

Subhashchandra T. Barot

B.A, LL.B., Advocate

Office Address:-

19, Garden View Bungalows,
Sola Bhagwat, Near Sun Divine,
Sola, Ahmedabad-380060.
(M)-9426532390.

Ref. No. :

Date : 10/11/2018.

To,

Yash Ghanshyambhai Barot

Ahmedabad.

TITLE REPORT

Re:- Agricultural land bearing Final Plot No. 219 admeasuring about 1822 sq. mtrs. (allotted in lieu of part of Revenue Survey No. 186/1/1/B admeasuring about : 3035 sq. mtrs.) of Town Planning Scheme No. 50 (Bodakdev), situated, lying and being at Moje Bodakdev, Taluka Ghatlodiya, in the Registration District of Ahmedabad and Sub District of Ahmedabad-03 (Memnagar) and belonging to Yash Ghanshyambhai Barot being the absolute Owner-Occupier. (Hereinafter referred to as the said "Property")

As per instructions given by you, I have caused necessary searches to be taken with the Revenue Records and Sub-Registry Records and from the information and documents obtained from the owner of said property holder and have gone through relevant papers and have investigated the titles of the said property relating to Yash Ghanshyambhai Barot is clear and marketable and free from all reasonable doubts subject to the following :-

Land bearing Survey No. 186/2/1/1 Acre 0-30 Guntha being the Agricultural Land was held by Jusaji Chelaji owner-occupier & self-cultivator as per Revenue Records.

Thereafter the land owner repaid mortgage money back to Chaturbhai Kandas earlier obtained from him, accordingly he released his charge from the said property (Reference : Revenue Entry No.787 dated 12.08.1942).

Thereafter Jusaji Chelaji sold and conveyed the said land to Dawalbhai Chelabhai by way executing Sale Deed on dtd.18.02.1946. (Reference : Revenue Entry No. 839, dated 23.11.1946).

Thereafter the said land was declared as "Fragmented Piece" alias "TUKDO" by an order of competent authority. (Reference : Revenue Entry No.983).

Thereafter, the said land was declared as Khalasa Raiyat Hede Land. As a result of which it was removed from the List of Jat Inami Land. (Reference : Revenue Entry No.1153, dated 05.02.1955).

Thereafter the family partition took place between the Land Owner, accordingly the said land vested in Dahiben Haribhai Marghabhai being the owner-occupier. (Reference : Revenue Entry No. 1814 dated 21.07.1970).



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Thereafter said land owner Dahiben Haribhai Marghabhai W/o. Dawalbhai died on dtd.03.03.1993 leaving behind her heirs Namely : Rasikbhai Dawalbhai and Savitaben Dawalbhai. (Reference : Revenue Entry No.5447, dated 21.11.1995).

Thereafter the names of Vipulbhai Rasikbhai was entered in the revenue record being the co-parcenor - member of Hindu Undivided Family of Rasikbhai Dawalbhai during his lifetime. (Reference : Revenue Entry No.5495 dated 11.01.1996).

Thereafter the D.I.L.R. conducted DURASTI in pursuance of the aforesaid order of Concerned Authority. And in pursuance of the said Durasti the land bearing Survey No.186/1/1/B admeasuring He.Are.Sq.Mtrs. : 0-30-35 was given in lieu of Survey No. 186/2/1/1. (Reference : Revenue Entry No.5568, dated 09.04.1996).

Thereafter the land owner availed loan from the Thaltej-Bodakdev Group Seva Sahakari Mandali Ltd., Thaltej, accordingly the Mandali created charge / lien on the said property.(Reference : Revenue Entry No.6222, dated 10.06.1998)

Thereafter the names of Kusumben W/o. Rasikbhai Dawalbhai and Pinagini Vipulbhai were entered in the revenue record being the co-parcenor - member of Hindu Undivided Family of Rasikbhai Dawalbhai and Vipul Rasikbhai Patel during their life time. (Reference : Revenue Entry No.6473 dated 28.06.1999).

Thereafter the said Savitaben D/o. Dawalbhai Chelabhai W/o. Jasvantlal Dawalbhai waived her rights in favour of the Rasikbhai Dawalbhai, Kusumben W/o. Rasikbhai Dawalbhai, Vipulbhai Rasikbhai and Pinagini W/o. Vipulbhai Rasikbhai by way of executing Release Deed registered in the office of Sub Registrar Ahmedabad - 3 (Memnagar), Vide Sr. No. 1965 dtd. 29.05.2000. (Reference : Revenue Entry No.6696, dated 30.05.2000).

