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HIREN A. RAJPUT

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Off. 1 : 8, Shyam Arcade, Opp. Gangotri Bungalows, Opp. Gangotri Bungalows, Nikol, Ahmedabad

Off. 2 : B/303, Shantiniketan Business Center, Opp. Gangotri Bungalows, Nikol, Ahmedabad

Ref. No.

Date : 06 JUL 2018



NON ENCUMBRANCE CERTIFICATE

This is to notify that there is no encumbrance of any type including title, rights or financial on the said land as described below of the project “**Kesar Orchid**” to be constructed by M/s. **Nirman Developers** situated at Naroda, Ahmedabad

Revenue Survey No : **650/1**

Village : **Naroda**

Tehsil : **Asarwa**

District : **Ahmedabad**

Final Plot No : **60/1**

Town Planning Scheme No : **121**

Place : **Ahmedabad**

Date : **06th July, 2018**

Hiren A. Rajput

Advocate





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Ref. No. 563/2018

Date : 06 JUL 2018

To,
Nirman Developers,
A Partnership Firm
Add. Nikol, Ahmedabad

TITLE REPORT WITH CERTIFICATE

Ref. : Non Agricultural land bearing Survey No. 650/1 containing by admeasuments 6171 Sq. Mtrs. or thereabouts, As per T.P.S. No. 121, Final Plot No. 60/1 admeasuments 3203 Sq. Mtrs. N.A. for Residential Purpose and 500 Sq.Mtrs. N.A. for Commercial Purpose Total 3703 Sq.Mtrs. Situate, lying and being at Moje : Naroda, Taluka : Asarva in the Registration District Ahmedabad and Sub District of Ahmedabad-6 (Naroda) is belonging to **Nirman Developers.**

As per the instructions given by said land loard to investigate the title of the immovable non agricultural land. Hence I have taken necessary available searches through my search clerk of the records being maintained by the Revenue Authorities concerned and that of the District Registrar Ahmedabad and Sub - Registrar of Ahmedabad for the last more then 35 years viz.1980 to 2018 (the registration record of some year of Sub-Registrar's Office is destroyed/torn out/Not present and hence it can not be inspected and its search is not available, while computerized search of the last 11 years (1994 to 2018) is not well

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maintained/prepared by State Government and hence may be some error therein) for the said purpose and also verify revenue record of the subject land and have gone through relevant documents/papers and have investigated the title to the land in question and report as under:-

1... The name of Fakir Hemji has been appeared as occupier in the 7/12 extratct of the subject land prior the year 1951-52.

2.... Therafter, As per the oreder of Government the said land declared as TUKDA and entry to that effect was mutated in the mutation register vide entry No. 3493, dated 31/08/1952.

3.... Thereafter, As per circular of Taluka vide No. LND, Dtd. 21/10/1955, the subject land is new tenure land and therefore the note as "Not liable for sale, gift or mortgage" has been entered in the other right column of the subject land and entry to that effect was mutated in the mutation register vide entry No. 4932, dated 04/05/1956.

4.... Thereafter the owner, occupier of the said land Fakirji Hemji died on 15/07/1965 and his son i.e. Mohatji Fakirji died on 21/08/2000 intestate leaving behind him his heirs Kaliben Mohatji and Pratapji Mohatji and hence their name have been entered in the revenue records on heridatory rights and entry to that effects was mutated in the mutation register vide entry No.15069, dated 08/01/2006.



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5... Thereafter, the co-owner and co-occupier of the said land i.e. Kaliben Mohatji had released her rights, title and interest in favour of other co-owner and co-occupier of the said land and hence her name have been deleted from the revenue records and entry to that effect was mutated in the mutation register vide entry No.15070, dated 10/01/2006.

6... Thereafter, As per order issued by District Collector vide his office bearing order no. CDC/TNC/SR/95/2010, Dtd. 04/12/2010 the restriction of New tenure has been removed and said land is converted into old tenure land and entry to that effects was mutated in the mutation register vide entry No. 17969, Dtd. 17/01/2011.

7... Thereafter said land loards i.e. Pratapji Mohatji Thakor has soldout the land bearing Block No. 650/1 admeasuring 6171 Sq. Mtrs, As per **T.P.S. No. 121 , Final Plot No. 60/1** admeasurments 3703 Sq.mtrs. to the (1) Jagdishbhai Motiji Thakor (2) Baldevbhai Merajbhai Desai (3) Jyotsnaben Harshadbhai Patel (4) Bhupatsinh Navalsinh Gohil (5) Kantibhai Sendharam Patel HUF by executing a Reg. Sale deed No. 12423, Dtd. 16/12/2010 and entry to that effects was mutated in the mutation register vide entry No. 18344, Dtd. 24/06/2011.

8... Thereafter, the revision application against the order passed by collector Ahmedabad vide order No. CDC/TNC/SR/95/2010, Dtd. 04/12/2010 has been rejected by the order issued by SSRD, Ahmedabad vide order No. MaHiVi/BaKhaPa/AMD/27/11(DaSu), Dtd. 15/12/2011 and entry to that effects was mutated in the mutation register vide entry No. 18617, Dtd. 05/01/2012.



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9.... Thereafter, the government of gujrat had re-organazied two taluka's named city and dascroi of District Ahmedabad, and reformed it in to two taluka's named Ahmedabad City East and Ahmedabad City West, by its resolution passed dated 17/03/2012 vide no. PKR/102011/275 / L / 1. The effect was mutated in the mutation register vide entry No. 18854, dated 03/05/2012. so the land of entire village Naroda gone in the new taluka Ahmedabad City West.

10.... Thereafter, As per oredr issued by Deputy Collector (East), Ahmedabad vide Order No. RTS/APPEAL/CASE No.823/2011, Dtd.24/07/2013 application of plaintiff has been rejected and entry to that effect was mutated in the mutation register vide entry No. 19696, dated 21/09/2013.

