

LAKHANI GANDHI & CO. (Ahmedabad)

Solicitors, Advocates & Notary*

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Tele. : 26578331 & 26578551
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Ref. No. : 3153/2018
Date : 28/07/2018

To,
Town Planning Officer
Gujarat Real Estate Regulatory Authority
4th Floor, Sahyog Sankul, Sector - 11
Gandhinagar - 382 010
Ph. No. 079-23258659

Dear Sir,

Ref.: RERA Registration of the project "Ocean Villas"

Sub : ENCUMBRANCE STATUS

This is to certify that, I the undersigned has investigated the title of the immovable property which is more particularly described herein under "Schedule of the property", which developed by Mr. Aiyubkhan Daulatkhan Pathan, an Individual (Hereinafter referred as owner). By perusing the title deeds relating thereto and taking necessary searches I am of the opinion that the titles of the owner in respect of the said property are clear, marketable and free from all encumbrances charges subject to 4 (Four) Agreements to Sell bearing Sr. No. 5374, 5376, 4705 and 4704 dated 27/04/2018, 27/04/2018, 12/05/2017 and 12/06/2017 and 3 (Three) Deeds of Conveyance bearing Sr. No. 9252, 9227 and 9877 dated 26/11/2015, 26/11/2015 and 19/10/2016 of Tenaments/Bungalows bearing No. 12, 13, 17 and 16 and 19, 18 and 1.



SCHEDULE OF THE PROPERTY

All the piece and parcel of the land situated at N. A. Land Plot of Final Plot No. 606/2, Draft T.P. Scheme No. 92 (Sarkhej, Makarba Okaf Fatehwadi) and Mouje Sarkhej, Taluka Ahmedabad City District and Sub District, Ahmedabad – 4 (Paldi) adm. About 5827 sq. mts. in the state of Gujarat Upon that land Mr. Aiyubkhan Daulatkhan Pathan, an individual is going to construct residential blocks under name and style of “Ocean Villas”.

Yours faithfully

For M/s. Lakhani Gandhi & Co. (Ahd.)

S. A. Lakhani

Partner



F.K. Lakhani Associates

Advocates

Ahmedabad Off. : B-428, Sakar-VII, Nehrubridge Corner, Ashram Road, Ahmedabad.
Ph. : 30006777 Fax No. : 30006786

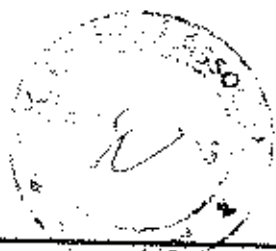
TITLE CLEARANCE CERTIFICATE

To,
MR. AIYUBKHAN DOLATKHAN PATHAN.
1-2, First Floor, Sagar Avenue
Near Amber Tower, Sarkhej,
Ahmedabad - 382 213 INDIA

Reg.: - Investigation of title for the Immovable Property being a scheme namely "**SAGAR**" constructed / to be constructed, situate and lying on Freehold Non-Agricultural Land Admeasuring 9711 Sq. Mts. bearing Revenue Survey No. 606/2 of Moje: Sarkhej, Taluka: City in the Registration Sub-district of Ahmedabad-4 (Paldi) and District of Ahmedabad within the state of Gujarat {hereinafter referred to as "the said property" which is more particularly described in the SCHEDULE hereunder} belonging to you i.e. **AIYUBKHAN DOLATKHAN PATHAN.**

Pursuant to your oral instructions to investigate title to the said property; we have caused necessary searches of the available Revenue Records and available Records of Sub-registrar at Ahmedabad.

We have perused documents evidencing title as are submitted to us and from the clarifications rendered to us by you.