Thereafter the said Rasikbhai Dawalbhai, Kusumben W/o. Rasikbhai Dawalbhai waived their rights in favour of the Vipulbhai Rasikbhai and Pinagini W/o. Vipulbhai Rasikbhai by way of executing Release Deed registered in the office of Sub Registrar Ahmedabad - 3 (Memnagar), Vide Sr. No. 3638 dtd. 07.11.2000. (Reference : Revenue Entry No.6816, dated 14.02.2001).

Thereafter the K.J.P. DURASTI Vide KJP/SR No.9/95-96 dtd/16.03.1996 was rejected by an order of District Inspector Land Records Vide No. DRK/Vashi/80/2002-03 dtd.04.06.2003 as the earlier KJP Durati was not completed with the consent of all the Portion Holders and the issue was under dispute. (Reference : Revenue Entry No. 7225, dated 17.06.2003).

Thereafter the D.I.L.R. rectified HISSA DURASTI earlier conducted on dtd.16.03.1996 as the same was rejected. And by such rectification under Letter No. D.S.O./Bodakdev/186 dtd.17.03.2006 the land bearing Survey No.186/2/1/1 was given New Survey No.186/1/2.



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(Reference : Revenue Entry No.7970, dated 17.03.2006).

Thereafter the D.I.L.R. conducted DURASTI vide K.J.P. S.R. No. Spe./2/286/05-06 dtd.07.06.2006. In pursuance of the aforesaid order of Concerned Authority, and in pursuance of the said Durasti, the said land bearing Survey No.186/1/1/B was given alongwith Plot area admeasuring about : 3035 sq. mtrs in place of Survey No. 186/1/2 . (Reference : Revenue Entry No.8065, dated 19.06.2006).

The land bearing Survey No.186/1/1/B admeasuring about 3035 Sq. Mtrs., included in Town Planning Scheme No.50 (Bodakdev) and allotted Final Plot No.219, admeasuring about 1822 sq. mtrs.

Thereafter the D.I.L.R. conducted DURASTI vide K.J.P. S.R. No. 351/07-08 dtd.20.08.2008. In pursuance of the aforesaid order of Concerned Authority, and in pursuance of the said Durasti Land bearing Survey No. 186/1/1/A and Survey No. 186/1/1/B were combined and a joint Survey No. 186/1 admeasuring 5897 Sq. Mtrs. was generated. (Reference : Revenue Entry No.8781, dated 05.09.2008).

Thereafter the heirs of Parshottambhai Chaturbhai Patel filed RTS/Takrari Case No.123/2006 against Mutation Entry No.8065 which was rejected by order dtd.14.08.2007 against which RTS Appeal No.322/07 was filed before Deputy Collector Viramgam Prant which was also rejected by order dtd.15.06.2010. (Reference : Revenue Entry No.9336, dated 24.06.2010).

Thereafter the family partition took place between the Land Owners and their family members, by way of Registered Partition Deed Vide Sr. No. 4873, dtd.25.04.2011. (Reference : Revenue Entry No. 9674, dated 08.06.2011 but said entry was rejected due to objection and as a result of RTS Case No. 571/11 order dtd.13.04.2012). (Reference : Revenue Entry No. 9950, dated 20.04.2012 but said entry was rejected due to objection and as a result of order passed in RTS Case No. 193/12, dtd.30.08.2012).

Thereafter the Daskroi Taluka and City Taluka of Ahmedabad were amalgamated and two (02) new taluka namely Ahmedabad City West and Ahmedabad City East were organized. Accordingly the Bodakdev Village was involved in the territories of Ahmedabad City West by an order passed by Revenue Department, vide order no. Pafar/102011/275/L/1, dated 17.03.2012. (Ref.: Revenue Entry No.9955, dated 03.05.2012).

Thereafter the land owner repaid the entire outstanding towards the aforesaid loan and accordingly the Thaltej – Bodakdev Group Seva Sahkari Mandli Ltd. released the charge / lien earlier kept on the said property. (Reference : Revenue Entry No.9976 dated 06.06.2012).

Thereafter the order passed by Deputy Collector dtd.15.06.2010 under RTS Appeal No.322/2007 was challenged before District Collector, Ahmedabad by filling LB Revision Application



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No.240/2010 which appeal was rejected by order dtd.20.08.2012. (Reference : Revenue Entry No.10112, dated 15.10.2012).

