LAKHANI GANDHI & CO. (Ahmedabad)

Solicitors, Advocates & Notary

A. A. Lakhani Daya Gupta Sohel A. Lakhani

604. Chinubhai Centre. Near Nehru Bridge,

Ashram Road, Ahmedabad-380009. (Gujarat) (India)

Tele. : 26578331 & 26578551

. 25675236

E-mail: iakhanigandhi@yahoo.co.in

Ref. No.: **Date**

TO WHOM SO EVER IT MAY CONCERN

This is to notify that as per the Search of the Revenue Records available at present obtained on 06/02/2019 from the Office of the Sub Registrar, Sanand, M/s. Swati Construction (PROJECT: SWATI CHRYSANTHA) having its registered office situated at A/809, Safal Pegasus, Opp. Shell Petrol Pump, 100ft Road, Anandnagar Road, Nr. Prahaladnagar Garden Road, Ahmedabad - 380015 has an encumbrance for Rs.65.00 Crores obtained from PNB Housing Finance Limited under Mortgage Deed dated 04/01/2019 and registered with the office of the Sub Registrar, Sanand on 22/01/2019 under Serial No. 763 on the Project Land Situated at

FP NO. 72/2+ (78/2+81/2) +87/2,

OP NO. 72/2, 78/2+81/2, 87/2

Block Nos. 340/B, 347/B, 350/B, 357/A/B

VILLAGE SHELA

TALUKA SANAND

DISTRICT AHMEDABAD

For, M/s. Lakhani Gandhi & Co. (Ad.)

S. A. Lathani

Advocate

Date: 06/02/2019

Place: Ahmedabad



303, Third Floor, Shangrila Arcade, 100 feet Road, Shyamal Cross Road, Satellite, Ahmedabad - 380015.

T: 079 26753023; 65133024 TF: 079 26753024 M: +91 9825281495; E: agbapat@gmail.com

REF: 12051/CAPRI/2017

Date: 28-12-2017

TITLE SEARCH REPORT

To,
The Asst. General Manager,
Capri Global Capital Limited
Mumbai.

Ref: Title report of N.A. land situated lying and being at Mouje: Shela, Tal.: Sanand, Dist.: Ahmedabad bearing (I) Block No. 340/B admeasuring 4721 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 72/2 admeasuring 2833 sq.mts. belonging to Deepak Parmanand Nimbark, (II) Block No. 350/B, admeasuring 3710 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 81/2 admeasuring 2226 sq.mts. belonging to Deepak Parmanand Nimbark, (III) Block No. 357/A/B, admeasuring 5058 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 87/2 admeasuring 3035 sq.mts., (IV) Block No. 347/B, admeasuring 2594 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 78/2 admeasuring 1556 sq.mts. belonging to Deepak Parmanand Nimbark.

Dear Sir/Madam,

1. NAME OF THE OWNER/LESSOR:

Block No. 340/B, T.P.S. No. 1, Final Plot No. 72/2 owned by Deepak Parmanand Nimbark.

Block No. 350/B, T.P.S. No. 1, Final Plot No. 81/2 owned by Deepak Parmanand Nimbark.

Block No. 357/A/B, T.P.S. No. 1, Final Plot No. 87/2 owned by M/s. Swati Construction, a Partnership Firm.

Block No. 347/B, T.P.S. No. 1, Final Plot No. 78/2 owned by Deepak Parmanand Nimbark.

2. NAME OF THE MORTGAGOR/LESSEE:

Block No. 340/B, T.P.S. No. 1, Final Plot No. 72/2 owned by Deepak Parmanand Nimbark.

Block No. 350/B, T.P.S. No. 1, Final Plot No. 81/2 owned by Deepak Parmanand Nimbark.

Block No. 357/A/B, T.P.S. No. 1, Final Plot No. 87/2 owned by M/s. Swati Construction, a Partnership Firm.

Block No. 347/B, T.P.S. No. 1, Final Plot No. 78/2 owned by Deepak Parmanand Nimbark.

3. DESCRIPTION OF THE PROPERTY:

All that N.A. land situated lying and being at Mouje: Shela, Tal.: Sanand, Dist.: Ahmedabad bearing (I) Block No. 340/B admeasuring 4721 sq.mts. which was comprised in Town Planning Scheme No. 1 and allotted Final Plot No. 72/2 admeasuring 2833 sq.mts., (II) Block No. 350/B, admeasuring 3710 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 81/2 admeasuring 2226 sq.mts. belonging to Deepak Parmanand Nimbark, (III) Block No. 357/A/B, admeasuring 5058 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 87/2 admeasuring 3035 sq.mts., (IV) Block No. 347/B, admeasuring 2594 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No.

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78/2 admeasuring 1556 sq.mts., in the Registration District, Ahmedabad and Sub-District, Sanand:

Boundaries of Block No. 340/B:

On or towards the East: Land bearing Block No. 335 paiki 1.

On or towards the West: Land bearing Block No. 340/K.

On or towards the North: Land bearing Block No. 340/A and 362/K.

On or towards the South: Land bearing Block No. 341 and 348/K.

Boundaries of Block No. 350/B:

On or towards the East: Land bearing Block No. 347-A.

On or towards the West: Land bearing Block No. 352-A.

On or towards the North: Land bearing Block No. 350-A.