((1))

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Ph. : 23221627 Fax No. : 23244693

F.K. Lakhani Associates

Advocates

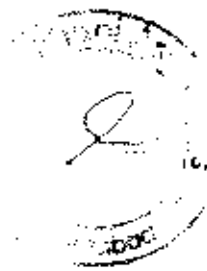
Ahmedabad Off. : B-428, Sakar-VII, Nehrubridge Corner, Ashram Road, Ahmedabad.
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East : Land of Revenue Survey No. 605
West : Land of Revenue Survey No. 378
North : Land of Revenue Survey No. 607
South : Land of Revenue Survey No. 7 of Fatehwadi

Date : 28/03/2012
Place : Ahmedabad



For, F.K. Lakhani Associates



((3))

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TITLE REPORT

We have gone through the relevant documents / papers produced before us and the search report prepared by our search clerk for last 30 years of the available revenue records and available records of the sub-registrar and on this basis, we have investigated the title to the said property and our report is as under:

1. That the land being New Tenure Land bearing Survey No. 606/2 situated, lying and being at Moje: Sarkhej, Taluka: City, District: Ahmedabad (for the sake of convenience hereinafter referred to as the said land) originally belonged to Dalaji Nagji as Protected Tenant and Shirishkant Somnath as Landlord. (MUTATION ENTRY NO. 2537 DATED 09/09/1976).
2. That the said Dalaji Nagji Thakore created charge of United Commercial Bank, Sarkhej Branch and created charge of the said bank on the said land. (MUTATION ENTRY NO. 2622 DATED 27/07/1979).
3. Thereafter, the said Dalaji Nagji paid land purchase price to the landlord on 28/01/1982 and the name of Dalaji Nagji was entered as sole owner and occupier in the revenue records of the said land. (MUTATION ENTRY NO. 2834 DATED 14/12/1982).
4. Thereafter, the said Dalaji Nagji died on 01/07/1983 and the names of his legal heirs viz. Khodaji Dalaji and Manguben D/o Dalaji Nagji were entered as co-owners in the revenue records of the said land. (MUTATION ENTRY NO. 4089 DATED 08/04/1999).

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5. That the charge of United Commercial Bank was released from the said land. (MUTATION ENTRY NO. 4090 DATED 08/04/1999).
6. Thereafter, the said Manguben D/o Dalaji Nagji released her rights in favour of Khodaji Dalaji and her name was deleted from the revenue records of the said land. (MUTATION ENTRY NO. 4302 DATED 23/07/2003).
7. Thereafter, the said Khodaji Dalaji sold and conveyed the said land to Aiyubkhan Dolatkhan Pathan by Registered Sale Deed No. 6897 dated 08/06/2011 - 22/06/2011. (MUTATION ENTRY NO. 5737). Since then, the said Aiyubkhan Dolatkhan Pathan is the owner and occupier of the said land.
8. That N.A. Use Permission dated 08/09/2011 for Residential Purpose was granted by Collector, Ahmedabad vide Order Ref. No. NA / EST / SR - 98 / Arji No. 465842 / 2011. (MUTATION ENTRY NO. 5792).
9. We have published a Public Notice in daily newspaper "GUJARAT SAMACHAR" on _____ inviting claims, objection (if any) from public, bank etc. on the said property, pursuant thereto till today we have not received any claim on the property or objection to issue Title Clearance Certificate.
10. During search of available sub-registry records, no other entry is found on the said land.



((5))

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In View of what is stated hereinabove, we certify that the titles to the Scheduled Property are belonging to Aiyubkhan Dofatkhan Pathan and the same are clear, free from charge and marketable.

Date : 28/03/2012
Place : Ahmedabad



For, F.K. Lakhani Associates



((6))

Gandhinagar Off. : 301, 3rd Floor, Suman Tower, Sector-11, Gandhinagar-382017.
Ph. : 23221627 Fax No. : 23244693

DATED THIS 29th DAY OF APRIL, 2015
PARTY'S NAME & ADDRESS

SHRI AYUBKHAN DOLATKHAN PATHAN

64, Prachina Society,
Juhapura-Sarkhej Road, Ahmedabad

TITLE CLEARANCE CERTIFICATE
CUM
SEARCH REPORT ON TITLE

File No. 2994

M/s. LAKHANI GANDHI & CO.(AHD)
Solicitors, Advocates & Notary
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Nr. Nehru Bridge,
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LAKHANI GANDHI & CO. (Ahmedabad)

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A. A. Lakhani
★ Miss B. A. Koreishi
Daya Gupta
Sohal A. Lakhani

Ref. No. :
Date : 01/5/2004

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Near Nehru Bridge,
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(Gujarat) (India)
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TITLE CLEARANCE CERTIFICATE

Re.: Investigation of title to the Non Agricultural Residential Use Land bearing Revenue Survey No.606/2 admeasuring 9711 sq.mts and corresponding Final Plot No.79/3 admeasuring 5827 sq. mts of DRAFT Town Planning Scheme No.92 (Sarkhej-Makarba-Okaf-Fatewadi) of Mouje Sarkhej of Taluka Vejalpur in the Registration District of Ahmedabad and Sub-District of Ahmedabad- 4 (Paldi) belonging to Shri AYUBKHAN DOLATKHAN PATHAN residing at 64, Prachina Society, Juhapura-Sarkhej Road, Ahmedabad .

