

Bhadresh I. Patel
B. Com; LL.B.
ADVOCATE



ભદ્રેશ આઈ. પટેલ
બી.કોમ; એલ.એલ.બી.
એડવોકેટ

ADD. : A/4, Flat No. 403,
Meghna Park Society,
Next to Raghuvver Raw House,
Citylight Road, SURAT.
Mo. : 98244 54354

ઠે : એ-૪, ફ્લેટ નં ૪૦૩,
મેઘના પાર્ક સોસાયટી,
રઘુવીર રો હાઉસની બાજુમાં,
સીટીલાઈટ રોડ, સુરત.
ફોન. : ૯૮૨૪૪ ૫૪૩૫૪

To,
Rakeshbhai Nathubhai & Other
Sai Dipak Residency
Village : Bhestan,
Sub District Taluka Majura (Choryasi),
District Surat.

June 10, 2022

TITLE REPORT

Dear Sir,

All that piece and parcel of land bearing Block No.83 (old Rev.S.No.167) admeasuring Hector-Are-4-61-00sq.mtrs equivalent to 46100.00sq.mtrs, Town Planning Scheme No.48 (Bhestan) O.P.No.22, Final Plot No.15 admeasuring 32270.00sq.mtrs of village Bhestan, Sub District Taluka Majura (Choryasi), District Surat, Project Known as "Sai Dipak Residency" stands in the name of Rakeshbhai Nathubhai, Vaishaliben Dipakbhai, Chitraben Dipakbhai, Jignashaben Rakeshbhai, Dhrutiben Rakeshbhai Patel and Bhaminkumar Rakeshbhai Patel.

and surrounded by

On or towards North by : 12.00 meter T.P. Road,
On or towards South by : 18.00 meter T.P.Road and Rev.S.No.82,
On or towards East by : Adj.Land bearing Rev.S.No.81 and 82.
On or towards west by : 12.00 meter T.P. Road.

That as per the records all that piece and parcel of the land bearing Rev.S.No.167 its Block No.83 of village Bhestan, Sub District Majura (Choryasi), District Surat was originally belonged to Sureshchandra Dhirajlal Store and Prabhakar Dhirajlal Store and Lalabhai Dahyabhai and other 27 persons were protected tenants of the said land and other lands. That as per the records according to order passed by the Assistant Collector, Surat, declared Lalabhai Dahyabhai as permanent tenant of Sureshchandra Dhirajlal Store and Prabhakar Dhirajlal Store in Appeal Nos.90-116/1956 dated 22.09.1956. Entry to that effect was mutated in the records of right on 09.10.1956 at entry No.1 and the said entry was certified.

That as per records Lalbhai Dahyabhai had transferred the cultivating rights of the said land to the son of his brother viz., Nathubhai Bhagabhai on the basis of partition. Entry to that effect was mutated in the record of rights on 22.02.1959 at entry No.43 and the said entry was certified.

That as per records 27 persons had preferred T.N.C.(Tenancy) Appeal No.90-116/1956 before the Assistant Collector and in the said appeal, the Assistant Collector had passed the order on 22.09.1956 and according to the said order, Nathubhai Bhagabhai and other 27 persons were declared as permanent tenants and the judgment was mutated in the revenue records. Thereafter, 27 holders have preferred the application before the Additional Collector, Surat and Prant Officer, Surat under the Land Tenure Amendment Act, 1956 and prayed that be declared as owner and possessors of the said land and not the tenant and on inquiry, the Mamlatdar, vide his order No.W.T.N.Misc.Case, Surat dated 07.01.1961 declared 27 holders were owners and in possession of the said land and other lands. Entry to that effect was mutated in the records of right on 29.03.1961 at entry No.127 and the said entry was certified.

Thereafter, Sureshchandra Dhirajlal Store and Prabhakar Dhirajlal Store have preferred the appeal against the judgment passed by the Assistant Collector, Surat in Tenancy Appeal No.90-116/ 1956 and in the said appeal, the Competent Authority had confirmed 27 holders/persons as tenants and hence the applicants/holders have withdrawn the appeal. Entry to that effect was mutated in the record of rights on 18.11.1965 at entry No.320 and the said entry was certified.

That as per records Lalbhai Dahyabhai had transferred his cultivating rights of the said land to the son of his brother viz., Nathubhai Bhagabhai on the basis of partition and its entry to that effect was mutated in the record of rights on 22.02.1959 at entry No.43 and the said entry was certified. Hence, entry regarding the partition was mutated in the revenue records on 28.12.1965 at entry No.323, but mutation entry No.43 regarding the partition was mutated on 22.02.1959 and it was certified, therefore, entry No.323 had been deleted from the revenue records. Hence, name of Nathubhai Bhagabhai was mutated as an owner and in possession of the said land after deleting the name of Lalbhai Dahyabhai.