On or towards the South: Land bearing Block No. 350-K.

Boundaries of Block No. 357/A/B:

Final Plot No. 87/2

On or towards the East: Block No. 360 and 361.

On or towards the West: Block No. 372.

On or towards the North: Block No. 357/A/A.

On or towards the South : Block No. 357/A/K.

F.P. No. 81/2. F.P. No. 72/2.

18 mts. T.P.Road.

F.P. No. 61.

Boundaries of Block No. 347/B:

On or towards the East: Block No. 347/K.

On or towards the West: Block No. 347/A.

On or towards the North: Block No. 348/A, 348/B.

On or towards the South: Block No. 345 and 346.

4. NATURE OF THE PROPERTY:

Freehold Property

5. Scope of Work:

Scope of my opinion is limited to the title of the Said Property only, based on perusal of the documents mentioned in column 6 below and search conducted with the concerned Sub-Registrar of Assurances and Registrar of Companies for the last thirty years.

6. LIST OF DOCUMENTS PERUSED/SCRUTINISED:

In connection with the above, I have been provided with and have examined the photocopies of the following documents:

Block No. 340/B

- Copy of latest Village Form No. 7/12 dated 14-07-2017 showing the name of Deepak Parmanand Nimbark issued by Mamlatdar, E-Dhara Centre, Ahmedabad.
- 2. Copy of latest Village Form No. 6 issued by Talati of Mouje : Shela, Tal.: Sanand, Dist.: Ahmedabad.
- 3. Copy of N.A. Order bearing No. MSL/BAKHAP/SR-100/Vashi/2842 to 2849 dated 19-09-2008 issued by District Development Officer, Jilla Panchayat, Ahmedabad.
- 4. Original Deed of Conveyance duly executed by Dushyant Manishankar Pandya and others in favour of Bhikhabhaqi Chhaganbhai, acting for Self and as a Karta and Manager of his HUF duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2200 dated 23-03-2008.
- Original Partition Deed duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2190 dated 04-04-2013.
- 6. Copy of Form 'F' issued by Asst. Town Planner, Ahmedabad Urban Development Authority, Ahmedabad.

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Block No. 350/B

- 7. Copy of latest Village Form No. 7/12 dated 14-07-2017 showing the name of Deepak Parmanand Nimbark issued by Mamlatdar, E-Dhara Centre, Ahmedabad.
- 8. Copy of latest Village Form No. 6 issued by Talati of Mouje : Shela, Tal.: Sanand, Dist.: Ahmedabad.
- Copy of N.A. Order bearing No. CB/CTS-1/NA/SR/873/2015 dated 17-08-2015 issued by District Development Officer, Jilla Panchayat, Ahmedabad.
- 10. Copy of Deed of Conveyance duly executed by Chhaganbhai Shankarbhai in favour of Jivabhai Motibhai duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 1410 dated 08-08-1991.
- 11. Original Deed of Conveyance duly executed by Jivabhai Motibhai in favour of (1)
 Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hitesh
 Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under
 Serial No. 3236 dated 07-08-2009.
- 12. Copy of Deed of Conveyance duly executed by (1) Madhaji Bhalaji (2) Shakaraji Madhaji in favour of Jivabhai Motibhai duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 1015 dated 19-12-1989.
- 13. Original Deed of Conveyance duly executed by Jivabhai Motibhai in favour of (1) Ashokbhai Haribhai Patel (2) Mukeshbhai Haribhai Patel duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 1474 dated 30-06-2005.
- 14. Original Deed of Conveyance duly executed by (1) Ashokbhai Haribhai Patel (2) Mukeshbhai Haribhai Patel in favour of Jivabhai Motibhai duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 3009 dated 29-07-2006.
- 15. Original Deed of Conveyance duly executed by Jivabhai Motibhai in favour of (1) Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 3235 dated 07-08-2009.
- 16. Copy of Amalgamation Order No. Land/Amalgamation/Shela/S.R.26/10 dated 25-01-2010 issued by Mamlatdar, Sanand.

- 17. Original Partition Deed duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2193 dated 04-04-2013.
- 18. Copy of Form 'F' issued by Asst. Town Planner, Ahmedabad Urban Development Authority, Ahmedabad.

Block No. 357/A/B

- Copy of latest Village Form No. 7/12 dated 14-07-2017 showing the name of Deepak
 Parmanand Nimbark issued by Mamlatdar, E-Dhara Centre, Ahmedabad.
- 20. Copy of latest Village Form No. 6 issued by Talati of Mouje: Shela, Tal.: Sanand, Dist.: Ahmedabad.
- 21. Copy of N.A. Order bearing No. MSL/BAKHAP/SR-100/Vashi/2842 to 2849 dated 19-09-2008 issued by District Development Officer, Jilla Panchayat, Ahmedabad.
- 22. Original Deed of Conveyance duly executed by Ramabhai Shankarbhai Prajapati and others in favour of (1) Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2655 dated 01-04-2008.
- 23. Original Partition Deed duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand dated 04-04-2013.
- 24. Original Deed of Conveyance duly executed by Deepak Parmanand Nimbark in favour of M/s. Swati Construction, a Partnership Firm, duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 6010 dated 06-07-2017 togetherwith Payment Receipt and Index - II issued by sub-registrar in relation thereto.
- 25. Copy of Form 'F' issued by Asst. Town Planner, Ahmedabad Urban Development Authority, Ahmedabad.