We have investigated the title to the land in question, which are more particularly described in the Schedule hereunder written and at relevant time after issuing public notice in the Gujarati Daily News Paper "GUJARAT SAMACHAR" for inviting objections, if any, from the Public in General for issuing our Title Clearance Certificate in relation thereto and in response thereto we have not received any objection from any person, body or authority claiming any right, title



Revenue Records concerned. The entry to that effect was entered in the



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Solicitors, Advocates & Notary*

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Ref. No. :

Date :

3

THE SCHEDULE ABOVE REFERRED TO

ALL THAT piece or parcel of Non Agricultural Residential Use Land bearing Revenue Survey No.606/2 admeasuring 9711 sq.mts. and corresponding Final Plot No.79/3 admeasuring 5827 sq. mts of DRAFT Town Planning Scheme No.92 (Sarkhej-Makarba-Okaf-Fatehwadi) of Mouje Sarkhej of Taluka Vejalpur in the Registration District of Ahmedabad and Sub-District of Ahmedabad-4 (Paldi) and the said land is bounded as follows:

On or towards the North : By Revenue Survey No.607
On or towards the South : By Revenue Survey No.7 of Fatehwadi
On or towards the East : By Revenue Survey No.605
On or towards the West : By Revenue Survey No.606/1

DATED THIS 29TH DAY OF APRIL, 2015.



For, LAKHANI GANDHI & CO. (AHD)

S. A. Lakhani

ADVOCATE

Revenue Records concerned. The entry to that effect was entered in the





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2015/2994

SEARCH REPORT ON TITLE

Re.: Investigation of title to the Non Agricultural Residential Use Land bearing Revenue Survey No.606/2 admeasuring 9711 sq.mts and corresponding Final Plot No.79/3 admeasuring 5827 sq. mts of DRAFT Town Planning Scheme No.92 (Sarkhej-Makarba-Okal-Fatewadi) of Mouje Sarkhej of Taluka Vejalpur in the Registration District of Ahmedabad and Sub-District of Ahmedabad- 4 (Paldi) belonging to SHRI AYUBKHAN DOLATKHAN PATHAN residing at 64, Prachina Society, Juhapura-Sarkhej Road, Ahmedabad.

01. That from the search of the revenue records being maintained by the Mamlatdar, Taluka Vejalpur at Ahmedabad and that of the Deputy Inspector/Talati Mouje Sarkhej and from the search of the record being maintained by the District Registrar of Ahmedabad and Sub-Registrar of Ahmedabad-4 (Paldi) for the last more than 30 years as also from certain deeds, documents, permission, papers and plan etc. relating thereto and produced before us, we have found that prior to the year 1947 the Agricultural land bearing Revenue Survey No.606/2 admeasuring A 2=15G originally belonged to one Shri Kumudkant Jethalal, as owner and possessor thereof in the Revenue Records concerned.
02. That thereafter vide order No.T.N.C.S.R. dated 16/04/1947, the name of Shri Dalaji Nagji as "Protected Tenant" of the said land was entered in the Revenue Records concerned. The entry to that effect was entered in the



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revenue records of mutation entry book under serial No.1067 dated 01/10/1948 duly certified by the revenue authority concerned.

