

Title Clearance and Search Report

NIPUN M. DOSHI

(B.Com.LL.B.)

ADVOCATE(Gujarat High Court)

Mo. 98255 97612

306, Ashish Com. Complex, Near Astron Chowk, Sardarnagar Main Road,
Rajkot-360001 : 0281- 248 12 13 E-mail:- nipunmdoshi@yahoo.in

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(GUJARAT HIGH COURT)

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Date : 07/02/2020.

::-TO WHOM SO EVER IT MAY CONCERN :-

Subject : Title Clearance Report with respect to the **Low-Rise Residential Building- Each Floor contains 2-Flats, total having 10 Flats** known as " KAPIL EMPIRE" to be constructed over the land admesuring 151-92 Sq. Mtrs. (Constructed area 100-00 Sq. Mtrs.) of total land admeasuring about 208-00 paiki Northern-side land of Plot No. 139 of City Survey No. 5241, City Survey Ward No. 7 of situated within the limits of Rajkot Municipal Corporation on Gondal Road, Nr. P. D. Malaviya College at the area known as Ramnagar, Rajkot City of Gujarat State, belonging to M/s. Kesri Builders (A partnership firm) its partners (1) Shri Sureshbhai Keshubhai Shyara (2) Shri Kalpesh Niranjnabhai Jindani.

Ground Floor	Cowerd Parking, Stare, Lift And Passage
First Floor To Fifth Floor	Living Room, Kitchen, Wash Area, Toilet, Passage, Balcony, Bed Room, Part Of One Unit And Second Unit Living Room, Kitchen, Wash Area, Toilet, Passage, Balcony, 2 Bed Room,

01. Name and Address of the Owner :

M/s. Kesri Builders(A partnership firm)

its partners

(1) Shri Sureshbhai Keshubhai Shyara

Block No. 41, Hasanvadi-1, Sahkar Main Road, Nr. Trishul Chowk, Rajkot.

(2) Shri Kalpesh Niranjnabhai Jindani

“Ganesh Bhuvan”, Jayraj Plot Street No.10,

Hanuman Gali, Nr. Ankit Dhara Apartment, Rajkot.

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02. Description of the Property :

A Low-Rise Residential Building- Each Floor contains 2-Flats, total having 10 Flats known as "Kapil Empire" to be constructed over the land admeasuring 151-92 Sq. Mtrs. (Constructed area 100-00 Sq. Mtrs.) of total land admeasuring about 208-00 paiki Northern-side land of Plot No. 139 of City Survey No. 5241, City Survey Ward No. 7 of situated within the limits of Rajkot Municipal Corporation on Gondal Road, Nr. P. D. Malaviya College at the area known as Ramnagar, Rajkot City of Gujarat State. Four boundaries of the entire property as per Sale Deed No. 3764, dtd. 15/05/2019 are as under :

North	Other's ownership property of Plot No. 138.
South	Other's property of this plot paiki.
East	Public Road.
West	Other's property of Plot No.158.

03. Description of Documents :

1. Certified-copy of Lekh No. 336, dtd. 21-02-1922.
2. Certified -copy of Lekh No. 132, dtd. 22-09-1921.
3. Certified -copy of Conveyance Deed executed by Shri Manilal Amachand Ramchand in his personal capacity and as guardian of minor through his POA Shri Raychand Trikamji Dhruv in favour of Oriental Assignee, registered at No. 389, dtd. 25/08/37.
4. Certified-copy of Sale Deed executed by Shri Sheth Amrutlal Amarchand and others in favour of Ramjibhai Shamjibhai Virani, presented for Registratin at No. 933 on dtd. 6/9/1951 and registered in Book No.1 at No. 884, Volume No. 27, dtd. 10-11-51.
5. True-copy of POA, dtd. 17/9/59 executed by Nagindas Ramji Virani in favour of Shri Sobhagyachand Motichand Modi.
6. Certified-copy of Partition Deed executed amongst Shri Ramji Shamji Virani, presented for Registration at No. 284 on dtd. 10/11/1959 and registered in Book No.1 at Sr. No.279, Volume No. 202 on dtd. 5-2-60.
7. Certified-copy of Trust Deed of "Shri Ramji Shamji Virani and Smt. Samrat Ramji Virani Trust" presented for registration at No. 2707 on dtd. 27/10/1959 and registered in Book No.4 at Sr. No. 2 in ,Volume No.5, dtd. 18-2-1960.
8. True-copy of POA dtd. 11/4/1964 executed by Smt. Nalini Nagindas Virani in favour of Behrilal Bhimji Mehta.