Anand G. Bapat (M.Com., LL.B., D.T.P.)

ADVOCATES

303, Third Floor, Shangrila Arcade, 100 feet Road, Shyamal Cross Road, Satellite, Ahmedabad - 380015.

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Block No. 347/B

- Copy of Village Form No. 7/12 showing the name of Deepak Parmanand Nimbark issued by Mamlatdar, E-Dhara Centre, Ahmedabad.
- 27. Copy of latest Village Form No. 6 issued by Talati of Mouje: Shela, Tal.: Sanand, Dist.: Ahmedabad.
- 28. Copy of N.A. Order bearing No. MSL/BAKHAP/SR-100/Vashi/2842 to 2849 dated 19-09-2008 issued by District Development Officer, Jilla Panchayat, Ahmedabad.
- 29. Original Deed of Conveyance duly executed by (1) Zakirhussain Jivabhai Malek and (2) Sadikhussain Jivabhai Malek in favour of (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 3264 dated 02-05-2008.
- 30. Original Partition Deed duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2210 dated 04-04-2013.

7. TRACING OF TITLE:

On perusal of the documents provided to me, I observe as under :-

That from the search of records being maintained by the revenue authorities concerned as also the Sub-Registrar of Assurance at Sanand as also from the search of the available records maintained by the District Registrar, Ahmedabad and Office of Sub-Registrar of Sanand for the last 30 years as also from the certain deeds, documents permission, plan and papers etc.

Block No. 340/B.

It appears that on or around the year 1980 the land bearing Block No. 340 was originally belonged to Chhaganbhai Shankarbhai, which please note.

I further find that, Chhaganbhai Shankarbhai died on 03-03-1985 intestate, and his undivided proportionate share in the said land in question togetherwith other lands 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 Bhikhabhai Chhaganbhai, and necessary Mutation Entry was recorded in the revenue record, under Serial No. 1419 dated 17-07-1987 duly confirmed by the competent Authority, which please note.

I further find that, Bhikhabhai Chhaganbhai has sold and conveyed the said land bearing Block No. 340 admeasuring 14164 sq.mts. to (1) Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hitesh Rasiklal Vyas by a Deed of Conveyance, which was duly registered with the office of the Sub-Registrar, Sanand, under Serial No.2200 dated 23-03-2008, and necessary Mutation Entry was recorded in the revenue record, under Serial No. 3137 dated 27-04-2008 duly confirmed by the competent Authority on 26-06-2008, which please note.

It will not be out of place to mention here that said land owners have obtained Loan from Shela Seva Sahkari Mandali Ltd. by creating Equitable Mortgage Charge on the said land in question, and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6, duly confirmed by the concerned authority. However the said loan was repaid and the said land was released from the charge of Shela Seva Sahkari Mandali Ltd., and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6, under Serial No. 3210 dated 26-05-2008 duly confirmed by the concerned authority on 15-08-2008, which please note.

Further, Non – Agricultural Permission of the said land bearing Block No. 340 admeasuring 14164 sq.mts. togetherwith other lands for Residential Use was duly sanctioned by District Development Officer, Jilla Panchayat, Ahmedabad vide its Order bearing No. MSL/BAKHAP/SR-100/Vashi/2842 to 2849 dated 19-09-2008, and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6, under Serial No. 3384 dated 08-04-2009 duly confirmed by the concerned

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T: 079 26753023; 65133024 TF: 079 26753024 M: +91 9825281495; E: agbapat@gmail.com

authority on 05-06-2009, which please note.

Further, District Inspector Lands Records, Ahmedabad vide its Durasti Patrak No. DRK/Dursti Patrak/11 dated 25-01-2011 has bifurcated the said land bearing Block No. 340 admeasuring 14164 sq.mts. in to three parts i.e. (I) Block No. 340/A admeasuring 4722 sq.mts. (II) Block No. 340/B admeasuring 4721 sq.mts. (III) Block No. 340/C admeasuring 4721 sq.mts., and necessary Mutation Entry was recorded, under Serial No.3764 dated 04-03-2011 in the revenue record duly confirmed by the concerned authority on 08-06-2011, which please note.

Further, the said land bearing Block No. 340/B admeasuring 4721 sq.mts. was covered under the Draft Town Planning Scheme No. 1 and Final Plot No. 72/2 admeasuring 2833 sq.mts. was given in lieu thereof, which please note.

Further, Partition Deed in respect of the said land bearing Block No. 340/A, Block No. 340/B, Block No. 340/C was duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas, which was duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2033 (Original) dated 30-03-2013 and 2190 (Duplicate) dated 04-04-2013 and accordingly the said land bearing Block No. 340/B admeasuring 4721 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 72/2 admeasuring 2833 sq.mts. was came into share of Deepak Parmanand Nimbark, and necessary Mutation Entry was recorded in the revenue record duly confirmed by the concerned authority, which please note.

Block No. 350.

note:

It appears that on or around the year 1986 the land bearing Block No. 350 paiki (Old Survey No.278-2) was originally belonged to Chhaganbhai Shankarbhai, which please

I further find that, Chhaganbhai Shankarbhai has sold and conveyed the said land bearing Block No. 350 admeasuring 4350 sq.mts. to Jivabhai Motibhai by a Deed of Conveyance, which was duly registered with the office of the Sub-Registrar, Sanand, under Serial No. 1410 dated 08-08-1991, and necessary Mutation Entry was recorded in the revenue record, under Serial No. 1742 dated 22-03-1993 duly confirmed by the competent Authority, which please note.

