

TITLE REPORT

MOUJE : VASTRAL

Revenue Survey No.52

T. P. Scheme No.117, F. P. No.27

**DINESH B. PATEL
ADVOCATE**

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TITLE REPORT

To,

KESHAV BUILDCON,

A Partnership Firm

Having its Office at : 29, Balmukund Greens,

Near Gangotri Bungalows, Nikol, Ahmedabad.

SUBJECT : IN THE MATTER OF INVESTIGATION OF TITLE

to the Non Agricultural Multipurpose Use Land
situate, lying and being at Mouje Vastral, Taluka
Vatva, District Ahmedabad bearing Revenue
Survey/Block No. 52 land admeasuring 5969
square meters, which was comprised into Town
Planning Scheme No. 117 and allotted Final Plot
No. 27 land admeasuring 3581 square meters
in the Registration District of Ahmedabad and
Sub District of Ahmedabad-12 (Nikol).



As per your instructions to verify your title to the above referred land, I have caused necessary search to be taken from the revenue authority and offices of the Sub Registrar, (I) Ahmedabad-1 (City), (II) Ahmedabad-7 (Odhav), (III) Ahmedabad-12 (Nikol) and (IV) Ahmedabad-13 (City Taluka Kheti), with the available records in respect of all that Non Agricultural Multipurpose Use Land situate, lying and being at Mouje Vastral, Taluka Vatva, District Ahmedabad bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters, which was comprised into Town Planning Scheme No. 117 and allotted Final Plot No. 27 land admeasuring 3581 square meters in the Registration District of Ahmedabad and Sub District of Ahmedabad-12 (Nikol). (Herein after referred as said land) is belonging to the **KESHAV**

BUILDCON, A Partnership Firm and my opinion on Title Report

as under :



As a part of investigation of title of the said land, I have given a Public Notice duly published in the daily Newspaper "GUJARAT SAMACHAR", on 25th May, 2023, declaring that, if any person have any kind of objection, interest, interruption, rights, titles, charges, claim-suit, lien, maintenance of livelihood about the above said land, thereafter title clearance certificate will be issued with the remarks that the said land is free from all kind of encumbrances without doubt and its title is cleared and marketable. I have not received any objections from anybody regarding the title of the above referred subject land during the time period of the said public notice.

I have caused necessary searches of the records being maintained by the Revenue Authorities concerned and office the Sub Registrar, (I) Ahmedabad-1 (City), (II) Ahmedabad-7 (Odhav), (III) Ahmedabad-12 (Nikol) and (IV) Ahmedabad-13 (City Taluka Kheti). I have gone into the



roots of title commencing for the last more than 30 years from now viz. 1990 to 26.05.2023. The details facts and particulars, reference may be taken from the deeds, documents, papers, writings and all other relevant records referred to herein below.

I have found that, some of the important record is not maintained properly or damaged or not otherwise available or miss some particulars and all the entries are not up-to-date maintain in the revenue authority and also in the office of the Sub Registrar. So I rely on documents submitted to me and the land Revenue records i.e. village form no. 7, village form no. 12, village form no. 6 (Mutation Entry) and village form no. 8 (account details of the land) recorded periodically under the provision of the Gujarat Land Revenue Code - 1879 and the Gujarat Land Revenue Rules - 1972. These all entries covering transfer rights, waive or relinquish rights, inheritance and other diverse, interest created on the above refereed subject land.



TRACING OF TITLE

From the available records of the said land I found that :

1. It appears that on or around the year 1966-67, the Land situate, lying and being at Mouje Vastral, Taluka Vatva, District Ahmedabad bearing Revenue Survey/Block No. 52 land admeasuring Acre 01-19 Guntha was originally belonged to the Malaji Manaji.
2. Thereafter, the said land bearing Revenue Survey/Block No. 52 land admeasuring Acre 01-19 Guntha was declared as a "FRAGMENTED LAND" as per the Taluka order and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 889 dated 07.05.1967 and the said entry was duly confirmed by the concerned authority.
3. Thereafter, Malaji Manaji was died on 14.09.1967 intestate and his undivided share in the said land bearing Revenue Survey/Block No. 52 came to be



owned and possessed by his only legal heirs and next of kins according to the Hindu Law under which he was governed by namely (1) Minor Somaji Malaji, (2) Minor Punaji Malaji, (3) Bai Kushki Wd/o. Malaji Manaji, (4) Shakariben D/o. Malaji Manaji and (5) Sitaben D/o. Malaji Manaji and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 980 dated 11.07.1968 and the said entry was duly confirmed by the concerned authority.

