

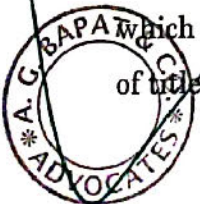
REPORT ON TITLE

Ref: No. 2097-A/2017

Re : Investigation of title to the Non-Agricultural Land situate, lying and being at Mouje : Zundal, Taluka : Gandhinagar, District : Gandhinagar bearing Revenue Survey No. 383/2/2 total admeasuring 9788 sq.mts. which was comprised into Draft T.P. Scheme No. 69 of (Chandkheda-Zundal-Tragad) and allotted Final Plot No. 158/2 total admeasuring 5873 sq.mts. paiki Southern Side land admeasuring 2408 sq.mts. i.e. Part of Revenue Survey paiki land admeasuring 4013 sq.mts. Including AUDA cutting admeasuring 1605 sq.mts. as per Latest Village Form No. 7/12 in the Registration District and Sub-District, Gandhinagar belonging to M/s. Ashapura Infratech Pvt. Ltd., a Private Limited Company.

With reference to the above, I have investigated the title to the Land in question, more particularly described in the Schedule hereunder written and submit my report on title cum title clearance certificate thereon as under :

That from the search of records being maintained by the Mamlatdar Gandhinagar Taluka at Gandhinagar and that of Circle Inspector/Talati, Mouje Zundal as also from the search of the available records being maintained by the District Registrar and Sub-Registrar, Gandhinagar through my Search Clerk for the last 30 years as also from the Village Form No 7 and 12, and Village Form No. 6, for mutation entries of the last 30 years duly certified by the Talati Mouje Zundal, produced before me and believing same to be true, correct and trust worthy and also believing the documents/ papers/ copies etc. shown to me to be true and genuine and also based upon the information given by owners that no transfer/agreement was made in respect of the said property during the period for which the record is not available which would make the title defective, I submit my report of title-cum-title clearance certificate thereon as under :



It appears that on or around the year 1978 the said land, situate lying and being at Mouje : Zundal, Taluka : Dascroi bearing Revenue Survey No. 383/2 total admeasuring Acres-3, Gunthas-09 i.e. 13051 sq.mts. was originally belonged to Shri Chaturbhai Ranchhodbhai.

I further find that, Shri Chaturbhai Ranchhodbhai died on 15-5-1979 intestate the said land bearing Revenue Survey No. 383/2 total admeasuring 13051 sq.mts. came to be owned and possessed by his only legal heirs and next of kins according to the Hindu Law under which he was governed by namely (1) Dahiben D/o. Chaturbhai (2) Sakarben D/o. Chaturbhai (3) Shantaben D/o. Chaturbhai and (4) Hiraben D/o. Chaturbhai and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6 under Serial No. 3440 dated 1-8-1979 duly confirmed by the concerned authority on 21-9-1979, and since then (1) Dahiben D/o. Chaturbhai (2) Sakarben D/o. Chaturbhai (3) Shantaben D/o. Chaturbhai and (4) Hiraben D/o. Chaturbhai were holding the same as an absolute co-owners and possessors of the same.

Further, Irrevocable General Power of Attorney was duly executed by (1) Dahiben D/o. Chaturbhai Patel (2) Sakarben D/o. Chaturbhai Patel and (3) Shantaben D/o. Chaturbhai Patel in favour of Shri Nandubhai Keshavlal Patel in respect of said land. which was duly signed before C. P. Nayak, Notary Public, Ahmedabad, under Serial No. 17/2005 dated 9-5-2005.

Further, (1) Dahiben D/o. Chaturbhai Patel (2) Sakarben D/o. Chaturbhai Patel and (3) Shantaben D/o. Chaturbhai Patel through their Power of Attorney Holder Shri Nandubhai Keshavlal Patel has sold and conveyed the said Agricultural land bearing Revenue Survey No. 383/2 total admeasuring 13051 sq.mts. paiki admeasuring 9788 sq.mts. to (1) Shri Parsottambhai Bhulabhai Patel (2) Shri Nitin Parsottambhai Patel and (3) Shri Kalpesh Parsottambhai by a Deed of Conveyance, duly executed on 25-7-2005 by (1) Dahiben D/o. Chaturbhai Patel (2) Sakarben D/o. Chaturbhai Patel and (3) Shantaben D/o. Chaturbhai Patel through their Power of Attorney Holder Shri Nandubhai Keshavlal Patel in favour of (1) Shri Parsottambhai Bhulabhai Patel (2) Shri Nitin Parsottambhai Patel and (3) Shri Kalpesh Parsottambhai Patel which was duly registered with the Office of Sub-Registrar, Gandhinagar, under Serial No. 5529 dated 8-8-2005 and the entry to that effect was also entered in the revenue records of Mutation Entry Book viz. Village Form No.6 under Serial No. 5157 dated 17-8-2005 duly confirmed by the concerned