It will not be out of place to mention here that said land owners have obtained Loan from Gujarat State Co. Op. Agri and Rural Dev. Bank Ltd. by creating Equitable Mortgage Charge on the said land in question, and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6, under Serial No. 2500 dated 07-04-2004 duly confirmed by the concerned authority. However the said loan was repaid and the said land was released from the charge of Gujarat State Co. Op. Agri and Rural Dev. Bank Ltd., and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6, under Serial No. 2908 dated 07-04-2007 duly confirmed by the concerned authority on 15-05-2007, which please note.

I further find that, Jivabhai Motibhai has sold and conveyed the said land bearing Block No. 350 admeasuring 4350 sq.mts. to (1) Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hitesh Rasiklal Vyas by a Deed of Conveyance, which was duly registered with the office of the Sub-Registrar, Sanand, under Serial No.3236 dated 07-08-2009, and necessary Mutation Entry was recorded in the revenue record, under Serial No. 3425 dated 12-08-2009 duly confirmed by the competent Authority on 13-10-2009, which please note.

Block No. 351.

It appears that on or around the year 1986 the land bearing Block No. 351 was originally belonged to (1) Madhaji Bhalaji (2) Shakaraji Madhaji, which please note.

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I further find that, (1) Madhaji Bhalaji (2) Shakaraji Madhaji have sold and conveyed the said land bearing Block No. 351 admeasuring 6779 sq.mts. to Jivabhai Motibhai by a Deed of Conveyance, which was duly registered with the office of the Sub-Registrar, Sanand, under Serial No. 1015 dated 19-12-1989, and necessary Mutation Entry was recorded in the revenue record, under Serial No. 1508 dated 19-12-1989 duly confirmed by the competent Authority, which please note.

I further find that, Jivabhai Motibhai has sold and conveyed the said land bearing Block No. 351 admeasuring 6779 sq.mts. to (1) Ashokbhai Haribhai Patel (2) Mukeshbhai Haribhai Patel by a Deed of Conveyance, which was duly registered with the office of the Sub-Registrar, Sanand, under Serial No. 1474 dated 30-06-2005, and necessary Mutation Entry was recorded in the revenue record, under Serial No. 2613 dated 18-10-2005 duly confirmed by the competent Authority on 09-12-2005, which please note.

I further find that, (1) Ashokbhai Haribhai Patel (2) Mukeshbhai Haribhai Patel have sold and conveyed the said land bearing Block No. 351 admeasuring 6779 sq.mts. to Jivabhai Motibhai by a Deed of Conveyance, which was duly registered with the office of the Sub-Registrar, Sanand, under Serial No. 3009 dated 29-07-2006, and necessary Mutation Entry was recorded in the revenue record, under Serial No. 2819 dated 16-11-2006 duly confirmed by the competent Authority on 02-01-2007, which please note.

I further find that, Jivabhai Motibhai has sold and conveyed the said land bearing Block No. 351 admeasuring 6779 sq.mts. to (1) Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hitesh Rasiklal Vyas by a Deed of Conveyance, which was duly registered with the office of the Sub-Registrar, Sanand, under Serial No.3235 dated 07-08-2009, and necessary Mutation Entry was recorded in the revenue record, under Serial No. 3426 dated 12-08-2009 duly confirmed by the competent Authority on 13-10-2009, which please note.

Further, said land bearing Block No. 350 admeasuring 4350 sq.mts. and Block No. 351 admeasuring 6779 sq.mts., total admeasuring 11129 sq.mts. were amalgamated and Amalgamated Block No. 350, admeasuring 11129 sq.mts. was allotted in lieu thereof vide its Order No. Land/Amalgamation/Shela/S.R.26/10 dated 25-01-2010 issued by Mamlatdar, Sanand, and the entry to that effect was also entered in the revenue records of mutation entry book viz. Village Form No.6, under Serial No. 3744 dated 18-02-2011 followed by Mutation Entry No. 3758 dated 04-03-2011 duly confirmed by the concerned authority, which please note.

Further, District Inspector Lands Records, Ahmedabad vide its Durasti Patrak No. Land/Sanand/Block Vibhajan/SR/54/2011 dated 11-02-2011 has bifurcated the said land bearing Block No. 350 admeasuring 11129 sq.mts. three parts i.e. (I) Block No. 350/A admeasuring 3709 sq.mts. owned by Dushyant Manishankar Pandya (II) Block No. 350/B admeasuring 3710 sq.mts. owned by Deepak Parmanand Nimbark (III) Block No. 350/C admeasuring 3709 sq.mts. owned by Hitesh Rasiklal Vyas, and necessary Mutation Entry was recorded, under Serial No.3777 dated 08-03-2011 followed by Mutation Entry No. 3780 dated 09-03-2011 in the revenue record duly confirmed by the concerned authority on 15-06-011, which please note.

Further, the said land bearing Block No. 350/B admeasuring 3710 sq.mts. was covered under the Draft Town Planning Scheme No. 1 and Final Plot No. 81/2 admeasuring 2226 sq.mts. was given in lieu thereof, which please note.