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9. Certified-copy of Gift Deed executed by Shri Nagindas Ramjibhai Virani in favour of Shri Samratben Ramji Virani, Shri Ramji Shamji Virani, Shri Nagindas Ramji Virani and others Trustees of Shri Ramji Samji Virani & Smt. Samrat Ramji Virani Trust presented for registration at no. 3415 on dtd. 5/11/1965 and registered in Book No. 1 at Sr. No. 3415/65 on dtd. 8/10/1966, with the Office of Sub-Registrar, Bombay.
10. Xerox-copy of Revised Layout Plan approved by Planning Committee, Rajkot Nagarpalika.
11. Copy of Resolution No.52 passed by Rajkot Nagarpalika.
12. Copy of POA executed by (1) Ramjibhai Shamjibhai Virani (2) Smt. Samratben Ramji Virani (3) Kum. Nirmala Ramji Virani (4) Nagindas Ramji Virani (5) Smt. Nalini Nagindas Virani in favour of Biharilal Bhimji Mehta and Bhupatrai Vrajlal Sahn.
13. Original Sale Deed executed by Trustees of Shri Ramji Shamji Virani and Smt. Samrat Ramji Virani Trust in favour of (1) Shri Gopaldas Nagjibhai (2) Shri Chamanlal Narsinhdas, presented for Registration at No. 94 on dtd. 6/1/1968 and registered in Book No.1 at Sr. No. 2461, Volume No. 660, on dtd. 24/10/1968 with the Office of Sub-Registrar, Rajkot.
14. Original Sanad in Schedule-H.
15. Original Sale Deed executed by (1) Shri Gopaldas Nagjibhai (2) Shri Chamanlal Narsinhdas in favour of Shri Patel Ramji Bavabhai, presented for Registration at No. 3173 on dtd. 7/1/1974 and registered in Book No.1 at Sr. No. 4558 on dtd. 10/10/1975 with the Office of Sub-Registrar, Rajkot.
16. Xerox-copy of the Heirship Certificate with respect of property of deceased Ramjibhai Bavabhai issued in CM.A. No. 169/1982 by the Court of Civil Judge (Sr. Dn.,) Rajkot in the name of Shri Babulal Ramjibhai Sudani.
17. Original Partition Deed executed between (1) Bharat Ramjibhai Sudani (2) Sarlaben Ramjibhai Sudani in favour of (1) Dudhiben Ramjibhai Sudani (2) Shri Jayantilal Ramjibhai Sudani (3) Shri Mukesh Ramjibhai Sudani (4) Shri Kantilal Ramjibhai Sudani & & (1) Bharat @ Babulal Ramjibhai Sudani (2) Shri Sarlaben Ramjibhai Sudani, registered at No. 5487 on dtd. 21/03/1997 with the Office of Sub-Registrar, Rajkot.
18. Original Supplementary Declaration executed by Shri Sarlaben Ramjibhai Sudani, registered at No. 8021 on dtd. 10/10/2016 with the Office of Sub-Registrar, Rajkot.

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19. Original Release Deed executed by Shri Dudhiben Ramjibhai Sudani in favour of (1) Shri Jayantilal Ramjibhai Sudani (2) Shri Mukesh Ramjibhai Sudani (3) Shri Kantilal Ramjibhai Sudani, registered at No. 991 on dtd. 01/03/2017 with the Office of Sub-Registrar, Rajkot.
20. Original Partnership Deed dtd. 22/02/2019 of M/s. Keshri Builders (A partnership firm) executed between (1) Shri Sureshbhai Keshubhai Shyara (2) Shri Kalpesh Niranjnabhai Jindani, registered at No. 1267 on dtd. 26/02/2019 with the Office of Sub-Registrar, Rajkot.
21. Original Certificate of Registration of M/s. Keshri Builders (A partnership firm).
22. Original Certificate dtd. 11/03/2019 issued by Shri Nipun M. Doshi (Advocate).
23. Copy of Public Notice published in daily local news paper "Akila".
24. Xerox-copy of Supplementary Deed of Partnership Deed dtd. 5/4/2019 of M/s. Kesri Builders.
25. Original Sale Deed executed by (1) Shri Jayantilal Ramjibhai Sudani (2) Shri Mukesh Ramjibhai Sudani (3) Shri Kantilal Ramjibhai Sudani in favour of M/s. Kehri Builders (A partnership firm) its partners (1) Shri Sureshbhai Keshubhai Shyara (2) Shri Kalpesh Niranjnabhai Jindani, registered at No. 3764 on dtd. 15/5/2019 with the Office of Sub-Registrar, Rajkot.
26. Certified-copy of the property Register Card in the name of M/s. Kesri Builders (A partnership firm).
27. Original Construction Permission No. 933, dtd. 27/01/2020 issued by Town Planning Officer, R.M.C., Rajkot with Commencement Certificate and Building Plan approved by it.
28. Original Receipt dtd. 23/12/2019 towards Search Charges, issued by Office of Sub-Registrar, Rajkot-1.