4. Thereafter, (1) Somaji Malaji, (2) Punaji Malaji, (3) Bai Kushki Wd/o. Malaji Manaji, (4) Shakariben D/o. Malaji Manaji and (5) Sitaben D/o. Malaji Manaji have sold and conveyed the land bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters to the Bhavsang Kaluji Dodiya, by way of Registered Deed of Conveyance, which was duly registered with the office of Sub Registrar, Ahmedabad, under serial no. 21674 dated 21.08.1991 and the entry to that effect was also entered in the revenue records of mutation entry book



viz. Village Form No. 6 under Mutation Entry No. 2163 dated 10.10.1991 and the said entry was duly confirmed by the concerned authority.

5. Thereafter, the said land bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters was cultivated land hence remarks of the "FRAGMENTED LAND" was remove from the second right of the revenue record of the said land as per the guideline of the Government and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 2438 dated 01.08.1996 and the said entry was duly confirmed by the concerned authority.
6. Thereafter, Bhavsinh Kaluji has sold and conveyed the land bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters to the Arvind Tarasinh, by way of Registered Deed of Conveyance, which was duly registered with the office of Sub Registrar, Ahmedabad, under serial no. 1291 dated 23.04.1996 and the entry to that effect was also entered



in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 2441 dated 02.08.1996 and the said entry was duly confirmed by the concerned authority.

7. Thereafter, Arvind Tarasinh has sold and conveyed the land bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters to the (1) Bipinbhai Navalkishor Patel and (2) Jayantibhai Hirabhai Patel, by way of Registered Deed of Conveyance, which was duly registered with the office of Sub Registrar, Ahmedabad, under serial no. 1933 dated 02.08.2006 and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 4061 dated 13.09.2006 and the said entry was duly confirmed by the concerned authority dated 25.11.2006.

8. Thereafter, (1) Bipinbhai Navalkishor Patel and (2) Jayantibhai Hirabhai Patel have sold and conveyed the land bearing Revenue Survey/Block No. 52 land



admeasuring 5969 square meters to the (1) Karshanbhai Bhimajibhai Padariya (Patel) (45% Shareholder), (2) Jayantibhai Kalubhai Patel (Kapopara) (25% Shareholder), (3) Dhirubhai Thakarshibhai Patel (Shyani) (20% Shareholder) and (4) Hiteshbhai Batukbhai Rupareliya (10% Shareholder), by way of Registered Deed of Conveyance, which was duly registered with the office of Sub Registrar, Ahmedabad, under serial no. 8750 dated 04.09.2009 and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 5228 dated 03.11.2009 and the said entry was duly confirmed by the concerned authority dated 06.02.2010.

9. Thereafter, as per order of the Revenue Department, Government, Ahmedabad bearing No. PFR / 102011 / 275 / L / 1 dated 17.03.2012, the Record of the said land i.e. all Survey Numbers of Mouje Vastral was transferred from the Daskroi Taluka to the Ahmedabad City East Taluka, Ahmedabad and the entry to that effect was also



entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 6540 dated 03.05.2012 and the said entry was duly confirmed by the concerned authority dated 05.05.2012.

10. Kindly Note that, vide circular of the Revenue Department, Sachivalay Gandhinagar the Taluka Ahmedabad City(East) and Taluka Ahmedabad City(West) in Revenue District Ahmedabad were reorganized and new Taluka were formed and accordingly land of Revenue village-Vastral is now made part of Taluka Vatva.
11. Thereafter, the said land bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters, which was comprised into Town Planning Scheme No. 117 and allotted Final Plot No. 27 land admeasuring 3581 square meters was given in lieu thereof, as per Re-Distribution and Valuation Statement (FORM-"F") issued by the Assistant Town Planner, Ahmedabad Urban Development Authority, Ahmedabad.



