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Ref. No. 45/2020/HHD/KHD/ of 2020 Date:

REPORT ON TITLE

Re: IN THE MATTER OF VERIFICATION OF TITLE to the non-agricultural land bearing Survey No. 930/2 (old Survey No. 930/part), admeasuring about 1926 Sq.mts., situate lying and being at Godhavi (sim), Taluka Sanand, in the Registration District Ahmedabad and Sub District Sanand.

We under the instructions of Jankhit Chandul Prajapati and another 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 prior to more than thirty years from now. 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) The land under reference is a non-agricultural land bearing Survey No. 930/2 (old Survey No. 930/part), admeasuring about 1926 Sq.mts., situate lying and being at Godhavi (sim), Taluka Sanand, in the Registration District Ahmedabad and Sub District Sanand, (Hereinafter referred to as the "Said Land").
- (2) Non Agricultural Permission for Residential Use has been granted with respect to the Said Land as per the order of Jilla Panchayat, Ahmedabad, dated 6th October, 1995, bearing No. BKHP/S.R 275/V. (Reference: copy of the Said Order).

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- (3)(a) Land of Survey No. 930/part/1, admeasuring about 7389 sq.mts., forming part of the entire land of old Survey No. 930, admeasuring about 2374 sq.mts., is included in Draft Town Planning Scheme No. 429 (Godhavi-Manipur) and given Final Plot No. 160, admeasuring about 4433 Sq.mts. (*Reference: Copy of 'F' Form*).
- (b) As informed to us, Said Land of Survey No. 930/2, admeasuring about 1956 sq.mts., is agreed to be allotted Final Plot No. 160/1, admeasuring about 1156 Sq.mts.
- (4) Development Permission for construction, admeasuring about 2921.19 sq.mts., on the Said Land of Final Plot No. 160/1, admeasuring about 1156 sq.mts., is given by Ahmedabad Urban Development Authority under No. PRM/49/6/2020/148, dated 30th June, 2020.

B. Devolution:-

- (1) Prior to more than 30 years from now, the entire land to old Survey No. 930, admeasuring about 5 Acres 34 Gunthas, equivalent to 23674 sq.mts., belonged to Said Bhavsang Bhimjibhai.
- (2) Names of Arjunsinh Bhavsang, Kailasba Arjunsinh, Kokilaba Bhavsang and Vinitaba Bhavsang were entered as the co-owners in the revenue records of the said entire land. (*Reference: Revenue Entry No. 2340, dated 1st February, 1993*).
- (3)(a) Said (1) Bhavubha alias Bhavsang Bhimjibhai as self and as Power of Attorney of Kokilaba Bhavsang and Vinitaba Bhavsang, (2) Arjunsinh Bhavsang and (3) Kailasba Arjunsinh sold and conveyed the said entire land of old Survey No. 930, admeasuring about 23674 sq.mts., to the Akar (Godhavi) Owners Association, a Non Trading Association, by or under six separate Sale Deeds, all dated 21st October, 1995, registered with the office of the Sub Registrar of Assurances, under Sr. Nos. 4273 to 4278, in the manner and for the consideration recorded therein. (*Reference: Revenue Entry Nos. 3651 to 3656, all dated 2nd November, 1995*). Out of the six Sale Deeds, the Sale Deed bearing Sr. No. 4278 is confirmed by Vimalkumar I. Patel being the agreement holder by joining therein as Confirming Party. Further as stated in all the Said Sale Deeds, sale is completed for benefit of estate and legal necessity.



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- (b) As stated in the said Sale Deeds (except Sale Deed bearing Sr. No. 4278), the Said Land was agreed to be sold to various persons as the proposed members of the Akar (Godhavi) Owners Association as per the particulars referred hereinbelow:-

<u>Sr. No.</u>	<u>Sale Deed No.</u>	<u>Agreement Holder</u>
1.	4273	Harshnaben (Harshaben) V. Patel
2.	4274	Natvarlal Kachrabhai Patel
3.	4275	Baldevbhai V. Patel
4.	4276	Ishwarbhai G. Patel
5.	4277	Ranjanben S. Patel

- (c) It appears that Said Agreement Holders have not confirmed the Sale Deeds in favour of the Akar (Godhavi) Owners Association. However, upon perusal of the copy of Memorandum of Association of the Said Akar (Godhavi) Owners Association provided to us, it appears that said agreement holders have subsequently become members thereof.

- (8) Said the Akar (Godhavi) Owners Association, represented through its president Dr. Rajendrakumar Keshavlal Shah sold and conveyed the land, admeasuring about 7389 sq.mts., (also described as land of Survey No. 930/B) of old Survey No. 930 to Dahiben widow of Somabhai Bholidas Patel, Alapbhai Somabhai Patel, Mitaben Somabhai Patel and Nimaben Somabhai Patel, by or under a Sale Deed dated 9th May, 2007, registered with the office of the Sub Registrar of Assurances, under Sr. No. 4767 (old No. 2478/2007), on 15th October, 2009, in the manner and for the consideration recorded therein. (Reference: Revenue Entry No. 6623, dated 5th November, 2009).