Further, Partition Deed in respect of the said land bearing Block No. 350/A, Block No. 350/B, Block No. 350/C was duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas, which was duly registered with the Office of the Sub-Registrar, Sanand, under Scrial No. 2053 (Original) dated 30-03-2013 and 2193 (Duplicate) dated 04-04-2013 and accordingly the said land bearing Block No. 350/B, admeasuring 3710 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 81/2 admeasuring 2226 sq.mts. was came into share of Deepak Parmanand Nimbark, and necessary Mutation Entry was

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recorded in the revenue record duly confirmed by the concerned authority, which please note.

Further, Non – Agricultural Permission of the said land bearing Block No. 350/B which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 81/2 admeasuring 2226 sq.mts. for Residential Use was duly sanctioned by District Development Officer, Jilla Panchayat, Ahmedabad vide its Order bearing No. CB/CTS-1/NA/SR/873/2015 dated 17-08-2015, and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6, under Serial No. 4825 dated 29-09-2015 duly confirmed by the concerned authority on 14-12-2015, which please note.

Block No. 357/A/B.

It appears that on or around the year 1986 the land bearing Block No. 357 paiki (i.e. 357/A) admeasuring 15175 sq.mts. was originally belonged to Ladbhai Ismailbhai, as it is seen from Mutation Entry book viz. Village Form No.6, under Serial No. 1363 dated 10-07-1986 duly confirmed by the concerned authority, which please note.

I further find that, Ladbhai Ismailbhai has sold and conveyed the said land bearing Block No. 357/A admeasuring 15175 sq.mts. to (1) Ramabhai Shankarbhai (2) Ganeshbhai Shankarbhai (3) Kanjibhai Shankarbhai (4) Bhaktibhai Shankarbhai by a Deed of Conveyance, which was duly registered with the office of the Sub-Registrar, Sanand, under Serial No. 202 dated 19-01-2006, and necessary Mutation Entry was recorded in the revenue record, under Serial No. 2672 dated 27-02-2006 duly confirmed by the competent Λuthority on 01-04-2006, which please note.

I further find that, (1) Ramabhai Shankarbhai (2) Ganeshbhai Shankarbhai (3) Kanjibhai Shankarbhai (4) Bhaktibhai Shankarbhai have sold and conveyed the said land bearing Block No. 357/A admeasuring 15175 sq.mts. to (1) Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hitesh Rasiklal Vyas by a Deed of

Conveyance, which was duly registered with the office of the Sub-Registrar, Sanand, under Serial No. 2655 dated 01-04-2008, and necessary Mutation Entry was recorded in the revenue record, under Serial No. 3171 dated 27-04-2008 duly confirmed by the competent Authority on 26-06-2008, which please note.

It will not be out of place to mention here that said land owners have obtained Loan from Shela Seva Sahkari Mandali Ltd. by creating Equitable Mortgage Charge on the said land in question, and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6 duly confirmed by the concerned authority. However the said loan was repaid and the said land was released from the charge of Shela Seva Sahkari Mandali Ltd., and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6, under Serial No. 3267 dated 17-08-2008 duly confirmed by the concerned authority on 21-10-2008, which please note.

Further, Non – Agricultural Permission of the said land bearing Block No. 357/A admeasuring 15175 sq.mts. togetherwith other lands for Residential Use was duly sanctioned by District Development Officer, Jilla Panchayat, Ahmedabad vide its Order bearing No. MSL/BAKHAP/SR-100/Vashi/2842 to 2849 dated 19-09-2008, and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6, under Serial No. 3384 dated 08-04-2009 duly confirmed by the concerned authority on 05-06-2009, which please note.

Further, District Inspector Lands Records, Ahmedabad vide its Durasti Patrak No. D.R.K./Durasti Patrak/11 dated 25-01-2011 has bifurcated the said land bearing Block No. 357/A admeasuring 15175 sq.mts. in to three parts i.e. (I) Block No. 357/A/A admeasuring 5058 sq.mts. (II) Block No. 357/A/B admeasuring 5058 sq.mts. (III) Block No. 357/A/C admeasuring 5059 sq.mts., and necessary Mutation Entry was recorded, under Serial No.3767 dated 04-03-2011 in the revenue record duly confirmed by the concerned authority on 15-06-2011, which please note.

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T: 079 26753023; 65133024 TF: 079 26753024 M: +91 9825281495; E: agbapat@gmail.com

Further, the said land bearing Block No. 357/A/B admeasuring 5058 sq.mts. was covered under the Draft Town Planning Scheme No. 1 and Final Plot No. 87/2 admeasuring 3035 sq.mts. was given in lieu thereof, which please note.

Further, Partition Deed in respect of the said land bearing Block No. 357/A/A, 357/A/B, 357/A/K was duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas, which was duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2037 dated 30-03-2013 (Original) and accordingly the said land bearing Block No. 357/A/B, admeasuring 5058 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 87/2 admeasuring 3035 sq.mts. was came into share of Deepak Parmanand Nimbark, and necessary Mutation Entry was recorded in the revenue record duly confirmed by the concerned authority, which please note.

Further, said Deepak Parmanand Nimbark has sold and conveyed the said land bearing Block No. 357/A/B, admeasuring 5058 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 87/2 admeasuring 3035 sq.mts. to M/s. Swati Construction, a Partnership Firm, which was duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 6010 dated 06-07-2017, and since then M/s. Swati Construction, a Partnership Firm is holding the same as an absolute owner and possessor thereof, which please note.