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authority on 29-3-2006 and since then (1) Shri Parsottambhai Bhulabhai Patel (2) Shri Nitin Parsottambhai Patel and (3) Shri Kalpesh Parsottambhai Patel were holding the same as an absolute co-owners and possessors thereof.

I further find that, Hiraben D/o. Chaturbhai and wife of Lalbhai died on 30-12-2003 intestate and her undivided 1/4th share in the said land bearing Revenue Survey No. 383/2 total admeasuring 13051 sq.mts. came to be owned and possessed by her only legal heirs and next of kins according to the Hindu Law under which she was governed by namely (1) Gitaben D/o. Lalbhai (2) Sudhaben D/o. Lalbhai (3) Shri Mukeshbhai Lalbhai (4) Shri Jayantibhai Lalbhai and (5) Shri Dineshbhai Lalbhai and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6 under Serial No. 5165 dated 6-9-2005 duly confirmed by the concerned authority on 12-1-2006.

Further, it appears that Shantaben D/o. Chaturbhai Patel and others have filed Suit bearing No. E-Dhara/Takrari Case No. 6/05 in the Court of Mamlatdar, Gandhinagar against Shri Nandubhai Keshavlal Patel and others under Section 108 (1) of Land Revenue Code and she has objected on 23-8-2005 against confirmation of the Mutation Entry No. 5157 dated 17-8-2005 for recording the said sale transaction and on procedure Mamlatdar, Gandhinagar has passed an Order dated 10-3-2006 to reject the Objection Application of Applicant and the said Mutation Entry No. 5157 was confirmed and also ordered that implementation of final judgment of the Civil Suit pending in Hon'ble Civil Court in respect of the said land should be binding on all the parties and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6 under Serial No. 5274 dated 27-3-2006 duly confirmed by the concerned authority on 18-5-2006.

Further, there was change in the actual possessors and measurement of the land, following changes/ alterations recorded in Form No. 4 maintained by District Inspector Land Records, Gandhinagar, As per earlier Records the said land bearing Revenue Survey No. 383/2 total admeasuring 13051 sq.mts. and As per Changes/ Alterations the said land bearing Revenue Survey No. 383/2 paiki admeasuring 9788 sq.mts. came to be owned and



possessed by Shri Parsottambhai Bhulabhai Patel and others and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6 under Serial No. 5779 dated 4-4-2008 and Shri Jayantibhai Lalbhai as Applicant has filed Suit bearing No. Takrari Case No. 256/08 in the Court of Mamlatdar, Gandhinagar against Shri Parsottambhai Bhulabhai Patel and others under Section 108 (1) of Land Revenue Code and he has objected against confirmation of the Mutation Entry No. 5779 dated 4-4-2008 for recording the execution of Form No. 4 passed by District Inspector Land Records, Gandhinagar in respect of the said land in question and on procedure Mamlatdar, Gandhinagar has passed an Order dated 23-1-2009 to reject the Application of Applicant and also ordered to confirm the said Mutation Entry No. 5779 and same was confirmed by the Circle Officer, Gandhinagar on 2-2-2009.

Further, (1) Shri Parsottambhai Bhulabhai Patel (2) Shri Nitin Parsottambhai Patel and (3) Shri Kalpesh Parsottambhai Patel have sold and conveyed the said Agricultural land bearing Revenue Survey No. 383/2 total admeasuring 13051 sq.mts. paiki admeasuring 9788 sq.mts. to (1) Shitalben Maheshbhai (2) Shri Maheshbhai Ramlabhaya (3) Shyamali Rajanibhai and (4) Shri Rajanibhai Ramlabhaya by a Deed of Conveyance, duly executed on 12-3-2008 by (1) Shri Parsottambhai Bhulabhai Patel (2) Shri Nitin Parsottambhai Patel and (3) Shri Kalpesh Parsottambhai Patel in favour of (1) Shitalben Maheshbhai (2) Shri Maheshbhai Ramlabhaya (3) Shyamali Rajanibhai and (4) Shri Rajanibhai Ramlabhaya which was duly registered with the Office of Sub-Registrar, Gandhinagar, under Serial No. 10477 dated 9-6-2008 and the entry to that effect was also entered in the revenue records of Mutation Entry Book viz. Village Form No.6 under Serial No. 5862 dated 26-6-2008 duly confirmed by the concerned authority on 28-8-2008. and since then (1) Shitalben Maheshbhai (2) Shri Maheshbhai Ramlabhaya (3) Shyamali Rajanibhai and (4) Shri Rajanibhai Ramlabhaya were holding the same as an absolute co-owners and possessors thereof.

