



Ref No.: CSAA/JDP/2018/2017

Date: 31-08-2017

To,
Bipinbhai D Thakkar
C/o Yash Reality
Ahmedabad.

Re : IN THE MATTER OF INVESTIGATION OF TITLE of
Agriculture land bearing Final Plot No. 7 of T.P scheme
No. 31 (Gota) (Erstwhile Survey No. 150/1 and 150/2)
admeasuring about 1639 Sq.Mtrs. situate, lying and
being at Mouje: Gota Taluka: Ghatlodiya in the Sub-
District Ahmedabad District: Ahmedabad Registration
belonging to (1) Shaileshbhai Chinubhai Shah,
(2) Arvindbhai Lalbhai Patel and (3) Santuben D/o
Becharji Atmaram W/o Dilipbhai.



In pursuance of your instructions to investigate/verify the titles of aforesaid property, we have caused searches to be taken of relevant revenue records available from the concerned Talati Office, E-Dhara, Dy. Mamlatdar and Registration records available at the concerned office of the Sub-Registrar of Assurances for a period of last about Thirty Years through our search clerk. We have taken root of title for last about Thirty Years and verified the Documents, Papers, Writings and records submitted by the owners of the said property and believing the same to be true, genuine and obtained from original sources and relied on the facts stated by the owner/s of the said property and facts mentioned therein believing the same to be true. Our report on title and opinion thereof for its personal use is a stated hereafter. For detailed facts and particulars, reference may be taken from the documents, Papers, Writings and Records referred to herein below:

1. Originally, the land in question was independently owned, occupied and possessed by (1) Shantilal Ambalal, (2) Bhogilal Ambalal and (3) Lalbhai Himmatlal prior to the year 1980.
2. It appears from the record that the land in question was declared as "Fragment Land" under the Provision of Bombay Prevention of Fragmentation and Consolidation of Holding Act 1947.
3. Thereafter, the Co-owner of the said land namely Lalbhai Himmatlal died intestate on 4-12-2000 leaving behind him his legal heirs as (1) Sarojben Lalbhai Shah, (2) Dhirenkumar Lalbhai Shah, (3) Rupaben Lalbhai Shah and (4) Rajeshbhai Lalbhai Shah and hence their names were entered in the revenue records upon succession rights and entry to that effect was mutated in the revenue record by Mutation Entry No. 3075 dated 6-2-2004 which was certified by the competent authority.
4. Thereafter, the Co-owner of the said land namely Bhogilal Ambalal Shah died intestate on 13-5-1990 leaving behind him his legal heirs as (1) Vimlaben Bhogilal Shah, (2) Sharadbhai



Bhogilal Shah, (3) Meenaben Bhogilal Shah, (4) Virendrabhai Bhogilal Shah, (5) Jyotiben Bhogilal Shah and (6) Bhavnaben Bhogilal Shah and hence their names were entered in the revenue records upon succession rights and entry to that effect was mutated in the revenue record by Mutation Entry No. 3237 dated 29-11-2004 which was certified by the competent authority.



5. Thereafter, the Co-owner of the said land namely Shantilal Ambalal Shah died intestate on 19-5-1993 and his wife Shantaben Shantilal Shah died intestate on 7-1-2004 leaving behind them their legal heirs as (1) Shobhanaben Shantilal Shah, (2) Vijaybhai Shantilal Shah, (3) Jayeshbhai Shantilal Shah, (4) Nitinbhai Shantilal Shah, (5) Kalpnaben Shantilal Shah, (6) Minishbhai Shantilal Shah and hence their names were entered in the revenue records upon succession rights and entry to that effect was mutated in the revenue record by Mutation Entry No. 3238 dated 29-11-2004 which was certified by the competent authority.
6. Thereafter, the Mamlatdar, Dascroi passed Order bearing No. RTS/ Gota/ Survey No.150/1, 150/2/ Bhulsudhara Hukum/ S.R – 127/ 07 dated 27-6-2007 and issued direction to make correction to the effect that the Co-occupier of the said land be considered Minishbhai Shantilal instead of Nitishbhai Shantilal and Entry to that effect was mutated in the revenue record by Mutation Entry No. 3798 dated 30-6-2007, which was certified by the competent authority.
7. Thereafter, upon the reconstitution of Ahmedabad City Taluka and Dascroi Taluka of Ahmedabad District vide Resolution No. PFR/ 102011/ 275/ L/ 1 dated 17-3-2012, Ahmedabad Taluka is divided into two Taluka as Ahmedabad (East) and Ahmedabad (West) and accordingly Gota Village was covered within the Taluka Boundaries of Ahmedabad City (West) and entry to that effect was mutated in the revenue record by Mutation Entry No. 5271 dated 3-5-2012, which was certified by the competent authority.
8. Thereafter, the co-owner of the said land namely Sarojben Lalbhai Shah died intestate on 5-10-2012 and hence her name was deleted from the revenue record of the said land and entry to that effect was mutated in the revenue record by Mutation Entry No. 6449 dated 2-2-2016 which was certified by the competent authority.
9. On bare perusal of the record, it transpires that the land in question was declared as "Fragment Land" but it may be pointed out here that the Bombay prevention of fragmentation and Consolidation of Holding Act 1947 has been amended vide Gujarat Act No.14/2012 and according to the provision of amended Act, Fragment Land in the context of which a notice as per the Provision Section- 6(2) was issued in connection with Fragment Land can be sold or conveyed to any





