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Balchandbhai K. Patel
ASSOCIATES (Advocates)



To,
VASANTIBEN CHIMANBHAI PATEL AND OTHERS
Gandhinagar.

Ref No. 6043

Ref : IN THE MATTER OF INVESTIGATION of title to the
old tenure agricultural land bearing Final Plot No. 297
admeasuring 1841 sq.mts. of Final T. P Scheme No.
19 (Raysan – Randesan - Koba) comprised of Block
No. 365 admeasuring 2833 sq. mts., situate, lying
and being at Mouje – Raysan Taluka – Gandhinagar in
the Registration District of Gandhinagar and Sub -
District of Gandhinagar in the State of Gujarat.

TITLE INVESTIGATION REPORT

Pursuant to the request of land owner namely **Vasantiben Chimanhbai Patel and others**, we have carried out the work of the title investigation of the old tenure agricultural land bearing Final Plot No. 297 admeasuring 1841 sq.mts. of Final T. P Scheme No. 19 (Raysan – Randesan - Koba) comprised of Block No. 365 admeasuring 2833 sq. mts., situate, lying and being at Mouje – Raysan Taluka – Gandhinagar in the Registration District of Gandhinagar and Sub - District of Gandhinagar in the State of Gujarat presently owned and possessed by **Vasantiben Chimanhbai Patel and others**.

To this intent, we have caused the searches of the available records of the concerned Office of the Sub Registrar Assurances for a period of last Thirty Years and have perused and scrutinized copy of the documents /papers / revenue records as are made available to us and believing the same to be true, corrects and genuine and also based on the information / clarification as are made available to us by or through you and relying upon the same to be true and correct , we submit our title report as under.



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1. Name of the Land owner / s:

A. VASANTIBEN CHIMANBHAI PATEL

(The owner of undivided 35% share)

B. SAVANKUMAR CHIMANBHAI PATEL

(The owner of undivided 65% share)

2. Nature of the Land in Question and its Uses :

(a) Nature of the said Land

Freehold and old tenure agricultural land (The premium for non – agricultural use for residential purpose has been paid).

(b) Use of the said Land

Agricultural use

3. Description of the immovable properties under investigation :

All that piece and parcel of freehold the old tenure agricultural land bearing Final Plot No. 297 admeasuring 1841 sq.mts. of Final T. P Scheme No. 19 (Raysan – Randesan - Koba) comprised of Block No. 365 admeasuring 2833 sq. mts., situate, lying and being at Mouje – Raysan Taluka – Gandhinagar in the Registration District of Gandhinagar and Sub - District of Gandhinagar in the State of Gujarat more particularly described in the **Schedule** here under written (herein after referred to as the “**said Land**”)

4. Devolution of Title of the Land in Question :-

HISTORY OF BLOCK NO. 365

4.1 It has been observed by us that, the consolidation scheme of mouje –Raysan Taluka – Gandhinagar was sanctioned by the



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Settlement Commissioner and Director of Land Record, Gujarat State Gandhinagar vide their order bearing No. CON/Gandhinagar/ 37 dated 27-01-1966 and the said scheme was published on Page No. 648 of the Gazette of Government of Gujarat Part-1 on 10-02-1966 and in pursuance the said sanctioned, the Assistant Consolidation Officer Gandhinagar passed order bearing No. CON/Raysan dated 01-07-1967 and Taluka Authority Also Passed order bearing No. CON(V)1883 dated 26-07-1967 and according to the said consolidation statement, land bearing Survey No. 194/1/1 total admeasuring Acre. 0-28 Guntha was given Block No. 365 and its area was fixed to the extent of 2833 sq.mts., and allotted to Chhaganji Ranchhodbhai and Jivanji Ranchhodji as is corroborated and evidence by certified mutation entry No. 1291 dated 05-03-1968.

Note: It appears that land under investigation as declared as fragment land at the relevant point of time.

- 4.2 It has been observed by us that, the joint holder of said land namely Chhaganbhai Ranchhodbhai had died intestate on 13-10-1973 leaving behind him his lineal descendants as (1) Mafaji Chhaganji, (2) Ambaben Chhaganji and (3) Maniben Chhaganji and hence, their names were brought on the revenue record upon succession right as is expressly corroborated and evidenced by certified mutation entry No. 1346 dated 01-04-1975.
- 4.3 It has been observed by us that, a charge of the Gujarat State Co. Op. Land Development Bank Ltd., was created over the land bearing Block No. 365 by holder of the said land by availing loan in favour of Gujarat State Co. Op. Land Development Bank Ltd., as is expressly corroborated and evidenced by certified mutation entry 1592 dated 17-04-1989.