04. Tracing of Title (History) :

1. Shri Amrutlal Amarchand Sheth had also purchased the land admeasuring 11,081.6.0 Sq. Yards of Rajkot Revenue Survey No. 379 situated on Western-side of Gondal Road and on Southern-side of Bunglow of Haji Ali Abubakar of Rajkot R. S. No. 380 from the then State of Rajkot and accordingly, Lekh No. 336, dtd. 27/3/22 executed in his favour.
2. Further, Sheth Amrutlal Amarchand R/o. Mumbai had purchased the Ravdi Land admeasuring 55,952-5-72 Sq. Yards of R.S. No. 378, situated adjacent to aforesaid land from the then State of Rajkot and accordingly, Lekh No. 132, dtd. 22/09/1921 executed in his favour.

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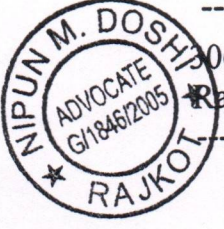


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3. It further transpires that; for due amount of Sheth Amarchand Madhavji Dasa Sorathiya Vanik Vidhyalay and Sheth Amarchand Madhavji Dasa Sorathiya Bal Rakshak Vidhyalay, a Suit No. 710 & 711 of 1937, were proceeded in High Court of Bombay, against owner of Company i.e. Shri Amrutlal Amarchand and Manilal Amarchand and in the said litigation consent decree was passed, whereby as per the condition of the consent decree, said Shri Amrutlal Amarchand and Manilal Amarchand had executed a conveyance (mortgage) deed in his personal capacity as well as guardians of minor in respect of his aforesaid total land admeasuring 55952-5-72 Sq. Yards of Lekh No. 132 & 11081-6-0 Sq. Yards of Lekh No. 336 situated on Gondal Road, Rajkot in favour of Official assignee, which was registered at No. 389-1993, dtd. 30/6/1937.
4. Further, while executing the said deed, it has been agreed by Shri Amrutlal Amarchand and Manilal Amarchand in their personal capacity as well as guardians of minor that; the trustees of the Trust can sell the aforesaid property to any one at the consideration of Rs.16,000/- or more than that; for recover the dues and therefore, the trustees had decided to sale the aforessaid property on dtd.6/9/1948 at the onsideration amout of Rs. 95,501/- to Shri Ramjibhai Shamjibhai Virani and accordingly, the Sale Deed was executed in favour of him by (1) Amarshilal Amarchand, Prabhudas Amrutlal Shantilal etc. and Official Assignee of Bombay, which was presented for registration at No. 933 on dtd.6/09/1951 and registered at No. 884 in Book No.1, Volume No. 27 on dtd. 10/11/1995.
5. Further, Shri Nagindas Ramji Virani had executed a General POA dtd. 17/09/1959, and appointed Shri Sobhagchand Motichand Modi, as his true and lawful agent and attorney and authorized him to do acts and things on his behalf.
6. Thereafter, partition in respect of joint properties of Shri Ramji Shamji Virani, Samratben Ramji Virani and Nagindas Ramji Virani had taken place by Registered Deed of Partition No. 279, Volume No. 202, dtd. 5/2/1960. By virtue of the said partition, the land admeasuring 67,034-0-72 Sq. Yards of R. S. No. 379 & 380 fallen to the share of Shri Nagindas Ramji Virani.
7. Further, Shri Samratben Ramji Virani, Shri Ramji Shamji Virani, Shri Nagindas Ramji Virani and others have established a Trust in the name of Shri Ramji Samji Virani & Smt. Samrat Ramji Virani Trust for the welfare of the society which was registered at No. 2 at Page No. 155 to 171, Volume No.5 on 18-2-1960.
8. Further, Smt. Nalini W/o. Nagindas Ramjee Virani had execute POA authorizing Shri Behrilal Bhimji Mehta to do acts and things on her behalf.