Thereafter, tenant Nathubhai Bhagabhai had paid the purchase price to the land owners viz., Sureshchandra Dhirajlal Store and Prabhakar Dhirajlal Store, therefore, Add. Land Tribunal has issued the purchaser certificate under Sec.32-M in form

No.9-A in favour of Nathubhai Bhagabhai in Tenancy Case No.851/65 dated 27.01.1966. Thus, Nathubhai Bhagabhai became owner of the said land under sec.43(1-B) of the Tenancy Act. Entry to that effect was mutated in the records of right on 24.08.1966 at entry No.346 and the said entry was certified.

That as per records Nathubhai Bhagabhai died on 21.12.1997 and his son Dipakbhai Nathubhai also died on 29.08.1993 leaving behind them their legal heirs viz., wife Parvatiben Nathubhai, son Rakeshbhai Nathubhai and daughter-in-law Jignashaben Dipakbhai and their names were mutated in the revenue records by succession. Entry to that effect was mutated in the record of rights on 20.02.1998 at entry No.1683 and the said entry was certified. Thus, Parvatiben Nathubhai, Rakeshbhai Nathubhai and Jignashaben Dipakbhai became owners of the said land.

That village Bhestan entered into the Surat City Taluka by the notification of the Government. Entry to that effect was mutated in the record of rights on 31.01.2003 at entry No.1815 and the said entry was certified.

That as per record said land was running in the name of Parvatiben Nathubhai, Rakeshbhai Nathubhai and Jignashaben Dipakbhai and out of the said owners, Parvatiben Nathubhai died on 22.10.2011 leaving behind her legal heirs viz., Rakeshbhai Nathubhai and Jignashaben wd/o Dipakbhai Nathubhai and at present wife of Rakeshbhai Nathubhai, Vaishaliben Dipakbhai and Chitraben Dipakbhai and their names were mutated in the revenue records by succession. Entry to that effect was mutated in the record of rights on 23.10.2013 at entry No.2581 and the said entry was certified on 07.01.2014. Thus, Rakeshbhai Nathubhai, Jignashaben wd/o Dipakbhai Nathubhai, Vaishaliben Dipakbhai and Chitraben Dipakbhai became owners of the said land.

That as per records partition took place between Rakeshbhai Nathubhai and Jignashaben wd/o Dipakbhai Nathubhai and at present wife of Rakeshbhai Nathubhai, Vaishaliben Dipakbhai and Chitraben Dipakbhai and according to partition, land bearing Block No.83 divided into three parts and according to partition, Sub Plot No.1 admeasuring 15357.00sq.mtrs came to the share of Rakeshbhai Nathubhai, Sub Plot No.2 admeasuring 15366.00sq.mtrs came to the share of Rakeshbhai Nathubhai, Jignashaben wd/o Dipakbhai Nathubhai, Vaishaliben Dipakbhai and Chitraben Dipakbhai and Sub Plot No.3 admeasuring 15367.00sq.mtrs came to the share of

Jignashaben Dipakbhai. Entry to that effect was mutated in the record of rights on 14.02.2014 at entry No.2625 and the said entry was certified on 19.04.2014.

That as per records on the basis of partition, the District Inspector, Land Records, Surat has promulgated the revenue records, vide his order No.K.J.P.S.R./21/14-15 dated 19.06.2014 and as per the supplementary form, Block No.83/1 allotted to the Sub Plot No.1 admeasuring 15367.00sq.mtrs, which came to the share of Rakeshbhai Nathubhai, Block No.83/2 allotted to the Sub Plot No.2 admeasuring 15366.00sq.mtrs, which came to the share of Rakeshbhai Nathubhai, Jignashaben wd/o Dipakbhai Nathubhai, Vaishaliben Dipakbhai and Chitraben Dipakbhai and Block No.83/3 allotted to the Sub Plot No.3 admeasuring 15367.00sq.mtrs, which came to the share of Jignashaben Dipakbhai. Entry to that effect was mutated in the record of rights on 04.07.2014 at entry No.2671 and the said entry was certified on 28.08.2014.

Town Planning scheme was framed at Village Bhestan and the said land was included in Town Planning Scheme No.48 (Bhestan), O.P.No.22, Final Plot No.15 is allotted to the said land admeasuring 32270.00sq.mtrs.

