

Nehal N. Shah Associates

Nehal Niranjambhai Shah
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Advocates

File No : 7881

Date : 09/02/2018

To,
Western Project – A Partnership Firm
At Ahmedabad.

TITLE CERTIFICATE WITH REPORT

Reg: In the matter of investigation of title of the Non-Agricultural land bearing Revenue Survey No. 9 admeasuring about 4151 sq. mts. Covered in Town Planning Scheme No. 32 (Gota) and allotted Final Plot No. 8/2/3 admeasuring about 2491 sq. mts. (admeasuring about 2489 sq. mts. Paiki admeasuring about 1350 sq. mtrs. Residential use purpose & admeasuring about 1139 sq. mtrs. Commercial use purpose As per N.A.Order), situated lying and being at Mouje Gota, Taluka Ghatlodia, Registration District Ahmedabad Sub District Ahmedabad-8 (Sola) (which is hereinafter referred as "the said land".)

Dear Sir,

I have gone through relevant papers/ documents produced before me and search report [Application no. 4981 on 10/03/2017 Receipt No. 2017003007786 Ahmedabad- 2 (Vadaj) and Application no. 4048 on 07/10/2016 Receipt No. 2016314006611 Ahmedabad-14 (Daskroi) and Application no. 11540 on 07/10/2016 Receipt No. 2016308024846 (Ahmedabad-8 (Sola) and Application no. 21934 on 06/10/2016 Receipt No. 2016003035776 (Ahmedabad-2 (Vadaj) and Application no. 631 on 09/03/2017 Receipt No. 2017314000970 Ahmedabad-14 (Daskroi) and Application no. 621 on 09/03/2017 Receipt No. 2017313000949 Ahmedabad-13 (City) and Application no. 2962 on 17/03/2017 Receipt No. 2017308006434 Ahmedabad-8 (Sola)] prepared by my search clerk from available (Partly Manual And Partly Computerized) revenue records of Mamlatdar, Talati and Sub-Registrar of Ahmedabad on the basis, I have investigated the title to the land in question and Title Certificate with Report as under:



Page 1 of 6

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- ❖ Prior to year 1970, Somabhai Desaibhai & Babarbai Desaibhai were the original owner and possessor of the land bearing Revenue Survey No. 9, admeasuring about 4151 sq.mts.
- ❖ That thereafter, Babarbai Desaibhai expired on 24-01-1989 leaving behind his legal heirs namely Shantaben widow of Babarbai Desaibhai and Gautambhai Babarbai., and thus their names were entered in the revenue records of land bearing Revenue Survey No. 9, admeasuring about 4151 sq.mts. vide mutation entry no. 1967 on 19/02/1989., and which was certified.
- ❖ That thereafter, Somabhai Desaibhai expired on 03-10-1989 leaving behind his legal heirs namely Maniben widow of Somabhai Desaibhai, Kantaben Somabhai, Arvindbhai Somabhai, Kanubhai Somabhai, Kapilaben Somabhai & Hansaben Somabhai., and thus their names were entered in the revenue records of land bearing Revenue Survey No. 9, admeasuring about 4151 sq.mts. vide mutation entry no. 2131 on 15/05/1993., and which was certified on 18/08/2003.
- ❖ That thereafter, Shantaben Babarbai expired on 13-02-2002 leaving behind her legal heir namely Gautambhai Babarbai., and thus his name was entered in the revenue records of land bearing Revenue Survey No. 9, admeasuring about 4151 sq.mts. vide mutation entry no. 2975 on 13/06/2003., and which was certified on 18/08/2003.
- ❖ That thereafter, Gautambhai Babarbai released his rights possessed in land bearing Revenue Survey No. 9, admeasuring about 4151 sq.mts. in favour of Kantaben Somabhai, Arvindbhai Somabhai, Kanubhai Somabhai, Kapilaben Somabhai, Hansaben Somabhai & Maniben widow of Somabhai Desaibhai., And mutation entry to that effect had been mutated in revenue records of land bearing Revenue Survey No. 9, admeasuring about 4151 sq.mts. vide mutation entry no. 2976 on 13/06/2003., and which was certified on 18/08/2003.
- ❖ By virtue of above mentioned facts, Kantaben Somabhai, Arvindbhai Somabhai, Kanubhai Somabhai, Kapilaben Somabhai, Hansaben Somabhai & Maniben widow

*Scanned by
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9/2/18*

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Page 2 of 6

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of Somabhai Desaibhai became owner and possessor of land bearing Revenue Survey No. 9, admeasuring about 4151 sq.mts. land.