03. That thereafter Shri Kumudkant Jethalal had sold and conveyed the said land to Shri Shirishkant Somnath by a Registered Deed of Conveyance dated 01/08/1949. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.1115 on 02/11/1950 which was cancelled vide Taluka Order No.T.N.C.S.R. 11 dated 11/03/1951 and subsequently a fresh entry was entered in the revenue records of mutation entry book under serial No.1123 dated 15/04/1951 duly certified by the revenue authority concerned on 11/05/1951.
04. That on application of The Bombay Personal Inams Abolition Act, 1952 which came into effect from 01/08/1953, the said land was declared as "Khalsa Raiyatvari Land". The entry to that effect was entered in the revenue records of mutation entry book under serial No.1559 on 12/05/1954 duly certified by the concerned revenue authority.
05. That thereafter vide order passed in Case No.163 dated 25/04/1963 by the City Taluka Mamlatdar, it was held that as the said Shri Dalaji Nagji, Protected Tenant of said land, was not willing to purchase the said land and as such further proceedings were to be initiated as provided under section 32-P of the of the Bombay Tenancy and Agricultural Lands Act, 1948. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.2074 on 20/06/1963 duly certified by the revenue authority concerned on 14/11/1963.



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06. That thereafter vide Taluka Order Nos.599 and 600/32-P dated 20/03/1976 of the Nyaydhikaran and Mamlatdar, it was held that Shri Dalaji Nagji being Protected Tenant of the said land, was entitled to purchase the the said land on "New Tenure" basis as provided under section 32(G) of the Bombay Tenancy and Agricultural Lands Act, 1948 subject to payment of Purchase price with interest thereon within one year to its said owner and accordingly the name of Dalaji Nagji was entered as the owner and possessor of the said land. The entry to that effect was also entered in the revenue record of Mutation entry book under Serial No.2537 on 18/09/1976 certified by the concerned revenue authority on 12/05/1977.
07. That thereafter said Shri Dalaji Nagji had availed a loan on security of the said land from United Commercial Bank, Sarkhej Branch. The entry to that effect was entered in the revenue records by mutation entry No.2622 on 27/07/1979 duly certified by the revenue authority concerned on 12/09/1979.
08. That thereafter said Shri Dalaji Nagji had paid the purchase price to its previous owner and in turn a Certificate of Purchase vide Form No. 9 prescribed under Rule-18 of The Bombay Tenancy and Agricultural Lands Rules, 1956 was issued vide Order No. 599 and 600/75 dated 28/01/1982 of the Mamlatdar and Krushipanch, City Taluka and accordingly the charge of the previous Owner in the Revenue Records concerned was deleted. The entry to that effect was entered in the revenue records of mutation entry book under serial No.2834 dated 14/12/1982 and duly certified by the concerned revenue authority on 08/06/1983.



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09. That thereafter the said Shri Dalaji Nagji died on 01/07/1983 and as such the said land was came to owned and possessed his only legal heirs and next of kins according to the Hindu Law under which he was governed by his heirs (1) Shri Khodaji Dalaji and (2) Manguben d/o. Dalaji Nagji. The entry to that effect was entered in the revenue records of mutation entry book under serial No.4089 dated 08/04/1999 and duly certified by the concerned revenue authority on 24/06/1999.
10. That thereafter said Shri Dalaji Nagji had repaid the said loan referred to in para 07 hereinabove, which was availed on security of the said land from United Commercial Bank, Sarkhej Branch and in turn the said Bank released its charge on the said land. The entry to that effect was entered in the revenue records by mutation entry No.4090 on 08/04/1999 duly certified by the revenue authority concerned on 24/06/1999.
11. That thereafter said Manguben D/o. Dalaji released her right, title and interest in the said land in favour of her brother Shri Khodaji Dalaji and as such her name as co.owner of the said land was deleted from the revenue records concerned. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.4302 on 23/07/2003 duly certified by the concerned revenue authority on 20/09/2003.
12. That thereafter the errors which were occurred while computerizing the said the revenue records viz. Village Form No. 7 & 12 was rectified under Order bearing No.RTS/Rectification Order/Rectification/S.R. No. 1558/08 dated 30/09/2008 of the City Mamlatdar, Ahmedabad. The entry to that effect



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was also entered in the revenue records of mutation entry book under serial No.5100 on 17/10/2008 and duly certified by the revenue authority concerned on 08/12/2008.