12. Thereafter, as per the order of the Mamlatdar and Krushipanch, Vatva, Ahmedabad, vide its order no. Ganot Case No. 04 / 2022, Vastral, dated 27.06.2022, Arvinbhai Tarasinh, who had purchased the said land by mutation Entry No. 2441 dated 02.08.1996, and thereafter Bipinbhai Navalkishor Patel and Jayantibhai Hirabhai Patel had purchased the said land by mutation Entry No. 4061 dated 13.09.2006 but at the time of purchase the aforesaid land purchaser was not a framer, which was come out in the investigation proceedings under Section - 63 (a) (b) of Tenancy Act, therefore the aforesaid both sale transaction are illegal and thereafter subsequently (1) Karshanbhai Bhimajibhai Padariya, (2) Jayantibhai Kalubhai Patel, (3) Dhirubhai Thakarshibhai Patel and (4) Hiteshbhai Batukbhai Rupareliya who is purchased the said land by mutation Entry No. 5228 dated 03.11.2009 as a farmer hence as per the provision section 63 (A.B) which was added by amendment circular No. 28/15 dated 05.12.2015 in The Gujarat



Tenancy and Agricultural Lands Act, 1948, prior to that sale transaction by mutation entry No. 5228 dated 03.11.2009 was made before the dated 30.06.2015 and (1) Karshanbhai Bhimajibhai Padariya, (2) Jayantibhai Kalubhai Patel, (3) Dhirubhai Thakarshibhai Patel and (4) Hiteshbhai Batukbhai Rupareliya were paid the 10 % amount of the Jantri Valuation i.e. Rs. 14,92,250/- to the Government by Land Revenue Receipt No. 01, dated 17/06/2022 and Chalan No. 12 dated 07.06.2022 hence order to closed the investigation under Section-84(C) of Tenancy Act and the aforesaid sale transaction was valid and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 11569 dated 30.06.2022 and the said entry was duly confirmed by the concerned authority dated 13.07.2022.

13. Thereafter, as per the Deputy Collector, Land Reforms and Appeal, Ahmedabad, vide its letter no. A.C.B. / T.N.C. / Ganot / Review / Case No. 114 / 2022, dated 25.07.2022, the documents of the Ganot Case No. 4 /



2022, Vastral dated 27.06.2022 was reviewed as per the Tenancy Act regarding the said land bearing Revenue Survey/Block No. 52 and order of the Ganot Case No. 4 / 2022, Vastral dated 27.06.2022 was appropriate and thereafter, the documents of the Ganot Case No. 4 / 2022, Vastral dated 27.06.2022 was returned and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 11658 dated 02.08.2022 and the said entry was duly confirmed by the concerned authority dated 02.09.2022.

14. Thereafter, (1) Karshanbhai Bhimajibhai Padariya (Patel) represented through his Power of Attorney Holder namely Vaibhav Karshanbhai Padariya (Patel), (2) Jayantibhai Kalubhai Patel (Kapopara) (25% Shareholder), (3) Dhirubhai Thakarshibhai Patel (Shyani) (20% Shareholder) and (4) Hiteshbhai Batukbhai Rupareliya (10% Shareholder) have sold and conveyed the said land bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters,



which was comprised into Town Planning Scheme No. 117 and allotted Final Plot No. 27 land admeasuring 3581 square meters to the (1) Kanjibhai Sartanbhai Rabari (Desai) (25 % Shareholder), (2) Dhumini Kanjibhai Rabari (Desai) (11 % Shareholder), (3) Ridham Kanjibhai Rabari (Desai) (11 % Shareholder), (4) Kothiya Rahulkumar Kanubhai (10 % Shareholder), (5) Mukeshbhai Vaghajibhai Dudhat (Patel) (9 % Shareholder), (6) Hardikbhai Dhirubhai Dudhat (Patel) (9 % Shareholder), (7) Prakashbhai Keshubhai Vadadoriya (Patel) (19 % Shareholder) and (8) Jitendrabhai Maganbhai Patel (Sojitra) (6 % Shareholder), by way of Registered Deed of Conveyance, which was duly registered with the office of Sub Registrar, Ahmedabad, under serial no. 2992 dated 19.10.2022 and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 11843 dated 19.10.2022 and the said entry was duly confirmed by the concerned authority dated 13.12.2022.



