીસ્ટર ટપાલથી નીચેના સરનામે મોકલશો.

ના દિવસે તૈયાર થશે અને

તે રજીસ્ટર ટપાલથી મોકલવામાં

કચેરીમાં આપવામાં

આવશે.

(K.B. Chauhan)

સબ રજીસ્ટ્રાર

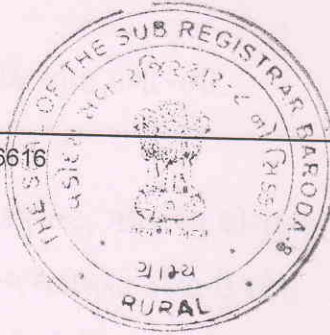
વડોદરા - ૮ ગ્રામ્ય

IGR-NIC

-9029656531854216616

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ખાતા નં.	સ.નં.	બ્લોક નં.	માષ	કલાલી, વડોદરા
૩૮૦	૩૨૫	૨૭૮	૦-૮૩-૦૮	
અનુ.નં.	તબદીલીનો પ્રકાર	મિલકતનો પ્રકાર	આપનાર	લેનાર
				રજી.તા.નં.

= ૧૯૮૪ થી ૨૦૧૪ સબ રજી. કચેરી વડોદરાની કચેરીમાં ઇન્ડેક્સ નં. ૨ હાલ કચેરીમાં લખાયેલા ઉપલબ્ધ (મેન્યુ./કોમ્પ્યુ) રેકર્ડ ની (નોંધ પ્રમાણે) શોધ કરતા ઉપરોક્ત મિલકત અંગે તબદીલી જોવા મળી છે/ નથી.

નોંધ:- હાલ કચેરીમાં ૧૯૮૪ થી ૨૦૦૫ નુ મેન્યુ. રેકર્ડ તદ્દન ફાટી ગયેલ છે. (જોઈ શકાય તેમ નથી).

- ૨૦૦૫ થી ૨૦૧૨ નુ કોમ્પ્યુ. રેકર્ડ હાલ કચેરીમાં ગામવાળી બાઈન્ડીંગ થયેલ જોઈ શકાયતે, દરેક વર્ષનુ અધુરુ લખાયેલ રેકર્ડ જોવા મળેલ છે.
- ૨૦૧૩ - ૨૦૧૪ ની ઇન્ડેક્સ જોવા મળી નથી.
- માલીકી હકકના જરૂરી ડોક્યુમેન્ટ, પક્ષકારનુ સોગંદનામુ, તલાટીશ્રીનુ એન.ઓ.સી., હાલ મીલકતનો કબજો અન્ય ચકાસણી કરવાની રહેશે.
(રેવન્યુ રેકર્ડ, સીટી સર્વે રેકર્ડ, કોર્પોરેશન રેકર્ડ, પંચાયત રેકર્ડ અન્ય લાગુ પડે તે)
- આ માહિતી વકીલશ્રી ની જાણ માટે તથા તેમના વતી કરેલ છે. પક્ષકારશ્રી સીધા આ માહિતી આધારે કોઈ તબદીલી કરી શકશે નહીં. (રેકર્ડ ઘણુ ફાટેલુ/ અધુરુ હોય)

જોવાનમળેલ- ફાટીગયેલ-કોમ્પ્યુ.લોક, પેન્ડીંગ ડોક્યુમેન્ટ અંગેની કોઈપણ જવાબદારી- નુકશાની શોધ કરનારની રહેશે નહીં.