Block No. 347/B.

It appears that on or around the year 1980 the land hearing Block No. 347 was originally belonged to Jivabhai Motibhai, as it is seen from Mutation Entry No.829 dated 29-02-1980 in the revenue record duly confirmed by the concerned authority, which please note.

Further, family partition took place in respect of said property between Jivabhai Motibhai and his family members and out of the total land the said land bearing Block No. 347 in question came into Share of (1) Zakirhussain Jivabhai Malek and (2) Minor Sadikhussain Jivabhai Malek though his Natural Guardian Nasibaben Jivabhai, and the entry to that effect was also entered in the revenue records of mutation entry book viz. village form No.6, under Serial No. 1427 dated 13-11-1987 duly certified by the concerned revenue authority, which please note.

The Government of the Gujarat, Revenue Department, Gandhinagar vide their Gazette/Circular No. HKP/1083/252/J dated 05-04-1983 mentioned that in the case of agricultural land / property is distributed among the family members and where financial transaction is not involved in such case, documents may not be registered with Sub-Registrar Office.

This is very common practice in the Agricultural Land in the State of Gujarat. However in this connection I have opine that in view of section -5 of the transfer of the Property Act, and Section -17 (P-203) of Registration Act, 1908, every transaction related to transfer of interest in the properties and release of right / partition deed is required to be registered with respective sub-register office.

Further, Minor Sadikhussain Jivabhai has attained the age of majority, hence his name was entered as Sadikhussain Jivabhai in the revenue records of said land, which please note.

I further find that, (1) Zakirhussain Jivabhai Malek through his POA Holder Jivabhai Motibhai Malek and (2) Sadikhussain Jivabhai have seld and conveyed the said land bearing Block No. 347 admeasuring 7781 sq.mts. to (1) Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hitesh Rasiklal Vyas by a Deed of Conveyance, which was duly registered with the office of the Sub-Registrar, Sanand, under Serial No. 3264 dated 02-05-2008, and necessary Mutation Entry was recorded in the revenue record, under Serial No. 3195 dated 19-05-2008 duly confirmed by the competent Authority on 26-06-2008, which please note.

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T:079 26753023; 65133024 TF:079 26753024 M: +91 9825281495; E:agbapat@gmail.com

Further, Non – Agricultural Permission of the said land bearing Block No. 347 admeasuring 7781 sq.mts. togetherwith other lands for Residential Use was duly sanctioned by District Development Officer, Jilla Panchayat, Ahmedabad vide its Order bearing No. MSL/BAKHAP/SR-100/Vashi/2842 to 2849 dated 19-09-2008, and the entry to that effect was also entered in the revenue records of Mutation Entry book viz. Village Form No.6, under Serial No. 3384 dated 08-04-2009 duly confirmed by the concerned authority on 05-06-2009, which please note.

Further, District Inspector Lands Records, Ahmedabad vide its Durasti Patrak No. D.R.K./Durasti Patrak/10-11 dated 02-02-2011 has bifurcated the said land bearing Block No. 347 admeasuring 7781 sq.mts. in to three parts i.e. (I) Block No. 347/A admeasuring 2594 sq.mts. (II) Block No. 347/B admeasuring 2594 sq.mts. (III) Block No. 347/C admeasuring 2593 sq.mts., and necessary Mutation Entry was recorded, under Serial No.3785 dated 10-03-2011 in the revenue record duly confirmed by the concerned authority on 15-06-2011, which please note.

Further, Jafarbhai Motibhai has filed an RTS Application bearing No. RTS/Appeal No. 241/15 before Mamlatdar, Sanand against Circle Officer, Sanand and others in respect of Mutation Entry No. 1427 dated 13-11-1987 and vide Order of Mamlatdar, Sanand dated 12-05-2016 the application of the applicant was granted, and necessary Mutation Entry was recorded, under Serial No.4965 dated 23-05-2016 in the revenue record duly cancelled by the concerned authority on 28-06-2016, which please note.

However, against the said RTS Application of Jafarbhai Motibhai and Order of Order of Mamlatdar, Sanand dated 12-05-2016 said (1) Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hiteah Rasiklal Vyas have filed a Revision Application in the Court of District Collector, Ahmedabad and vide Order of District Collector, Ahmedabad and vide Order of District Collector, Ahmedabad bearing No. LB/Revision/316/2016 dated 22-06-2016 it is ordered to stop the execution of order of Mamlatdar, Sanand dated 12-05-2016, and necessary Mutation Entry was recorded, under Serial No.4995 dated 28-06-2016 in the revenue record duly confirmed by the concerned authority on 06-09-2016, which please note.

Further, Bismillabanu D/o. Motibhai Kamjibhai and others have filed an RTS Application bearing No. RTS/Appeal No. 149/2016 dated 14-03-2017 in Dy. Collector, Sanand against Circle Officer, Sanand and others in respect of the said land in question, however vide Order of Dy. Collector, Sanand, dated 14-03-2017 the application of the applicant was rejected, and necessary Mutation Entry was recorded, under Serial No.5147 dated 21-03-2017 in the revenue record duly confirmed by the concerned authority on 24-04-2017, which please note.