- ❖ That thereafter, Kantaben Somabhai, Arvindbhai Somabhai, Kanubhai Somabhai, Kapilaben Somabhai, Hansaben Somabhai & Maniben widow of Somabhai Desaibhai sold and conveyance the land bearing Revenue Survey No. 9, admeasuring about 4151 sq.mts. land. to Harehbhai Ravjibhai Patel on 06/09/2006 by way of sale deed., and which was registered before the Sub Registrar of Ahmedabad-2 (Wadaj) on the same day under Serial No. 10378., And mutation entry to that effect had been mutated in revenue records vide mutation entry no. 3550 on 11/09/2006., and which was certified on 06/11/2006.
- ❖ That thereafter, Harehbhai Ravjibhai Patel sold and conveyance the land bearing Revenue Survey No. 9, admeasuring about 4151 sq.mts. land. to Dipakbhai Mansukhbhai Kothari & Artiben Dipakbhai Kothari on 15/10/2007 by way of sale deed., and which was registered before the Sub Registrar of Ahmedabad-2 (Wadaj) on the same day under Serial No. 11801., And mutation entry to that effect had been mutated in revenue records vide mutation entry no. 3885 on 24/10/2007., and which was certified on 08/01/2008.
- ❖ That thereafter, Town Planning Scheme No. 32 (Gota) had been applied on the land bearing Revenue Survey No. 9, admeasuring about 4151 sq.mts. land. and allotted Final Plot No. 8/2/3 admeasuring about 2489 sq. mts.

That thereafter, land bearing Revenue Survey No. 9 admeasuring about 4151 sq. mts. Covered in Town Planning Scheme No. 32 (Gota) and allotted Final Plot No. 8/2/3 admeasuring about 2489 sq. mts. converted into Non-Agricultural use for residential purpose as per the Application produced before District Collector, Ahmedabad., on 03/05/2008 vide order no. CB/LAND/NA/SR-538/2007-2008 and entry to that effect had been recorded in the revenue records vide mutation entry no. 6789 on 17/10/2016., which was certified on 26/12/2016.

- ❖ That thereafter, Dipakbhai Mansukhbhai Kothari & Artiben Dipakbhai Kothari sold and conveyance the said land to Adyashakti Realtors Pvt. Ltd. – A Company

Page 3 of 6

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on 23/08/2016 by way of sale deed., and which was registered before the Sub Registrar of Ahmedabad-8 (Sola) on the same day under Serial No. 10778.

- ❖ That thereafter, land bearing Revenue Survey No. 9 admeasuring about 4151 sq. mts. Covered in Town Planning Scheme No. 32 (Gota) and allotted Final Plot No. 8/2/3 admeasuring about 2491 sq. mts. Paiki admeasuring about 1350 sq. mts. converted into Non-Agricultural use for commercial purpose as per the Application produced before Dy. Collector (N.A.), Ahmedabad., on 22/11/2016 vide order no. NAU-1/SEC.65A/GOTA/Case No. 372/2016, and entry to that effect had been recorded in the revenue records vide mutation entry no. 6851 on 02/12/2016., which was certified.
 - ❖ Entry of sale deed dated 23/08/2016 registered under serial no. 10778 had been recorded in the revenue records vide mutation entry no. 6871 on 15/12/2016., and which was certified.
 - ❖ That thereafter, Adyashakti Realtors Pvt. Ltd. – A Company sold and conveyance the said land to Western Project – A Partnership Firm on 07/10/2017 by way of sale deed., and which was registered before the Sub Registrar of Ahmedabad-8 (Sola) on the same day under Serial No. 14734, and entry to that effect had been recorded in the revenue records vide mutation entry no. 7294 on 12/10/2017., and which was certified on 27/12/2017.
 - ❖ As a part of my investigation of title I have published a public notice appeared in daily newspaper "GUJARAT SAMACHAR" & "SANDESH" on 23/09/2016 inviting claims, objections, encumbrances or charges, if any upon the said land, respect of this public notice, and I have received below motioned objections.
1. Kantaben Somabhai, Hansaben Somabhai & Kapilaben Somabhai through their advocate Kanubhai P. Hirpara produced objection about non receipts of consideration on sale of said land to Harishbhai Ravjibhai Patel on 05/10/2016., So, I addressed a letter to Kanubhai P. Hirpara on 12/10/2016 mentioning that, before this public notice, another public notice was published by Jani & Co. Solicitors on 10/01/2008 and at that time they have not produced

