

122, Gitanjali Complex, Opp. "C" Division Police Station, Kalanala, Bhavnagar

Date : 24/09/2019

To,
Mr. Pravinbhai Shamjibhai Gujarati,
Vallabhipur.

Subject : **Legal Opinion regarding title of the open land admeasuring 4187.00 Sqmt. comprised in Plot No.1 which is originally part of non-agricultural land of R.S. No.1138 of Village : Vallabhipur, Taluka : Vallabhipur, District : Bhavnagar**

Owner: **Mr. Pravinbhai Shamjibhai Gujarati.**

With reference to the above, I have received relevant documents and papers for issuance of title clearance report of the property mentioned in the subject. I have gone through the relevant Xerox, documents and papers; my opinion regarding title of the property is as under.

- (1) Originally through the entry No.34 the land of R.S. No.1138 along with the land of other survey numbers has been recorded in the name of Ramji Diyal Mangukiya.
- (2) Thenafter Mr. Ramjibhai Dayalbhai expired and through entry No.909, Dt.05/07/1962 the land of R.S. No.515, 516, 1138 & 1742 Paiky has been mutated in the name of Mr. Nagjibhai Ramjibhai Mangukiya and Madhavji Ramjibhai Mangukiya. As per the remarks mentioned in the above entry, all the daughters of late Ramjibhai Dayalbhai have waived their rights towards the above agricultural land.

- (3) Thenafter Mr. Nagjibhai Ramjibhai Mangukiya & Madhavji Ramjibhai Mangukiya both have partitioned the land which have been recorded on their joint name as follows :

No.	Name	Survey No.	Acre - Guntha
1	Nagjibhai Ramjibhai	516	8-39
		1138	6-12
		1742	7-21
2	Madhavjibhai Ramjibhai	515	3-18

For the above partition entry No.4025 has been entered on 31/12/1996 and the same has been also certified by Mamlatdar, Vallabhipur on Dt.14/02/1996.

- (4) Thenafter Mr. Nagjibhai Ramjibhai expired on 07/06/1996, therefore the entry No.5863 has been entered on Dt.13/03/2009 to enter the names of legal heirs of late Nagjibhai Ramjibhai, but the same has been cancelled by the Mamlatdar, Vallabhipur on Dt.07/05/2009.

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- (5) Thenafter Mr. Babubhai Mohanbhai Gujarati as a Power of attorney holder of Rajnikantbhai Madhavjibhai legal heir of Madhavjibhai Ramjibhai has filed an appeal bearing No.Appeal/Reg./30/04-05 before the Deputy Collector, Bhavnagar challenging the decision of entry No.4025, but the said appeal has been rejected by the Deputy Collector, Bhavnagar through their order Dtd.31/01/2006 further Mr. Babubhai Mohanbhai Gujarati as a Power of attorney holder of Rajnikantbhai Madhavjibhai legal heir of Madhavjibhai Ramjibhai has filed Revision application before Collector, Bhavnagar bearing No.R.O./Revision-265/2006-07 against the decision of entry No.4045 and Collector, Bhavnagar has approved the said revision application through their order Dt.05/02/2009 and ordered to cancel the entry No.4025. In lieu of above order the entry No.5866 has been entered in revenue record on Dt.13/03/2009 and the same has been certified by Mamlatdar, Vallabhipur on Dt.07/05/2009.

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- (6) Thenafter from the joint owner Mr. Nagjibhai Ramjibhai Mangukiya and Madhavjibhai Ramjibhai Mangukiya, Mr. Madhavjibhai Ramjibhai Mangukiya expired on Dt.04/06/1996 and the name of legal heirs namely Champaben Madhavjibhai Mangukiya -Wife, Rajnikantbhai Madhavjibhai Mangukiya-son, Kautilyabhai Madhavjibhai Mangukiya-son, Renukaben Madhavjibhai Mangukiya- daughter and Rakshaben Madhavjibhai Mangukiya - daughter has been entered in the revenue record through entry No.5911, Dt.18/05/2009 and the same has been certified by Mamlatdar, Vallabhipur on Dt.22/07/2009.