Further, the said land bearing Block No. 347/B, admeasuring 2594 sq.mts. was covered under the Draft Town Planning Scheme No. 1 and Final Plot No. 78/2 admeasuring 1556 sq.mts. was given in lieu thereof, which please note.

Further, Partition Deed in respect of the said land bearing Block No. 347/A, 347/B, 347/K was duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas, which was duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2046 (Original) dated 30-03-2013 and 2210 (Duplicate) dated 04-04-2013 and accordingly the said land bearing Block No. 347/B, admeasuring 2594 sq.mts. which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 78/2 admeasuring 1556 sq.mts. was came into share of Deepak Parmanand Nimbark, and necessary Mutation Entry was recorded in the revenue record duly confirmed by the concerned authority, which please note.

Further, I have taken Search of available record at the Office of the Sub-Registrar, Sanand, same is not properly updated. So I rely on documents submitted to me and also the land revenue records i.e. Village Form No.7 & 12 and mutation entries i.e. Village Form No.6 recorded periodically under The Provision of the Bombay Land Revenue Code, 1879 for last 30 years, which please note.

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- 8. <u>RERA Observation:</u> I have visited the website https://gujarat.gujonline.gov.in
 pertaining to Project "_____" being constructed over the said Property and observe as under:
 - (i) Registration No.: Not Registered.
 - (ii) Registration Date : Not Registered.
 - (iii) Litigation: No litigation found as per sub-registrar's records.
 - (iv) Charges/Encumbrances: No charge found as per sub-registrar's records.

9. APPROVALS / PERMISSIONS: -

- i. IOD/IOA Details: —
- ii. Commencement Certificate details: At present vacant land.
- iii. ULC Orders: Said Act has been repealed.
- iv. NA Orders:
 - Non Agricultural Permission of the said land bearing Block No. 357/A admeasuring 15175 sq.mts., Block No. 340 admeasuring 14164 sq.mts., Block No. 347/B, admeasuring 2594 sq.mts. togetherwith other lands for Residential Use was duly sanctioned by District Development Officer, Jilla Panchayat, Ahmedabad vide its Order bearing No. MSL/BAKHAP/SR-100/Vashi/2842 to 2849 dated 19-09-2008. Non Agricultural Permission of the said land bearing Block No. 350/B which was comprised in Draft Town Planning Scheme No. 1 and allotted Final Plot No. 81/2 admeasuring 2226 sq.mts. for Residential Uso was duly canctioned by District Development Officer, Jilla Panchayat, Ahmedabad vide its Order bearing No. CB/CTS-1/NA/SR/873/2015 dated 17-08-2015.
- v. Any other permissions sighted. —
- 10. ENCUMBRANCES:

SEARCH WITH SUB-REGISTRAR OF ASSURANCES:

Payment Receipt bearing No. 2017029024789, 2017029024790, 2017029024792, 2017029024794 all dated 27-12-2017 of Sanand are attached herewith.

11. LITIGATION: Observation on the basis of documents provided to us.

No Litigation are pending as per Sub-Registrar's records.

12. ISSUES / OBSERVATIONS:

13. CONCLUSION:

The title of Deepak Parmanand Nimbark (for Block No. 340/B, T.P.S. No. 1, Final Plot No. 72/2 and Block No. 350/B, T.P.S. No. 1, Final Plot No. 81/2 and Block No. 347/B, T.P.S. No. 1, Final Plot No. 78/2) and M/s. Swati Construction, a Partnership Firm (for Block No. 357/A/B, T.P.S. No. 1, Final Plot No. 87/2) over the Said Property is Clear and Marketable subject to the following:

 Usual Declaration is being made on oath by the present party at the time of creation of Mortgage Charge on the said property in question in favour of the Bank.

The Mortgagor can create mortgage over the said properties after excluding the following:

By way of registered mortgage after obtaining documents mentioned in Annexure - I hereunder.

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Annexure - I

DOCUMENTS TO BE OBTAINED BY THE CLIENT AT THE TIME OF MORTGAGE CREATION

Block No. 340/B

- Copy of latest Village Form No. 7/12 dated 14-07-2017 showing the name of Deepak Parmanand Nimbark issued by Mamlatdar, E-Dhara Centre, Ahmedabad.
- 2. Copy of latest Village Form No. 6 issued by Talati of Mouje: Shela, Tal.: Sanand, Dist.: Ahmedabad.
- Copy of N.A. Order bearing No. MSL/BAKHAP/SR-100/Vashi/2842 to 2849 dated 19-09-2008 issued by District Development Officer, Jilla Panchayat, Ahmedabad.
- 4. Copy of Deed of Conveyance duly executed by Dushyant Manishankar Pandya and others in favour of Bhikhabhaqi Chhaganbhai, acting for Self and as a Karta and Manager of his HUF duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2200 dated 23-03-2008 togetherwith Payment Receipt and Index II issued by sub-registrar in relation thereto.
- 5. Original Partition Deed duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Scrial No. 2190 dated 04-04 2013 togetherwith Payment Receipt issued by sub-registrar in relation thereto.
- 6. Copy of Form 'F' issued by Asst. Town Planner, Ahmedabad Urban Development Authority, Ahmedabad.