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9. Thereafter, Shri Nagindas Ramji Virani had gifted the aforesaid land total 67034-5-72 Sq. Yards of R. S. No. 379 & 380 to Shri Samratben Ramji Virani, Shri Ramji Shamji Virani, Shri Nagindas Ramji Virani and others Trustees of Shri Ramji Samji Virani & Smt. Samrat Ramji Virani Trust by Registered Gift Deed No. 3415, dtd. 5-11-65
10. Thereafter, the Trustees of Shri Ramji Samji Virani & Smt. Samrat Ramji Virani Trust had obtained revised layout permission with respect to the aforesaid land from Planning Committee, Rajkot Nagarpalika, with the revised layout plan approved by it. On approval the land was divided into total 180 plots and known as 'SHREE RAMNAGAR'.
11. Further, (1) Ramjibhai Shamjibhai Virani (2) Smt. Samratben Ramji Virani (3) Kum. Nirmala Ramji Virani (4) Nagindas Ramji Virani (5) Smt. Nalini Nagindas Virani had executed POA authorizing Biharilal Bhimji Mehta and Bhupatrai Vrajlal Sahn to do acts jointly and or severally on their behalf with respect to aforesaid property.
12. Further, as disclosed from the sale deed, it appears that; thereafter, Shri Ramji Samji Virani & Smt. Samrat Ramji Virani Trust had obtained permission U/s. 36 of Public Charitable Trust for selling the land of Plot No. 139 from the Charity Commissioner Saheb, by order No. 36-20-67-8636-67, dtd. 15/5/1967 and sold the land admeasuring 208-00 Sq. Mtrs. of Plot No. 139 of aforesaid Lekh No. 336 and 132 paiki to (1) Shri Gopaldas Nagjibhai (2) Shri Chamanlal Narsinhdas and accordingly, Sale Deed was executed by (1) Shri Ramji Shamji Virani (2) Shri Samrat Ramji Virani (3) Nagindas Ramji Virani (4) Smt. Nalini Naginds Virani (5) ShriKumari Nirmala Ramji Virani (Trustees of Shri Ramji Samji Virani & Smt. Samrat Ramji Virani Trust- through their POA Shri Bhupatray Vrujlal Shah) and the same was registered in Book No.1 at No. 2329, Volume No. 718 on dtd. 30-6-1969.
13. A City Survey Inquiry in respect of the aforesaid land was made and the aforesaid land was assigned City Survey No. 5241 and accordingly, the Sanad in Schedule-H issued in the name of Gopaldas Nagjibhai.
14. Thereafter, (1) Shri Gopaldas Nagjibhai (2) Shri Chamanlal Narsinhdas had sold the aforesaid property i.e. land admeasuring about 208-00 Sq. Mtrs. of Plot No. 139 to Shri Patel Ramji Bavabhai, by the sale deed presented for Registration at No. 3173 on dtd. 7/1/1974 and registered in Book No.1 at Sr. No. 4558 on dtd. 10/10/1975 with the Office of Sub-Registrar, Rajkot.