agriculturist as defined in Tenancy Act meaning thereby at present there is no forbidden by law for selling the land which was declared as Fragment Land before the Act was amended in 2012. In the instant case, the land in question was declared as fragment land but in view of the amendment made in the Act, the same has become infructuous.

10. Thereafter, the provisions of Town planning and Urban Development Act-1976 were made applicable to the land in question and the land of Survey No. 150/1 and 150/2 was given Final Plot No. 7 and Form No. F was issued in accordance with the provisions of Rules 21 and 35 made there under and area was fixed to the extent of 1639 Sq.Mtrs.
11. Thereafter, the co-owners of the said land namely (1) Vimlaben Bhogilal, (2) Virendrabhai Bhogilal as himself and as a constituted attorney of Serial No. 3,4,5 and 6, (3) Sharadbhai Bhogilal, (4) Meenaben Bhogilal, (5) Jyotiben Bhogilal and (6) Bhavnaben Bhogilal had sold and conveyed the land bearing Survey No. 150/1 admeasuring 1416 Sq.Mtrs. Paiki their 1/3rd share i.e 472 Sq.Mtrs. and land bearing Survey No. 150/2 admeasuring 1315 Sq.Mtrs. Paiki their 1/3rd share i.e 438.33 Sq.Mtrs. aggregating to 910.33 Sq.Mtrs. to Shaileshbhai Chinubhai Shah by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No. 1626 dated 3-12-2016 and entry to that effect was mutated in the revenue record by Mutation Entry No. 6860 dated 9-12-2016 which was certified by the competent authority.
12. Thereafter, the co-owners of the said land namely (1) Shobhanaben Shantilal, (2) Vijaybhai Shantilal, (3) Jayeshbhai Shantilal, (4) Nitinbhai Shantilal, (5) Kalpanaben Shantilal through her constituted attorney Minishbhai Shantilal and (6) Minishbhai Shantilal had sold and conveyed the land bearing Survey No. 150/1 admeasuring 1416 Sq.Mtrs. Paiki their 1/3rd share i.e 472 Sq.Mtrs. and land bearing Survey No. 150/2 admeasuring 1315 Sq.Mtrs. Paiki their 1/3rd share i.e 438.33 Sq.Mtrs. aggregating to 910.33 Sq.Mtrs. to Santuben D/o Becharji Aatmaram W/o Dilipbhai by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No. 1553 dated 3-12-2016 and entry to that effect was mutated in the revenue record by Mutation Entry No. 6861 dated 9-12-2016 which was certified by the competent authority.
13. Thereafter, the co-owners of the said land namely (1) Vimlaben Bhogilal, (2) Virendrabhai Bhogilal as himself and as a constituted attorney of Serial No. 3,4,5 and 6, (3) Sharadbhai Bhogilal, (4) Meenaben Bhogilal, (5) Jyotiben Bhogilal and (6) Bhavnaben Bhogilal had executed Deed of Confirmation registered in the office of the Sub-Registrar of Assurances under Serial No. 1628 dated 3-12-2016 in favour of Santuben D/o Becharji Atmaram W/o Dilipbhai and confirmed the sale deed registered in the office of the Sub-Registrar of Assurances under Serial No. 1553 dated 3-12-2016.



