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REF. NO. 10755/2017

To,

M/s. The Loyal Infrastructure

A Sole Proprietorship Firm

TITLE CERTIFICATE – CUM - REPORT

Reg.: Non-Agricultural Land bearing **Survey No. 286/1** admeasuring **6981 sq. mtrs.** now given **Final Plot No. 57** admeasuring **4189 sq. mtrs.** in the Draft Town Planning Scheme No. 74 (Chandkheda - Zundal), situate, lying and being at **Moje Zundal**, Taluka Gandhinagar in the Registration District of Gandhinagar and Sub District of Gandhinagar and belonging to **M/s. The Loyal Infrastructure, A Sole Proprietorship Firm.**

JANI AND COMPANY • SOLICITORS & ADVOCATES • AHMEDABAD

As per instructions, we have examined the titles of the above referred property and have caused to be taken searches (partly manual and partly computerized upto the date of search i.e.23-05-2017) of the ***available*** revenue and registration record for last 30 years through our search clerk and from that and from the information given to us and believing the same to be true, correct and trustworthy and also believing the revenue records/documents/copies/papers etc furnished in its file to be true and genuine, and also upon the information given by the owners that no transfer/agreement was made in respect of the said property during the period for which the record is not available which would make the titles defective, we hereby give our certificate-cum-report on title as under:

1. It appears that the land bearing Survey No. 286/1 admeasuring Acre 1 - 29 Gs belonged to Jivabhai Kishorebhai since prior to the year 1950.

2. That as per the order dated March, 1951 under the provisions of Section 5 of The Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947, all Kyari lands admeasuring less than Acre 0-20 Gs and Jarayat Land admeasuring less than Acre 2-00 Gs were ordered to be declared as "Fragment Land". Accordingly the land bearing Survey No. 286/1 admeasuring Acre 1 - 29 Gs was declared to be fragment land and Jivabhai Kishorebhai was held to be the occupier thereof. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 1642 dated 01-10-1951.

3. That as per the Taluka Order No. TNC dated 28-08-1952 passed pursuant to the Resolution bearing no. 2255/49 dated 27-02-1950 passed by the Government of Bombay, Revenue Department the names of the tenants in the year 1949/50 were entered in the revenue records of the respective land parcels. Accordingly in respect of the land bearing Survey No. 286/1 the name of Naranbhai Govindbhai was recorded as ordinary tenant. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 1702 dated 04-12-1952.

4. That said Jivabhai Kishorebhai died intestate on or about 04-12-1954. Hence the names of his heirs viz. (I) Somabhai Jivabhai and (2) Ambalal Naranbhai were entered in the revenue records of the land bearing Survey No. 286/1 and other lands. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 2142 dated 03-05-1956.

5. That a family partition was effected between said Somabhai Jivabhai and Ambalal Naranbhai and accordingly the land bearing Survey No. 286/1 admeasuring Acre 1 - 29 Gs. (i.e. about 6981 sq.

mtrs.) came to the share of Somabhai Jivabhai. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 2929 dated 05-01-1967.

6. That as per the proceedings undertaken under the provisions of Section 32 – G of the Bombay Tenancy and Agricultural Lands Act, 1948 ('**Tenancy Act**') the lands in respect whereof the tenants had declined to purchase the lands or where the tenants were not present at the appointed day of proceedings, the sale in respect of such lands was held unenforceable and such lands were directed to be disposed off in accordance with Section 32 – B of the Tenancy Act. Accordingly the order in respect of the land bearing Survey No. 286/1 and two other land parcels was made vide order dated TNC – 970 dated 23-04-1959 whereby the name of (1)Ambalal Naranbhai and (2) Somabhai Jivabhai was recorded as landowners and the names of (1)Lalabhai Govindbhai and (2) Naranbhai Govindbhai was recorded as tenants.

7. That as per the order dated 26-05-1967 passed in Ganot Case No. 13/67 under the provisions of Section 32 – G of the Tenancy Act, the tenant Naranbhai Govindbhai was held disentitled to purchase the land bearing Survey No. 286/1 as he was not a tenant on 01-04-1957 and accordingly his name was removed as tenant from the revenue records of the said land and the name of Lalabhai Govindbhai was entered as tenant of the said land. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 2981 dated 20-07-1967.