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4.4 It has been observed by us that, the charge was released by the Gujarat State Co-Operative Land Development Bank Ltd., vide its No Due Certificate whereby the charge created vide mutation entry No. 1592 was released as is expressly evidenced by certified mutation entry No. 1720 dated 05-04-1995.

4.5 It has been observed by us that, the joint holder of said land namely Ambaben Chhaganji had died intestate on 22-02-2001 leaving behind her her lineal descendants as (1) Sendhaji Chaturji, (2) Chanduji Chaturji, (3) Bhagaji Chaturji and (4) Laxmiben Chaturji and hence, their names were brought on the revenue record upon succession right as is expressly corroborated and evidenced by certified mutation entry No. 2031 dated 15-04-2002.

4.6 It has been observed by us that, the joint holder of said land namely Jivanji Ranchhodji had died intestate prior to about four years and his son Hiraji Jivanji also died intestate on 30-10-2000 leaving behind them their lineal descendants as (1) Badarji Jivanji, (2) Kamiben Wd./o. Hiraji Jivanji, (3) Sidhesh Hiraji and (4) Sunitaben Hiraji and hence, their names were brought on the revenue record upon succession right as is expressly corroborated and evidenced by certified mutation entry No. 2032 dated 15-04-2002.

4.7 It has been observed by us that, the joint holder of said land namely Badarji Jivanji had died intestate on 08-06-2002 leaving behind him his lineal descendants as (1) Dahiben Wd./o. Badarji Jivanji, (2) Ramilaben Badarji, (3) Raiben Badarji, (4) Rupaben Badarji and (5) Vishnuji Badarji and hence, their names were brought on the revenue record upon succession right as is expressly corroborated and evidenced by certified mutation entry No. 2045 dated 20-06-2002.



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- 4.8** It has been observed by us that, the land in question was new tenure land in nature and hence, the occupiers of said land had submitted an application to the Mamlatdar, Gandhinagar for converting the said land into old tenure land for agricultural purpose and after consideration of said application, the Mamlatdar, Gandhinagar passed order bearing No. Jamin / J.SH / S.R. NO.69 / 02 dated 23-08-2002 and released land in question from restriction laid down by the statutory Provision converting into old tenure land for agricultural purpose with a condition liable for premium only for non – agricultural use, and after conditions stipulated in the said order as is expressly corroborated and evidenced by certified mutation entry No. 2047 dated 23-08-2002.
- 4.9** It has been observed by us that, the joint holder of said land namely Ramilaben Amratji Thakor had died intestate on 03-01-2003 leaving behind her her lineal descendants as (1) Hiralben D./o. Ramilaben Amratji Thakor and (2) Amratji Somaji Thakor and hence, their names were brought on the revenue record upon succession right as is expressly corroborated and evidenced by certified mutation entry No. 2238 dated 17-05-2006.
- 4.10** It has been observed by us that, the joint holder of said land namely Chanduji Chaturji Thakor had died intestate on 28-10-2005 leaving behind him his lineal descendants as (1) Jassiben Chanduji Thakor, (2)Gitaben Chanduji Thakor, (3) Sureshji Chanduji Thakor, (4)Rajitaben Chanduji Thakor and (5) Navghanji Chanduji Thakor and hence, their names were brought on the revenue record upon succession right as is expressly corroborated and evidenced by certified mutation entry No. 2239 dated 17-05-2006.



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4.11 It has been observed by us that, the land under investigation was irrigated and its area is more than acre. 0-20 guntha and hence the application was submitted for releasing the land from the restriction of Fragment Land and hence the Authority Passed order to release the said land from the restriction laid down by the statutory provision of the Bombay Prevention of Fragmentation and Consolidation of Holding Act, 1947 as is expressly corroborated and evidenced by certified mutation entry No. 2246 dated 07-06-2006.

4.12 It has been observed by us that, by Sale-Deed dated 02-05-2006 executed by (1) Mafaji Chhagani, (2) Sendhaji Chaturji, (3) Jassiben Chanduji, (4) Gitaben Chanduji, (5) Ranjiben Chaturji, (6) Maniben Chhaganji, (7) Bhagaji Chaturji, (8) Laxmiben Chaturji, (9) Navghanji Chandurji, (10) Kamiben Hiraji, (11) Sidhesh Hiraji, (12) Sunitaben Hiraji, (13) Daiben Badarji, (14) Hiralben Amratji, (15) Raiben Badarji, (16) Rupaben Badarji and (17) Vishnuji Badarji as Vendors in their capacity as holders of the said land bearing Block No. 365 admeasuring 2833 sq.mts., in favour of (1) Babubhai Jesangbhai Patel and (2) Sureshbhai Somabhai Patel registered with the Office of the Sub-Registrar of Assurance at Gandhinagar under Sr. No. 4558 the agricultural land bearing Block No. 365 admeasuring 2833 sq.mts., was sold to (1) Babubhai Jesangbhai Patel and (2) Sureshbhai Somabhai Patel.