Thereafter RTS Appeal No. 400/12 was filed before Deputy Collector (West Region) and the said Appeal was rejected by Deputy Collector on Merits by Order dtd.21.06.2014. (Reference : Revenue Entry No.10661, dated 31.07.2014).

Thereafter the land owner repaid the entire outstanding towards the aforesaid loan and accordingly the Thaltej – Bodakdev Group Seva Sahkari Mandli Ltd. released the charge / lien earlier kept on the said property. (Reference : Revenue Entry No.10874 dated 28.04.2015).

Thereafter Mutation Entry No. 10875 was mutated with the revenue record of the said Property but the same was irrelevant. (Reference : Revenue Entry No.10875, dated 29.04.2014).

Thereafter the order passed by City Deputy Collector (West-Prant) under RTS/Appeal/Case No.400/12 was challenged, before District Collector by filing L.B. Revision No. 394/14 which Revision was rejected on the same grounds as adopted by City Deputy Collector under aforesaid RTS Appeal. (Reference : Revenue Entry No.11034, dated 17.10.2015).

Thereafter the names of Hetaksh Vipulbhai Patel was entered in the revenue record being the coparcenor - member of Hindu Undivided Family of Vipulbhai Rasikbhai Patel during his lifetime. (Reference : Revenue Entry No.11913 dated 04.06.2018).

Thereafter the Hissa Durasti was conducted by D.I.L.R. vide KJP/S.R./1323 dtd.13.07.2018 under which the status as per KJP Durasti vide K.J.P. S.R. No. Spe./2/286/05-06 dtd.07.06.2006 was restored accordingly the said property was re-allotted Revenue Survey No.186/1/1/B having plot area admeasuring 3035 sq. mtrs. against which Final Plot No.219 having plot area admeasuring 1822 sq. mtrs. is already allotted. (Reference : Revenue Entry No.11961, dated 16.07.2018).

Thereafter, the Computerized Mistake of Revenue Record were rectified by an order of Mamlatdar of Ghatlodia, vide order no. City/Ghatlodia/E-Dhara/Sudhara Hukam/Vashi.426/2018, dated 01.09.2018. (Reference : Revenue Entry No.12001, dated 11.09.2018).

Thereafter Pinaben D/o. Rasikbhai Devalbhai Patel filed 3 separate RTS Appeals Vide No. 229/2017, 230/2017 and 231/2017 and all 3 were rejected by order of City Deputy Collector (West) Vide Order dtd.10.10.2018.(Reference : Revenue Entry No.12025, dated 11.10.2018). (Reference : Revenue Entry No.12026, dated 11.10.2018). (Reference : Revenue Entry No.12027, dated 11.10.2018).

That the said Vipul Rasikbhai Patel and Pinaginiben Vipulbhai Patel agreed to sale the said property to M/s. Hetdiv Infrastructure LLP by Registered Agreement to Sale vide Sr. No.769 dtd.29.03.2018. Thereafter the said M/s. Hetdiv Infrastructure LLP decided not to continue the



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deal and upon its partner's request the amount of earnest money was returned by the said Vipul Rasikbhai Patel and Pinaginiben Vipulbhai Patel to the said M/s. Hetdiv Infrastructure LLP. Accordingly both parties executed Cancellation of Agreement to Sale vide Sr. No.1478 dtd.21.06.2018.

Thereafter the said Vipulbhai Rasikbhai, Hetaksh Vipulbhai and Pinaginiben Vipulbhai sold and conveyed the Final Plot No.219 admeasuring about 1822 sq. mtrs. (allotted in lieu of part of Revenue Survey No.186/1/1/B) of Town Planning Scheme No. 50 to Yashbhai Ghanshyambhai Barot by way of executing Sale Deed registered in the office of Sub Registrar Ahmedabad-13 (City-West) vide Sr. No.1479 dtd.21.06.2018. Thereafter development in the form of change of Revenue Survey Number occurred as a result of KJP Durasti therefore the said development was required to be adopted in the Sale Deed and therefore to bring the said development on record both the parties executed Supplementary Agreement registered in the office of Sub Registrar Ahmedabad-13 (City-West) vide Sr. No.2207 dtd.24.09.2018. (Reference : Revenue Entry No.12030, dated 17.10.2018).

