

BHARATBHAI K. SUTHAR

(Advocate)

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To,

M/s. Shreeji Infra, A Partnership Firm

Ahmedabad.

Subject : IN THE MATTER OF Verification of Title in respect to the Residential non-agriculture land bearing Survey No. 795 / 2 admeasuring 7562 sq.mtrs. & other survey number merged into Draft Town Planning Scheme No. 41 (Sola-Hebatpur) and allotted (a) Final Plot No. 97 / 1 admeasuring 6920 sq.mtrs. & (b) Final Plot No. 97 / 2 admeasuring 2413 sq.mtrs Both Final Plot Paiki Final Plot No. 97 / 2 admeasuring 2413 sq.mtrs. (Old Survey No. 795 / 2 Paiki admeasuring 4022 sq.mtrs.) for residential purpose situated, lying and being at Mouje - Sola, Taluka Ghatlodia in the Registration District of Ahmedabad and Sub-District of Ahmedabad-8 (Sola) belonging to **M/s. Shreeji Infra, A Partnership Firm**

We refer to your instruction to investigate your title to the land above referred to and from that and from information and documents given to us and believing the same to be true, correct and trustworthy and also believing the documents / copies / papers etc. furnished to us is/are true and genuine and I declare as follows :-

1. Originally, the land of Survey No. 795 of Mouje Sola was independently owned, occupied and possessed by Bunaben Wd/o. Mohanbhai Dalabhai and he died intestate ago many years



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leaving behind him his legal heirs as Manilal Dalsukhbhai and hence his name has been brought on the revenue record upon hereditary rights and entry to that effect was mutated in the revenue record vide Mutation Entry No. 1055 dated : 08-02-1933, which was certified by the competent authority.

2. It has been observed by us that, Ataji Punjaji cultivated the said land and hence, the Taluka Authority passed order bearing No. TNC dated 27-11-1947 directing to enter his name as protected tenant in other rights of record of 7/12 abstract of the said land as is expressly corroborated and evidenced by certified mutation entry No. 1680 dated 18-05-1948.
3. It has been observed by us that, the land under investigation was not cultivated by Ataji Punjaji for constant period of two years and hence, the Taluka Authority passed order bearing No. TNC directing to delete name of Ataji Punjaji as protected tenant from other rights of record of 7/12 abstract of the said land as is expressly corroborated and evidenced by certified mutation entry No. 2260 dated 17-08-1956.
4. That, The Taluka Authority passed order TLC and directed to enter the name of Becharbhai Prandas as an ordinary tenant in other right of record of 7/12 abstract of the said land and entry to that effect was entered in the revenue record vide mutation entry No.2262 dated illegible which was certified by competent authority.



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5. That, Becharbhai Prandas & Vijaji Hiraji were having tenancy right during the year 1956-57 and hence his name was entered as tenant is other right of record of 7/12 abstract of the said land and entry to that effect was entered in the revenue record vide mutation entry No.2312 dated 18-05-1957, which was certified by competent authority .
6. Thereafter, the tenant of the said land namely Becharbhai Prandas died intestate on 26-08-1960 leaving behind him his legal heirs as Naranbhai Becharbhai & Manilal Becharbhai and hence their name has been brought on the revenue record upon hereditary rights and entry to that effect was mutated in the revenue record vide Mutation Entry No. 2384 dated : 21-05-1961, which was certified by the competent authority.
7. Thereafter, above said land was regularized under proceedings of Tenancy Act under - 84 A and by that name of Naranbhai Becharbhai & Vijaji Hiraji was removed from tenant to occupier and entry to that effect was mutated in the revenue record vide Mutation Entry No. 2659 dated : 07-10-1963, which was certified by the competent authority.
8. Thereafter, the tenant of the said land namely Vijaji Hiraji died intestate ago many years leaving behind him his legal heirs as Galabji Vijaji and hence his name has been brought on the revenue record upon hereditary rights and entry to that effect was mutated in the revenue record vide Mutation Entry No. 3315 dated : 30-03-1973, which was certified by the competent authority.



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9. Thereafter, By an order of Hon. Mamlatdar & Krushipanch, Daskroi, Passed on 02-02-1974 under his order No. GA.DHA.K. 32 G / Sola / 53 / 73 above said land enter under restriction of land and entry to that effect was mutated in the revenue record vide Mutation Entry No. 3560 dated : 15-03-1977, which was certified by the competent authority.
10. Thereafter, the owner of the said land have obtained loan from Indian Overseas Bank, Sola Branch and hence, charge of the said bank was created in the other rights of revenue record of the said land and entry to that effect was mutated in the other rights of revenue record of the said land vide Mutation Entry No. 3876 dated : 07-08-1980.
11. Thereafter, the co-owner of the said land namely Galabji Vijaji Thakor died intestate on dated 05-03-1986 leaving behind him his legal heirs as (1) Lakhmanji Galabji Thakor, (2) Lalaji Galabji Thakor, (3) Prahladi Galabji Thakor, (4) Chandaben D/o. Galabji Vijaji Thakor & (5) Rupaben Wd/o. Galabji Vijaji Thakor and hence their names have been brought on the revenue record upon hereditary rights and entry to that effect was mutated in the revenue record vide Mutation Entry No. 4565 dated 09-12-1986, which was certified by the competent authority on 06-02-1987.
12. Thereafter, the owner of the said land had obtained loan from Indian Overseas Bank, Sola Branch. which was fully repaid to the said bank and hence charge of the said bank was deleted from the other rights of revenue record of the said land as per



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charge release certificate dated 14-03-1988 issued by the said bank and entry to that effect was mutated in the revenue record vide Mutation Entry No. 4683 dated : 28-04-1988, which was certified by the competent authority on 09-06-1988.