8. That as per the order dated 10-01-1968 passed in Ganot Case Zundal 32 (P) 2/67, pursuant to the proceedings undertaken under the provisions of Section 32 (P) of the Tenancy Act, the tenant rights in respect of the land bearing Survey No. 286/1 and other lands were abolished and the possession of the said land bearing Survey No. 286/1 and other lands was handed over to the landowners for agricultural use 'Gharkhed' subject to the condition that the prior

permission of the District Collector would be required at the time of transfer of the said lands. Accordingly the names of (1)Somabhai Jivabhai and (2)Ambalal Naranbhai was recorded as land owners. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 3034 dated 18-01-1968.

9. Mutation entry no. 3391 dated 26-02-1977 does not pertain to the land bearing Survey No. 286/1 and hence has not been dealt with herein.

10. That a charge of Zundal Seva Sahakari Mandali Ltd. was created on the land bearing Survey No. 286/1 and its effect was made in the revenue records of the said land vide Entry No. 3394 dated 26-03-1977.

11. That said Somabhai Jivabhai died intestate on or about 30-10-1986. Hence the name of his heir viz. Ratilal Somabhai was entered in the revenue records of the land bearing Survey No. 286/1. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 3783 dated 24-11-1986.

12. That those lands which were irrigated with the water of the well and such other sources were released from the restrictions of a fragment land vide order of the Dy. Collector, Gandhinagar bearing no. PO/Jamin/Ku.Dha./Vashi dated 18-07-1990. Accordingly the note of fragment land in respect of the land bearing Survey No. 286/1 admeasuring Acre 1 – 29 Gs belonging to Ratilal Somabhai was deleted. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 3981 dated 19-12-1990.

13. That the order of the Mamlatdar and Agricultural Land Tribunal bearing no. TNC/970 dated 23-04-1959 and order bearing Ganot Case No. Zundal/32 (P)/267 dated 10-01-1968 were challenged by

Patel Kamlaben wd/o Ambalal Naranbhai and others before the Dy. Collector (Land Reforms) Appeal in Ganot Appeal SR - 115/2005 wherein vide order dated 24-07-2006 the Dy. Collector considered the contention of the Parties that they were family members having blood relation and not tenants and accordingly remanded the matter back for fresh consideration of the said issue. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 5365 dated 26-08-2006.

14. That said Ratilal Somabhai died intestate on or about 18-01-2006. Hence the names of his heirs viz. (1) Lalitaben wd/o Ratilal (2)Chandrakant Ratilal (3) Varshaben Ratilal and (4) Ketanbhai Ratilal were entered in the revenue records of the land bearing Survey No. 286/1. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 5463 dated 22-01-2007.

15. That in accordance with the aforestated order of the Dy. Collector, (Land Reforms) Appeal the matter was considered by the Mamlatdar and Agricultural Land Tribunal, Gandhinagar in Ganot Case no. 72/06 and vide order dated 30-12-2006, it held that upon investigation it appears that the landowners and tenants are family members belonging to the same family and there could not exist any landlord - tenant relationship between them and therefore the notice issued with regard to the matter was directed to be withdrawn and the case to be closed accordingly. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 5468 dated 29-01-2007 and Entry no. 5827 dated 01-05-2008.

16. That said (1) Lalitaben wd/o Ratilal Somabhai Patel (2)Chandrakant Ratilal Patel, as self and as Karta and Manager of his HUF (3) Ketan Ratilal Patel and (4) Varshaben d/o Ratilal Somabhai and w/o Dineshkumar Prabhudas sold and conveyed the land bearing Survey No. 286/1 admeasuring 6981 sq. mtrs. to

Kalpeshbhai Vanmalidas Shah vide a sale deed dated 17-02-2007 registered before the Sub Registrar, Gandhinagar at Serial No. 2082 on 17-02-2007. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 5496 dated 01-03-2007. However the said entry was not certified as according to mutation entry no. 3034 the land was granted conditionally and prior permission for sale did not appear to have been obtained. The contents of the said entry were once again mutated in the revenue records vide Entry no. 5875 dated 29-07-2008 and the same was duly certified on 30-09-2008.

