Chetan Shah & Associates
Advocates

CSA

218, Gold Souk Complex, B/h Sapphire Complex, Opp. Body Line, C. G. Road, Ahmedabad 380 006 Phone : 079-66312256

Ref. No. CSA\JDP\2317\2018 **Date : 24-9-2018**

To,
M/S. Milap Infracon
Ahmedabad.

Dear Sir,

Re : IN THE MATTER OF INVESTIGATION TO THE TITLE of Non-Agriculture land being Sub-Plot No. 1 admeasuring about 4476.67 Sq.Mtrs. of Final Plot No. 93+148/2 of Draft T. P. Scheme No.1 (Erstwhile Survey / Block No. 363/A and 450/B) situated, lying and being at Mouje : Shela, Taluka : Sanand in the Registration Sub-District Sanand and District : Ahmedabad and belonging to M/S. Milap Infracon.

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:

<u>History of Survey/Block No. 450/B (old Survey No. 347/1)</u>

1. **Originally, the land bearing Survey/Block No. 347/1 was independently owned, occupied and possessed by (1) Rahimsha Jivasha, (2) Jinnatben Jivasha, (3) Fatimaben Wd/o Jivasha and (4) Latifsha Karimsha prior to the year 1985.**

2. **It appears from the records that the charge of The Shela Seva Sahakari Mandali Limited is standing on the said land.**

3. **Thereafter, the Co-owner of the said land namely Latifsha Karimsha died intestate on 18-8-1988 leaving behind him his legal heirs as (1) Aminaben Wd/o Latifsha Karimsha and (2) Hasinabibi D/o Latifsha and hence their names were entered in the revenue records upon succession rights and entry to that effect was mutated in the revenue record by Mutation Entry No. 1464 dated 5-11-1988 which was certified by the competent authority.**

CHETAN SHAH AND ASSOCIATES ADVOCATE AHMEDABAD

CHETAN SHAH AND ASSOCIATES ADVOCATE AHMEDABAD

4. Thereafter, the Co-owners of the said land namely (1) Rahimsha Jivasha, (2) Jinnatben Jivasha, (3) Fatimaben Wd/o Jivasha had voluntarily waived and relinquished their rights, title, interest, share and claim persisting in the said land in favour of other co-owners and hence their names were deleted from the revenue record and entry to that effect was mutated in the revenue record vide Mutation Entry No. 1738 dated 9-2-1993 which was certified by the competent authority.

5. Thereafter, the owners of the said land namely (1) Aminaben Wd/o Latifsha and (2) Hasinabibi D/o Latifsha had sold and conveyed the land bearing Survey/Block No. 450 admeasuring about 10219 Sq.Mtrs. to Meruji Galabji by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No.1439 dated 3-7-1996 and entry to that effect was mutated in the revenue records by Mutation Entry No. 2336 dated 2-7-1999 which was certified by the competent authority.

6. Thereafter, the owners of the said land namely Meruji Galabji had sold and conveyed the land bearing Survey/Block No. 450 admeasuring about 10219 Sq.Mtrs. to (1) Sureshbhai Ranchhodbhai Thakkar and (2) Urvi Pramodkumar Shah by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No.4210 dated 13-8-2007 and entry to that effect was mutated in the revenue records by Mutation Entry No. 3055 dated 25-10-2007 which was certified by the competent authority.

7. Thereafter, the owner of the said land namely Sureshbhai Ranchhodbhai Thakkar had sold and conveyed the land bearing Survey/Block No. 450 admeasuring about 5109 Sq.Mtrs. to (1) Dushyantbhai Manishankar Pandya and (2) Hitesh Rasiklal Vyas by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No.4716 dated 14-5-2010 and entry to that effect was mutated in the revenue records by Mutation Entry No. 3592 dated 8-6-2010 which was certified by the competent authority.

8. Thereafter, the owner of the said land had repaid the loan obtained from The Shela Seva Sahakari Mandali Limited and hence the charge of the said Society was released from the other rights of the revenue records and entry to that effect was mutated in the revenue record by Mutation Entry No. 3612 dated 25-6-2010 which was certified by the competent authority.

9. Thereafter, the owner of the said land namely Urvi Pramodkumar Shah had sold and conveyed the land bearing Survey/Block No. 450 admeasuring about 5110 Sq.Mtrs. to (1) Rajubhai Gulabray Shah and (2) Amratbhai Ishwarbhai Thakkar by sale deed registered in the office of the Sub-Registrar of

Assurances under Serial No.274 dated 15-1-2011 and entry to that effect was mutated in the revenue records by Mutation Entry No. 3737 dated 5-2-2011 which was CANCELLED by the competent authority.

10. Thereafter, the Deputy Collector, Dholka Prant passed Order bearing No. Jamin / Block Vibhajan / Sanand / S.R – 137 / 2011 dated 19-4-2011 and granted permission for division of Block the land of Survey/Block No. 450 in accordance with the provision of Section- 31 (1)(Kh) of the Bombay Prevention of Fragmentation and Consolidation of Holding Act, 1947 with retrospective effect for the purpose of selling the land bearing Survey/Block No. 450 admeasuring 5109 Sq.Mtrs. and entry to that effect was mutated in the revenue record by Mutation Entry No. 3822 dated 23-4-2011 which was certified by the competent authority.