The land bearing Block No.83/2 Part admeasuring 10756.00sq.mtrs out of 15366.00sq.mtrs converted from agriculture to non-agriculture purpose by the order of the Collector, Surat, vide order No.1104/22/20/020/2021 dated 20.09.2021. Entry to that effect was mutated in the record of rights on 20.09.2021 at entry No.3360 and the said entry was certified on 22.10.2021.

 The land bearing Block No.83/3 Part admeasuring 10757.00sq.mtrs out of 15367.00sq.mtrs converted from agriculture to non-agriculture purpose by the order of the Collector, Surat, vide order No.1105/22/20/020/2021 dated 20.09.2021. Entry to that effect was mutated in the record of rights on 20.09.2021 at entry No.3361 and the said entry was certified on 22.10.2021.

The land bearing Block No.83/1 Part admeasuring 10757.00sq.mtrs out of 15367.00sq.mtrs converted from agriculture to non-agriculture purpose by the order of the Collector, Surat, vide order No.1106/22/20/020/2021 dated 20.09.2021. Entry to that effect was mutated in the record of rights on 20.09.2021 at entry No.3362 and the said entry was certified on 22.10.2021.

That as per records land owners Rakeshbhai Nathubhai, Jignashaben wd/o Dipakbhai Nathubhai, Vaishaliben Dipakbhai and Chitraben Dipakbhai have filed the Application No.JMN/Misc. Appeal Application No.10/2021 before the Deputy Collector, City Prant, Surat for deleting the mutation entry No.2671 dated 04.07.2014 mutated on the basis of order of the District Inspector, Land Records, Surat, vide order No.K.J.P.S.R./21/14-15 dated 19.06.2014 for promulgation of revenue records and after hearing the parties, the Deputy Collector, City Prant, Surat has allowed the said application and deleted the mutation entry No.2671 dated 04.07.2014, vide his order No.K.J.P./S.R./21/14-15 dated 19.06.2014. Entry to that effect was mutated in the record of rights on 06.10.2021 at entry No.3363 and the said entry was certified on 22.11.2021.

Thereafter, the District Inspector, Land Records, Surat has promulgated the revenue records of land bearing Block Nos.83/1, 83/2 and 83/3, vide his order No.K.J.P./S.R./9/2021-22 dated 01.10.2021 and as per supplementary form No.15, three blocks are amalgamated and allotted New Block No.83 admeasuring Hector-Are 4-61-00sq.mtrs to the said lands. Entry to that effect was mutated in the record of rights on 06.10.2021 at entry No.3364 and the said entry was certified on 22.11.2021.

Under the above facts, Rakeshbhai Nathubhai, Jignashaben Dipakbhai, Vaishaliben Dipakbhai and Chitraben Dipakbhai became owner of the land bearing Block No.83 (old Rev.S.No.167) admeasuring Hector-Are-4-61-00sq.mtrs equivalent to 46100.00sq.mtrs, Town Planning Scheme No.48 (Bhestan) O.P.No.22, Final Plot No.15 admeasuring 32270.00sq.mtrs of village Bhestan, Sub District Taluka Majura (Choryasi), District Surat.

Thereafter, Vaishaliben Dipakbhai and Chitraben Dipakbhai have appointed Jignashaben Dipakbhai and they have executed the power of attorney in favour of Jignashaben Dipakbhai. The said power of attorney is registered in the office of Sub Registrar, Surat, on 20.11.2021 at registration No.16193.

That as per records deceased Parvatiben Nathubhai Patel, Rakeshbhai Nathubhai Patel, Jignashaben wd/o Dipakbhai Nathubhai Patel, Vaishaliben d/o Dipakbhai Nathubhai Patel and Chitraben d/o Dipakbhai Nathubhai Patel have executed the power of attorney in favour of Jigneshkumar Mohanlal Patel on 06.05.2011 and on

the basis of power of attorney, power of attorney holder viz., Jigneshkumar Mohanlal Patel entered into an agreement of sale the said land with Dipakbhai Rameshchandra Sevak. The said agreement of sale was registered in the office of Sub Registrar, Surat, on 29.06.2011 at registration No.9711. Thereafter, with mutual consent of land owner and Dipakbhai Rameshchandra Sevak, the agreement of sale was cancelled and executed the cancellation deed of agreement of sale, which was registered in the office of Sub Registrar, Surat, on 18.02.2022 at registration No.182. That as per records the power of attorney given to Shri Jigneshkumar Mohanlal Patel by the land owners has been cancelled on 11.02.2022 and cancellation deed notarized before the Notary Public Advocate Feny D. Tamakuwala on 11.02.2022 at Sr.No.244/2002.