15. Thereafter, the District Collector, Ahmedabad had granted Non Agriculture Permission to the said land bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters, which was comprised into Town Planning Scheme No. 117 and allotted Final Plot No. 27 land admeasuring 3581 square meters, vide its order No. 315 / 07 / 16 / 027 / 2023 dated 30.01.2023 and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 12015 dated 30.01.2023 and the said entry was duly confirmed by the concerned authority dated 23.02.2023.

16. Thereafter, as per the letter of the Deputy Estate Officer (East Zone), Ahmedabad Municipal Corporation, vide its reference no. Sandarbh, T.D.O. (East Zone) IN. No. 13241, dated 03.02.2023 and dated 28.02.2023, owner of the said land was applied for the development permission for the said land bearing Revenue Survey/Block No. 52 and the said land was covered in



Town Planning Scheme No. 117 of (Vastral) of the Ahmedabad Municipal Corporation East Ward and Therefore, Revenue Survey/Block No. 52, which was comprised into Town Planning Scheme No. 117 land admeasuring 5969 square meters out of which Town Planning Deduction land admeasuring 2388 square meters was acquired and allotted to the Ahmedabad Municipal Corporation and name of Ahmedabad Municipal Corporation was entered in the second rights of the village form no. 7 and 12 and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 12244 dated 25.04.2023 and the said entry was duly confirmed by the concerned authority dated 08.05.2023.

17. Thereafter, (1) Kanjibhai Sartanbhai Rabari (Desai) (25 % Shareholder), (2) Dhumin Kanjibhai Rabari (Desai) (11 % Shareholder), (3) Ridham Kanjibhai Rabari (Desai) (11 % Shareholder), (4) Kothiya



Rahulkumar Kanubhai (10 % Shareholder), (5) Mukeshbhai Vaghajibhai Dudhat (Patel) (9 % Shareholder), (6) Hardikbhai Dhirubhai Dudhat (Patel) (9 % Shareholder), (7) Prakashbhai Keshubhai Vadadoriya (Patel) (19 % Shareholder) and (8) Jitendrabhai Maganbhai Patel (Sojitra) (6 % Shareholder) have sold and conveyed the said land bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters, which was comprised into Town Planning Scheme No. 117 and allotted Final Plot No. 27 land admeasuring 3581 square meters to the **KESHAV BUILDCON, A Partnership Firm**, by way of Registered Deed of Conveyance, which was duly registered with the office of Sub Registrar, Ahmedabad, under serial no. 11838 dated 21.04.2023 and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No. 6 under Mutation Entry No. 12254 dated 28.04.2023 and the said entry is yet to be certified and confirmed by the concerned authority.



18. Thus, **KESHAV BUILDCON, A Partnership Firm** is the absolute owner and possessor of the said Non Agricultural Multipurpose Use Land situate, lying and being at Mouje Vastral, Taluka Vatva, District Ahmedabad bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters, which was comprised into Town Planning Scheme No. 117 and allotted Final Plot No. 27 land admeasuring 3581 square meters in the Registration District of Ahmedabad and Sub District of Ahmedabad-12 (Nikol).
19. Further, the land in question is not affected by the provisions of the Urban Land (Ceiling & Regulation) Act, 1976 since the same has been repealed with effect from 01.04.1999 and hence no permission there under or in any other Act or rule is required to be obtained.
20. It has been observed by us that, land under investigation had already been converted into non-agricultural land in accordance with provisions of Section 65 of the Land



Revenue Code and it is well settle legal position laid down by Hon'ble High Court of Gujarat in the case of Vijaychand Manekchand Sheth V. State of Gujarat 2006 (2) GLR 1567 that the laws related to agricultural land are not applied to non - agricultural land, Moreover the government of Gujarat issued circular dated 03.01.1968 and circular dated 03.02.2005 and instructed that Section 63 and Section 84 (C) of the Tenancy Act, 1948 are not applicable to non –agricultural land.

