

H DESAI & CO

ADVOCATES & SOLICITORS
EST. 1968

B.J. MEHTA
H.H. DESAI
K.H. DESAI
D.S. MEHTA

S.A. JOSHI

202, Titanium One
Nr. Rajpath Club, S.G. Highway
Ahmedabad-380 059.
Telephone Nos. 29707251
29707252 & 29707253
E-mail:
hdesai@hdesaiandco.com

Ref. No. 111/2020/HHD/KHD of 2021 Date:

REPORT ON TITLE

Re: IN THE MATTER OF VERIFICATION OF TITLE to the non-agricultural land bearing Sub Plot No. 1, admeasuring about 5277 sq.mts., of Final Plot No. (3+38), in all admeasuring about 11413 sq.mts., of Draft Town Planning Scheme No. 8 (Sargasan), Said Final Plot No. (3+38) is allotted in lieu of lands situate lying and being at Sargasan (sim), Taluka Gandhinagar, in the registration District and Sub District Gandhinagar, bearing Survey Nos. 153, admeasuring about 5666 Sq.mts., and 154, admeasuring about 11892 Sq.mts.

We under the instructions of Sandip Bipinbhai Patel as the Partner of M/s. Swara Builders, a Partnership Firm, formed under the Provisions of the Indian Partnership Act, 1932, have undertaken the work of verification of title with respect to the land above referred to, by taking necessary searches with the revenue and sub registry records (Index-II) for a period of last about more than thirty years. We have caused necessary searches to be taken accordingly. We have taken root of title commencing from about 1985, prior to more than thirty years from October, 2021. Our Report on Title is stated hereafter. For detailed facts and particulars reference may be taken from the documents, papers, writings and records referred to herein below.

A. **Description:**

- (1) Non-agricultural lands bearing Survey Nos. 153, admeasuring about 5666 Sq.mts., and 154, admeasuring about 11892 Sq.mts., situate lying



and being at Sargasan (sim), Taluka Gandhinagar, in the registration District and Sub District Gandhinagar,

- (2) Said Lands of Survey Nos. 153 and 154 included in Draft Town Planning Scheme No. 8 (Sargasan) and given Final Plot Nos. 3, admeasuring about 3683 Sq.mts., and 38, admeasuring about 7730 sq.mts., respectively. *(Reference: Copy of 'F' Forms)*
- (3)(a) Said Land of Final Plot No. 38 admeasuring about 7730 sq.mts., is given Non agricultural use permission for residential purpose as per the order of Collector, Gandhinagar dated 3rd September, 2015 bearing No. CB/Jamin/Bi.Khe./S.R. 113/15/Vashi. 22358 to 22371/2015 as per the terms and conditions stated therein. *(Reference: Revenue Entry No. 5641, dated 15th September, 2015)*
- (b) Said Land of Final Plot No. 3 admeasuring about 3683 sq.mts., is given Non agricultural use permission for residential purpose as per the order of Collector, Gandhinagar dated 5th November, 2015 bearing No. CB/Jamin/Bi.Khe./S.R. 114/15/Vashi. 27549 to 27562/2015 as per the terms and conditions stated therein. *(Reference: Revenue Entry No. 5678, dated 3rd December, 2015)*
- (4) Said Lands of Final Plot Nos. 3 and 38 have been consolidated and given (consolidated) Final Plot No. 3 + 38 admeasuring about 11413 sq.mts., as per the development permission given by Gandhinagar Urban Development Authority, bearing No. PRM/Sargasan/32/03/2016/3644 /2016 dated 12th July, 2016. *(Reference: Copy of the said permission)*
- (5) Thereafter said amalgamated land of Final Plot No. (3 + 38), admeasuring about 11413 sq.mts., has been subdivided into two parts being Final Plot No. (3 + 38)/1, admeasuring about 7669.82 sq.mts. and Sub Plot No. (3 + 38)/2, admeasuring about 3743.18 sq.mts., as per the Rajachitthi issued by Gandhinagar Urban Development Authority bearing No. GUDA/29-07-2018/830099/01/000018, dated 29th July, 2018. *(Reference: Copy of the said permission)*
- (6) Said subdivision has been thereafter revised as per the order of Gandhinagar Urban Development Authority, dated 3rd August, 2021, bearing No. PRM/SARGASAN/32/03/2016/7735/2021 and given Sub Plot No. 1, admeasuring about 5277 sq.mts., and Sub Plot No. 2,



admeasuring about 6136 sq.mts. Development Permission on the Said Land of Said Sub Plot No. 1, admeasuring about 5277 has been given as per the same order. (*Reference: Copies of the Said Permissions*).