Further, the District Inspector Land Records, Gandhinagar vide its Order bearing No. K.J.P./S.R.-97/09-10 and Durasti Patrak No. 37 dated 18-11-2010 has sub-divided the said Land bearing Revenue Survey No. 383/2 total admeasuring 13051 sq.mts. into two parts i.e. (I) Revenue Survey No. 383/2/1 admeasuring 3263 sq.mts. came to be owned and possessed by Gitaben Lalbhai and others and (II) Revenue Survey No. 383/2/2 admeasuring 9788 sq.mts. came to be owned and possessed by (1) Shitalben Maheshbhai

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(2) Shri Maheshbhai Ramlabhaya (3) Shyamali Rajanibhai and (4) Shri Rajanibhai Ramlabhaya and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6 under Serial No. 6689 dated 18-5-2011 duly confirmed by the concerned authority on 4-7-2011.

In the meantime the said land bearing Revenue Survey No. 383/2/2 total admeasuring 9788 sq.mts. was covered under the Draft Town Planning Scheme No. 69 of (Chandkheda-Zundal-Tragad) and Final Plot No. 158/2 total admeasuring 5873 sq.mts. was given in lieu thereof, as per Form "F" issued by Assistant Town Planner, Ahmedabad Urban Development Authority, Ahmedabad.

Further, Non-Agricultural Permission of the said piece of the said land bearing Revenue Survey No. 383/2/2 total admeasuring 9788 sq.mts. which was comprised into Draft T.P. Scheme No. 69 of (Chandkheda-Zundal-Tragad) and allotted Final Plot No. 158/2 total admeasuring 5873 sq.mts. for Residential Use was duly sanctioned by the Collector, Gandhinagar vide its Order bearing No. CB/Land/Bin-Khe./S.R.-160/11/Vashi-5603 to 5618/2012 dated 21-3-2012 and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No. 6 under Serial No. 6928 dated 19-4-2012 duly confirmed by the concerned authority on 8-6-2012.

Further, it appears that, Gitaben D/o. Hiraben Lalbhai and others have filed Civil Suit bearing Special Di.Mu. No. 428/2005 in the court of Civil Judge (C.D.), Gandhinagar against Dahiben D/o. Chaturbhai Patel and others in respect of the said land in question. Thereafter same was withdrawn and said matter was amicably settled by all co-owners and they have filed a "Samadhan Purshis" Ex-42 in the court and on that basis the said Court of Civil Judge (C.D.), Gandhinagar passed an Order below Exh. 1 dated 12-10-2010 to dispose off this suit as withdrawn unconditionally. No. Order as to cost.

Further, in the meantime Gitaben D/o. Hiraben Lalbhai has filed Special Civil Application No. 14380/2007 in the court of The High Court of Gujarat at Ahmedabad against Shri Ramesh Keshavlal Patel and others to expediate procedure of Special Di.Mu. No. 428/2005. Thereafter on procedure Honourable, Mr. M.R. Shah Justice, The High



Court of Gujarat at Ahmedabad has passed an Oral Order dated 22-7-2008 stating that all concerned are directed to cooperate the court in early disposal of the suit. With these, present Special Civil Application is dismissed as not pressed.

Further, one name of Shitalben Maheshbhai was changed from Shitalben Maheshbhai Varma to Bhartiben Maheshkumar Varma, as per The Gujarat Government Gazette, Supplement to The Central Gazette and Central Section, Published by Authority vide their Vol-LVI, No. 31 on 30-7-2015. However entry to that effect was not entered in the revenue records of the said land bearing Revenue Survey No. 383/2/2 in the Village Form No. 7 X12 and Mutation Entry Book viz. Village Form No.6 being maintained by the Circle Inspector or Talati of Mouje Zundal Taluka Gandhinagar.

