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11/11/2019

To,
M/s. Monarchy Developers,
Partnership Firm.
Vadodara.

Sirs,

Title Clearance Certificate & Non-Encumbrance Certificate: In respect of which BLOCK D - NOTUS IT PARK adm 6199.58 sq mtr., and common plot area 620 sq mtr., as per approved layout plan, constructed on Survey No. 108/B, RS. No. 111/B & RS No. 112/B, CS No. 921 part (paiki CS No. 921 to 948, 1116 to 1119 & CS No. 1100/B, adm. 24505.70 sq. mtr in the sim of village Subhanpura Dist: Vadodara.

The search for title of property described in schedule here under was carried out as per the government record available, as the pages where torn out, for 31 years, and have also verified the Xerox copy of documents mentioned in schedule. On the basis of the said documents Report has been issued.

HISTORY OF THE CASE

1. The land bearing RS No. 108/B, 111/B & 112/B in the sim of village Subhanpura, was in possession of Agricultural Department, Govt. of Gujarat.
2. That by virtue of Order No. LND.1332-B, passed by Collector Office, Vadodara dated. 18.07.1959, the proposal to grant land to M/s. Sarabhai Chemical to carry out for manufacturing activities, wherein Rs.5,00,000/- were deposited and the name of M/s. Sarabhai Chemical was mutated in revenue record in respect of RS No. 108/B, 111/B & 112/B vide entry no. 127 dated 05.08.1959.
3. It is further observed that the Competent Authority granted the NA use of land for production of Vitamin -C and construction of building on 17.03.1960.
4. Thereafter vide Order No. IND/877/B/61 dated. 27.07.1961, the Collector passed order to erect factory for manufacturing basic drugs such Vitamin, Fine Chemicals etc. on payment of occupancy right subject to terms and conditions laid therein. In the said order, the said land has been granted to the company on alienable tenure. It is also observed in the said terms and conditions that in the event of sell or transfer, the Government shall be entitled to half earned increment.
5. That thereafter vide Order dated 27.07.1961, Sarabhai Chemicals a Unit of Karamchand Premchand Pvt. Ltd. executed an Agreement with Government on 22.05.1962 and became occupant of the said land.
6. Thereafter vide order dated. 27.07.1962 passed by Collector, wherein Sarabhai Chemicals was permitted to sub-divide and transfer the said land of village Subhanpura.
7. That thereafter by Indenture Deed dated 04.05.1962, the Survey no. 108/B paiki RS No. 108/B-1, adm. 10.24 Acre Guntha, RS No. 111/B adm. 1.20 Acre Guntha & RS No. 112/B/1 adm. 0.30 Acre Guntha has been conveyed to Sarabhai Merck Ltd. by Sarabhai Chemicals, a Unit Karamchand Premchand Pvt. Ltd. and RS No. 108/B, adm. 4.16 Acre Guntha, RS No. 112/B/2 adm. 0.30 Acre Guntha remain with Karamchand Premchand Pvt. Ltd. and the effect has been mutated in revenue record vide entry no. 190 dated. 04.08.1962.