14. Thereafter, the co-owners of the said land namely (1) Dhirenkumar Lalbhai Shah, (2) Rupaben Lalbhai Shah and (3) Rajeshbhai Lalbhai Shah had sold and conveyed the land bearing Survey No. 150/1 admeasuring 1416 Sq.Mtrs. Paiki their 1/3rd share i.e 472 Sq.Mtrs. and land bearing Survey No. 150/2 admeasuring 1315 Sq.Mtrs. Paiki their 1/3rd share i.e 438.33 Sq. Mtrs. aggregating to 910.33 Sq.Mtrs. to Arvindbhai Lalbhai Patel by sale deed registered in the office of the Sub-Registrar of Assurances under Serial No. 671 dated 3-12-2016 and entry to that effect was mutated in the revenue record by Mutation Entry No. 6865 dated 14-12-2016 which was certified by the competent authority.
15. Thereafter, the co-owners of the said land namely (1) Shobhanaben Shantilal, (2) Vijaybhai Shantilal, (3) Jayeshbhai Shantilal, (4) Nitinbhai Shantilal, (5) Kalpanaben Shantilal through her constituted attorney Minishbhai Shantilal and (6) Minishbhai Shantilal had executed Deed of Confirmation registered in the office of the Sub-Registrar of Assurances under Serial No. 1554 dated 3-12-2016 in favour of Arvindbhai Lalbhai Patel and confirmed the sale deed registered in the office of the Sub-Registrar of Assurances under Serial No. 671 dated 3-12-2016.
16. Thereafter, the co-owners of the said land namely (1) Vimlaben Bhogilal, (2) Virendrabhai Bhogilal as himself and as a constituted attorney of Serial No. 3,4,5 and 6, (3) Sharadbhai Bhogilal, (4) Meenaben Bhogilal, (5) Jyotiben Bhogilal and (6) Bhavnaben Bhogilal had executed Deed of Confirmation registered in the office of the Sub-Registrar of Assurances under Serial No. 1627 dated 3-12-2016 in favour of Arvindbhai Lalbhai Patel and confirmed the sale deed registered in the office of the Sub-Registrar of Assurances under Serial No. 671 dated 3-12-2016.
17. Thereafter, City Mamlatdar, Ghatlodia passed Order bearing No. CT/Ghatlodia/E-dhara/Sudhara Hukum/S.R – 40/2017 dated 13-4-2017 and directed to delete the names of Shobhnaben Shantilal, Vijaybhai Shantilal, Jayeshbhai Shantilal, Nitinbhai Shantilal, Kalpanaben Shantilal and Mineshbhai Shantilal from the land of Survey No. 150/1 and 150/2 and to mention the land admeasuring 438.33 Sq.Mtrs. instead of 472 Sq.Mtrs. of Shaileshbhai Chinubhai Shah and to mention 438.33 Sq.Mtrs. instead of 472 Sq.Mtrs. of Santuben D/o Becharbhai Atmaram and W/o Dilipbhai in Survey No. 150/2 and entry to that effect was mutated in the revenue record by Mutation Entry No. 7092 dated 18-4-2017 which was certified by the competent authority.
18. As a part of investigation of title, we have published a public notice appeared in the daily news paper "GUJARAT SAMACHAR" dated 30-3-2017, inviting claim, right, title, interest, objection or obligation, if any in, on or upon the said





property or any part thereof, pursuant to which, we have not received any claim/objection from any person(s), in response thereto.

19. The aforesaid report/opinion is reference of revenue records and sub-registry records relevant for purposes to study the devolution of title and to ascertain any charge or encumbrance and does not contain entire revenue or sub-registry records. It is to be noted that the search of complete registration records is not available due to tearing of pages of Books available for inspection. We have also pursued the copies of papers, documents, statements etc. produced/submitted by you and relied on the facts mentioned therein believing the same to be true and trustworthy.
20. We have been informed by you that the said property has not been given in security and neither you nor your predecessor in title, your heirs, assigns, executors, administrators, successors etc. have created any charge or encumbrances of any nature whatsoever thereon, nor the said property is subject matter of any pending proceedings or any order, decree, attachment or any order of any court or authority is operating against the said property adversely affecting the title, nor any portion thereof is under acquisition or requisition under any law and there are no other facts or particulars, which can adversely affect your title.
21. In view of aforementioned facts and circumstances and perusal of the deeds, documents, papers, writings and records etc. submitted/furnished by the owner/s of the captioned property and believing the same to be true, genuine and obtained from original sources. It appears that the titles of the captioned property shall be clear, marketable and free from all encumbrances and beyond reasonable doubts subject to:-
- (I) Usual Declaration-cum-Indemnity on title being made by owner/s and also confirming the aforesaid facts and circumstances.
 - (II) Confirmations of the major members of HUF and safeguards of the Minor/s being protected.
 - (III) Fulfillment of the provision of Agriculture land ceiling act.
 - (IV) Fulfillment of the provision of relevant prevailing laws.
 - (V) Search of complete registration record is not available due to tearing of pages of Books available for inspection.

Yours faithfully,
For, Chetan Shah and Associates, Advocates

Apurva P. Shah
ADVOCATE