13. That thereafter the said Shri Khodaji Dalaji had agreed to Sell the said land to Shri Ayubkhan Dolatkhan Pathan. An Agreement to Sell in respect whereof was executed on 18/03/2010 and duly registered with the Sub-Registrar, Ahmedabad on the same day under serial No.3992.
14. That thereafter on payment of requisite premium, the District Collector, Ahmedabad vide his order bearing No.CDC/TNC/S.R-167/09 dated 13/04/2011 the said land was converted from "New Tenure" to "Old Tenure" on the terms and conditions mentioned therein. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.5686 on 28/04/2011 and duly certified by the revenue authority concerned on 16/06/2011.
15. That thereafter said Shri Khodaji Dalaji had sold and conveyed the said land in favour of said Shri Ayubkhan Dolatkhan Pathan. A Deed of Conveyance in respect whereof was executed on 08/06/2011 and duly registered with the Sub Registrar, Ahmedabad - 4 (Paldi) on 22/06/2011 under Sr. No. 6897. The entry to that effect was also entered in the revenue records of mutation entry book under serial No.5737 on 28/06/2011 and duly certified by the concerned revenue authority on 25/08/2011.



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16. That thereafter said (1) Shri Khodaji Dalaji for self also as Karta/Manager of his HUF (2) Maniben W/o. Khodaji Dalaji (3) Shri Kalaji Khodaji for self also as Karta/Manager of his HUF also as natural guardian and father of his minor son Sagar and minor daughters (i) Suman, (ii) Pooja and (iii) Tulsi (4) Sejanben W/o. Kalaji Khodaji (5) Shri Dashratbhai Khodaji for self also as Karta/Manager of his HUF also as natural guardian and father of his minor son Kishan and minor daughter Aarti (6) Manjulaben W/o. Dashratbhai Khodaji (7) Shri Bharatbhai Khodaji for self also as Karta/Manager of his HUF also as natural guardian and father of his minor sons (i) Mahesh and (ii) Naresh (8) Bhuriben W/o. Bharatbhai Khodaji (9) Shri Mukesh Khodaji for self also as Karta/Manager of his HUF also as natural guardian and father of his minor sons (i) Nilesh and Hitesh and minor daughters (i) Krishna and (ii) Roshani (10) Kokila W/o. Mukesh Khodaji (11) Laxmiben D/o. Khodaji Dalaji wife of Bhikhabai (12) Kapilaben D/o. Khodaji Dalaji wife of Dashratbhai, were not joined as necessary as confirming party in the said Registered Deed of Conveyance bearing No.6897 dated 22/06/2011 and as such they have confirmed the sale of the said land to in favour of said Shri Ayubkhan Dolatkhan Pathan, by a Deed of Confirmation, which was duly registered with the Sub-Registrar, Ahmedabad-13 (City-West) on 30/01/2015 under serial No.199 followed by a Deed of Correction rectifying the mistake occurred in page 4 on para 2 of the said Deed of Confirmation, which was also duly registered with the Sub-Registrar, Ahmedabad-13 on 27/04/2015 under serial No.860.



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17. That vide order No.N.A./E.S.T./S.R.-98/application No.465842/2011 dated 08/09/2011 of the District Collector, Ahmedabad, the said land was converted into Residential Use Non-agricultural purpose on the terms and conditions mentioned therein. The entry to that effect was entered in the revenue records of mutation entry book under serial No.5792 dated 23/09/2011 duly certified by the concerned revenue authority on 03/11/2011.
18. That thereafter the said Shri Ayubkhan Dolatkhan Pathan had agreed to sell the said land to one Shri Ayubkhan Sharifkhan Pathan. An Agreement to Sell in respect whereof was executed on 01/04/2012, which was duly attested before the Shri Darshana B Parikh, a Notary Public of Ahmedabad.
19. That thereafter said Shri Ayubkhan Dolatkhan Pathan had mortgaged the said land with Shri Imtiazkhan Ebrahim Desai by a Registered Mortgage Deed bearing No. 3648 dated 14/06/2012, and on repayment thereof, the said Shri Imtiazkhan Ebrahim Desai had recovered the said land in favour of Shri Ayubkhan Dolatkhan Pathan. A Reconveyance Deed of Mortgage was executed on 18/07/2014 duly registered with the Sub Registrar, Ahmedabad -- 4 (Paldi) on the same under St. No. 5234.
20. That thereafter the said Shri Ayubkhan Sharifkhan Pathan, as Plaintiff had filed a Civil Suit bearing No.547/2013 in the Court of Hon. Principal Senior Civil Judge, Ahmedabad (Rural) against said Shri Ayubkhan Dolatkhan Pathan, as Defendant, for specific performance of contract and a Notice of Lispendences in respect whereof was executed on 23/09/2013 and



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duly registered with the Sub-Registrar, Ahmedabad-4 (Paldi) on the same day under serial No.6819.