B. **Devolution:-**

With Respect to Survey No. 153

- (1) Prior to the year 1975, the Land of Survey No. 153 belonged to and was registered in the revenue records in the name of Chamar Jethabhai Gababhai.

- (2) Said Chamar Jethabhai Gababhai died on 21st July, 1988, Revabhai died in the year about 1991 and the names of –

Balabhai Jethabhai,
Kamlaben Jethabhai,
Pushpaben Jathabhai and
Ambaben widow of Jethabhai Gobarbhai
minors Vijaybhai Revabhai,
Umeshbhai Revabhai and
Alkaben Revabhai

were entered in the revenue records. Wife of Revabhai Jethabhai being Gomtiben had died on 11th May, 1999. (*Reference: Revenue Entry Nos. 1637, dated 24th February, 1989 and 2177, dated 20th May, 1999*).

- (3)(a) Said –

Balabhai Jethabhai,
Kamlaben Jethabhai,
Pushpaben Jethabhai,
Vijaybhai Revabhai and

Ambaben widow of Jethabhai Gobarbhai as self and natural guardian of minors Umeshbhai Revabhai and Alkaben Revabhai

sold and conveyed the Said Land of Survey No. 153 to –
Mukeshkumar Karsanbhai Patel,

by or under a Sale Deed dated 14th February, 2000, registered with the office of the Sub Registrar of Assurances, under Sr. No. 597 in the manner and for the consideration recorded therein. (*Reference: Revenue Entry No. 2207, dated 17th February, 2000*). As stated in the Said Sale Deed, sale is completed for benefit of estate and legal necessity. Said Sale Deed is confirmed by the heirs of Balabhai Jethabhai being -
Laxmiben wife of Balabhai Jethabhai
Sureshbhai Balabhai and



Dineshbhai Balabhai by or under a Deed of Confirmation executed in favour of Mukeshkumar Karsanbhai Patel dated 3rd June, 2000 registered with the office of the Sub Registrar of Assurances, under Sr. No. 2634. At the time of mutation as per Said Revenue Entry No. 2177, said minors Umeshbhai and Alkaben were about fourteen and twelve years old respectively. They have already attained majority as on date. In response to our public notice, no claim or objection is received in respect thereof.



- (b) Heirs of deceased Maniben daughter of Jethabhai Gobarbhai and wife of Gabhabhai Atmarambhai Makwana being Hansaben Gabhabhai and others had initiated a Special Suit bearing No. 270 of 2013 against heirs of deceased Balabhai Jethabhai Parmar and others before the Hon'ble Civil Court, Gandhinagar interalia praying therein to declare that they have share in the Said Land of Survey No. 153 by way of heirship, to cancel various transactions pertaining to Said Land of Survey No. 153 together with other prayers. However, said suit has been dismissed for default under Order 9 Rule 8 of the Code of Civil Procedure, 1908 as per the order of the Hon'ble Court dated 13th June, 2019. As informed to us, no proceedings in respect thereof have been initiated thereafter.
- (4) Name of Bhavin Mukeshkumar was entered in the revenue records as the co-owner together with Mukeshkumar Karsanbhai Patel. (*Reference: Revenue Entry No. 2595, dated 17th April, 2004*).
- (5) Said –
Bhavin Mukeshkumar Patel and
Mukeshkumar Karsanbhai Patel
sold and conveyed the Said Land of Survey No. 153 to-
Ganpatbhai Ishwarbhai Patel,
Mahendra Ishwarbhai Patel and
Hasmukhbhai Ishwarbhai Patel,
by or under a Sale Deed dated 11th August, 2005, registered with the office of the Sub Registrar of Assurances, under Sr. No. 6065, in the manner and for the consideration recorded therein. (*Reference: Revenue Entry No. 2800, dated 10th January, 2006*).
- (6) Said –
Ganpatbhai Ishwarbhai Patel,
Mahendrabhai Ishwarbhai Patel and

