

Ref. No.: MBS/1822/2015

Date: 14-10-2015

To
Jainam Developers
Ahmedabad.

Dear Sir,

Re : IN THE MATTER OF INVESTIGATION OF TITLE of Non-Agriculture land bearing Final Plot No. 38 of Town Planning Scheme No. 41 (Erstwhile Survey No. 675) of Mouje : Sola, Taluka Ghatlodia in the Registration Sub-District : Ahmedabad of District : Ahmedabad and belonging to (1) Babubhai Jamnadas, (2) Kaushikbhai Nandubhai, (3) Yogenbhai Bhalabhai and (4) Nikitaben Lalitbhai Patel.



In pursuance of your instructions to investigate/verify the titles of aforesaid property, we have caused searches to be taken of relevant revenue records available from the concerned Talati Office, E-Dhara, Dy. Mamlatdar and Registration records available at the concerned office of the Sub-Registrar of Assurances for a period of last about Thirty Years through our search clerk. We have taken root of title for last about Thirty Years and verified the Documents, Papers, Writings and records submitted by the owners of the said property and believing the same to be true, genuine and obtained from original sources and relied on the facts stated by the owner/s of the said property and facts mentioned therein believing the same to be true. Our report on title and opinion thereof for its personal use is a stated hereafter. For detailed facts and particulars, reference may be taken from the documents, Papers, Writings and Records referred to herein below:

1. Originally, the land in question was independently owned, occupied and possessed by Shanaji Dhulaji, prior to the year 1985.
2. Thereafter, upon the case pertaining to the land in question being conducted under the provisions of section 32 (G), but in the context of public notice issued for permanent disposal of land in question, the persons having prime rights for purchasing land in question as per the provision of section 32P8(C) or any other persons had not made demand for purchasing land and hence the Mamlatdar ALT, City Taluka Ahmedabad passed order in Tenancy Case No- 37/8 on 30-3-1990 and directed to close the tenancy right of the Tenant as per the provision of Section 32(2)A of Tenancy Act and it is also held to evict to tenant from the impugned land summarily and entry to that effect was mutated in



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the revenue record by Mutation Entry No. 4959 dated 18-7-1990, which was certified by the competent authority.

3. Thereafter, the Mamlatdar, City has issued instruction to evict the person holding unauthorized possession after obtaining possession receipt and preparing punchnama and also directed to issue notification de novo and entry to that effect was mutated in the revenue record by Mutation Entry No. 5303 dated 1-4-1992, which was certified by the competent authority.
4. Thereafter, being aggrieved and dissatisfied by the Order dated 30-3-1990 passed by Mamlatdar ALT, in Tenancy Case no- 37/8, Kantiji Shanaji legal heir of Sanaji Dhulaji Preferred revision Application bearing No- 558/92 before the court of Deputy Collector (land reforms), Ahmedabad where in Deputy Collector, Ahmedabad had passed order and held that the restriction of Section-43 of Tenancy Act is not applied to land in question and therefore Order of Mamlatdar ALT is set aside and entry to that effect was mutated in the revenue record by Mutation Entry No. 5431 dated 5-1-1993, which was certified by the competent authority.
5. Thereafter, owner of the said land obtained the loan from the Sola Seva Sahakari Mandli Limited and hence the charge of the said bank was created in other rights of record and entry to that effect was mutated in the revenue record by Mutation Entry No. 5758 dated 22-6-1994, which was certified by the competent authority.
6. Thereafter, the owner of the said land Kantiji Sanaji has sold and conveyed the said land bearing Survey No. 675 to (1) Babubhai Jamnadas, (2) Ramesbhai Dahyabhai, (3) Kausikbhai Nandubhai and (4) Yogenbhai Bhalabhai by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No. 3730 dated 8-8-2000, and entry to that effect was mutated in the revenue record by Mutation Entry No. 7057 dated 6-10-2000, which was certified by the competent authority.
7. Thereafter, the Deputy Collector, Viramgam Prant, Ahmedabad has passed the Order No. Jamin/Ambali/C-2974/07, dated 24-4-2007 and directed that the land of Survey No. 675 containing by admeasurements 5969 Sq.Mtrs has been corrected to 6374 Sq.Mtrs. instead of total 5969 Sq.Mtrs which was recorded inadvertently in the revenue record and accordingly the said effect has been given in the revenue records and entry to that effect was mutated in the revenue record by Mutation Entry No. 9424 dated 27-4-2007, which was certified by the competent authority.



