

HOUSE "M", MONDEAL RETAIL PARK, BETWEEN ISKCON TEMPLE AND RAJPATH CLUB, S. G. HIGHWAY,
BODAKDEV, AHMEDABAD - 380059. PHONE : (O) 079 - 29710100, 29710200 E-mail : janiandco@gmail.com

REF. NO. 12260/2021

To,

M/s. Maruti Developers, A Partnership Firm.



TITLE CERTIFICATE CUM TITLE REPORT

Reg :- Non-Agricultural land bearing Final Plot No. 10 admeasuring about 3,824 Sq. Mtrs. (given in lieu of Block No. 13 admeasuring about 6,374 Sq. Mtrs.) in Draft Town Planning Scheme No. 26 (Vasana Hadmatia - Uvarsad- Vavol) situate, lying and being at Moje Vasana Hadmatia, Taluka Gandhinagar and in the Registration District and Sub District of Gandhinagar belonging M/s. Maruti Developers, a Partnership Firm.

As per instructions, we have examined the titles of the above referred property and have caused to be taken searches (partly manual and partly computerized upto the date of search i.e. 19-03-2022) of the available revenue and registration record for last 30 years through our search clerk and from that and from the affidavit filed before us and believing the same to be true, correct and trustworthy and also believing the revenue records/ documents/copies/papers etc furnished in its file to be true and genuine, and also upon the information given by the 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 titles defective, we hereby give our certificate-cum-report on title as under :-

- (1) That said land bearing Survey No. 16/1 admeasuring about Acre 1-23 Gs. was belonging to Ramabhai Vitthalbhai since

the year 1956 and Ravjibhai Dahyabhai was the tenant of the said land.

- (2) That Amalgamation Scheme became applicable to the land of Village Vasana Hadmatia under the Prevention of Fragmentation and Consolidation of Holdings Act, pursuant to which resolution bearing No. Con. / Vasana Hadmatia dated 15-12-1955 of Settlement Commissioner, Mehsana was published in Part - 1 on page no. 2009 in the official Gazette of Gujarat Government dated 15-12-1955. Accordingly land bearing Survey No. 16/1 admeasuring about Acre 01-23 Gs. was given Block No. 13 and its area was determined as Acre 01-23 Gs. and Ramabhai Vitthalbhai was held as owner and occupier of the said land. Mutation Entry to the said effect was made in revenue records of the said land vide Entry No. 55 dated 04-08-1957.
- (3) That said Ramabhai Vitthalbhai died intestate on 18-03-1962. Hence name of his legal heir viz. Ambarambhai Ramabhai was entered in the revenue records of the said land bearing Block No. 13. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 84 dated 30-03-1964.
- (4) That as order bearing no. 17/ 32P/ Vasna Hadmatiya dated 14-04-1968 and as per Namuna No. 26 of Mamlatdar and Agricultural Land Tribunal, the Tenant Ravjibhai Dahyabhai had denied to purchased the said land so the proceedings of Section 32G of Gujarat Agricultural And Tenancy Act, 1948 was terminated and said land bearing Block No. 13 admeasuring about Acre 1-23 Gs. to be held as "Purchase Bin-Amli" as per the Section 32P of the said Act. Moreover the name of "Mehsana District Samaharta" was entered in the revenue records of the said land. Mutation Entry to the said



effect was made in the revenue records of the said land vide Entry No. 93 dated 03-01-1965.

- (5) That as per order the above said order passed by Mamlatdar and Agricultural Land Tribunal pursuant to which as per provisions of Section 32(P)(7)(8) of The Gujarat Tenancy and Agricultural Lands Act, said land bearing Block No. 13 was re-granted to its Original owner and occupier i.e. Ambaram Ramabhai for self cultivation purpose and said land was granted as "Restricted Tenure Land". Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 99 dated 25-07-1968.
- (6) That as per the provision of The Prevention of Fragmentation and Consolidation of Holdings Act, land bearing Block No. 13 was exempted and released from the provision of "Fragmented Land", by virtue of circular passed by Prant Officer/Deputy Collector, Mehsana. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 195 dated 21-07-1991.
- (7) That said Ambaram Ramabhai died intestate on 06-02-1998 and his wife Harigangaben wd/o Ambaram Ramabhai had also died intestate on 08-09-1997. Hence names of their legal heirs viz. (1) Pramodbhai Ambaram (2) Rameshbhai Ambaram and (3) Mrudulaben Ambaram were entered in the revenue records of the said land bearing Block No. 13. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 218 dated 02-03-1998.
- (8) That as per order bearing no. P.O/ Jamin/ Na.Sh.Ja./ S.R. 3761 to 5441/2007 dated 23-02-2007 passed by Prant Officer, Gandhinagar the land bearing Block No. 13 admeasuring about 6,374 Sq. Mtrs. was released from the restrictions of