Hasmukhbhai Ishwarbhai Patel
sold and conveyed the Said Land of Survey No. 153 to –
Shaileshbhai Ambalal Patel (14% share),
Satish Ambalal Patel (13% share),
Pravinbhai Ambalal Patel (13% share),
Amitbhai Sankalchand Patel (25% share),
Sankalchand Ramdas Patel (15% share),
Hansaben Rameshchandra Patel (10% share) through her Power of
Attorney Tusharbhai Dashrathbhai Patel and
Amitbhai Dashrathbhai Patel (10% share),
by or under a Sale Deed dated 19th April, 2008, registered with the office
of the Sub Registrar of Assurances, under Sr. No. 193, in the manner
and for the consideration recorded therein. (Reference: Revenue Entry
No. 3632, dated 26th May, 2008).



- (7) Said –
Shaileshbhai Ambalal Patel (14% share),
Satishbhai Ambalal Patel (13% share),
Pravinbhai Ambalal Patel (13% share),
Amitbhai Sankalchand Patel (25% share),
Sankalchand Ramdas Patel (15% share),
Hansaben Rameshchandra Patel (10% share) through her Power of
Attorney Tushar Dashrathbhai Patel and
Amitbhai Dashrathbhai Patel (10% share)
sold and conveyed the Said Land of Survey No. 153 to -
Sanjaykumar Babulal Patel (15% share),
Ashishkumar Babulal Patel (15% share),
Naranbhai Pragdas Patel (11% share),
Jigar Naranbhai Patel (11% share),
Akash Naranbhai Patel (11% share),
Hasmukhbhai Khodidas Patel (3.33% share),
Pankajkumar Arvindbhai Patel,
Kamleshkumar Arvinbhai Patel,
Vishalkumar Arvindbhai Patel,
(Pankajkumar to Vishalkumar 6.67% share)
Jayeshkumar Mangaldas Patel,
Maheshkumar Kantilal Patel,
Sanjaykumar Dashrathbhai Patel,
Sandipkumar Amrutbhai Patel,
(Jayeshkumar to Sandipkumar 11% share)

Rajendrakumar Ishwarbhai Patel (5% share),
Amit Sankalchand Patel (6% share) and
Pravinbhai Ambalal Patel (6% share),
by or under a Sale Deed dated 2nd July, 2010, registered with the office
of the Sub Registrar of Assurances, under Sr. No. 12239, in the manner
and for the consideration recorded therein. (Reference: Revenue Entry
No. 4210, dated 5th July, 2010 read with Revenue Entry No. 4319, dated
7th September, 2010).

Observation:

Share of the Purchasers exceeds 100% (i.e 101%).



- (8) Said –
Jayeshkumar Mangaldas,
Maheshkumar Kantilal,
Sanjaykumar Dashrathbhai and
Sandipkumar Amrutbhai
released and renounced their respective share, right, title and interest
from the Said Land of Survey No. 153 in favour of
Sanjaykumar Babulal and
Ashishkumar Babulal, by or under a Deed of Release (with
consideration) dated 30th August, 2011, registered with the office of the
Sub Registrar of Assurances, under Sr. No. 10163. (Reference: Revenue
Entry No. 4697, dated 6th September, 2011).
- (9) Said Land of Survey No. 153 is included in Draft Town Planning
Scheme No. 8 (Sargasan) and given Final Plot Nos. 3, admeasuring
about 3683 Sq.mts.
- (10) Said –
Hasmukhbhai Khodidas Patel (3.33% share in the total land of Survey
No. 153),
Pankajkumar Arvindbhai Patel,
Kamleshkumar Arvinbhai Patel,
Vishalkumar Arvindbhai Patel,
(Pankajkumar to Vishalkumar (6.67% share in the total land of Survey
No. 153)
Rajendrakumar Ishwarbhai Patel (5% share in the total land of Survey
No. 153),
Amitbhai Sankalchand Patel (6% share in the total land of Survey No.
153) and