- (9) Said the Akar (Godhavi) Owners Association, represented through its trustee Chandrakantbhai Ramkrushna Tripathi sold and conveyed the Said Land, admeasuring about 16285 sq.mts., of old Survey No. 930, admeasuring about 23674 sq.mts., to Shri Sanskardham Trust, a Public Charitable Trust, represented through its Trustee Dr. Rajendrakumar Keshavlal Shah, by or under a Sale Deed dated 2nd April, 2008, registered with the office of the Sub Registrar of Assurances, under Sr. No. 2688, in the manner and for the consideration recorded therein. (Reference: Revenue Entry Nos. 5980, dated 25th April, 2008 and copy



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of Resolution No. 2, dated 10th February, 2008 of the Akar (Godhavi) Owners Association).

- (10) Accordingly, the said entire land of old Survey No. 930, admeasuring about 23674 sq.mts., belonged to in the following manner:

<u>Sr. No.</u>	<u>Area in sq.mts.</u>	<u>Name of the Owner/s</u>
1.	7389	Dahiben widow of Somabhai Bholidas Patel and three others
2.	16285	Shri Sanskardham Trust

- (11)(a) Said (1) Dahiben widow of Somabhai Bholidas Patel, (2) Alapbhai Somabhai Patel as self and as Power of Attorney of Mitaben Somabhai Patel and (3) Nimaben Somabhai Patel sold and conveyed the land, admeasuring about 1926 sq.mts., of old Survey No. 930/part, admeasuring about 7389 sq.mts., (being the land under reference) to Jankhit Chandubhai Prajapati and Jayesh Chandubhai Prajapati, by or under a Sale Deed dated 14th October, 2014, registered with the office of the Sub Registrar of Assurances, under Sr. No. 6778, in the manner and for the consideration recorded therein. (Reference: Revenue Entry Nos. 8417, dated 21st November, 2014).

- (b) Said (1) Dahiben widow of Somabhai Bholidas Patel, (2) Alapbhai Somabhai Patel as self and as Power of Attorney of Mitaben Somabhai Patel and (3) Nimaben Somabhai Patel sold and conveyed the land, admeasuring about 5463 sq.mts., of old Survey No. 930/part, admeasuring about 7389 sq.mts., to Shri Variya Prajapati Mandal – Savaso Gam, Amdavad, a Public Charitable Trust, by or under a Sale Deed dated 14th October, 2014, registered with the office of the Sub Registrar of Assurances, under Sr. No. 6777, in the manner and for the consideration recorded therein. (Reference: Revenue Entry Nos. 8418, dated 21st November, 2014).

- (12) Accordingly, the said entire land of old Survey No. 930, admeasuring about 23674 sq.mts., belonged to in the following manner:

<u>Sr. No.</u>	<u>Area in sq.mts.</u>	<u>Name of the Owner/s</u>
1.	16285	Shri Sanskardham Trust, a Public Charitable Trust
2.	1926	Jankhit Chandubhai Prajapati and



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		Jayesh Chandubhai Prajapati
3.	5463	Shri Variya Prajapati Mandal – Savaso Gam, Amdavad, a Public Charitable Trust

- (13) As per the order of District Inspector, Land Records, Ahmedabad, dated 22nd May, 2018, bearing Letter No. KJP/S.R. No. 1010, Puravani Patrak No. 19, the entire land of old Survey No. 930, admeasuring about 23674 sq.mts., is bifurcated into three parts namely, (1) land of Survey No. 930/1, admeasuring about 16285 sq.mts., came to the share of Shri Sanskardham Trust, a Public Charitable Trust, (2) land of Survey No. 930/2, admeasuring about 1926 sq.mts., (being the land under reference) came to the share of Jankhit Chandubhai Prajapati and Jayesh Chandubhai Prajapati and (3) land of Survey No. 930/3, admeasuring about 5463 sq.mts., came to the share of Shri Variya Prajapati Mandal – Savaso Gam, Amdavad, a Public Charitable Trust.

- (15) Accordingly, the land of Survey No. 930/2, admeasuring about 1962 sq.mts., (Final Plot No. 160/1, admeasuring about 1156 sq.mts.) belongs to and is registered in the revenue records in the joint names of Jankhit Chandubhai Prajapati and Jayesh Chandubhai Prajapati.



C. **Public Notice:**

- (1) As a part of investigation of title, public notice was given in the daily newspaper "Gujarat Samachar", on 7th July, 2020, inviting claims, if any, in upon or to the Said Land from any person whomsoever. We have not received any claims/objections in response thereto.

D. **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 and implication thereof. Further, we have considered the documents produced before 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.

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Search may lack or miss some particulars. Therefore, it is required that usual and specific Declaration-cum-Indemnity on Title to be made.

- (3) We have neither undertaken any on-site verification of the Said Land, 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, the 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, nor any order, decree, attachment or any order of any court or authority is operating against the Said Land adversely affecting the title thereto. 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) 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 mid - July, 2020 only. However, where possible we have endeavored to ascertain the title beyond such period. We disclaim any liability in respect thereof.



E. **Opinion:**

IN VIEW OF WHAT HAS BEEN STATED HEREINABOVE, we are of the opinion that the title of (1) JANKHIT CHANDUBHAI PRAJAPATI AND (2) JAYESH CHANDUBHAI PRAJAPATI, to the Said Land in the manner aforesaid is clear, marketable, free from all encumbrances and reasonable doubt, subject to Usual Declaration-cum-Indemnity on Title being made, subject to Town Planning Scheme, subject to above devolution on title and above Observation(s) and subject to any other law, acts, rules and regulations for the time being in force as may be applicable.

DATED THIS 6TH DAY OF AUGUST, 2020

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