As the Sale Deed was executed by Hetaksh Vipulbhai Patel through his Power of Attorney holder he confirmed the Sale Deed by way of executing Registered Confirmation Deed vide Sr. No.1892 dtd.08.08.2018.

And since then the said Agricultural land bearing Final Plot No. 219 admeasuring about 1822 sq. mtrs. (allotted in lieu of part of Revenue Survey No. 186/1/1/B admeasuring about : 3035 sq. mtrs.) of Town Planning Scheme No. 50 (Bodakdev), situated, lying and being at Moje Bodakdev, Taluka Ghatlodiya, in the Registration District of Ahmedabad and Sub District of Ahmedabad-03 (Memnagar) is in the absolute ownership and possession of Yashbhai Ghanshyambhai Barot.

I have taken search relating to the said property. I have taken search for the period from 1987 to 2019 relating to the said property. I have searched the concerned Sub-Registrar Ahmedabad Records for the said period.

Earlier Mr. Yash Ghanshyambhai Barot assigned the procedure of Title Clearance to Modi Law Associates (Mr. Maulik Modi, Advocate) and as a Part procedure he Published Public Notice in Daily News Paper "Gujarat Samachar" dtd. 13.10.2018 against which he received below referred objections, thereafter as he was having time-constraint he was not in a position to complete the procedure and therefore he has given no-objection to Yash Ghanshyambhai Barot to recruit any other Lawyer in this regard and also given consent to take reference of the Public Notice published by him for title clearance.



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Pursuant to the aforesaid I, Subhash Trikamlal Barot, Advocate do here by on instruction of Mr. Yash Ghanshyambhai Barot completing the procedure of Title Clearance of the said property.

Devolution:

As per the information and copies of objection provided by M/s. Modi Law Associates (Maulik D. Modi, Advocate) he received below referred objections and he also responded the same considering the fact on record viz.

That one Pinaben D/o. Rasikbhai Dawalbhai sent objection dtd.30.10.2018 against the Public Notice of Modi Law Associates (Mr. Maulik Modi, Advocate) claiming undivided 1/7th share in the said property & also informed that she has filed Special Civil Suit No.167/2016 in the same concern.

Thereafter Mr. Maulik Modi, (Modi Law Associates) replied the said objection on dtd.06.11.2018 by giving specific clear reply that the said Pinaben D/o. Rasikbhai Dawalbhai already confirmed the ownership of Vipulbhai Rasikbhai and Pinagini Vipulbhai by filing Regd. Deed of Confirmation cum Bond cum Declaration vide Sr. No.5383 dtd.30.03.2008 and also she became party to the Regd. Deed of Partition vide Sr. No.4873 dtd.25.04.2011 executed between Rasikbhai Dawalbhai and his family members and under the said Partition Deed the said property vested in Vipulbhai Rasikbhai and his wife Pinaginiben Vipulbhai. In spite of the aforesaid the said Pinaben D/o. Rasikbhai Dawalbhai filed Special Civil Suit No.167/2016 claiming cancellation of various Documents / Deeds and claiming share in / upon the said property and other properties, which suit is Sub-Judice as on date. And the said Pinaben D/o. Rasikbhai Dawalbhai also filed several revenue litigations in which she never succeeded. I Subhash Trikamlal Barot, Advocate have observed the documents and event of title and litigation and I also found that the objection filed by her was pursuant to litigation with claims referred hereinabove.

Apparently she is not entitled to the claim but as the Civil Suit is Sub-Judice as on date the title certificate can not over rule the pending judgment of the Civil Court.

As a part of investigation of title, I have searched Revenue Records and Sub-Registry Records, I have not found any charges and any dues. There is not any dues or charges of any Bank or any Government or Semi Government or any Financial Institutions. The said property is free from charges and dues.

I may state that the title of Yashbhai Ghanshyambhai Barot with respective to the said property is clear and marketable and free from any encumbrances and doubts subject to :

- (1). Provision of Town Planning Act and Use as per the Zone allotted to the said land by the Local Town Planning Authority.



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- (2). Get the Mutation Entry No. 12030 certified and bring the name of Yash Ghanshyambhai Barot in revenue record being owner-occupier.

DATED THIS 10th DAY OF NOVEMBER, 2018.



Advocate

Remark:

The Search of complete registration record is not available due to tearing of Book No. 2 of Registration Records of some years and the Search of registration record for some years is only available through Computerized Search Mode as per the prevailing government rules therefore due to the aforesaid reasons, no responsibility regarding accuracy of the said entire search of registration record is taken by me.