21. From the available revenue records, I found that at present **KESHAV BUILDCON, A Partnership Firm** has become an absolute owners and possessions holders of the above referred subject the said Non Agricultural Multipurpose Use Land situate, lying and being at Mouje Vastral, Taluka Vatva, District Ahmedabad bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters, which was comprised into Town



Planning Scheme No. 117 and allotted Final Plot No. 27

land admeasuring 3581 square meters in the

Registration District of Ahmedabad and Sub District of

Ahmedabad-12 (Nikol).

22. The aforesaid Title Report opinion is prepared on the basis of available revenue records and sub registry records relevant for the purpose to study of title and to ascertain any charge or encumbrance over said land and it does not contain entire revenue or sub registry records. Also on verification and perusal of documents, papers and relevant deeds etc., produced before me and believing same are true and correct and from the information given to me by the owners, occupiers and possession holder of the said subject land and also relying on Declaration-Cum-Indemnity will be made on oath by the aforesaid land Owners which was duly attested by Notary Public.



SUBJECT TO WHAT HAS BEEN STATED HEREIN ABOVE

After scrutiny of the all documents and statement given by owners of the said subject land, in my opinion that the title of the said Non Agricultural Multipurpose Use Land situate, lying and being at Mouje Vastral, Taluka Vatva, District Ahmedabad bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters, which was comprised into Town Planning Scheme No. 117 and allotted Final Plot No. 27 land admeasuring 3581 square meters in the Registration District of Ahmedabad and Sub District of Ahmedabad-12 (Nikol) was belonging to the **KESHAV BUILDCON, A Partnership Firm** and the same is clear, marketable and free from any charge or encumbrance and free from reasonable doubts subject to ;

1. Usual Declaration-cum-Indemnity is being made on oath by the aforesaid owners at the time of dealing with the said land in any manner whatsoever nature.
2. Mutation Entry No. 12254 dated 28.04.2023 (Kachi Entry) is being duly certified and confirmed by the concerned revenue authority in due course.
3. To Fulfillment of all terms and conditions laid down in the Non Agriculture Permission Order.



4. Compliance and Fulfillment of all the terms and conditions mentioned in the orders passed by the revenue authorities as well as all other competent authorities regarding the above referred subject land.
5. Provision of The Gujarat Tenancy and Agricultural Land Act, 1948.
6. Provision of The Gujarat Land Revenue Rules - 1972 and Provision of The Gujarat Land Revenue Code - 1879.
7. Provision of The Gujarat Town Planning and Urban Development Act with Rules.
8. Terms and condition of Plan approved and Construction Permission granted by Ahmedabad Municipal Corporation is to be complied.
9. Provision being made to safeguard interest of minor family members of HUF if any major members confirming the sale transaction and sale being made as KARTA of HUF for the benefit of estate as provided under the Hindu Law and / or legal necessity.
10. All other laws, acts, rules and regulation in force from time to time and also laws, act, rules and regulation as may be applicable at the time being in force to affect legally and mutation entry of the succession, waive or relinquish rights is being established and mutated in the revenue records and minor family member's undivided right sale or transfer and also all any other sale/transfer transaction with respect of the above referred subject land should be done as per law.



THE SCHEDULE ABOVE REFERRED TO

All that piece and parcel of the said Non Agricultural Multipurpose Use Land situate, lying and being at Mouje Vastral, Taluka Vatva, District Ahmedabad bearing Revenue Survey/Block No. 52 land admeasuring 5969 square meters, which was comprised into Town Planning Scheme No. 117 and allotted Final Plot No. 27 land admeasuring 3581 square meters in the Registration District of Ahmedabad and Sub District of Ahmedabad-12 (Nikol) and bounded as per the Revenue Records.

DATED THIS 06TH JUNE OF 2023, AHMEDABAD.



DINESH B. PATEL
ADVOCATE