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15. After the death of Ramjibhai Bavabhai, legal heir of deceased i.e. his son Bharat @ Babulal Ramjibhai Sudani had obtained Heirship Certificate with respect to aforesaid property i.e. A house on the land admeasuring about 208-00 Sq. Mtrs. of Plot No. 139 of deceased Ramjibhai Bavabhai by filing C.M.A. No. 169/1982 from the Court of Civil Judge (Sr. Dn..)
16. Thereafter, partition with respect to the aforesaid property taken place amongst (1) Bharat Ramjibhai Sudani (2) Sarlaben Ramjibhai Sudani in favour of (1) Dudhiben Ramjibhai Sudani (2) Shri Jayantilal Ramjibhai Sudani (3) Shri Mukesh Ramjibhai Sudani (4) Shri Kantilal Ramjibhai Sudani & (1) Bharat @ Babulal Ramjibhai Sudani (2) Shri Sarlaben Ramjibhai Sudani, by registered deed of partition, registered at No. 5487 on dtd. 21/03/1997 with the Office of Sub-Registrar, Rajkot. By virtue of this (1) Bharat Ramjibhai Sudani (2) Sarlaben Ramjibhai Sudani in favour of (1) Dudhiben Ramjibhai Sudani (2) Shri Jayantilal Ramjibhai Sudani (3) Shri Mukesh Ramjibhai Sudani (4) Shri Kantilal Ramjibhai Sudani had confirmed the sale transaction made by Bharatbhai Ramjibhai with respect to the land admeasuring about 56.08, out of the aforesaid total land admeasuring about 208-00 Sq. Mtrs. with the Building thereon of Plot No.139 paiki and the remaining land i.e. land admeasuring 151-92 with the building thereon of Plot No. 139 fallen to the joint share of (1) Bharat Ramjibhai Sudani (2) Sarlaben Ramjibhai Sudani in favour of (1) Dudhiben Ramjibhai Sudani (2) Shri Jayantilal Ramjibhai Sudani (3) Shri Mukesh Ramjibhai Sudani (4) Shri Kantilal Ramjibhai Sudani.
17. Further, in the aforesaid deed, by mistake, name of Sarlaben Ramjibhai Sudani had been shown as seller No.2, however, she should be considered as consenting party and therefore, to make necessary changes to that effect; a Supplementary Declaration executed by Shri Sarlaben Ramjibhai Sudani, and the same was registered at No. 8021 on dtd. 10/10/2016 with the Office of Sub-Registrar, Rajkot.
18. Thereafter, Shri Dudhiben Ramjibhai Sudani had relinquished her right, title and interest from the aforesaid joint property i.e. land admeasuring 151-92 with the building thereon of Plot No. 139 of City Survey Ward No.7, City Survey Ward No. 5241 situated on Gondal Road, Nr. P. D. Malaviya College, at the area known as Ramnagar in favour of remaining joint owners (1) Shri Jayantilal Ramjibhai Sudani (2) Shri Mukesh Ramjibhai Sudani (3) Shri Kantilal Ramjibhai Sudani, and accordingly, the Release Deed was executed and registered at No. 991 on dtd. 01/03/2017 with the Office of Sub-Registrar, Rajkot.

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19. Further, (1) Shri Sureshbhai Keshubhai Shyara (2) Shri Kalpesh Niranjambhai Jindani, had constituted a partnership firm to do business in the name and style of M/s. Keshri Builders on dtd. 22/02/2019 and the Partnership Deed was registered at No. 1267 on dtd. 26/02/2019 with the Office of Sub-Registrar, Rajkot.
20. Further, said M/s. Keshri Builders (A partnership firm) is also registered with the Registrar of Firms, Rajkot Division, Rajkot at No. GUJ/RJ105920. The registration Certificate issued is on the file at Sr. No. 21.
21. Further, the public notice, inviting objections if any, for purchase the aforesaid property i.e. land admeasuring 151-92 with the building thereon of Plot No. 139 of City Survey Ward No.7, City Survey Ward No. 5241 situated on Gondal Road, Nr. P. D. Malaviya College, at the area known as Ramnagar, Rajkot was published by Adv. Nipun M. Doshi, in daily local newspaper "Akila". However, from the Certificate dtd. 11/03/2019 issued by Shri Nipun M. Doshi (Advocate) , it appears that; "No Objections" were offered in response to the aforesaid public notice.
22. Further, the name of the partnership firm had been changed from "KESHRI BUILDERS" to "KESRI BUILDERS" and accordingly, the Supplementary Deed of Partnership was executed on dtd. 5/4/2019 before the Notary C.N. Tala, registered at Sr. No. 1045 on dtd. 24/04/2019.
23. Thereafter, (1) Shri Jayantilal Ramjibhai Sudani (2) Shri Mukesh Ramjibhai Sudani (3) Shri Kantilal Ramjibhai Sudani in favour had sold the aforesaid property i.e. land admeasuring 151-92 with the building thereon of Plot No. 139 of City Survey Ward No.7, City Survey Ward No. 5241 situated on Gondal Road, Nr. P. D. Malaviya College, at the area known as Ramnagar, Rajkot to M/s. Kesri Builders (A partnership firm) (1) Shri Sureshbhai Keshubhai Shyara (2) Shri Kalpesh Niranjambhai Jindani, by the sale deed registered at No. 3764 on dtd. 15/5/2019 with the Office of Sub-Registrar, Rajkot.
24. On the strength of the aforesaid sale deed, the property so purchased by M/s. Kesri Builders (A partnership firm) had been transferred in its name in Property Register Card.
25. Thereafter, said M/s. Kesri Builders (A partnership firm) had obtained permission for removal of old structure and to construct **Low-Rise Residential Building- Each Floor contains 2-Flats, total having 10 Flats** over the aforesaid land admesuring 151-92 Sq. Mtrs. of total land admeasuring about 208-00 paiki Northern-side land of Plot No. 139 of City Survey No. 5241, City Survey Ward No. 7 of situated within the limits of Rajkot Municipal Corporation on Gondal Road, Nr. P. D. Malaviya College