Pravinbhai Ambalal Patel (6% share in the total land of Survey No. 153) sold and conveyed the Land, admeasuring about 1529.82 sq.mts (admeasuring about 994.41 sq.mts. of Final Plot No. 3) out of the Said Land of Survey No. 153 (being 27% share in the total land of Survey No. 153) to –

Kailasben Girdharbhai Dahyabhai (515.606 sq.mts share),
Nilamben Ambalal Patel wife of Mukeshkumar Vyas (878.23 sq.mts share),

Jigar Naranbhai Patel (67.992 sq.mts share),

Akash Naranbhai Patel (67.992 sq.mts share),

by or under a Sale Deed dated 1st June, 2015, registered with the office of the Sub Registrar of Assurances, under Sr. No. 7778, in the manner and for the consideration recorded therein. (*Reference: Revenue Entry No. 5573, dated 1st June, 2015*). Said sale is confirmed by-

Sanjaykumar Babulal Patel,

Ashishkumar Babulal Patel,

Naranbhai Pragdas Patel,

Jigar Naranbhai Patel and

Akash Naranbhai Patel

by joining therein as the Confirming Parties being the co-owners.



(11) Said –

Nilamben Ambalal Patel wife of Mukeshkumar Vyas, sold and conveyed the Land, admeasuring about 202.55 sq.mts., out of the land of Final Plot No. 3/part 570.84 sq.mts., (corresponding to land admeasuring about 878.23 sq.mts., of Survey No. 153 - out of her 15.5% share therein) to-

Dr. Asim Vinodbhai Shah and

Payal Asim Shah,

by or under a Sale Deed dated 23rd February, 2016, registered with the office of the Sub Registrar of Assurances, under Sr. No. 2845, in the manner and for the consideration recorded therein. (*Reference: Revenue Entry No. 5750, dated 25th February, 2016*). Said sale is confirmed by-

Sanjaykumar Babulal Patel,

Ashishkumar Babulal Patel,

Naranbhai Pragdas Patel,

Jigar Naranbhai Patel,

Akash Naranbhai Patel and

Kailasben Girdharbhai Dahyabhai Patel

by joining therein as the Confirming Parties being the co-owners.

Observation:

In the revenue records, revenue entry has been made as per the area of Final Plot Number i.e. 202.55 sq.mts. instead of area in respect of proportion of Survey Number, which may be rectified.

With Respect to Survey No. 154

(1) Prior to the year 1975, Said Land belonged to and was registered in the revenue records in the name of Halaji Kabhai.

(2) Said –

Halaji Kabhai died and the names of –

Nathuji Halaji and

Rajuji Halaji

were entered in the revenue records. (Reference: Revenue Entry No. 1356, dated 1st September, 1981).

(3) Said –

Nathuji Halaji Thakore died on 10th February, 1985 and the name of –

Rathod Sajanba widow of Nathuji Halaji

was entered in the revenue records. (Reference: Revenue Entry No. 1998, dated 16th March, 1996).

(4) Said –

Rathod Sajanba alias Sajjanben widow of Nathuji Halaji,

Rajuji Halaji as self and as natural guardian of minor Ghanshyamsinh Rajuji,

Shantaben wife of Rajuji Halaji,

Gitaben daughter of Rajuji Halaji,

Natvarbhai Rajuji

sold and conveyed the Said Land of Survey No. 154 to –

Tribhovanbhai Ishwarbhai Amin and

Mangaldas Atmaram Patel,

by or under a Sale Deed dated 13th May, 1996, registered with the office of the Sub Registrar of Assurances, under Sr. No. 1704, in the manner and for the consideration recorded therein. (Reference: Revenue Entry No. 2005, dated 18th May, 1996). Said sale is confirmed by the heirs of Halaji Kalaji being-

Vajuba daughter of Halaji Kalaji and wife of Varvaji Rathod,

Pruthvisinh Varvaji Rathod,

Dolatsinh Varvaji Rathod and



Ghanshyamsinh Rajuji Rathod by or under a Deed of Confirmation executed by them in favour of Said Tribhovandhai Ishwarbhai Amin dated 24th June, 2008 registered with the office of the Sub Registrar of Assurances, under Sr. No. 11196.