By virtue of aforesaid Sale Deed, the names of (1) Babubhai Jesangbhai Patel and (2) Sureshbhai Somabhai Patel were entered as occupiers as defined in Sub Section 16 of Section 3 of Land Revenue Code and said fact is expressly corroborated and evidenced by certified mutation entry No. 2247 dated 07-06-2006.



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4.13 It has been observed by us that, by Sale-Deed dated 25-10-2007 executed by (1) Babubhai Jesangbhai Patel and (2) Sureshbhai Somabhai Patel as Vendors in their capacity as holders of the said land bearing Block No. 365 admeasuring 2833 sq.mts., in favour of Jyotsanaben D/o. Babuji Ramaji Thakor W/o. Jagaji Krishnaji Thakor registered with the Office of the Sub –Registrar of Assurance at Gandhinagar under Sr. No. 13212 the agricultural land bearing Block No. 365 admeasuring 2833 sq.mts., was sold to Jyotsanaben D/o. Babuji Ramaji Thakor W/o. Jagaji Krishnaji Thakor.

By virtue of aforesaid Sale Deed, the name of Jyotsanaben D/o. Babuji Ramaji Thakor W/o. Jagaji Krishnaji Thakor was entered as occupier as defined in Sub Section 16 of Section 3 of Land Revenue Code and said fact is expressly corroborated and evidenced by certified mutation entry No. 2460 dated 07-11-2007.

4.14 It has been observed by us that, the provisions of the Gujarat Town Planning and Urban Development Act-1976 were made applicable to the land bearing Block No. 365 admeasuring 2833 sq.mts., by merging into Final Town Planning Scheme No. 19 (Raysan - Randesan- Koba) and land bearing Block No. 365 is given Final Plot No. 297 and its area is fixed to the extent of 1841 sq. mts., and Form-F is issued in accordance with the Provision of Rules 21 & 35 of the Gujarat Town Planning and Urban Development Rules-1979 enacted under the said act.

4.15 It has been observed by us that, by Sale-Deed dated 14-05-2010 executed by Jyotsanaben Babuji as Vendor in her capacity as holder of the said land bearing Block No. 365 admeasuring 2833 sq.mts. (As per Final Plot 1841 sq. mts.) in favour of Chandubhai Revandas Patel registered with the Office of the Sub –Registrar of Assurance at Gandhinagar under Sr. No. 9390 the agricultural land bearing



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Block No. 365 admeasuring 2833 sq.mts. (As per Final Plot 1841 sq. mts.) was sold to Chandubhai Revandas Patel.

By virtue of aforesaid Sale Deed, the name of Chandubhai Revandas Patel was entered as occupier as defined in Sub Section 16 of Section 3 of Land Revenue Code and said fact is expressly corroborated and evidenced by cancelled mutation entry No. 2691 dated 27-05-2010.

4.16 It has been observed by us that, the land under investigation was New tenure land for non-agricultural purpose and hence the District Collector Ahmedabad passed order bearing no. CB/ Ganot/ Vashi.2974 to 2981 / 2010 dated 12-05-2010 and converted the said land into old tenure land for non agricultural use for residential purpose subject to conditions stipulated in the said order as is expressly corroborated and evidenced by certified mutation entry No. 2716 dated 21-06-2010.

4.17 It has been observed by us that, by Sale-Deed dated 03-09-2010 executed by Chandubhai Revandas Patel as Vendor in his capacity as holder of the said land bearing Block No. 365 admeasuring 2833 sq.mts.(As per Final Plot No. 297 admeasuring 1841 sq. mts.) in favour of (1) Vinaykumar Mohanlal Patel, (2) Vasantiben Chimanbhai Patel and (3) Savankumar Chimanbhai Patel registered with the Office of the Sub –Registrar of Assurance at Gandhinagar under Sr. No. 16358, the agricultural land bearing Block No. 365 admeasuring 2833 sq.mts.(As per Final Plot No. 297 admeasuring 1841 sq. mts.) was sold to (1) Vinaykumar Mohanlal Patel, (2) Vasantiben Chimanbhai Patel and (3) Savankumar Chimanbhai Patel.