8. Further, Sarabhai Chemicals - Karamchand Premchand Pvt. Ltd. executed Regd. Deed on 25.02.1963 and conveyed the land bearing RS No. 108/B-2 adm. 1.15 Acre Guntha and RS No. 112/B adm. 0.30 Acre Guntha to Suhrid Geigy Ltd. and the effect was mutated in revenue record vide entry no. 337 dated. 17.10.1964.
9. That the name of Sarabhai Merck Ltd. was changed to Sarabhai M. Chemicals Ltd. (for RS No. 108/B/1, 111/B & 112/B/1) by Tharav No. 8911 dated. 02.09.1969 by Registrar of Companies and the effect was mutated in revenue record vide entry no. 603 dated. 15.12.1973.
10. That the name of Sarabhai M. Chemicals Ltd. was changed to Sarabhai M. Chemicals Pvt. Ltd. (for RS No. 108/B/1, 111/B & 112/B/1) vide Board of Resolution passed on 20.07.1970 and R.O.C. Certificate No. 891 dated. 20.11.1970 and the effect was mutated in revenue record vide entry no. 604 dated. 15.12.1973.
11. Thereafter Sarabhai M. Chemicals Pvt. Ltd. conveyed land bearing RS No. 108/B-1 to Telered Pvt. Ltd. on 30.03.1973 (for RS No. 108/B/1, 111/B & 112/B/1) and as per Board Resolution dated. 31.03.1975 of SMCPL, the said land was transferred in the name of Telered Pvt. Ltd. and the effect was mutated in revenue record vide entry no. 663 dated. 20.09.1975.
12. Thereafter, as per Tharav by Board of Directors on 15.11.1973 the Sarabhai M. Chemicals - Telered Pvt. Ltd. had conveyed the said portion of land to SM Chemicals & Electronics Pvt. Ltd. on 15.04.1974 and the effect was mutated in revenue record vide entry no. 667 dated. 24.10.1975.
13. Thereafter, the original owner- Karamchand Premchand Pvt. Ltd. has conveyed the land bearing RS No. 108/B-2 to Sarabhai Chemicals Pvt. Ltd. by regd. deed on 01.07.1974 and the name of purchaser has been mutated in revenue record vide entry no. 668 dated 25.10.1975.
14. Thereafter, the name of Sarabhai Chemicals Pvt. Ltd. changed to Sarabhai Chemicals Ltd. for RS No. 108/B-2 as per Certificate no. 2293/ 1973-74 by Registrar of Company and the effect has been mutated in revenue record vide entry no. 709 dated 22.04.1976.
15. Thereafter, the said land was conveyed by Sarabhai Chemical Ltd. to Sarabhai Chemicals- Elescope Pvt. Ltd. by regd. deed on 02.02.1978 for RS No. 108/B-2 and the effect has been mutated in revenue record vide entry no. 786 dated 13.09.1978.
16. Thereafter, the said land was conveyed by Sarabhai Chemicals- Elescope Pvt. Ltd. to Sarabhai Chemicals- Ambalal Sarabhai Enterprises Pvt. Ltd. by regd. deed on 25.04.1978 for RS No. 108/B-2 and the effect has been mutated in revenue record vide entry no. 787 dated 13.09.1978.
17. Thereafter, the land bearing RS No. 108/B-1, 111/B & 112/B-1 has been conveyed by SM Chemicals & Electronics Pvt. Ltd. to Sarabhai Chemicals- Ofisade Pvt. Ltd. by regd. deed on 14.02.1979 and the effect was mutated in revenue record vide entry no. 875 dated 29.09.1980.
18. Thereafter, the land bearing RS No. 108/B-1, 111/B & 112/B-1 has been conveyed by Sarabhai Chemicals- Ofisade Pvt. Ltd. to Sarabhai Chemicals- Ambalal Sarabhai Enterprise Pvt. Ltd. by regd. deed on 15.02.1979 and the effect was mutated in revenue record vide entry no. 876 dated 29.09.1980.
19. Thereafter, the name of Suhrid Geigy Ltd. has been changed to S. G. Chemicals & Pharmaceuticals Ltd. for the land bearing RS No. 108/B-2-1 adm. 5564 sq. mtr. and RS No. 112/B/2 adm. 3035 sq. mtr. and the effect was mutated in revenue record vide entry no. 1435 dated. 19.07.1992.
20. Further, as per Order by High Court of Gujarat the name of S.G. Chemicals & Pharmaceuticals Ltd. was changed to Ambalal Sarabhai Enterprises Ltd. for the land bearing RS No. 108/B-2-1 adm. 5564 sq. mtr. and RS No. 112/B/2 adm. 3035 sq. mtr. and the effect has been mutated in revenue record vide entry no. 1436 dated. 19.07.1992.
21. Thereafter, Tharav issued by Company and order by Registrar, the name of said land has been changed to Ambalal Sarabhai Enterprises Ltd., Division -S.G. Pharmaceuticals for the land bearing RS No. 108/B-2-1 adm. 5564 sq. mtr. and RS No. 112/B/2 adm. 3035 sq. mtr. and the effect has been mutated in revenue record vide entry no. 1648 dated. 10.09.1998.