Thus, (1) Shitalben Maheshbhai (As per The Gujarat Government Gazette, Present name of Bhartiben Maheshkumar Varma) (2) Shri Maheshbhai Ramlabhaya (3) Shyamali Rajanibhai and (4) Shri Rajanibhai Ramlabhaya were the absolute co-owners and possessors of the said Non-Agricultural land situate, lying and being at Mouje : Zundal, Taluka : Gandhinagar, District : Gandhinagar bearing Revenue Survey No. 383/2/2 total admeasuring 9788 sq.mts. which was comprised into Draft T.P. Scheme No. 69 of (Chandkheda-Zundal-Tragad) and allotted Final Plot No. 158/2 total admeasuring 5873 sq.mts. in the Registration District and Sub-District, Gandhinagar.

Further, (1) Shitalben Maheshbhai (As per The Gujarat Government Gazette, Present name of Bhartiben Maheshkumar Varma) (2) Shri Maheshbhai Ramlabhaya (3) Shyamali Rajanibhai and (4) Shri Rajanibhai Ramlabhaya have sold and conveyed the said Non-Agricultural Land bearing Revenue Survey No. 383/2/2 total admeasuring 9788 sq.mts. which was comprised into Draft T.P. Scheme No. 69 of (Chandkheda-Zundal-Tragad) and allotted Final Plot No. 158/2 total admeasuring 5873 sq.mts. paiki Northern Side land admeasuring 3465 sq.mts. i.e. Part of Revenue Survey paiki land admeasuring 5775 sq.mts. Including AUDA cutting admeasuring 2310 sq.mts. as per Latest Village Form No. 7/12 to M/s. Ashapura Buildcon, a Partnership Firm through its Administrative Partner Shri Divyangbhai Pravinbhai Thakkar by a Deed of Conveyance, duly executed on 7-4-2017 which was duly registered with the Office of the Sub-Registrar, Gandhinagar, under Serial No. 4604 dated 13-4-2017, and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No. 6 under Serial No. 8390 dated 25-4-2017 duly confirmed by the concerned authority on 20-6-2017.

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Further, (1) Shitalben Maheshbhai (As per The Gujarat Government Gazette, Present name of Bhartiben Maheshkumar Varma) (2) Shri Maheshbhai Ramlabhaya (3) Shyamali Rajanibhai and (4) Shri Rajanibhai Ramlabhaya have sold and conveyed the said Non-Agricultural Land bearing Revenue Survey No. 383/2/2 total admeasuring 9788 sq.mts. which was comprised into Draft T.P. Scheme No. 69 of (Chandkheda-Zundal-Tragad) and allotted Final Plot No. 158/2 total admeasuring 5873 sq.mts. paiki Southern Side land admeasuring 2408 sq.mts. i.e. Part of Revenue Survey paiki land admeasuring 4013 sq.mts. Including AUDA cutting admeasuring 1605 sq.mts. as per Latest Village Form No. 7/12 to M/s. Ashapura Infratech Pvt. Ltd., a Private Limited Company duly registered under the Companies Act, 1956, under Registration No. U45400GJ2008PTC052507 dated 1-1-2008 issued by Assistant Registrar of Companies, Gujarat, Dadra and Nagar, Havelli by a Deed of Conveyance, duly executed by (1) Shitalben Maheshbhai (As per The Gujarat Government Gazette, Present name of Bhartiben Maheshkumar Varma) (2) Shri Maheshbhai Ramlabhaya (3) Shyamali Rajanibhai and (4) Shri Rajanibhai Ramlabhaya in favour of M/s. Ashapura Infratech Pvt. Ltd., a Private Limited Company through its Director Shri Kunal Pravinbhai Thakkar which was duly registered with the Office of the Sub-Registrar, Gandhinagar, under Serial No. 11790 dated 29-7-2017, and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No. 6 under Serial No. 8497 dated 21-8-2017 (Kachi Entry) which is yet to be certified and confirmed by the concerned authority and since then M/s. Ashapura Infratech Pvt. Ltd., a Private Limited Company is holding the same as an absolute owner and possessor thereof.