Restricted Tenure land and the said land was converted to Old Tenure for Agricultural use. Moreover the note of "Premium being paid at the time of N.A Use" was recorded in 7/12 form. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 402 dated 01-03-2007.

- (9) That as per resolution dated 20-12-2006 bearing no. Na.Sh.Ja./ 102006/ 571/ J passed by Revenue Department, Government of Gujarat, the new tenure and restricted tenure lands situated within the area of AUDA/ GUDA can be converted to old tenure only upon payment of premium amount and after obtaining permission from Collector. However inspite of such resolution, several land parcels were converted to old tenure agricultural use by the Prant Officer and Mamlatdar without collecting any premium amount. Hence all such decisions were challenged before Gujarat Revenue Tribunal. Hence the Collector, Gandhinagar vide its letter dated 08-09-2009 bearing no. JaSu./ Appeal/ Vashi 2005 to 2011/ 2009 directed to mention pendency of revision application before Gujarat Revenue Tribunal for the said land. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 683 dated 18-03-2016.

- (10) That details of order mentioned in Mutation Entry No. 1122 dated 20-03-2017 is illegible so the entry was cancelled by Circle Officer, Gandhinagar.

- (11) That said (1) Pramodbhai Ambaram (2) Rameshbhai Ambaram and (3) Mrudulaben d/o Ambaram w/o. Hasmukhbhai agreed to sell the said land bearing Block No. 13 admeasuring about 6,374 Sq. Mtrs. to Ghanshayambhai Popatlal Patel vide Agreement for Sale dated 15-11-2013,



which was Notarized before Notary Public Shri M.N. Chavada at Serial No. 109/2013.

(12) That said (1) Pramodbhai Ambaram (2) Rameshbhai Ambaram and (3) Mrudulaben d/o Ambaram w/o Hasmukhbhai agreed to sell said land bearing Block No. 13 admeasuring about 6,374 Sq. Mtrs. to (1) Brijeshbhai Rajendrabhai Patel and (2) Gunjan Rajendrabhai Patel vide Agreement for Sale dated 11-03-2016, which was registered before Sub-Registrar of Gandhinagar at Serial No. 3901 on 11-03-2016.

(13) That said (1) Pramodbhai Ambaram (2) Rameshbhai Ambaram and (3) Mrudulaben d/o Ambaram w/o Hasmukhbhai executed General Power of Attorney, which was registered before Sub-Registrar of Gandhinagar at Serial No. 47 on 06-04-2016, whereby they appointed Shri Gunjan Rajendrabhai Patel as there General Power of Attorney holder with respect to land bearing Block No. 13.

(14) That said (1) Brijeshbhai Rajendrabhai Patel and (2) Gunjan Rajendrabhai Patel instituted Special Civil Suit No. 108/2016 on 27-06-2016 before Principal Senior Civil Judge, Gandhinagar against (1) Pramodbhai Ambaram (2) Rameshbhai Ambaram (3) Mrudulaben d/o Ambaram w/o Hasmukhbhai and (4) Ghanshayambhai Popatlal Patel. In the said suit Plaintiffs had pleaded that Respondent No. 1 to 3 had executed Agreement for Sale (without possession) with, which was registered before Sub-Registrar of Gandhinagar at Serial No. 3901 on 11-03-2016 with respect to said suit land in favor of Plaintiffs.

Thereafter the said Respondent No. 1 to 3 had executed General Power of Attorney, which was registered before Sub-Registrar of Gandhinagar at Serial No. 47 on 06-

04-2016 in favor of Plaintiffs.

Whereby the Respondent No. 1 to 3 had already executed another Agreement for Sale in favor of Ghanshayambhai Popatlal Patel vide Agreement for Sale, which was Notarized before Notary Public Shri M.N. Chavada at Serial No. 109/2013.