That as per records Dipakbhai Nathubhai husband of Jignashaben died 29.08.1993 and thereafter, Jignashaben remarried with co-owner Rakeshbhai Nathubhai, therefore, name of Jignashaben Rakeshbhai was mutated in the revenue records instead of Jignashaben Dipakbhai and the Mamlatdar, Majura has promulgated the record, vide his order No.ORA/2/2220/2022 dated 07.01.2022. Entry to that effect was mutated in the record of rights on 07.01.2022 at entry No.3383 and the said entry was certified on 14.02.2022.

That as per records Rakeshbhai Nathubhai has jointly mutated the names of his legal heirs viz., Jignashaben Rakeshbhai, Dhrutiben Rakeshbhai and Bhaminkumar Rakeshkumar in the revenue records as co-owners in the said land. Entry to that effect was mutated in the record of rights on 20.01.2022 at entry No.3395 and the said entry was certified on 05.03.2022.

That as per records (1) Vaishaliben Dipakbhai and (2) Chitraben Dipakbhai have executed the registered general power of attorney in favour of their mother viz., Jignashaben Dipakbhai for doing legal acts and deeds and things in respect of the said land on behalf of them on 20.11.2021, which has been cancelled and they have again executed the registered general power of attorney in favour of Jignashaben Rakeshbhai and the said general power of attorney is registered in the office of Sub Registrar, Surat, on 21.03.2022 at registration No.5534. That, (1) Dhrutiben Rakeshbhai and Bhaminkumar Rakeshbhai have also executed the registered general power of attorney in favour of their father Rakeshbhai Nathubhai Patel for doing legal acts and deeds in respect of the said land on behalf of them and the said general power

of attorney is registered in the office of Sub Registrar, Surat, on 21.03.2022 at registration No.5536.

That as per records the land owners applied to the Surat Municipal Corporation for making sub-division of the land bearing Block No.83 (as per final plot admeasuring 32270.00sq.mtrs) on 05.12.2021, vide Application No.002BDP21221296 for development of land and pursuant to the application, the Surat Municipal Corporation has granted the permission and approved the sub-division plan, vide permission No.002LD21220145, accordingly, Block No.83 divided into two parts and allotted the Sub Plot No.1 admeasuring 8420.59sq.mtrs and Sub Plot No.2 admeasuring 23849.41sq.mtrs.

That on the basis of development permission on Sub Plot No.1 admeasuring 8420.59sq.mtrs, the land owners have prepared the layout plan and applied to the Surat Municipal Corporation for development of the said land for residential-cum-commercial purpose by Application No.002BDP21222605 dated 08.03.2022 and pursuant to the application, the Surat Municipal Corporation has granted the development permission for residential-cum-commercial purpose, vide permission No.002LD21220293 and on the basis of permission, the land owners divided the said land into different plots.

That as per records the land owners prepared the sub division layout plan and applied to the Surat Municipal Corporation for making sub-division of Sub Plot No.2 admeasuring 23849.41sq.mtrs of Block No.83 by Application No.002BDP21222750 on 17.03.2022 and pursuant to the application, the Town Planning Officer, Surat Municipal Corporation has granted the permission and approved the sub-division layout plan, vide permission No.002LD21220313, accordingly, Sub Plot No.2 divided into two parts and allotted the Sub Division No."A" admeasuring 11323.49sq.mtrs and Sub Division No."B" admeasuring 12525.92sq.mtrs.

The land owners have prepared the layout plan on the land bearing Sub Division No."A" admeasuring 11323.49sq.mtrs of Sub Plot No.2 and applied to the Surat Municipal Corporation for development permission for residential purpose by Application No.002BDP22230330 dated 03.05.2022 and pursuant to the application, the Surat Municipal Corporation has granted the development permission for



residential purpose, vide permission No.002LD22230059 and on the basis of permission, the land owners divided the said land into different plots.

Under the above facts, Rakeshbhai Nathubhai Patel, Jignashaben Rakeshbhai Patel, Dhrutiben Rakeshbhai Patel and Bhaminkumar Rakeshkumar Patel became owner of 50% share and Vaishaliben Dipakbhai Patel and Chitraben Dipakbhai became owner of 50% in the said land.

Thereafter, the said owners developed the said land and organized the project, which is known as **"Sai Dipak residency"**.