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at the area known as Ramnagar, Rajkot City of Gujarat State by Construction Permission No. 933, dtd. 27/01/2020 issued by Town Planning Officer, R.M.C., Rajkot with Commencement Certificate and Building Plan. The building is known as "Kapil Empire"

05. **Final Certificate :**

On verification of the entire chain of the title deeds and examination thereof, I do hereby certify that the right, title and interest of **M/s. Kesri Builders (A partnership firm) its partners (1) Shri Sureshbhai Keshubhai Shyara (2) Shri Kalpesh Niranjnabhai Jindani** in respect of the property more particularly described in para-2 herein above are covered with the respective title deeds and are clear, marketable and beyond reasonable doubt. **After Registration of Registered Sale Deed in favour of various purchasers, the various purchasers** will derive clear, marketable and free from any encumbrance title in the property shown above.

06. **Search :**

In connection with the property, I have taken Search in the Sub Registrar Office at **Rajkot** for a period of last 15 years and to the best of my information derived from the same, I have found no encumbrances touching the title of the Property. Original Search Receipt is enclosed with the report.

Thanking You,



Yours Faithfully,

(Nipun M. Doshi)
Advocate

અરજી પહોંચ

મિલકત નું વર્ણન : વો નં.7 સી સ નં.5241 પ્લોટ નં.139

Search in : RAJKOT-1/RAJKOT-1

પહોંચ નંબર ૨૦૧૮૦૨૨૦૩૩૮૨૬ અરજી નંબર ૨૪૫૨૮ અરજી વર્ષ ૨૦૧૮
તારીખ ૨૩ માહે ડિસેમ્બર સને ૨૦૧૮

રજુ કરનારનું નામ એન એમ દોશી (એડ) શોધ

નીચે પ્રમાણે ફી પહોંચી

રૂ. પૈસા

રજીસ્ટ્રેશન ફી.....

નકલ કરવા ની ફી સાઈડ / ફોલીયો.....

શેરોની નકલ કરવા માટે ફી.....

ટપાલ ખર્ચ.....

નકલો અથવા યાદીઓ (કલમ ૬૪ થી ૬૭).....

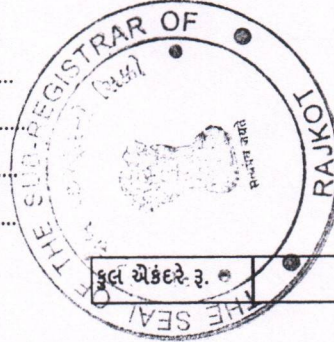
શોધ અગર તપાસણી.....Year: 1989 2019

દંડ કલમ-૨૫.....

કલમ-૩૪ (કલમ-૫૭).....

નકલ ફી ફોલીયો.....

ઈન્ડેક્સ-૨ ફી



૩૨૦.૦૦

કુલ એકદરે રૂ. ૩૨૦.૦૦

અંકે રૂપિયા ત્રણ સો વીસ પુરા

દસ્તાવેજ

ના દિવસે તૈયાર થશે અને

તે રજીસ્ટર ટપાલથી મોકલવામાં

આવશે.

નકલ

કચેરીમાં આપવામાં

દસ્તાવેજ રજીસ્ટર ટપાલથી નીચેના સરનામે મોકલશે.

એમ.જી.રાજયગુરુ

સબ રજીસ્ટ્રાર

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