- (5) Said Tribhovandas Ishwarbhai initiated a Regular Civil Suit bearing No. 88 of 2003 before the Hon'ble Civil Court at Gandhinagar. As per the consent terms filed therein, Said Tribhovandas Ishwarbhai was declared as sole owner of the Said Land of Survey No. 154. (*Reference: Revenue Entry No. 2657, dated 11th September, 2004.* *Note: We have not been provided with said proceedings and order/deed of the Hon'ble Court in respect thereof.*



- (6) Said –
Tribhovan Ishwarbhai Amin
sold and conveyed the Said Land of Survey No. 154 to –
Shaileshbhai Ambalal Patel (13% share),
Satish Ambalal Patel (13% share),
Pravinbhai Ambalal Patel (14% share),
Amitbhai Sankalchand Patel (11% share),
Sankalchand Ramdas Patel (11% share),
Rajendrabhai Ishwarbhai Patel (18% share)
Hansaben Rameshchandra Patel (10% share) represented through her power of attorney Tushar Dashrathbhai Patel and
Amitbhai Dashrathbhai Patel (10% share),
by or under a Sale Deed dated 15th July, 2008, registered with the office of the Sub Registrar of Assurances, under Sr. No. 12249, in the manner and for the consideration recorded therein. (*Reference: Revenue Entry No. 3690, dated 7th August, 2008.*) Said Sale is confirmed by
Hiraben wife of Tribhovandas Ishwardas,
Chandrikaben Tribhovandas and
Kumudben Tribhovandas by or under a Deed of Confirmation executed by them in favour of Said Shaileshbhai Ambalal Patel and others dated 23rd July, 2008 registered with the office of the Sub Registrar of Assurances, under Sr. No. 12676. Said Sale is confirmed by Damyantiben Tribhovandas by or under a Deed of Confirmation executed by them in favour of Said Shaileshbhai Ambalal Patel and others dated 14th October, 2008 registered with the office of the Sub Registrar of Assurances, under Sr. No. 16860.

- (7) Said –
Shaileshbhai Ambalal Patel (13% share),



Satish Ambalal Patel (13% share),
Pravinbhai Ambalal Patel (14% share),
Amitbhai Sankalchand Patel (11% share),
Sankalchand Ramdas Patel (11% share),
Rajendrabhai Ishwarbhai Patel (18% share)
Hansaben Rameshchandra Patel (10% share) represented through her Power
of Attorney Tushar Dashrathbhai Patel and
Amitbhai Dashrathbhai Patel (10% share)
sold and conveyed the Said Land of Survey No. 154 to -
Sanjaykumar Babulal Patel (15% share),
Ashishkumar Babulal Patel (15% share),
Naranbhai Pragdas Patel (11% share),
Jigar Naranbhai Patel (11% share),
Akash Naranbhai Patel (11% share),
Hasmukhbhai Khodidas Patel (3.33% share),
Pankajkumar Arvindbhai Patel,
Kamleshkumar Arvinbhai Patel,
Vishalkumar Arvindbhai Patel,
(Pankajkumar to Vishalkumar 6.67% share)
Jayeshkumar Mangaldas Patel,
Maheshkumar Kantilal Patel,
Sanjaykumar Dashrathbhai Patel,
Sandipkumar Amrutbhai Patel,
(Jayeshkumar to Sandipkumar 11% share)
Rajendrakumar Ishwarbhai Patel (5% share),
Amitbhai Sankalchand Patel (6% share) and
Pravinbhai Ambalal Patel (6% share),
by or under a Sale Deed dated 2nd July, 2010, registered with the office of
the Sub Registrar of Assurances, under Sr. No. 12243, in the manner and for
the consideration recorded therein. (Reference: Revenue Entry No. 4209,
dated 5th July, 2010 read with Revenue Entry No. 4319, dated 7th
September, 2010).

Observation:

Share of the Purchasers exceeds 100% (i.e 101%).