11. Thereafter the DILR, Ahmedabad vide their Letter bearing No. D.R.K. / Durasti Patrak / 10-11 dated 7-5-2011 issued correction index i.e. Durrasti Patrak No. 44 and the said land was divided into two parts i.e. Survey/Block No. 450/A and 450/B and accordingly the changes were made to the effect that the land admeasuring about 5109 Sq.Mtrs. is given Survey No. 450/B and Entry to that effect was mutated in the revenue record by Mutation Entry No.3832 dated 13-5-2011 which was certified by the competent authority.

CHETAN SHAH AND ASSOCIATES ADVOCATE AHMEDABAD

12. Thereafter, the Provisions of Town Planning and Urban Development Act-1976 were made applicable to the land in question and Form No. F was issued in accordance with the provisions of Rule 21 and 35 made there under and accordingly Final plot No. 148/2 was given to Survey No.450/B and area was fixed to the extent of 3065 Sq.Mtrs.

13. Thereafter, the District Collector, Ahmedabad had granted Non-Agricultural use permission to the land bearing Survey/Block No. 450/B admeasuring 3065 Sq.Mtrs. in accordance with the provision of Section - 65 of Land Revenue Code vide their Order bearing No. C.B./ CTS-1 / N.A. / Shela / Survey No./ Block No. 450/B / S.R. No. 830 / 2016 dated 11-7-2016 and entry to that effect was mutated in the revenue records by Mutation Entry No. 5011 dated 20-7-2016 which was certified by the competent authority.

14. Thereafter, the Co-owner of the said land namely Hitesh Rasiklal Vyas had transferred his ½ undivided share i.e. 2554.50 Sq. Mtrs. of the said land in favour of Dushyant Manishankar Pandya by executing Deed of Exchange registered in the office of the Sub-Registrar of Assurances under Serial No. 1779 dated 16-3-2017 and entry to that effect was mutated in the revenue record by Mutation Entry No. 5151

CHETAN SHAH AND ASSOCIATES ADVOCATE AHMEDABAD

dated 30-3-2017 which was certified by the competent authority.

History of Survey/Block No. 363/A

15. Originally, the land bearing Survey/Block No. 363 was independently owned, occupied and possessed by (1) Rasulbhai Abbasibhai, (2) Gulabbhai Abbasibhai, (3) Amirbhai Abbasibhai, (4) Sakinaben Abbasibhai and (5) Alibhai Abbasibhai prior to the year 1985.

16. It appears from the records that the charge of The Shela Seva Sahakari Mandali Limited is standing on the said land.

17. Thereafter, the Co-owner of the said land namely Alibhai died intestate prior to 1 year leaving behind him his legal heirs as (1) Ahemadbhai Alibhai and (2) Allarakhiben Alibhai and hence their names were entered in the revenue records upon succession rights and entry to that effect was mutated in the revenue record by Mutation Entry No. 1514 dated 1-2-1990 which was certified by the competent authority.

18. Thereafter, the owners of the said land namely (1) Rasulbhai Abbasibhai, (2) Gulabbhai Abbasibhai, (3) Amirbhai Abbasibhai, (4) Sakinaben Abbasibhai, (5) Ahemadbhai Alibhai and (6) Allarakhiben Alibhai had sold and conveyed the land bearing Survey/Block No. 363 admeasuring about 9814 Sq.Mtrs. to Jitubhai Narsangbhai Vaghela by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No.2544 dated 6-12-1996 and entry to that effect was mutated in the revenue records by Mutation Entry No. 2209 dated 27-1-1997 which was certified by the competent authority.

19. Thereafter, the owner of the said land had repaid the loan obtained from The Shela Seva Sahakari Mandali Limited and hence the charge of the said Society was released from the other rights of the revenue records and entry to that effect was mutated in the revenue record by Mutation Entry No. 2223 dated 4-3-1997 which was certified by the competent authority.

20. Thereafter, the owner of the said land namely Jitubhai Narsangbhai Vaghela had sold and conveyed the land bearing Survey/Block No. 363 admeasuring about 9814 Sq.Mtrs. to (1) Dushyantbhai Manishankar Pandya, (2) Dipak Parmanandbhai Nimbark and (3) Hitesh Rasiklal Vyas by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No. 7810 dated 6-8-2010 and entry to that effect was mutated in the revenue records by Mutation Entry No. 3674 dated 18-9-2010 which was certified by the competent authority.

Chetan Shah & Associates
Advocates
CSA
B, Gold Souk Complex, B/h Sapphire Complex, Opp. Body Line, C. G. Road, Ahmedabad 380 006 Phone : 079-66312256

21. Thereafter, the Co-owner of the said land namely Dipak Parmanandbhai Nimbark had voluntarily waived and relinquished his right, title, interest, share and claim persisting in the land in question together with other land in favour of (1) Dushyantbhai Manishankar Pandya and (2) Hitesh Rasiklal Vyas by executing deed of release registered in the office of the Sub-Registrar of Assurances under Serial No. 7746 dated 29-11-2011 and entry to that effect was mutated in the revenue record by Mutation Entry No. 4193 dated 18-2-2012 which was certified by the competent authority.