22. Further, the name of Sarabhai Chemicals- Ambalal Sarabhai Enterprise Pvt. Ltd. has been changed to Ambalal Sarabhai Enterprises Ltd. for the land bearing (1) RS No. 108/B-2-1 AND (2) RS No. 108/B-2 & 108/B-1, 111/B, 112/B/1 & 112/B/2 and the effect was mutated in revenue record vide entry no. 1734 & 1735 dated. 15.05.2001 respectively.
23. Further, as per Land Assessment Sheet, the land bearing RS No. 108/B, total adm. 60703 sq. mtr., RS No. 111/B adm. 6070 sq. mtr. & RS No. 112/B total adm. 6070 sq. mtr. for which different city survey numbers have been given and the effect was mutated in property card on 29.12.2011.
24. It is further observed that there was charge/encumbrance/attachment of Tax Recovery Officer, CIT-1, Vadodara on City Survey No. 921/part, 1100/B & 1138/part, adm. 72843 sq. mtr., wherein vide letter dated. 19.06.2015, the Dy. Commissioner of Income-Tax has lifted/released charge and the effect has been mutated in property card vide entry no. 10 dated 02.07.2015.
25. It is further observed that reference (IT No. 102/1996) was filed by Workmen of Ambalal Sarabhai Enterprise Ltd. and interim stay was granted on disposing of the property on 09.07.2010.
26. That by Spl. Civil Application No. 4102/2014, the Petitioner Sarabhai M. Chemicals obtained orders to sell the land bearing RS No. 108, 111, 112 & 54 and such amount receivable at the time of sale, shall be deposited with Industrial Tribunal, Vadodara and the said order is passed on 15.04.2014.
27. It is observed that the said order was challenged vide LPA No. 506/2014 which was disposed off on 09.04.2015. Aggrieve by the said order, the LPA No. 506/2014, special leave to appeal No. 14851/2015 was filed, wherein the Hon'ble Supreme Court, were of the opinion that impugned order does not fall for any interference and order was passed on 22.05.2015.
28. Thereafter the owner of the land - Ambalal Sarabhai Enterprises Ltd. have sold the land bearing 1) Survey No. 108/B, adm. 60703 sq. mtr., CS No. 921/part (consolidated CS No. 921 to 948, 1116 to 1119) and CS No. 1100/B, adm. 60703 sq. mtr., 2) Survey No. 111/B, CS No. 921/part (consolidated CS No. 921 to 948, 1116 to 1119) adm. 6070 sq. mtr., 3) Survey No. 112/B, CS No. 921/part (consolidated CS No. 921 to 948, 1116 to 1119) adm. 6070 sq. mtr. total adm. 72843 sq. mtr paiki only constructed area on which construction adm. 21642 sq. mtr. to Neptune Infraspaces Pvt. Ltd. through its Director - Niral K. Patel on 04.07.2011, sr. no. 5620 before Sub-Registrar, Vadodara and by virtue of sale deed, the name of the purchaser is mutated in property card on 16.10.2012.
29. Thereafter the owner of the land - Ambalal Sarabhai Enterprises Ltd. have sold the land bearing 1) Survey No. 108/B, adm. 60703 sq. mtr., CS No. 921/part (consolidated CS No. 921 to 948, 1116 to 1119) and CS No. 1100/B, adm. 60703 sq. mtr., 2) Survey No. 111/B, CS No. 921/part (consolidated CS No. 921 to 948, 1116 to 1119) adm. 6070 sq. mtr., 3) Survey No. 112/B, CS No. 921/part (consolidated CS No. 921 to 948, 1116 to 1119) adm. 6070 sq. mtr. total adm. 72843 sq. mtr. to Neptune Infraspaces Pvt. Ltd. through its Director - Niral K. Patel on 26.06.2015, sr. no. 5507 before Sub-Registrar, Vadodara and by virtue of sale deed, the name of the owner is mutated in property card on 02.07.2015.
30. Further, the owner has obtained NA Order vide No. NA/K-67/SR/94/2015-16 dated. 19.09.2016 for commercial use and the effect has been mutated in property card on 06.10.2016.
31. Further, the owner - Neptune Infraspaces Pvt. Ltd. through its Director - Niral K. Patel, has sold the land bearing RS No. 108/B, 110/B & 112/B, adm. 64415 sq. mtr., paiki land adm. 24505.70 sq. mtr. to Monarchy Developers-partnership firm by Regd. Conveyance Deed No. 10727 dated. 15.12.2016 before Sub-Registrar and the name of purchaser has been mutate in property card on 29.12.2016.
32. It is pertinent to note that there is typographical mistake in sale deed at page no. page 7 - Point No. 2, page no. 11 - Schedule 1, Page No. 12 - Schedule 2, Page No. 14 - above Photograph & Page No. 17 - Checklist - Sr No. 1, wherein it is wrongly mentioned as Revenue Survey No. 110/B, whereas correct is Revenue Survey No. 111/B and therefore a reg. rectification deed was executed on 11.01.2017, sr. no. 248 before Sub-Registrar.