- (8) Said –
Jayeshkumar Mangaldas,
Maheshkumar Kantilal,
Sanjaykumar Dashrathbhai,
Sandipkumar Amrutbhai and

released and renounced their respective share, right, title and interest from the Said Land in favour of

Sanjaykumar Babulal Patel and

Ashishkumar Babulal Patel, by or under a Deed of Release (with consideration) dated 30th August, 2011, registered with the office of the Sub Registrar of Assurances, under Sr. No. 10161. (*Reference: Revenue Entry No. 4698, dated 6th September, 2011*).

- (9) Said land of Survey No. 154 is included in Draft Town Planning Scheme No. 8 (Sargasan) and is given Final Plot No. 38 admeasuring about 7730 sq.mts.



- (10) Said –

Hasmukhbhai Khodidas Patel (3.33% share in the total land of Survey No. 154),

Pankajkumar Arvindbhai Patel,

Kamleshkumar Arvinbhai Patel,

Vishalkumar Arvindbhai Patel,

(Pankajkumar to Vishalkumar 6.67% share in the total land of Survey No. 154)

Rajendrakumar Ishwarbhai Patel (5% share in the total land of Survey No. 154),

Amitbhai Sankalchand Patel (6% share in the total land of Survey No. 154) and Pravinbhai Ambalal Patel (6% share in the total land of Survey No. 154) sold and conveyed the land admeasuring about 3210.84 sq.mts., (2087.10 sq.mts., of Final Plot No. 38) out of the Said Land of Survey No. 154 (being 27% share in the total land of Survey No. 154) to –

Kailasben Girdharbhai Dahyabhai Patel (1082.172 sq.mts. share),

Nilamben Ambalal Patel wife of Mukeshkumar Vyas (1843.26 sq.mts. share),

Jigarbhai Naranbhai Patel (142.704 sq.mts. share) and

Akash Naranbhai Patel (142.704 sq.mts. share),

by or under a Sale Deed dated 1st June, 2015, registered with the office of the Sub Registrar of Assurances, under Sr. No. 7779, in the manner and for the consideration recorded therein. (*Reference: Revenue Entry No. 5574, dated 1st June, 2015*). Said sale is confirmed by-

Sanjaykumar Babulal Patel,

Ashishkumar Babulal Patel,

Naranbhai Pragdas Patel,

Jigar Naranbhai Patel and

Akash Naranbhai Patel

by joining therein as the Confirming Parties being the co-owners.

(11) Said –

Nilamben Ambalal Patel wife of Mukeshkumar Vyas,
sold and conveyed the Land, admeasuring about 425.19 sq.mts., out of the
land of Final Plot No. 38/part 1198.15 sq.mts., (corresponding to land
admeasuring about 1843.26 sq.mts., of Survey No. 154 - out of her 15.5%
share therein) to –

Dr. Asim Vinodbhai Shah and Payal Asim Shah,

by or under a Sale Deed dated 1st June, 2015, registered with the office of
the Sub Registrar of Assurances, under Sr. No. 2842, in the manner and for
the consideration recorded therein. (Reference: Revenue Entry No. 5749,
dated 25th February, 2015). Said Sale is confirmed by-

Sanjaykumar Babulal Patel,

Ashishkumar Babulal Patel,

Naranbhai Pragdas Patel,

Jigar Naranbhai Patel,

Akash Naranbhai Patel and

Kailasben Girdharbhai Dahyabhai Patel

by joining therein as the Confirming Parties being the co-owners.

Observation:

*In the revenue records, revenue entry has been made as per the area of
Final Plot Number i.e. 425.19 sq.mts. instead of area in proportion of
Survey Number.*

GENERAL

(1) As referred hereinabove, Said Lands of Final Plot Nos. 3 and 38 have
been amalgamated and given (consolidated) Final Plot No. 3 + 38
admeasuring about 11413 sq.mts. and said consolidated land of Final
Plot No. 3 + 38 admeasuring about 11413 sq.mts., has been subdivided
into two parts being Final Plot No. 3 + 38/1 admeasuring about 7669.82
sq.mts. and Sub Plot No. 3 + 38/2 admeasuring about 3743.18 sq.mts.