I have issued the public notice in "Gujarat Mitra" daily newspaper on 18.12.2021 regarding the title of the said property. I have not received any objection from the public and or any body in respect of the said property within stipulated time.

That the said owners submitted affidavit regarding title of the property, as per the said affidavit, declared that they are absolute owners of the said land and title of the said land is clear and marketable and not suit/litigation is pending regarding the said land.

On search and investigation of the land in question from the record of Sub-Registrar, for last 30 years available computer records, and as per non encumbrances issued by the sub registrar, **no charge lien and encumbrances are found on the record of rights.**

Title of the said land is clear and marketable.

I have scrutinized the following documents, which are submitted by the owners.

01. Copy of village form No.7/12 of land bearing Block No.83 of village Bhestan.
02. Copy of village form No.8-A of land bearing Block No.83 of village Bhestan.
03. Copy of village form No.7/12 of land bearing Block No.83/1 of village Bhestan.
04. Copy of village form No.8-A of land bearing Block No.83/1 of village Bhestan.
05. Copy of village form No.7/12 of land bearing Block No.83/2 of village Bhestan.



06. Copy of village form No.8-A of land bearing Block No.83/2 of village Bhestan.
07. Copy of village form No.7/12 of land bearing Block No.83/3 of village Bhestan.
08. Copy of village form No.8-A of land bearing Block No.83/3 of village Bhestan.
09. Copy of village form No.12 of land bearing Block No.83/3 of village Bhestan from 2003-04 to 2020-21.
10. Copy of village form No.7/12 of land bearing Rev.S No.167 of village Bhestan from 1953-54 to 1972-73.
11. Copy of village form No.7/12 of land bearing Rev.S.No.167 of village Bhestan from 1963-64 to 1972-73.
12. Copy of village form No.7/12 of land bearing Rev.S.No.167 of village Bhestan from 1983-84 to 2003-04.
13. Copy of village form No.7/12 of land bearing Block No.83 of village Bhestan from 2004-05 to 1972-73.
14. Copy of village form No.6 of land bearing Block No.83 of village Bhestan, entries Nos.1, 43, 127, 320, 323, 344, 1609, 1683, 1815, 2144, 2579, 2581, 2587, 2526, 2671, 3360, 3361, 3362, 3363 and 3364.
15. Copy of zoning certificate issued by the SUDA dated 15.06.2021.
16. Copy of map of SUDA dated 14.06.2021.
17. Copy of redistribution statement of Town Planning Scheme No.48 (Bhestan).
18. Copy of map of Town Planning Scheme No.48(Bhestan).
19. Copy of NA order No.1106/22/20/020/2021 dated 20.09.2021 of land bearing Block No.83/1.
20. Copy of NA order No.1105/22/20/020/2021 dated 20.09.2021 of land bearing Block No.83/2.
21. Copy of NA order No.1104/22/20/020/2021 dated 20.09.2021 of land bearing Block No.83/3.
22. Copy of Application No.JMN/Misc.Appeal No.10/2021 filed before the Deputy Collector, City Prant, Surat dated 14.09.2021.
23. Copy of power of attorney registered in the office of Sub Registrar, Surat, on 20.11.2021 at registration No.16193.
24. Copy of power of attorney registered in the office of Sub Registrar, Surat, on 21.03.2022 at registration No.5534.

25. Copy of power of attorney registered in the office of Sub Registrar, Surat, on 21.03.2022 at registration No.5536.
26. Copy of sub-division development permission alongwith the approved plan of Final Plot No.15 issued by Surat Municipal Corporation.
27. Copy of development permission alongwith the approved plan of Sub Plot No.1 issued by Surat Municipal Corporation.
28. Copy of sub-division development permission alongwith the approved plan of Sub Plot No.2 issued by Surat Municipal Corporation.
29. Copy of development permission alongwith the approved plan of Sub Division No."A" of Sub Plot No.2 issued by Surat Municipal Corporation.
30. Copy of agreement of sale registered on 29.06.2011 at registration No.9711.
31. Copy of cancellation deed of agreement of sale registered on dated 18.02.2022 at registration No.182.
32. Copy of cancellation deed of power of attorney dated 11.02.2022.
33. Copy of paper advertisement regarding public notice in Gujarat Mitra Dtd.18.12.2021
34. Copy of affidavit regarding title of the property

Bhadresh I. Patel

Bhadresh I. Patel,
Advocate

encl:-search Receipt

No.2021018080499, 2021019045711,
2021322002418, 2021019045712,
202201900026224, 202232200001283

ENROLLMENT NO

G/3424/1999