Further, an Indemnity Bond Cum Declaration was duly executed by (1) Shitalben Maheshbhai (As per The Gujarat Government Gazette, Present name of Bhartiben Maheshkumar Varma) (2) Shri Maheshbhai Ramlabhaya (3) Shyamali Rajanibhai and (4) Shri Rajanibhai Ramlabhaya in favour of M/s. Ashapura Infratech Pvt. Ltd., a Private Limited Company through its Director Shri Kunal Pravinbhai Thakkar in respect of the said property in question which was duly registered with the Office of the Sub-Registrar, Gandhinagar, under Serial No. 11792 dated 29-7-2017.



Thus, M/s. Ashapura Infratech Pvt. Ltd., a Private Limited Company is the absolute owner and possessor of the said Non-Agricultural land situate, lying and being at Mouje : Zundal, Taluka : Gandhinagar, District : Gandhinagar bearing Revenue Survey No. 383/2/2 total admeasuring 9788 sq.mts. which was comprised into Draft T.P. Scheme No. 69 of (Chandkheda-Zundal-Tragad) and allotted Final Plot No. 158/2 total admeasuring 5873 sq.mts. paiki Southern Side land admeasuring 2408 sq.mts. i.e. Part of Revenue Survey paiki land admeasuring 4013 sq.mts. Including AUDA cutting admeasuring 1605 sq.mts. as per Latest Village Form No. 7/12 in the Registration District and Sub-District, Gandhinagar.

As a part of the investigation of the title, I gave public notice appeared in the daily newspaper Gujarat Samachar, Gujarati Edition of 2th September, 2017 inviting claims, if any, in upon or to the said land in question from any person whomsoever. I have not received any objection/claim in response thereto till today.

Further the Land in question is not affected by the provisions of the Urban Land (Ceiling & Regulation) Act, 1976 since the same has been repealed with effect from 01/04/1999 and hence no permission thereunder or in any other Act or rule is required to be obtained.

In view of what is stated hereinabove, I hereby opine that the title to the land in question is clear, marketable, free from any charge or encumbrance and free from reasonable doubts subject to :

1. Mutation Entry No. 8497 dated 21-8-2017 (Kachi Entry) maintained by the Talati Mouje Zundal Taluka Gandhinagar is being duly certified and confirmed by concerned revenue authority in due course.
2. Computerized Search of Documents of M/s. Ashapura Infratech Pvt. Ltd. maintained at the office of the Registrar of Companies, Gujarat at Ahmedabad is required to be carried out and Any Charge on the said Property in question duly registered with the Office of Registrar of Companies of Gujarat at Ahmedabad as same is at present owned by the company.
3. Terms and conditions of N. A. Order.
4. Provisions of the Town Planning and Urban Development Act.
5. Usual Declaration on title is being made on oath by Authorized Director of M/s. Ashapura Infratech Pvt. Ltd., a Private Limited Company.

Note : Please note that Search of Registration Records of the year 1987 to 2017 at the Office of the Sub-Registrar, Gandhinagar is carried out and records of the year 1987 is destroyed/torned out or in dilapidated condition, hence it could not be inspected and searches thereof is not available, I have found that, some part of available Index-II records are torned and the entries are also not up-to-date maintained and also Computerised Records for the year 2007 to 2017 at Office of Sub-Registrar, Gandhinagar are not well prepared and maintained by State Government Agency.

THE SCHEDULE ABOVE REFERRED TO

All that piece and parcel of Non-Agricultural Land situate, lying and being at Mouje : Zundal, Taluka : Gandhinagar, District : Gandhinagar bearing Revenue Survey No. 383/2/2 total admeasuring 9788 sq.mts. which was comprised into Draft T.P. Scheme No. 69 of (Chandkheda-Zundal-Tragad) and allotted Final Plot No. 158/2 total admeasuring 5873 sq.mts. paiki Southern Side land admeasuring 2408 sq.mts. i.e. Part of Revenue Survey paiki land admeasuring 4013 sq.mts. Including AUDA cutting admeasuring 1605 sq.mts. as per Latest Village Form No. 7/12 in the Registration District and Sub-District, Gandhinagar and the same is bounded as follows :

On or towards the East	:	Land of Final Plot Nos. 37 paiki 38 paiki.
On or towards the West	:	12 mts. Road.
On or towards the North	:	Land of Final Plot No. 158/1.
On or towards the South	:	18 mts. Road.

Date : 19-9-2017

Place : Ahmedabad.



For, A. G. BAPAT & CO.

(ANAND G. BAPAT)

Advocate