(2) Said –

Sanjaykumar Babulal Patel,

Ashishkumar Babulal Patel,

Naranbhai Pragdas Patel,

Jigar Naranbhai Patel,

Akash Naranbhai Patel,



Kailasben Girdharbhai Dahyabhai Patel, represented through her Power of Attorney Girdharbhai Dahyabhai Patel,
Nilamben Ambalal Patel wife of Mukeshkumar Vyas,
Dr. Asim Vinodbhai Shah and
Payal Asimbhai Shah

sold and conveyed the land admeasuring about 3743.18 sq.mts., (Sub plot No. 2 of Final Plot No. (3 + 38) on the eastern side of consolidated Final Plot No. (3+38, admeasuring about 11413 sq.mts., to Green One Realty, a Partnership Firm, represented through its Partner Adhish Ashishkumar Patel, by or under a Sale Deed dated 21st August, 2018, registered with the office of the Sub Registrar of Assurances, under Sr. No. 17066 in the manner and for the consideration recorded therein. (Reference: Revenue Entry No. 6397, dated 27th August, 2018).

Observation:

Effect of the said sale has been given in the revenue records as per the area Final Plot Number instead of area of Survey Number in proportion thereof.

- (3) Thereafter, as referred hereinabove, the subdivision of Final Plot No. (3+38) is revised and subdivided into two parts namely, Sub Plot No. 1, admeasuring about 5277 sq.mts., and Sub Plot No. 2, admeasuring about 6136 sq.mts.
- (4) Said Ashishkumar Babulal Patel gifted the land admeasuring about 1073.77 sq.mts., out of the land admeasuring about 1533.96 sq.mts., to his son Adhish Ashishkumar Patel, by or under a Deed of Gift dated 24th September, 2021, registered with the office of the Sub Registrar of Assurances, under Sr. No. 30341. (Reference: Revenue Entry No. 7875, dated 30th September, 2021).
- (5)(a) Thereafter Said –
Sanjaykumar Babulal Patel,
Ashishkumar Babulal Patel,
Naranbhai Pragdas Patel,
Jigar Naranbhai Patel,
Akash Naranbhai Patel,
Kailasben Girdharbhai Dahyabhai Patel,
Nilamben Ambalal Patel wife of Mukeshkumar Vyas,
Dr. Asim Vinodbhai Shah and
Payal Asimbhai Shah



sold and conveyed the land of Sub Plot No. 1, admeasuring about 5277 sq.mts., of Final Plot No. 3+38, to M/s. Swara Builders, represented through its Authorized Partners Sandipkumar Bipinbhai Patel and Shaileshkumar Babaldas Patel, by or under a Sale Deed dated 4th October, 2021, registered with the office of the Sub Registrar of Assurances, under Sr. No. 32322, in the manner and for the consideration recorded therein. (*Reference: Revenue Entry No. 7898, dated 17th October, 2021*). Said Sale Deed is confirmed by Said M/s. Green One Realty, a Partnership Firm, represented through its Authorized Partner Adhish Ashishkumar Patel by joining as Confirming Party being the co-owner of Survey Nos. 153 and 154.



- (b) To support and supplement the said sale, Said Sanjaykumar Babulal Patel and others have executed a Declaration-cum-Indemnity and Power of Attorney in favour of Said M/s. Swara Builders, on the same day, registered under Sr. Nos. 32324 and 32323 respectively.
- (c) Said Revenue Entry No. 7898 was challenged by one Pranavkumar Manibhai Gurjar before Prant Officer, Gandhinagar, in Takrari/Case No. 554/2021. Said Case was rejected by the Prant Officer as per the order dated 16th December, 2021. As informed to us, no appeal/s and/or proceedings have been initiated thereafter.

Observation:

It appears that in the Said Revenue Entry due to inadvertance, the date of the Said Sale Deed is stated as 4th January, 2021, instead of 4th October, 2021 and Final Plot Number is stated as (3 + 38), instead of (3+38)/1.

- (6) Accordingly, Said M/s. Swara Builders have become entitled to the Land of Sub Plot No. 1, admeasuring about 5277 sq.mts. of Said Final Plot No. 3+38.

D. **Public Notice:**

- (1) As instructed to us, we have not given Public Notice in any daily newspaper, inviting claims with respect to the Said Land.