33. Thereafter the owner has obtained construction permission vide Raja Chitthi No. Ward-10/L-131/2015-16 dated. 15.12.2015 and further it has been revised vide No. Ward-10/HB-25/2017-18 dated. 03.02.2018. On the said land "BLOCK D - NOTUS IT PARK" is constructed.
34. That as per approved layout plan- Block-D is adm adm 6199.58 sq mtr., and common plot area 620 sq mtr.
35. Further, the owners have obtained Revised Construction Permission from VMC vide no. Ward-10/HB-16/19-20 dt: 17/10/19 for construction of Ground Floor till Eleventh Floor. Further, Completion Certificate is issued on 22/10/19.

Note :

1. As per property card bearing CS No. 921, the entries No. 8662 to 8666 dated 26.02.2014 are mutated as per the order by Collector, Vadodara dated 15.11.2013 & Mamlatdar, Vadodara dated 04.12.2013, for the charges of Sarabhai Chemicals against Government dues in immovable properties bearing CS No. 1100/A-B & 1101 with 10% interest. Thereafter, the said dues have been paid and the lien towards the said properties vide entry no. 8662 to 8666 are removed and the effect is mutated in property card vide entry no. 14 dated 29.09.2016.
2. As per property card bearing CS No. 921, the Collector, Vadodara vide its letter dated. 20.10.2008 in respect of dues of Rs. 5,24,57,203/- of Ambalal Sarabhai Enterprises Ltd. on the land bearing CS No. 921 and others total adm. 73451 sq. mtr. and the said charges has been mutated in property card vide entry no. 3511 dated. 13.08.2009.

Out of the said dues, Ambalal Sarabhai Enterprises Ltd., has agreed to be paid 50% by way of Demand Draft and remaining 50% through Bank Guarantee till February 2011. Thereafter, on 12.02.2011, Demand Draft of Rs. 2,62,28,601.50 and Original Bank Guarantee for remaining amount has been submitted. As per Order by Collector, Vadodara dated. 20.10.2011, the attachment on the said land has removed, but the charge of the land remains continued.