17. That in the mutation entry no. 5827 dated 01-05-2008 regarding order of the Mamlatdar and Agricultural Land Tribunal, Gandhinagar passed in Ganot Case no. 72/06 on 30-12-2006, the tenure of the land in the column of tenure type is recorded as Restricted Tenure Land which is to be rectified and recorded as Old Tenure. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 5863 dated 04-07-2008.

18. That as per the order of the Mamlatdar, Gandhinagar bearing no. Jamin/Vashi/08 dated 19-09-2008, the errors that were found during the record promulgation process on comparison and verification of the manual and computerized 7/12 forms, Village form no. 6 of the records of the land of village Zundal were directed to be rectified in accordance with the error list recorded at serial no. 201 to 250. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 5992 dated 12-01-2009.

19. That said Kalpeshbhai Vanmalidas Shah sold and conveyed the land bearing Survey No. 286/1 admeasuring 6981 sq. mtrs. to (1)Hemantkumar Umedbhai Patel (having undivided 55% share) (2) Lalbhai Bhagabhai Patel (having undivided 40% share) and (3)Pravinbhai Ramdas Patel (having undivided 5% share) vide a sale deed dated 14-11-2008 registered before the Sub Registrar, Gandhinagar at Serial No. 16862 on 14-11-2008. Mutation entry to

the said effect was made in the revenue records of the said land vide Entry no. 6167 dated 29-12-2009. However the said entry was cancelled as in the column of other rights the note of restricted tenure land and charge of society appeared. The effect of the said entry was once again made vide Entry no. 6330 dated 28-07-2010 and the same was duly certified on 02-10-2010.

20. That the charge of the Zundal Seva Sahakari Mandali Ltd. was released from the land bearing Survey No. 286/1 pursuant to the No Due Certificate dated 18-08-2010 issued by the said society. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 6289 dated 16-06-2010.

21. That mutation entry nos. 6167 regarding sale, entry no. 5365, 5468 regarding order and entry no. 5863 regarding deletion and rectification of note of Restricted Tenure Land was made in the revenue records of the land bearing Survey no. 286/1. However the effect of mutation entry no. 5863 for rectifying the tenure of land from restricted tenure land to old tenure was not given. Hence its effect was once again made vide mutation Entry no. 6319 dated 28-08-2010.

22. That the Dy. Collector (Land Reforms) Appeal, Gandhinagar vide order bearing no. Ganot/Revision/SR 42/07 dated 22-11-2010 upheld the impugned order of the Mamlatdar and Agricultural Land Tribunal passed in Ganot Case no. 72/06 on 30-12-2006. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 6530 dated 21-12-2010 and Entry no. 6549 dated 04-01-2011.

23. That the aforementioned order of the Dy. Collector (Land Reforms) Appeal, Gandhinagar passed in Ganot/Revision/SR 42/07 dated 22-11-2010 was challenged before the Gujarat Revenue Tribunal by the State Government in revision case no. T.E.N./B.A./168/2011 wherein the GRT vide order dated 14-12-2011 set aside the

impugned order and declared the land bearing Survey No. 286/1 to be restricted tenure land by observing that the land owners and the respondents who were subsequent purchasers had accepted the land to be restricted tenure land and with the objective of obtaining Non Agricultural use permission had shown their willingness to pay the premium amount. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 6854 dated 30-12-2011.

24. That as per the order of the District Collector, Gandhinagar bearing no. C.B./Ganot/Vashi - 5565/2012 dated 04-06-2012 the restricted tenure land bearing Survey No. 286/1 admeasuring 6981 sq. mtrs. was converted to old tenure land for agricultural use. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 6997 dated 06-07-2012.

25. That on implementation of the Draft Town Planning Scheme no. 74 (Chandkheda - Zundal) to the land of village Zundal, the land bearing Survey No. 286/1 admeasuring 6981 sq. mtrs. was given Final Plot No. 57 and its area was determined to be 4189 sq. mtrs.