*Seen by N. Shah
9/2/18*

Page 4 of 6

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any objections about non receipts of consideration., and after more than 10 years of sale made in favour of Harishbhai Ravjibhai Patel they have produced an objection, and till date they have not reply to my letter. Thus, as per my opinion, this objection is produced by malafide intension and it becomes vague.

2. Jayantibhai Khodabhai & Gokalbhai Khodabhai through their advocate Siraj G. Vohra produced objection about execution of an agreement to sale made in his favour by owners of said land on 25/09/2016., but they have not produced any supporting documents relating to their objection. So, I addressed a letter to Siraj G. Vohra on 07/10/2016 mentioning that, according to in Government records there is no existence of registered agreement to sale made in favour of Jayantibhai Khodabhai & Gokalbhai Khodabhai., and asked to provide copy of the same if there is existence of any agreement to sale made in Jayantibhai Khodabhai & Gokalbhai Khodabhai., and till date they have not reply to my letter. Thus, as per my opinion, this objection is produced by malafide intension and it becomes vague.
3. Vasudevbbhai Revabhai Patel produced an objection on 29/09/2016 mentioning that Dipakbhai Mansukhbhai Kothari & Artiben Dipakbhai Kothari is Non-Agriculturist. And pendency of case before Gujarat High Court., but did not provide any supporting documents. Thus, I addressed a letter to him that there is no rights possessed of him in said land., and provide supporting documents if there is rights of him on 07/10/2016., and he reply to my letter on 10/10/2016 with attached copy of order of Sp. C. A. No. 12094 of 2016., referring to that order, I found that there is no clarification of any land in said order., thus as per my opinion, said order is not bounded to said land.

I have been informed by above said of the said land that the land has not been given in security nor created any charge or encumbrances or any nature whatsoever thereon nor the said land is subject matter of any pending proceedings nor any decree, order, attachment or any order of any court or authority is operating against the said land adversely affecting the title nor any portion thereof is under Acquisition or requisition under any law in force nor the said land has been

Page 5 of 6

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declared to be unfit for human habitations and there are no other facts or particulars which can adversely affecting the title to the said land.

I am of the opinion that the title to the Non-Agricultural land bearing Revenue Survey No. 9 admeasuring about 4151 sq. mts. Covered in Town Planning Scheme No. 32 (Gota) and allotted Final Plot No. 8/2/3 admeasuring about 2491 sq. mts. (admeasuring about 2489 sq. mts. Paiki admeasuring about 1350 sq. mtrs. Residential use purpose & admeasuring about 1139 sq. mtrs. Commercial use purpose As per N.A.Order), situated lying and being at Mouje Gota, Taluka Ghatlodia, Registration District Ahmedabad Sub District Ahmedabad-8 (Sola) is Clear, Marketable and free from any charges encumbrances and all reasonable doubts., Subject to: 1) Verified The All Original Documents, Papers and etc., 2) Provisions of the T. P. And Urban Development Act and provision of Draft Town Planning Scheme No. 32 (Gota). 3) Fulfillment of the Conditions laid down in the N.A.Order. 4) Law applicable and in force to be effect legally and properly sale, transfer or other transaction with respect to the said land.

DATED OF THIS 09th FEBRUARY 2018 AT- AHMEDABAD



Saurin R. Shah
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Page 6 of 6

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