3. As per property card bearing CS No. 921, the Mamlatdar, Vadodara vide its Order no. Vasulat/C/Vashi/1/2012 dated 04.01.2012 has ordered to transfer the Charges of Bharat Petroleum Department against dues of Rs. 2,62,28,601/- from CS No. 921 to CS no. 1101 & 1100/A total adm. 9207 sq. mtr. and the said effect has been mutated in property card vide entry no. 6035 dated 06.01.2012.
4. Thereafter the Mamlatdar, Vadodara, vide its Order No. Vasulat/C/Vashi/560/2012 dated 17.08.2012 has removed the charges over the land bearing CS No. 1101 & 1100/A total adm. 9207 sq. mtr. and the effect has been mutated in property card vide entry no. 6700 dated 25.10.2012.

SCHEDULE

Regn. Dist. Vadodara in the village sim of Subhanpura, bearing; Survey No. 108/B, RS. No. 111/B & RS No. 112/B, CS No. 921 part (paiki CS No. 921 to 948, 1116 to 1119 & CS No. 1100/B, adm. 24505.70 sq. mtr., on which Block-D adm 6199.58 sq mtr., and common plot area 620 sq mtr., as per approved layout plan and on the said land "BLOCK D - NOTUS IT PARK" is constructed, surrounded by:

East: Block C
West: Block E
North: Road
South: Open Space

CHRONOLOGICAL LIST OF DOCUMENT REFERRED

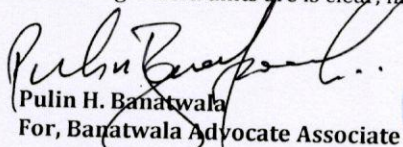
1. Xerox copy of revised Raja Chitthi No. HB/16/2019-20 dt: 16/10/19
2. Xerox copy of Completion Certificate issued by VMC dt: 22/10/2019
3. Xerox copy of Plinth Checking Certificate issued by VMC dt: 22/10/19
4. Xerox copy of Raja Chitthi issued by VMC dated. 03.02.2018.
5. Xerox copy of Plinth Checking Certificates issued by VMC 01.08.2017 & 30.03.2017
6. Xerox copy of Property card showing mutation entry of Monarchy Developers - Print on: 03.04.2018
7. Xerox copy of Regd. deed of conveyance No. 5507 dated. 25.06.2015 executed in favour of Neptune Infraspace Pvt. Ltd. for Regn. Dist. Vadodara in the village sim of Subhanpura, bearing 1) Survey No. 108/B,