Hence Plaintiff had prayed for cancellation of Agreement for Sale which was executed by Respondant No. 1 to 3 in favor of Respondent No. 4.

However the said suit was compromised by Parties vide Exhibit No. 23, whereby the Agreement for Sale in favor of Plaintiffs and General Power of Attorney executed in favor of Plaintiff No. 2 were declared as *legit* and the Court had also directed Respondent No. 1 to 3 to execute Registered Sale Deed in favor of Plaintiff and Respondent No. 2 was authorized and directed to pay premium amount on behalf of Respondent No. 1 to 3. Hence the said Suit stands withdrawn and uncontested. The said order was passed by Hon'ble Judge Z. A. Sindhi, Third Additional Civil Judge, Gandhinagar. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 1128 dated 27-04-2017.



(15) That upon implementation of Town Planning Scheme No. 26 (Vasna Hadmatiya - Uvarsad - Vavol) the said land bearing Block No. 13 admeasuring about 6,374 sq. mtrs. was given Final Plot No. 10 and its area was determined as 3,824 sq. mtrs.

(16) That upon payment of premium amount by Pramodbhai Ambaram Patel and Others, the District Collector, Gandhinagar vide his order bearing no. 344/06/03/038/2020 dated 15-02-2020, released the land bearing Block No. 13 Paiki admeasuring about 3,824 Sq. Mtrs. out of total land

admeasuring about 6,374 Sq. Mtrs. from the restrictions of New Tenure and converted into Old Tenure for Non Agricultural use purpose. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 1349 dated 15-02-2020.

(17) That Non Agricultural use permission for Multi Purpose use for land bearing Block No. 13 Paiki admeasuring about 3,824 Sq. Mtrs. (final plot area) was given by Collector, Gandhinagar vide his order bearing No. 355/ 06/ 03/ 038/ 2020 dated 17-02-2020. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 1350 dated 17-02-2020.

(18) That said (1) Pramodbhai Ambaram (2) Rameshbhai Ambaram and (3) Mrudulaben d/o Ambaram w/o. Hasmukhbhai sold and conveyed the said land bearing Block No. 13 admeasuring about 6,374 Sq. Mtrs. to (1) Brijeshbhai Rajendrabhai Patel and (2) Gunjan Rajendrabhai Patel vide Sale Deed dated 19-03-2020, which was registered before Sub-Registrar of Gandhinagar at Serial No. 5621 on 19-03-2020. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 1362 dated 21-03-2020.

That in above referred sale-deed, Ghanshyambhai Popatbhai Patel joined as a Confirming Party and confirmed the said sale-deed in favour of (1) Brijeshbhai Rajendrabhai Patel and (2) Gunjan Rajendrabhai Patel.

(19) That said (1) Brijeshbhai Rajendrabhai Patel and (2) Gunjan Rajendrabhai Patel sold and conveyed the said land bearing Final Plot No. 10 admeasuring about 3,824 Sq. Mtrs. (Given in lieu of Block No. 13 admeasuring about 6,374 Sq. Mtrs.) in Draft Town Planning Scheme No. 26 (Vasana Hadmatia -

Uvarsad - Vavol) to M/s. Shikshapatri 10, A Partnership Firm vide Sale Deed dated 03-03-2021, which was registered before Sub-Registrar of Gandhinagar at Serial No. 7459 on 03-03-2021. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 1406 dated 06-03-2021.

- (20) That said M/s. Shikshapatri 10, A Partnership Firm through their Partners (1) Maheshkumar Nathubhai Chaudhry and (2) Nimesh Dahyabhai Chaudhry sold and conveyed land sold and conveyed the said land bearing Final Plot No. 10 admeasuring about 3,824 Sq. Mtrs. (Given in lieu of Block No. 13 admeasuring about 6,374 Sq. Mtrs.) forming part of Draft Town Planning Scheme No. 26 (Vasana Hadmatia - Uvarsad - Vavol) to M/s. Maruti Developers, A Partnership Firm vide Sale Deed 03-07-2021, which was registered before Sub-Registrar of Gandhinagar at Serial No. 20015 on 03-07-2021. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 1412 on 05-07-2021.