However, on compromise arrived at by and between the aforesaid parties, a Purnis was filed on 23/04/2014 in the Court and accordingly the said Civil Suit was unconditionally withdrawn and hence disposed off and in turn a Deed of Cancellation for cancellation of said Notice of Lispendences was executed by said Shri Ayubkhan Sharifkhan Pathan on 23/04/2014 and duly registered Sub-Registrar, Ahmedabad-4 (Paldi) on the same day under serial No.2868.

That thereafter Shri Ayubkhan Sharifkhan Pathan and Shri Ayubkhan Dolatkhan Pathan had executed a Deed of Cancellation of the said Agreement to sell on 29/04/2015 and duly attested before Shri Mahendra M. Charan, a Notary Public of Ahmedabad.

21. That vide Letter No. CPD/AMCO/4748 dated 30/05/2014 of the Chief City Planner, Ahmedabad Municipal Corporation, the said land bearing Revenue Survey No.606/2 admeasuring 9711 sq.mts. is covered under the Draft Town Planning Scheme No.92 (Sarkhej-Makarba-Okaf-Fatehwadi) and Final Plot No.79/3 is proposed to be given in lieu of said Revenue Survey and area thereof is fixed to the extent of 5827 sq.mts., which Town Planning Scheme is pending for approval by the State Government.

22. That during the course of investigation of title to the land in question we at relevant time had issued a public notice in the Gujarati daily newspaper



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"GUJARAT SAMACHAR" inviting objections if any from the Public in General for issuing our Title Clearance Certificate in relation thereto and in response to said public notice we have not received any objection from any person, body or authority claiming any right, title or interest of whatsoever nature directly or indirectly in the said land.

23. That by Declaration-Cum-Indemnity made on oath on 29/04/2015 by said Shri Ayubkhan Dolatkhan Pathan duly attested by Shri H F Rakkad, a Notary Public of Ahmedabad has inter-alia declared therein that the said land is his self acquired and absolute property and as such no other person, body or authority has any right, title and interest therein and the same has not been mortgaged, charged assigned leased or dealt with in any other manner of whatsoever nature and the same is free from all encumbrances, litigation etc.
24. At present the said land belongs to and stands in the name of said Shri Ayubkhan Dolatkhan Pathan in the revenue records concerned and from the search of the records concerned it appears that there is no charge or encumbrances of whatsoever nature thereon.

Thus pursuant to what is stated hereinabove, we are of the opinion that the title to the said land is clear, marketable, free from any charge or encumbrances and free from reasonable doubts subject to :

- 1) Approval and variations if any in Town Planning Scheme No. 92 (Sarkhej-Makarba-Okaf-Fatewadi) and



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- 2) Terms and Conditions mentioned in Non Agricultural Order dated 08/09/2011.

THE SCHEDULE ABOVE REFERRED TO

ALL THAT piece or parcel of Non Agricultural Residential Use Land bearing Revenue Survey No.606/2 admeasuring 9711 sq.mts. and corresponding Final Plot No.79/3 admeasuring 5827 sq. mts of DRAFT Town Planning Scheme No.92 (Sarkhej-Makarba-Okaf-Fatehwadi) of Mouje Sarkhej of Taluka Vejalpur in the Registration District of Ahmedabad and Sub-District of Ahmedabad-4 (Paldi) and the said land is bounded as follows:

On or towards the North : By Revenue Survey No.607
On or towards the South : By Revenue Survey No.7 of Fatehwadi
On or towards the East : By Revenue Survey No.605
On or towards the West : By Revenue Survey No.606/1

DATED THIS 29TH DAY OF APRIL, 2014.



For, LAKHANI GANDHI & CO. (AHD)

S. A. Lakhani

ADVOCATE