E. **Other Particulars:**

- (1) One Manibhai Shivabhai Gurjar had filed various RTS Appeals, bearing Nos. Da.Su./RTS/Appeal/S.R. Number 352 to 357/2020, before Prant Officer, Gandhinagar, with respect to land of Said Survey No. 154. Said

Appeals have been rejected by Prant Officer, Gandhinagar, as per the order dated 26th August, 2021 on the grounds of limitation. (Reference: Revenue Entry Nos. 7847, dated 7th September, 2021 and 7859 to 7866, dated 21st September, 2021).

- (2) It appears that Manibhai Shivabhai Gurjar preferred Revision Applications against the aforesaid orders of Prant Officer, Gandhinagar, before Collector, Gandhinagar, bearing Revision Application Numbers 496 to 504/2021. Said Manibhai Shivabhai Gurjar has initiated a Special Civil Suit No. 72 of 2021 before the Hon'ble Civil Court at Gandhinagar.



It appears that aforesaid Suit and proceedings are initiated for claiming share in the land of Survey No. 154 after the period of more than fifty (50) years and accordingly the same are barred by Law of Limitation under the Provisions of the Limitation Act, 1963. However, aforesaid Suits and Proceedings are as on date pending for adjudication.

F. **Disclaimer:**

- (1) The aforesaid Report is reference of available revenue records and sub registry records relevant for the purposes to study devolution of title and to ascertain any charge or encumbrance, and does not contain entire revenue or sub registry records. We have relied upon the same without going into the details or further legal validation/scrutiny of records and proceedings referred to therein. We disclaim any liabilities in respect thereof. We have assumed the documents provided to us as genuine.
- (2) As reported by our Search Clerk / Search Advocate, who has taken search of the revenue and sub registry records, it is found that some of the record is not maintained properly or damaged, and not available. Search may lack or miss some particulars. Therefore, it is required that usual Declaration-cum-Indemnity on Title to be made at the time of sale.
- (3) We have neither undertaken any on-site verification of the Said Lands, nor carried out verification of any negative court proceedings before any court/forum/authority nor verified any acquisition by any Government/ Semi-Government Authorities other than that mentioned in the Revenue Records. Further as informed to us, Said Land has not been given in security nor created any charge or encumbrance of any nature whatsoever thereon, nor the Said Land is subject matter of any pending

litigations and/or proceedings, except referred in Clause E hereinabove nor any order, decree, attachment or any order of any court or authority is operating against the Said Land adversely affecting the title thereto. As informed to us, no construction has been put up on the Said Land. We have relied upon the same and hereby disclaim any liability in respect thereof.

- (4) Said Land is a non agricultural Land. Therefore, we have not examined the laws relating to agricultural Land and implications thereof.
- (5) We have further relied upon Declaration-cum-Indemnity on Title executed by Sandipkumar Bipinbhai Patel and Shaileshkumar Babulal Patel, Authorized Partners of M/s. Swara Builders, a Partnership Firm, dated 22nd December, 2021, attested before Notary Public.
- (6) This Certificate and Report on Title is based on the available searches taken with the Revenue Records and Records of the Sub Registrar (Index II) only for the period of 30 years up to October 2021 only. However, where possible we have endeavored to ascertain the title beyond such period. We disclaim any liability in respect thereof.



G. **Opinion:**

IN VIEW OF WHAT HAS BEEN STATED HEREINABOVE, we are of the opinion that the title of M/S. SWARA BUILDERS, a Partnership Firm, to the Said Land in the manner aforesaid is clear, marketable, free from all encumbrances and reasonable doubt, subject to aforesaid pending litigation and proceedings, subject to Usual Declaration-cum-Indemnity on Title being made, subject to Town Planning Scheme, subject to terms and conditions of aforesaid Development Permission, Non Agricultural Permissions and other Permissions referred hereinabove, subject to above devolution on title, our note(s) and our observation(s) and subject to any other law, acts, rules and regulations for the time being in force as may be applicable.

DATED THIS 22ND DAY OF DECEMBER, 2021

H. Desai & Co
ADVOCATES & SOLICITORS

111ce1.20
HHD/KHD/I