By virtue of aforesaid Sale Deed, the names of (1) Vinaykumar Mohanlal Patel, (2) Vasantiben Chimanbhai Patel and (3)



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Savankumar Chimanbhai Patel was entered as occupier as defined in Sub Section 16 of Section 3 of Land Revenue Code and said fact is expressly corroborated and cancelled mutation entry No. 2789 dated 16-09-2010.

- 4.18** It has been observed by us that, by Sale-Deed dated 14-05-2010 executed by Jyotsanaben D/o. Babuji Ramaji Thakor W/o. Jagaji Krishnaji Thakor as Vendor in her capacity as holder of the said land bearing Block No. 365 admeasuring 2833 sq.mts. (As per Final Plot No. 297 admeasuring 1841 sq. mts.,) in favour of Chandubhai Revandas Patel registered with the Office of the Sub – Registrar of Assurance at Gandhinagar under Sr. No. 9390, the agricultural land bearing Block No. 365 admeasuring 2833 sq.mts. (As per Final Plot No. 297 admeasuring 1841 sq. mts.,) was sold to Chandubhai Revandas Patel.

By virtue of aforesaid Sale Deed, the name of Chandubhai Revandas Patel was entered as occupier as defined in Sub Section 16 of Section 3 of Land Revenue Code and said fact is expressly corroborated and evidenced by certified mutation entry No. 2927 dated 08-06-2011.

- 4.19** It has been observed by us that, by Sale-Deed dated 03-09-2010 executed by Chandubhai Revandas Patel as Vendor in his capacity as holder of the said land bearing Block No. 365 admeasuring 2833 sq.mts. (As per Final Plot No. 297 admeasuring 1841 sq. mts.,) in favour of (1) Vinaykumar Mohanlal Patel (The owner of undivided 35% share), (2) Vasantiben Chimanbhai Patel (The owner of undivided 35% share) and (3) Savankumar Chimanbhai Patel (The owner of undivided 35% share) registered with the Office of the Sub –Registrar of Assurance at Gandhinagar under Sr. No. 16358, the agricultural land bearing Block No. 365 admeasuring 2833





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sq.mts. (As per Final Plot No. 297 admeasuring 1841 sq. mts.) was sold to (1) Vinaykumar Mohanlal Patel (The owner of undivided 35% share), (2) Vasantiben Chimanbhai Patel (The owner of undivided 35% share) and (3) Savankumar Chimanbhai Patel (The owner of undivided 35% share).

By virtue of aforesaid Sale Deed, the names of (1) Vinaykumar Mohanlal Patel (The owner of undivided 35% share), (2) Vasantiben Chimanbhai Patel (The owner of undivided 35% share) and (3) Savankumar Chimanbhai Patel (The owner of undivided 35% share) were entered as occupiers as defined in Sub Section 16 of Section 3 of Land Revenue Code and said fact is expressly corroborated and evidenced by certified mutation entry No. 2978 dated 24-09-2011.



4.20 It has been observed by us that, the Co owner of the said land namely Patel Vinaykumar Mohanlal had gifted the land bearing Final Plot No. 297 admeasuring 1841 sq.mts. paikee his 35% share admeasuring 644.35 sq.mts. to Patel Savankumar Chimanbhai by executing Deed of gift registered in the office of the Sub- Registrar of assurances Gandhinagar under serial No. 17268 dated 09-11-2017 as is expressly corroborated and evidenced by certified mutation entry No. 3771 dated 24-11-2017.

5. Mutation of the name / s of the land owner / s in revenue records :

On bare perusal of latest Village Form No. 7, the names of (1) Vasantiben Chimanbhai Patel and (2) Savankumar Chimanbhai Patel are appearing as occupiers of the said land as defined in Sub Section 16 of Section 3 of Land Revenue Code.



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6. Searches :

6.1 We have caused the searches of the available records through our search clerk for last 30 years from the office of the concerned Sub-Registrar of Assurances and on bare perusal of said Sub-Registry record, we have not found any objectionable matter.

6.2 Perusal of the revenue record as are made available to us :

Nothing objectionable found in the copies of the revenue records as are produced by the land owner / s to us.

6.3 Lispendence / Litigations :

That, the principal of Lis pendency is governed under the Provision of Section 52 of Transfer of Property Act, as well as the Provision of Section 18 of The Registration Act. It has been observed by us that, no any suit or matter is appeared as pending litigation in respect of said land in available search of Sub-Registry record and as per the say of the land owner /s no suit or litigation is pending in respect of the said land in any court established by the law including revenue court.

7. Public Notice :

As a part of investigation of title, we have published a public notice appeared in the daily newspaper "SANDESH" dated **07-05-2019** for inviting claim, objection, obligation, charges or lien in, on or upon said land, pursuant to which, we have not received any claim or objection in response thereto.