- (21) That said M/s. Maruti Developers, A Partnership Firm through its Partners (1) Krutik Vikrambhai Patel and (2) Manojkumar Kantilal Patel agreed to sell the said land bearing Final Plot No. 10 paiki admeasuring about 1,625 sq. mtrs. (given in lieu of Block No. 13) to Hiteshkumar Jashubhai Chaudhry by Agreement for Sale (without possession) dated 31-07-2021 which was Registered before Sub-Registrar of Gandhinagar at Serial No. 23552 dated 31-07-2021.

That said Hiteshkumar Jashubhai Chaudhry executed an agreement of Cancellation of Agreement for Sale in favour of M/s. Maruti Developers, A Partnership Firm through its Partners (1) Krutik Vikrambhai Patel and (2) Manojkumar Kantilal Patel dated 18-08-2021 which was Registered before



Sub Registrar of Gandhinagar at serial No. 25986 on 18-08-2021.

(22) That Gandhinagar Municipal Corporation had granted Development Permission for the Residential and Commercial use to Maruti Developers vide their order bearing no. P.R.M/G.M.C/ 267/ Vasna Hadmatiya - 26/11/2011/ 4357/ 2022 dated 07-03-2022.

(23) That as per the said Development Permission the present owner, Maruti Developers decided to construct the Residential and commercial project named "SRIPAD AAYANSH" on the said land bearing Final Plot No. 10 admeasuring about 3,824 sq. mtrs. (Given in lieu of Block No. 13 admeasuring about 6,374 sq. mtrs.) of Town Planning Scheme No. 26.

(24) That in response to our public notice published in daily newspaper "Gujarat Samachar" dated 07-03-2021 inviting objections for issuance of Title Clearance Certificate for the above stated land; we have received objections dated 09-03-2021 and 13-03-2021, both from (1) Brijeshbhai Rajendrabhai Patel and (2) Gunjanbhai Rajendrabhai Patel. In said objection the objectionist has claimed that they had sold and conveyed said land bearing Block No. 13 located in Village Vasana Hadmatia to M/s. Shikshapatri 10, A Partnership Firm, however on MOU dated 03-03-2021 was executed between the Parties for payment of outstanding amounts.

Thereafter the said Objectionist were paid the outstanding amount and postdated cheques were cancelled and the above mentioned Memorandum of Understanding dated 03-03-2021 was cancelled vide Cancellation of Memorandum of Understanding dated -10-2021, which was Notarized before Notary Public P. K. Raol at Serial No. 96 on

09-10-2021. Hence the above referred objections does not survive.

In view of what is stated above, we hereby opine that the title of above referred Non-Agricultural Land bearing Final Plot No. 10 admeasuring about 3,824 Sq. Mtrs. (Given in lieu of Block No. 13 admeasuring about 6,374 Sq. Mtrs.) forming part of Draft Town Planning Scheme No. 26 (Vasana Hadmatia - Uvarsad - Vavol) situate, lying and being Moje Vasana Hadmatia, Taluka Gandhingar in the Registration District of Gandhinagar and Sub-District of Gandhingar belonging to M/s. Maruti Developers, A Partnership Firm *shall* be clear and marketable and free from reasonable doubts without encumbrances subject to:-

- [1] Fulfillment of Terms and Condition laid down in N.A. use permission order.
- [2] Provisions of The Town Planning and Urban Development Act and use as per Zone of Competent Authority and plans of construction being sanctioned by Competent Authority and Provision of Town Planning Scheme.

DATED THIS 24th DAY OF MARCH, 2022.



ATTORNEY-AT-LAW

Note of caution and disclaimer:-

- [1] This is to inform that Search of registration record of immediate past about 2-3 months is not available.
- [2] Please note that the registration record of most of the years from 1987 to 2006 of Sub Registrar's office is destroyed/torn out. Hence it cannot be inspected and its search is not available. That the computerized record is not well prepared/ maintained by State government agency and hence may be erroneous, resulting into our error.
- [3] Please ascertain that the Govt. authorities have not put any restrictions in making construction on said Land because of any historical monument/religious place/ water body, gas line, Electricity lines etc. situated nearby, or road laying and widening, or proposed public transportation system in surrounding areas and such other purposes. Also verify that there is no acquisition/reservation in said Land and there are no pending litigations or injunction/status quo granted therein in respect of said Land.
- [4] We are informed that at present no other litigation/suits are filed/pending before any Judicial/Quasi Judicial authorities.