13. Mutation entry No. 5363 is not pertaining to the land under investigation. And hence it is being dealt with.
14. Thereafter, By an order of Hon. Mamlatdar, Daskroi, Passed on 19-10-1992 under his order No. Jamin / Vashi . - 3996 to remove word "PRA.SA.PRA." Hence, provision of tenancy act was not applicable to land in question because said transaction was fulfilled before "cut of date" and entry to that effect was mutated in the revenue record vide Mutation Entry No. 5420 dated : 21-10-1992, which was certified by the competent authority on 18-12-1992.
15. Thereafter, the co-owner of the said land namely Rupaben Wd/o. Galabji Vijaji Thakor died intestate on dated 05-02-1987 leaving behind him his legal heirs as (1) Lakhmanji Galabji Thakor, (2) Lalaji Galabji Thakor, (3) Prahladiji Galabji Thakor & (4) Chandaben D/o. Galabji Vijaji Thakor and hence their names have been brought on the revenue record upon hereditary rights and entry to that effect was mutated in the revenue record vide Mutation Entry No. 5453 dated 26-02-1993, which was certified by the competent authority on 02-04-1987.
16. Thereafter, the co-owner of the said land namely Chandaben D/o. Galabji Vijaji has voluntarily waived and relinquished her rights, title, share, claim and interest persisting in the said land



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in favour of co-owners of the said land namely Lakhmanji Galabji, Lalaji Galabji & Prahladi Galabji have been deleted from the revenue record of the said land and entry to that effect was mutated in the revenue record vide Mutation Entry No. 5463 dated 26-02-1993, which was certified by the competent authority.

17. Thereafter, the co-owner of the said land namely Naranbhai Becharbhai has sold and conveyed the said land bearing Survey No. 795 Paiki admeasuring 9409 sq.mtrs. of Mouje - Sola to Vinodbhai Shantilal by sale deed registered in the office of the Sub-Registrar of Assurances at Ahmedabad - 2 (Vadaj) under Serial No. 5091 dated : 17-03-1993 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 5489, dated : 12-04-1993, which was certified by the competent authority on dated : 26-05-1993.
18. Thereafter mistake that Acr 2 - 13 Guntha in place of Acr 3 - 11 Guntha area of Survey No. 795 and order for the same was passed by Hon. Mamlatdar, Daskroi Taluka, Ahmedabad on 16th June, 1993 under Ordered No. JAMIN / V. 2360 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 5508, dated : 17-06-1993, which was certified by the competent authority.
19. Thereafter, the co-owner of the said land namely Lakhmanji Galabji, Lalaji Galabji & Prahladi Galabji have sold and conveyed the said land bearing Survey No. 795 Paiki admeasuring 3541 sq.mtrs. of Mouje - Sola to (1) Dahyabhai Parsottamdas,



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(2) Mohanbhai Parsottamdas, (3) Ramanbhai Ishwarbhai, (4) Narsinhbhai Ishwarbhai, (5) Natubhai Ishwarbhai & (6) Narottambhai Ishwarbhai by sale deed registered in the office of the Sub-Registrar of Assurances at Ahmedabad - 2 (Vadaj) under Serial No. 26704 dated : 15-12-1993 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 5635, dated : 03-01-1994, which was certified by the competent authority on dated : 16-02-1994.

20. Thereafter, the co-owner of the said land namely Naranbhai Becharbhai died intestate on dated 01-12-2003 and his wife namely Babiben Naranbhai died intestate ago many year and his both son namely Dhirubhai Naranbhai & Upendrabhai Naranbhai died intestate ago many year barren and his daughter namely Madhuben D/o. Naranbhai Becharbhai W/o. Gordhanbhai died intestate on dated 04-06-2001 leaving behind them theirs legal heirs as (1) Nirubhai alias Nareshbhai Naranbhai, (2) Shilpaben D/o. Naranbhai Becharbhai, (3) Falguniben Gordhanbhai, (4) Amitaben Gordhanbhai & (5) Rinkeshbhai Gordhanbhai and hence their names have been brought on the revenue record upon hereditary rights and entry to that effect was mutated in the revenue record vide Mutation Entry No. 7841 dated 07-02-2004, which was certified by the competent authority on 15-03-2004.