8. Thereafter, the owner of the said land (1) Rameshji Kantiji Thakor, (2) Lalaji Kantiji Thakor and (3) Raiben Kantiji Thakor themselves and as the Karta and Manager of their respective HUF through their Constituted Attorney Rameshbhai Dahyabhai Patel have sold and conveyed the land bearing Survey No. 675 admeasuring 6374 Sq.Mtrs paiki 404Sq.Mtrs to Kausikbhai Nandubhai Patel by Sale Deed registered in the office of the Sub-Registrar of Assurances under Serial No.4360 dated 5-4-2007 and entry to that effect was mutated in the revenue record by Mutation Entry No.10746 dated 18-7-2009, which was CANCELLED by the competent authority.
9. Thereafter, the owner of the said land Rameshbhai Dahyabhai Patel has sold and conveyed his share persisting in the said land bearing Survey No. 675 admeasuring 5969 Sq.Mtrs. paiki his undivided $\frac{1}{4}$ share i.e 1492-50 Sq.Mtrs. to Nikitaben Lalitbhai Patel by Sale Deed registered in the office of the Sub-Registrar of Assurances under Serial No.1840 dated 13-2-2007, and entry to that effect was mutated in the revenue record by Mutation Entry No.10877 dated 7-10-2009, which was certified by the competent authority.
10. Thereafter, upon the reconstitution of Ahmedabad City Taluka and Dascroi Taluka of Ahmedabad District vide Resolution No. PFR/102011/275/L/1 dated 17-3-2012, Ahmedabad Taluka is divided into two Taluka as Ahmedabad (East) and Ahmedabad (West) and accordingly Sola Village was covered within the Taluka Boundaries of Ahmedabad City (West) and entry to that effect was mutated in the revenue record by Mutation Entry No. 12588 dated 3-5-2012, which was certified by the competent authority.
11. Thereafter, the Town Planning Scheme was made applicable to the land of Survey No. 675 admeasuring 6374 Sq.Mtrs. and merged into Town Planning Scheme No. 41 and allotted Final Plot No. 38 and the area was fixed to the extent of 3824 Sq.Mtrs.
12. Thereafter, the District Collector, Ahmedabad has granted Non-Agricultural Use Permission to the said land vide his Order No. CB/Land-2/NA/S.R-532/2012 dated 31-8-2012. and entry to that effect was mutated in the revenue record by Mutation Entry No. 12873 dated 27-9-2012, which was certified by the competent authority.
13. Thereafter, the Deputy Collector (N.A) Ahmedabad has granted revised N.A use permission for commercial purpose to the said land vide his Order No. N.A/U-1-2/section-65-A/Sola-/Case-49/2015 dated 9-6-2015, and entry to that effect was mutated in the





revenue record by Mutation Entry No. 14754 dated 18-6-2015, which was certified by the competent authority.

14. Thereafter, the owner of the said land (1) Babubhai Jamnadas Patel, (2) Kausikbhai Nandubhai, Patel (3) Yogenbhai Bhalabhai Patel, and (4) Nikitaben Lalitbhai Patel have sold and conveyed the land of Final Plot No. 38 of T.P Scheme No.41 admeasuring about 3824 Sq.Mtrs. to Jainam Developers by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No.6011 dated 12-6-2015 and PENCIL Entry to that effect was mutated in the revenue record by Mutation Entry No.14847 dated 27-7-2015.
15. Thereafter, the owner of the said land has repaid the loan obtained from The Sola Seva Sahakari Mandli Limited and hence the charge of said society was released from the other rights of the revenue records and PENCIL Entry to that effect was mutated in the revenue record by Mutation Entry No.14901 dated 7-8-2015.
16. We were also provided the certificate bearing Reference No. 4472 dated 31/7/2015 of Advocate Shri Sharad N. Darji stating that he had issued public notice in Daily Newspaper "GUJARAT SAMACHAR" dated 8-7-2015 and has not received any objection pertaining to the said land in any manner whatsoever.
16. The aforesaid report/opinion is reference of revenue records and sub-registry records relevant for purposes to study the devolution of title and to ascertain any charge or encumbrance and does not contain entire revenue or sub-registry records. It is to be noted that the search of complete registration records is not available due to tearing of pages of Books available for inspection. We have also pursued the copies of papers, documents, statements etc. produced/submitted by you and relied on the facts mentioned therein believing the same to be true and trustworthy.
17. We have been informed by you that the said property has not been given in security and neither you nor your predecessor in title, your heirs, assigns, executors, administrators, successors etc. have created any charge or encumbrances of any nature whatsoever thereon, nor the said property is subject matter of any pending proceedings or any order, decree, attachment or any order of any court or authority is operating against the said property adversely affecting the title, nor any portion thereof is under acquisition or requisition under any law and there are no other facts or particulars, which can adversely affect your title.





MAULIK B. SHAH



B.Com LL.B (Advocate)

6, Smruti Flats, Nr. ramji Mandir, Bhattha, Paldi, Ahmedabad- 380007

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In view of aforementioned facts and circumstances and perusal of the deeds, documents, papers, writings and records etc. submitted/furnished by the owner/s of the captioned property and believing the same to be true, genuine and obtained from original sources. It appears that the titles of the captioned property shall be clear, marketable and free from all encumbrances and beyond reasonable doubts subject to:-

- Usual Declaration-cum-Indemnity on title being made by the owners and also confirming the aforesaid facts and circumstances.
- Any other Laws, Acts and Rules if applicable.
- Fulfillment of the Terms and Conditions laid down in N.A order.
- Search of complete registration record is not available due to tearing of pages of Books available for inspection.

Yours faithfully,

Maulik B. Shah
Advocate