- (7) Thenafter Mr.Rajnikant Madhavjibhai Mangukiya as a self and as a Power of attorney holder of (1) Champaben Madhavjibhai Mangukiya (2) Kautilyabhai Madhavjibhai Mangukiya (3) Renukaben Madhavjibhai Mangukiya all the legal heirs of late Madhavjibhai Ramjibhai Mangukiya sold-out their 50% share in the land of R.S. No.515, 516, 113, 1742 to Mr. Babubhai Mohanbhai Gujarati alias Rameshbhai Mohanbhai Gujarat through registered sale deed Sr. No.632, Dtd.09/04/2009 and through the said sale deed the name of the purchaser Mr. Babubhai Mohanbhai Gujarati has been entered in the revenue record as a co-owner jointly with the other owner. In lieu of above sale deed entry No.5916 has been entered in the revenue record on Dt.22/05/2009 and the same has been also certified by Mamlatdar, Vallabhipur on Dt.29/07/2009.

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- (8) Thenafter Appeal No.Rev/Appeal/Case No.57/2009-10, Dt.15/04/2010 has been filed before Deputy Collector, Bhavnagar which has been rejected by Deputy Collector, Bhavnagar, in respect of said order entry No.6183 has been entered on Dt.26/04/2010 and the same entry has been certified by Mamlatdar, Vallabhipur on Dt.07/06/2010.
- (9) Thenafter in the entry No.5916 in respect the sale transaction in the name of Babubhai Mohanbhai Gujarati the Sr. No. of the sale deed has been wrongly mentioned as No.532 instead of No.632, therefore Mamlatdar, Vallabhipur has ordered to correct the sale deed Sr. No.632 from 532 and in respect of the above order the entry No.6205 has been entered on Dt.20/05/2010 and the same has been certified by the Mamlatdar, Vallabhipur on Dt.23/09/010.
- (10) Through entry No.6223, Dtd.04/06/2010 the names of legal heirs (1) Laxmiben Nagjibhai - Daughter (2) Mohanbhai Nagjibhai - SON (3) Savjibhai Nagjibhai - Son (4) Manjibhai Nagjibhai - Son (5) Legal heirs of Late Valjibhai Nagjibhai (5/1) Champaben Valjibhai - daughter-in-law (5/2) Anil Valjibhai - Grand son (5/3) Satish Valjibhai - Grand son (5/4) Devkiran Valjibhai - Grand Son has been entered as a legal heirs of late Nagjibhai Ramjibhai Mangukiya. The said entry No.6223 has been certified by Mamlatdar, Vallabhipur on Dt.15/03/2011.
- (11) Thenafter from the joint owners Laxmiben Nagjibhai has waived their rights towards the land of R.S. No.515, 516, 716, 820, 1138 & 1742 and through entry No.6281, Dt.25/08/2010 and the same entry has been certified by Mamlatdar, Vallabhipur on Dt.16/03/2011.
- (12) Thenafter the farmers of Vallabhipur namely (1) Satish Valjibhai (2) Mohanbhai Nagjibhai (3) Manjibhai Nagjibhai (4) Champaben Valjibhai (5) Anil Valjibhai (6) Babubhai alias Rameshbhai Mohanbhai Gujarati (7) Savjibhai Nagjibhai (8) Devkiran Valjibhai has sold-out the agricultural land of R.S. No.1138 having land area of Hector Aere Sqmt. 2-54-95 to Mr. Dineshbhai Shamjibhai Jetani & Pravinaben Nanubhai Anghan, W/o. Pravinbhai Shamjibhai Gujarati. In respect of said sale transaction entry No. 6585 has been entered on Dt.26/04/2011 and the same entry has been certified by Mamlatdar, Vallabhipur on Dt.02/07/2011.
- (13) Junior Town Planner has approved the lay-out plan showing residential plots on the land of R.S. No.1138 through their permission letter No.Dev/Vallabhipur/1767, Dt.22/10/2011 and Mr. Dineshbhai Shamjibhai Jetani & others has applied before Deputy Collector,

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..Sihor to for obtaining the non-agricultural permission for the land of R.S. No.1138 having total land of 25495.00 sqmt. for the residential purpose as well the permission has been granted by Deputy Collector, Sihor through their order No.Jamin/Bi.Khe/Reg. No.5/2012, Dtd.21/02/2012 and Junior Tower Planner has approved the revised lay-out plan showing residential plots through their permission letter No.Dev/Vallabhipur/1080, Dt.20/06/2012.