- adm. 60703 sq. mtr., CS No. 921/part (consolidated CS No. 921 to 948, 1116 to 1119) and CS No. 1100/B, 2) Survey No. 111/B, CS No. 921/part (consolidated CS No. 921 to 948, 1116 to 1119, 3) Survey No. 112/B, CS No. 921/part (consolidated CS No. 921 to 948, 1116 to 1119) with RR & Index-II.
8. Xerox copy of Regd. sale deed No. 10727 dated. 21.12.2016 executed in favour of M/s. Monarchy Developers through its Partner - Shreyas Vinodchandra Shah by M/s. Neptune Infraspaces Pvt. Ltd. through its Director - Niraj Krupesh Patel for RS No. 108/B, 110/B & 112/B, total adm. 24505.70 sq. mtr., CS No. 921/part (paiki CS No. 921 to 948, 1116 to 1119) and C.S. No. 1100/B with Index-II.
 9. Xerox copy of Property card bearing CS No. 1100/B & 921
 10. Xerox copy of Regd. Rectification Deed No. 248 dated. 11.01.2017 executed for typographical error.
 11. Xerox copy of Regd. Deed of Conveyance No. 1128 dated. 06.02.2015 of land (RS. 54 Triangle) by Ambalal Sarabhai Enterprises to Neptune Infraspaces Pvt. Ltd. in respect of land adm. 3979 sq. mtr.
 12. Xerox copy of NA order dated. 19.09.2016 for commercial for land adm. 72843 sq. mtr.
 13. Xerox copy of NA Order dated. 02.08.2016 for commercial for RS No. 54, CS No. 383 paiki adm. 3979 sq. mtr.
 14. Xerox copy of Regd. Conveyance Deed No. 686 dated. 20.01.2018 executed in favour of Monarchy Developers through its Partner - Shreyas V. Shah by Neptune Infraspaces Pvt. Ltd. through its Director - Niraj K. Patel for RS No. 108/B, 111/B and 112/B, Part CS No. 921, adm. 1575 sq. mtr. with RR & Index-II.
 15. Xerox copy of Regd. Conveyance Deed No. 684 dated. 20.01.2018 executed in favour of Monarchy Developers through its Partner - Shreyas V. Shah by Neptune Infraspaces Pvt. Ltd. through its Director - Niraj K. Patel for RS No. 54 Part, CS No. 383/1, adm. 1575 sq. mtr. with RR & Index-II.
 16. Xerox copy of Regd. Conveyance Deed No. 2862 dated. 31.03.2017 executed in favour of Monarchy Developers through its Partner - Maulesh S. Shah by Neptune Infraspaces Pvt. Ltd. through its Director - Niraj K. Patel for RS No. 54 Part, CS No. 383 part, adm. 962.30 sq. mtr.
 17. Xerox copy of Regd. Conveyance Deed No. 10727 dated. 21.12.2016 executed in favour of Monarchy Developers through its Partner - Shreyas V. Shah by Neptune Infraspaces Pvt. Ltd. through its Director - Niraj K. Patel for RS No. 108/B, 111/B and 112/B, CS No. 921/ part & CS No. 1100/B, adm. 24505.70 sq. mtr. with RR & Index-II.
 18. Xerox copy of NOC issued by Fire & Safety Department dated. 09.08.2017
 19. Xerox copy of NOC for height clearance by Airports Authority of India dated. 12.10.2017.
 20. Xerox copy of Partnership Deed of M/s. Monarchy Developers dated. 24.10.2016
 21. Xerox copy of Revenue record for RS No. 112/B/2, 112/B/1, 111/B, 108/B/2-1.
 22. Xerox copy of NA /Conversion Order dated. 17.03.1960 for Survey No. 108/B, 111/B & 112/B issued by Competent Authority for construction of building and production.
 23. Xerox copy of Order in Spl. Civil Application No. 4102/2014 dated. 15.04.2014.
 24. Xerox copy of Order in LPA No. 506/2014 dated. 09.04.2015.
 25. Xerox copy of Order passed by Collector, Vadodara dated. 27.07.1961.
 26. Xerox copy of Order in Spl. Leave to Appeal No. 14851/2015 dated. 22.05.2015
 27. Xerox copy of Acquisition Order passed by Collector dated. 18.07.1958
 28. Xerox copy of Property card for City Survey no. 921 showing mutation entry of land owner-2015.
 29. Xerox copy of Zone Certificate by VUDA dated. 13.12.2012
 30. Xerox copy of Title Report by A.C. Damani & Advocates dated. 25.02.2014
 31. Xerox copy of Order issued by Collector, granting permission to transfer and sub-division of land in favour of Suhrid Geigy Ltd. dated. 27.07.1962
 32. Xerox copy of Layout Plan.

OPINION

Thus, on the basis of above referred documents and available search taken by Search Clerk, the property described herein above, **"BLOCK D - NOTUS IT PARK adm 6199.58 sq mtr., and common plot area 620 sq mtr., as per approved layout plan** constructed on Survey No. 108/B, RS. No. 111/B & RS No. 112/B, CS No. 921 part (paiki CS No. 921 to 948, 1116 to 1119 & CS No. 1100/B, adm. 24505.70 sq. mtr. in the sim of village Subhanpura Dist: Vadodara, is ownership of M/s. Monarchy Developers, partnership firm. The remaining unsold units are clear, marketable and free from encumbrances.


Pulin H. Banatwala
For, Banatwala Advocate Associate