26. That the District Collector, Gandhinagar vide order bearing no. CB/Ganot Vashi - 5566 to 5573/2012 dated 04-06-2012 granted permission for conversion of the restricted tenure land bearing Final Plot No. 57 admeasuring 4189 sq. mtrs. of Town Planning Scheme No. 74 to non-agricultural land for residential use. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 6999 dated 06-07-2012.

27. That the Non - Agricultural Use permission for residential use in respect of the land bearing Survey No. 286/1 (F.P. No. 57) admeasuring 4189 sq. mtrs. was granted by the District Collector, Gandhinagar vide his order bearing no. CB/Jamin/N.A./S.R. 278/11/Vashi 16238 to 16253/2012 dated 30-07-2012. Mutation

entry to the said effect was made in the revenue records of the said land vide Entry no. 7038 dated 27-08-2012.

28. That said (1) Lalbhai Bhagabhai Patel (having undivided 40% share) (2)Pravinbhai Ramdas Patel (having undivided 5% share) and (3) Hemantkumar Umedbhai Patel (having undivided 55% share) sold and conveyed the land bearing Survey No. 286/1 admeasuring 6981 sq. mtrs. now given Final Plot No. 57 admeasuring 4189 sq. mtrs. in the Draft Town Planning Scheme no. 57 (Chandkheda - Zundal) to M/s The Loyal Infrastructure, a proprietorship firm through its proprietor vide a sale deed dated 17-04-2013 registered before the Sub Registrar, Gandhinagar at Serial No. 5638 on 17-04-2013. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 7176 dated 18-04-2013.

29. That said M/s The Loyal Infrastructure proposes to develop thereon a residential scheme of flats by the name 'Olive Residency' on the said land. In pursuance thereto the plans of construction have been approved by AUDA its office letter bearing no. PRM No. 24019/2016 dated 17-02-2017 for construction of Block Nos. A + B + C + D each comprising of Ground Floor to Seventh Floor, Stair Cabin, Lift Room and Overhead Water Tank.

30. That we have published a Public Notice inviting objections against issuance of a clear title certificate in the daily newspaper 'Gujarat Samachar' on 19-05-2017 and we have not received any objections in response to the same.

In view of what is stated above, we hereby opine that the title of above referred Non-Agricultural Land bearing **Survey No. 286/1** admeasuring **6981 sq. mtrs.** now given **Final Plot No. 57** admeasuring **4189 sq. mtrs.** in the Draft Town Planning Scheme No. 74 (Chandkheda - Zundal), situate, lying and being at **Moje Zundal**, Taluka Gandhinagar in the Registration District of Gandhinagar and Sub District of Gandhinagar and belonging to

M/s. The Loyal Infrastructure, A Sole Proprietorship Firm is clear and marketable and free from reasonable doubts without encumbrances subject to:-

[1] Usual Declarations being made at the time of transfer.

[2] Fulfillment of the terms and conditions of the N.A. Use permission order.

[3] Provisions of The Town Planning and Urban Development Act and use as per Zone of AUDA and plans of construction being sanctioned by AUDA/construction being made as per approved plans and provisions of Draft Town Planning Scheme No. 74 (Chandkheda - Zundal).

DATED THIS 17th DAY OF JULY, 2017

Hiresh P. Jani

ATTORNEY-AT-LAW

Note of caution and disclaimer:

[1] This is to inform that Search of registration record of immediate past about 2-3 months is not available.

[2] Please note that the registration record of the year 1980 to 2003, 2005 of Sub Registrar's office is destroyed/ torn out. Hence it cannot be inspected and its search is not available. The records for the years 01-04-2007 to 2017 are computerized. That the computerized record is not well prepared/maintained by State government agency and hence may be erroneous, resulting into our error.

[3] Please ascertain that the Government Authorities have not put any restrictions in making construction on said land because of any historical monument/religious place/water body/road laying and widening, etc. situated nearby or proposed public transportation system in surrounding areas. Also verify that there is no acquisition/reservation in said land and there are no pending litigations or injunction/status quo granted therein in respect of the said land.

[4] We are informed that at present no litigation/suits are filed /pending before any Judicial/Quasi Judicial authorities.