11.... Thereafter, the co-owner of the said land i.e. Jagdishji Motiji Thakor has soldout the land of his share i.e. Survey No. 650/1 admeasuring 6171 Sq. Mtrs. paiki 925.75 Sq.Mtrs. to the (1) Baldevbhai Merajbhai Desai (2) Jyotsnaben Harshadbhai Patel (3) Bhupatsinh Navalsinh Gohil (4) Kantibhai Sendharam Patel HUF by execiting a Reg. Sale deed No. 34, Dtd. 06/01/2017 and entry to that effects was mutated in the mutation register vide entry No. 21420, Dtd. 06/01/2017.

12.... Thereafter, As the amount of primium for commercial purpose has been paid by the land loards and the order issued by District Collector (*Chitnish Branch*) Ahmedabad vide order No. CB/CTS-1/N.Sh./Primium/Naroda/S.No. 650/1/S.R.53/2017, Dtd. 24/11/2017, the restriction of new tenure has been removed for the purpose of commercial N.A. use of the land and to that effects was mutated in the mutation register vide entry No.21868, dated 06/01/2018.



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13.....

Thereafter, Said land loards i.e. **Baldevbhai Desaid and others** had applied befor the Collector Ahmedabad, to convert the agricultural land of Survey No 650/1, T.P.S. No. 121, F.P. No. 60/1 admeasuring **3203 Sq.Mtrs.** for residential purpose and **500 Sq.Mtrs.** for Commercial purpose. The Collector had allowed the application vide its order No.CB/CTS-1/T.B.K./Tatkal/Sec.-65/S.R.1221/2017, Dtd. 12/02/2018 and entry to that effect was mutated in the mutation register vide entry No.21970, dated 20/03/2018.

14....

Thereafter said land loards i.e. **Baldevbahi Merajbhai Desai, Jyotsnaben Harshadbhai Patel, Bhupatsinh Navalsihh Gohil, Kantibhai Sendharam Patel** As Karta of Kantibhai Sendharam Patel HUF has soldout the land bearing Survey No. 650/1 admeasuring 6171 Sq.Mtrs. As per T.P.S. No. 121, F.P. No. 60/1 admeasuring 3703 Sq.Mtrs. to the Nirman Developers by executing a Reg. Sale deed No. 5405, Dtd. 23/03/2018 and entry to that effects was mutated in the mutation register vide entry No. 21985, Dtd. 04/04/2018.

15...

As a part of investigation, I have issued a public notice in **Gujarat Samachar** dated **28/05/2018** on behalf of owner inviting any claim, rights or encumbrances if any in respect of the land, But till date, I have received an objection from Raiben Mahotji and Ishaben D/o. Mahotji and W/o. Sureshbhai Patel on 31/05/2018 claiming that they have heridatory rights in the land without any legal documents therefore I have wrote a letter to the objector to produce legal documents in the support of the objection, But till today I have not received any reply from the objector and as per revenue record I examine that the objectors has no any right in the subject land therefore I am issuing this certificate , Except this I have not received any objection or obligation in response thereof from anybody.



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16... I have examined the titles of Non Agriculture Land and have caused to be taken searches of available revenue and registration record for last 35 years (compurised search from 1994 to 2018) to the non agricultural land bearing Survey No. 650/1 containing by admeasuments 6171 Sq. Mtrs. or thereabouts , As per T.P.S. No. 121 , Final Plot No. 60/1 admeasuments 3203 Sq. Mtrs. N.A. for Residential Purpose and 500 Sq.Mtrs. N.A. for Commercial Purpose Total 3703 Sq.Mtrs. or thereabouts Situate, lying and being at Mouje : Naroda, Taluka : Asarwa in the Registration District Ahmedabad and Sub District of Ahmedabad-6 (Naroda) and from that and also believing the documents/papers/copies etc. furnished in the case file shown to me be true and genuine.

I hereby opine that the same is clear and marketable and free reasonable douts and without encumbrances **subject to:-**

- (1) Fulfillment of the Provision of the Land Revenue Code, Bombay Tenancy and Agricultural Lands Act, The Bombay Fragmentation and consolidation of holdings act, Town Planning Act, Stamp Act, Registration act or any other act, rule/notification, gazette etc, which may apply.
- (2) Fulfillment of all the terms and condition mentioned in the orders issued for the scheduled and in any concerned case.
- (3) Production of all relevant and necessary original papers, documents, orders, deeds etc of the said land.



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THE SCHEDULE ABOVE REFERRED TO

Non Agricultural Land bearing Survey No. 650/1 containing by admeasurments 6171 Sq. Mtrs. or thereabouts, As per T.P.S. No. 121, Final Plot No. 60/1 admeasurments 3207 Sq. Mtrs. N.A. for Residential Purpose and 500 Sq.Mtrs. N.A. for Commercial Purpose Total 3703 Sq.Mtrs. or thereabouts Situate, lying and being at Mouje : Naroda, Taluka : Asarwa in the Registration District Ahmedabad and Sub District of Ahmedabad-6 (Naroda).

Date : 06 JUL 2018


Hiren A. Rajput
Advocate

Note of caution and disclaimer:-

- (1) In case....
If any deed(s) / writing etc. executed though power of attorney holder then consent deed / letter is required to be taken from the person (s) who have given power of attorney i.e. from original owner.
- (2) In case of alienation minor's right is required to be safeguarded and consent of all major member is required to be taken if any sale or transfer executed by karta of any H.U.F in past or heritage property owner.
- (3) This report is based only on the search of revenue records, record of sub-registrar and the documents and information provided by the concern party.
- (4) I have issued this report to only my client.