Block No. 350/B

7. Copy of latest Village Form No. 7/12 dated 14-07-2017 showing the name of Deepak Parmanand Nimbark issued by Mamlatdar, E-Dhara Centre, Ahmedabad.

Copy of latest Village Form No. 6 issued by Talati of Mouje: Shela, Tal.: Sanand, Dist.: Ahmedabad.

- Copy of N.A. Order bearing No. CB/CTS-1/NA/SR/873/2015 dated 17-08-2015 issued by District Development Officer, Jilla Panchayat, Ahmedabad.
- 10. Copy of Deed of Conveyance duly executed by Chhaganbhai Shankarbhai in favour of Jivabhai Motibhai duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 1410 dated 08-08-1991 togetherwith Payment Receipt and Index II issued by sub-registrar in relation thereto.
- 11. Copy of Deed of Conveyance duly executed by Jivabhai Motibhai in favour of (1) Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 3236 dated 07-08-2009 togetherwith Payment Receipt and Index II issued by sub-registrar in relation thereto.
- 12. Copy of Deed of Conveyance duly executed by (1) Madhaji Bhalaji (2) Shakaraji Madhaji in favour of Jivabhai Motibhai duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 1015 dated 19-12-1989 togetherwith Payment Receipt and Index II issued by sub-registrar in relation thereto.
- 13. Copy of Deed of Conveyance duly executed by Jivabhai Motibhai in favour of (1) Ashokbhai Haribhai Patel (2) Mukeshbhai Haribhai Patel duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 1474 dated 30-06-2005 togetherwith Payment Receipt and Index II issued by sub-registrar in relation thereto.
- 14. Copy of Deed of Conveyance duly executed by (1) Ashokbhai Haribhai Patel (2) Mukeshbhai Haribhai Patel in favour of Jivabhai Motibhai duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 3009 dated 29-07-2006 togetherwith Payment Receipt and Index II issued by sub-registrar in relation thereto.
- 15. Copy of Deed of Conveyance duly executed by Jivabhai Motibhai in favour of (1) Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 3235 dated 07-08-2009 togetherwith Payment Receipt and Index II issued by sub-registrar in relation thereto.

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- 16. Copy of Amalgamation Order No. Land/Amalgamation/Shela/S.R.26/10 dated 25-01-2010 issued by Mamlatdar, Sanand.
- 17. Original Partition Deed duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2193 dated 04-04-2013 togetherwith Payment Receipt issued by sub-registrar in relation thereto.
- 18. Copy of Form 'F' issued by Asst. Town Planner, Ahmedabad Urban Development Authority, Ahmedabad.

Block No. 357/A/B

- Copy of latest Village Form No. 7/12 dated 14-07-2017 showing the name of Deepak Parmanand Nimbark issued by Mamlatdar, E-Dhara Centre, Ahmedabad.
- 20. Copy of latest Village Form No. 6 issued by Talati of Mouje: Shela, Tal.: Sanand, Dist.: Ahmedabad.
- Copy of N.A. Order bearing No. MSL/BAKHAP/SR-100/Vashi/2842 to 2849 dated
 19-09-2008 issued by District Development Officer, Jilla Panchayat, Ahmedabad.
- 22. Copy of Deed of Conveyance duly executed by Ramabhai Shankarbhai Prajapati and others in favour of (1) Dushyant Manishankar Pandya (2) Deepak Parmanand Nimbark and (3) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2655 dated 01-04-2008 togetherwith Payment Receipt and Index II issued by sub-registrar in relation thereto.
- 23. Original Partition Deed duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand on 04-04-2013 togetherwith Payment Receipt issued by sub-registrar in relation thereto.
- 24. Original Deed of Conveyance duly executed by Deepak Parmanand Nimbark in favour of M/s. Swati Construction, a Partnership Firm, duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 6010 dated 06-07-2017 togetherwith Payment Receipt and Index II issued by sub-registrar in relation thereto.

25. Copy of Form 'F' issued by Asst. Town Planner, Ahmedabad Urban Development Authority, Ahmedabad.

Block No. 347/B

- 18. Copy of Village Form No. 7/12 showing the name of Deepak Parmanand Nimbark issued by Mamlatdar, E-Dhara Centre, Ahmedabad.
- 19. Copy of latest Village Form No. 6 issued by Talati of Mouje: Shela, Tal.: Sanand, Dist.: Ahmedabad.
- 20. Copy of N.A. Order bearing No. MSL/BAKHAP/SR-100/Vashi/2842 to 2849 dated 19-09-2008 issued by District Development Officer, Jilla Panchayat, Ahmedabad.
- 21. Copy of Deed of Conveyance duly executed by (1) Zakirhussain Jivabhai Malek and (2) Sadikhussain Jivabhai Malek in favour of (1) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 3264 dated 02-05-2008.
- 22. Original Partition Deed duly executed by and between (I) Dushyant Manishankar Pandya (II) Deepak Parmanand Nimbark (III) Hitesh Rasiklal Vyas duly registered with the Office of the Sub-Registrar, Sanand, under Serial No. 2210 dated 04-04-2013t togetherwith Payment Receipt issued by sub-registrar in relation thereto.
- 23. Copy of Form 'F' issued by Asst. Town Planner, Ahmedabad Urban Development Authority, Ahmedabad.

Thanking you,

Yours faithfully,

For, A. G. BAPAT & CO.

(ANAND GLBAPAT)

Advocate