22. Thereafter, the Provisions of Town Planning and Urban Development Act-1976 were made applicable to the land in question and Form No. F was issued in accordance with the provisions of Rule 21 and 35 made there under and accordingly Final plot No. 93 was given to Survey No.363/A and area was fixed to the extent of 5888 Sq.Mtrs.

23. Thereafter, the District Collector, Ahmedabad had granted Non-Agricultural use permission to the land bearing Survey/Block No. 363 admeasuring 5888 Sq.Mtrs. in accordance with the provision of Section - 65, 66 and 67 of Land Revenue Code and in accordance with the provision of Rule-100/101 of Gujarat Land Revenue Rules,1972 vide their Order bearing No. C.B./ CTS-1 / N.A. / Shela / Survey No./ Block No. 363 / S.R. 828 / 2016 dated 11-7-2016 and entry to that effect was mutated in the revenue records by Mutation Entry No. 5009 dated 20-7-2016 which was certified by the competent authority.

24. Thereafter, the Ahmedabad Urban Development Authority have passed the plans of Sub-Plots of the said land vide their Order No. PRM/345/12/2016/80 dated 28-2-2017 and the Area of Sub-Plot No. 1 was fixed to the extent of 4476-67 Sq.Mtrs.

25. Thereafter, the Co-owner of the said land namely Dushyant Manishankar Pandya had transferred his ½ undivided share i.e. 4907 Sq. Mtrs. paiki 2554.50 Sq.Mtrs. of the said land in favour of Hitesh Rasiklal Vyas by executing Deed of Exchange registered in the office of the Sub-Registrar of Assurances under Serial No. 1779 dated 16-3-2017 and entry to that effect was mutated in the revenue record by Mutation Entry No. 5151 dated 30-3-2017 which was certified by the competent authority.

26. Thereafter the DILR, Ahmedabad vide their Letter bearing No. KJP / S.R. No. 259 dated 29-3-2017 issued correction index i.e. Durrasti Patrak No. 70 and the said land was divided into two parts i.e. Survey/Block No. 363/A and 363/B and accordingly the changes were made to the effect that the land admeasuring about 2353 Sq.Mtrs. is given Survey No. 363/A which is standing in the name of Dushyantbhai Manishankar Pandya

CHETAN SHAH AND ASSOCIATES ADVOCATE AHMEDABAD

and Entry to that effect was mutated in the revenue record by Mutation Entry No.5164 dated 15-4-2017 which was certified by the competent authority.

27. Thereafter, the Deed of Partition was executed between Dushyant Manishankar Pandya and Hitesh Rasiklal Vyas and according to the said partition the land admeasuring about 4476.67 of Sub-Plot no. 1 of amalgamated Final Plot No. 93+148/2 was came to the share of Dushyant Manishankar Pandya and the said deed of Partition was registered in the office of the Sub-Registrar of Assurances under Serial No. 6908 dated 4-6-2018.

28. Thereafter, the owners of the said land namely Dushyantbhai Manishankar Pandya had sold and conveyed the land being Sub-Plot No. 1 admeasuring about 4476.67 Sq.Mtrs. of Final Plot No. 93+148/2 of Draft T. P. Scheme No.1 to M/S. Milap Infracon by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No.8858 dated 24-7-2018 and entry to that effect was mutated in the revenue records by Mutation Entry No. 5629 dated 25-7-2018, which was certified by the competent authority.

29. As a part of investigation of title, We have published a public notice appeared in the daily news paper "GUJARAT SAMACHAR" and "SANDESH" dated 7-2-2018, inviting claim, right, title, interest, objection or obligation, if any in, on or upon the said property or any part thereof, pursuant to which, we have not received any claim/objection from any person(s), in response thereto.

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.

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

Chetan Shah & Associates
Advocates
CSA
8, Gold Souk Complex, B/h Sapphire Complex, Opp. Body Line, C. G. Road, Ahmedabad 380 006 Phone : 079-66312256

under any law and there are no other facts or particulars, which can adversely affect your title.

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:-

a) Usual Declaration – Cum - Indemnity on title being made by Owner/s and also confirming the aforesaid facts and circumstances.
b) Confirmations of the major members of HUF and safeguards of minors being protected.
c) Fulfill the Provisions of Prevailing applicable Laws and Rules.
d) Fulfill terms and conditions laid down in N.A order.
e) Search of complete registration record is not available due to tearing of pages of Books available for inspection.

Yours faithfully,

For, Chetan Shah and Associates, Advocates

Apurva P. Shah
ADVOCATE

<u>Note of caution and disclaimer</u>:-
In 7/12 Extract, this land is shown as Old Tenure Land. However, if the said land is found/observed/declared as "New Tenure" land or "Liable to Pay Premium" at the time of obtaining Revise Non-agriculture Use Permission or as per the rules, regulations or policy of the government then in such case, the premium is required to be paid.

CHETAN SHAH AND ASSOCIATES ADVOCATE AHMEDABAD