- (14) Mr. Manjibhai Nagjibhai Mangukiya and Rambhai Bhikhabhai Sanga has filed a Revision Application before Additional Secretary, Revenue Department (Dispute), Ahmedabad against the order of the Deputy Collector, Sihor, District Bhavnagar bearing No.Jamin/Bi.khe.Reg. no.5/2012, Dtd.21/02/2012. The said Revision application has been rejected by Additional Secretary, Revenue Department (Dispute), Ahmedabad through their order Dt.24/07/2012.
- (15) Thenafter Shri Dineshbhai Shamjibhai Tejani as a self and as a power of attorney holder of Pravinaben Nanubhai Anghan, wife of Pravinbhai Shamjibhai Gujarati sold-out the open land of Plot No.1 having total land area of 4187.90 sqmt. to the present owner Mr. Pravinbhai Shamjibhai Gujarati through registered sale deed Sr. No.500, Dt.13/10/2015 and through above sale deed the land of Plot No.1 has been mutated in the name of Pravinbhai Shamjibhai Gujarati in village form No.2
- (16) Thenafter Mr. Pravinbhai Shamjibhai Gujarati has applied before Vallabhipur Nagarpalika for the approval of Law Rise Commercial + Row House Plan and accordingly the Plan has been approved by the Vallabhipur Nagarpalika. The approved building plan is in the file but the approval date has been not mentioned in the plan.
- (17) One Mr. Manjibhai Nagjibhai Mangukiya has filed Special Civil suit No.15388/2012 before Hon'ble Gujarat High Court, but the Court finds no substance in the petition. Hence, the petition has been rejected, Notice discharged, Interim relief, if any, resolved vacated through order Dt.14/08/2015.
- (18) Mr. Manjibhai Nagjibhai Mangukiya & Shri Rambhai Bhikhabhai Sanga have filed a Regular Civil Suit No.458/2011 before Hon'ble Principal Civil Judge (C.D), Bhavnagar but the same application exhibit-5 has been rejected by the hon'ble court through their order Dt.08/02/2017 and the said suit through the order Dt.16/11/2017 has been forwarded to Hon'ble Principal Senior Civil Court, Sihor.

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- (19) Mr. Manjibhai Nagjibhai Mangukiya & Rambhai Bhikhabhai Sanga have also filed a Regular Civil Suit No.154/2011 before Hon'ble Principal Civil Judge (C.D), Bhavnagar but the same application exhibit-5 has been rejected by the hon'ble court through their order Dt.08/02/2017 and the said suit through the order Dt.16/11/2017 has been forwarded to Hon'ble Principal Senior Civil Court, Sihor.
- (20) City survey office, Vallabhipur has carried out an enquiry and the said Plot No.1 has been recorded in the City survey office bearing City Survey Ward : Vallabhipur (Non-agricultural), City survey No.NA1138/1 total land area 4187.89 Sqmt. and at present the said land has been recorded in the name of Pravinbhai Shamjibhai Gujarati through entry No.2, Dt.02/04/2019.

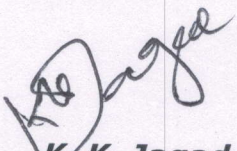
I have examined relevant documents and papers produced before me for issuance of this title clearance report, I hereby give my opinion that the title of **Mr. Pravinbhai Shamjibhai Gujarati** towards the open land admeasuring 4187.00 Sqmt. comprised in Plot No.1 which is originally part of non-agricultural land of R.S. No.1138 of Village : Vallabhipur, Taluka : Vallabhipur, District : Bhavnagar is clear, marketable & free from any encumbrances subject to decision of above all the civil suits by Hon'ble court.

THE SCHEDULE**-:: Description of the property::-**

An immovable property i.e. open land admeasuring 4187.00 Sqmt. comprised in Plot No.1 which is originally part of non-agricultural land of R.S. No.1138 of Village : Vallabhipur, Taluka : Vallabhipur, District : Bhavnagar is bounded as under :

On North : Adjoining road
On South : Adjoining 6.00 mtr. internal road
On East : Adjoining Bhavnagar - Ahmedabad highway road.
On West : Adjoining 9.00 mtr. internal road.

Dated : September 24, 2019


K. K. Jagad,
Advocate