8 Special Observation :

8.1 It has been observed by us that, land under investigation has already been merged into Final Town Planning Scheme No. 19 (Raysan – Randesan - Koba) and as per the Provision of Section 121 of Gujarat Town Planning and Urban Development Act, 1976,





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the Provisions of the Bombay Tenancy and Agricultural Lands Act, 1948 as in force for the time being, shall not apply to any area of included in a Town Planning Scheme under the said act.

8.2 It has been observed by us that, when the land under investigation was sold vide Sale Deed bearing No. 4558 dated 02-05-2006, the said land was ancestral property in nature and therefore, confirmation of their legal heirs were necessary, but on consideration of the provision of Indian Limitation Act and Transfer of Property Act, the sale deed can be challenged within three years from the date of its registration and considerable time of about thirteen years elapsed after said sale transaction and hence any probable claim on the part of legal heirs of the said vendors will suffer from legal infirmity and same may not be sustainable in eye of law.

8.3 It has been observed by us that, the name of Amratji was entered as joint holder upon succession right of Ramilaben by his capacity of husband of Ramilaben as reflected in mutation entry No. 2238, but it appears that, he had not joined the sale deed bearing No. 4558 as reflected in mutation entry No. 2247, but it is a fact that, on consideration of provision of Hindu Succession Act, said Shri Amrutbhai has no right in the property in question because the land under investigation was belonging to father of Ramilaben and being husband of Ramilaben had no right in the said land and moreover, considerable time of thirteen years elapsed after said sale deed.

9. Conclusions :

In view of what is stated in forgoing paras and the observations made by us, we are of the legal opinion that, the title of the land owner /s to his land more particularly described in Schedule



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hereunder written is clear, marketable and freeform encumbrances
and reasonable doubts subject to :

1. Affidavit on title being made by (1) Vasantiben Chimanbhai Patel
and (2) Savankumar Chimanbhai Patel.
2. Fulfilment of Provision of Agricultural Land Ceiling Act, the Gujarat
Town Planning and Urban Development Act, 1976 and rules made
there under Tenancy Act and Rules, and Laws applicable and in
force to effect legally and properly sale, transfer or any other
transaction with respect to the said land.



10. Certificate about Opinion :

We opine that, **(1) Vasantiben Chimanbhai Patel and (2) Savankumar Chimanbhai Patel** have valid, clear free from any
charges or reasonable doubts and marketable title to the said land
subject to the observations made in all forgoing paras and especially
the observation made in para-10 above.

SCHEDULE

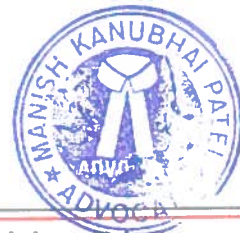
(Description of the land in question)

ALL THAT piece or parcel of the old tenure agricultural land bearing
Final Plot No. 297 admeasuring 1841 sq.mts. of Final T. P Scheme
No. 19 (Raysan – Randesan - Koba) comprised of Block No. 365
admeasuring 2833 sq. mts., situate, lying and being at Mouje –
Raysan Taluka – Gandhinagar in the Registration District of
Gandhinagar and Sub - District of Gandhinagar in the State of
Gujarat which is bounded as under :-

DETAILS OF BOUNDARIS OF FINAL PLOT NO. 297

In the East : Final Plot No.282

In the West : Final Plot No.382 N. H. C. C.



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Balchandbhai K. Patel
ASSOCIATES (Advocates)

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In the North : Final Plot No.290

In the South : 7.5 Meter Road

Date : 16-09-2019

Place : Ahmedabad.



Manish Kanubhai Patel, Advocate

Enrolment No. G / 1504 / 2006.

Note of caution and disclaimer:-

- (a) This is to inform that Search of complete registration records is not available due to destruction of record and tearing of pages of Books available for inspection and hence it cannot be inspected and its search is not available and on that condition the above Title Report/Opinion is issued exclusively for his/her/their/it's personal use. This report on title contains some remarks and objervations which should be observed
- (b) Please ascertain that the Government Authorities have not put any restrictions in making construction on said land because of any historical monument/religious place/water body/road lying and widening, etc. situated nearby or proposed public transportation system in surrounding areas. Also verify that there is no acquisition/reservation in said land/property and there are no pending litigation or injunction/status quo granted therein in respect of the said land/property. the above Title Report/Opinion is issued exclusively for his/her/their/it's personal use. It is pertinent to note that, this legal opinion about title of the land under investigation is rendered on the basic of xerox copies of papers and documents related to land / property.