21. Thereafter, the co-owner of the said land namely (1) Shilpaben D/o. Naranbhai Becharbhai, (2) Ranchhodbhai Gordhanbhai, (3) Falguniben Gordhanbhai, (4) Amitaben Gordhanbhai &



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(5) Rinkeshbhai Gordhanbhai have voluntarily waived and relinquished their rights, title, share, claim and interest persisting in the said land in favour of co-owners of the said land namely Nareshbhai Naranbhai and hence names of (1) Shilpaben D/o. Naranbhai Becharbhai, (2) Ranchhodbhai Gordhanbhai, (3) Falguniben Gordhanbhai, (4) Amitaben Gordhanbhai & (5) Rinkeshbhai Gordhanbhai, have been deleted from the revenue record of the said land and entry to that effect was mutated in the revenue record vide Mutation Entry No. 7886 dated 09-03-2004, which was certified by the competent authority on 17-05-2004.

22. Thereafter, the co-owner of the said land namely Mohanbhai Parsottamdas died intestate on dated 18-03-1997 leaving behind him his legal heirs as (1) Rukshmaniben Wd/o. Mohanbhai Parsottamdas, (2) Mukeshbhai Mohanbhai, (3) Parulben Mohanbhai, (4) Ilaben Mohanbhai & (5) Hetalben Mohanbhai and hence their names have been brought on the revenue record upon hereditary rights and entry to that effect was mutated in the revenue record vide Mutation Entry No. 8370 dated 16-07-2005, which was certified by the competent authority on 31-08-2005.

23. Mutation entry No. 9226 is not pertaining to the land under investigation. And hence it is being dealt with.

24. It has been observed by us that, Civil lawsuit No. 770 / 2005 in the Principal Judge (C.D.) court passed STAY order on 17-08-



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2006 and land of Survey No. 795 is don't sale, assign or transfer or gift or do not take possession from the plaintiff except by legal process and entry to that effect was mutated in the revenue record vide Mutation Entry No. 9228 dated : 17-01-2007, which was certified by the competent authority on 23-05-2007.

25. Thereafter, the co-owner of the said land namely Naranbhai Becharbhai died intestate on dated 01-12-2003 leaving behind him his legal heirs have been brought on the revenue record upon hereditary rights by Mutation Entry No. 7841, dated : 07-02-2004, But it has been written in the said Mutation Entry that Naranbhai Becharbhai has died. So that it was made on the basis of a reply and death certificate to amend and entry to that effect was mutated in the revenue record vide Mutation Entry No. 9326 dated 13-03-2007, which was certified by the competent authority on 21-07-2007.

26. Thereafter, owners of the said land have filed an application for obtaining the non-agriculture use permission of the said land and the Collector, Ahmedabad has granted non-agriculture use permission of the said land bearing (a) Survey No. 783 admeasuring 5666 sq.mtrs., (b) Survey No. 785 admeasuring 2327 sq.mtrs. & (c) Survey No. 795 Paiki admeasuring 3540 sq.mtrs., totally admeasuring 11533 sq.mtrs. merged into Draft Town Planning Scheme No. 41 (Sola-Hebatpur) and allotted Final Plot No. 97 / 1 admeasuring 6920 sq.mtrs. of Mouje - Sola vide his Order No. CB / JAMIN / NA / SR - 321 / 2006-2007, dated : 16-02-2007 subject to the terms and conditions stipulated therein



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and entry to that effect was mutated in the revenue record vide Mutation Entry No. 9377 dated : 05-04-2007, which was certified by the competent authority on 08-06-2007.

27. Thereafter, the co-owner of the said land namely Narsinhbhai Ishwarbhai Patel, Narottambhai Ishwarbhai Patel, Ramanbhai Ishwarbhai Patel, Natubhai Ishwarbhai Patel, Mukeshbhai Mohanbhai Patel, Dahyabhai Parsottamdas Patel, Parulben Mohanbhai Patel, Ilaben Mohanbhai Patel, Hetalben Mohanbhai Patel & Rukshmaniben Wd/o. Mohanbhai Parsottambhai Patel have sold and conveyed the said land bearing (a) Survey No. 783 admeasuring 5666 sq.mtrs., (b) Survey No. 785 admeasuring 2327 sq.mtrs. & (c) Survey No. 795 Paiki admeasuring 3540 sq.mtrs., totally admeasuring 11533 sq.mtrs. merged into Draft Town Planning Scheme No. 41 (Sola-Hebatpur) and allotted Final Plot No. 97 / 1 admeasuring 6920 sq.mtrs. of Mouje - Sola to Dharminbhai Manubhai HUF through its Karta & Manager Dharminbhai Manubhai Patel by sale deed registered in the office of the Sub-Registrar of Assurances at Ahmedabad - 2 (Vadaj) under Serial No. 4065 dated : 30-03-2007. In said Sale Deed Ilaben Sanjaykumar Patel, Parulben Kanubhai Patel & Hiraben Joitaram Patel, Bharatiben Hasmukhbhai Patel, Hasmukhbhai Bachubhai Radadiya HUF through its karta and manager Hasmukhbhai Bachubhai Radadiya have joined as confirming party and confirmed the aforesaid sale deed for his right of agreement to sale and entry to that effect was mutated in the revenue record vide Mutation Entry No. 9378, dated : 05-04-2007, which was certified by the competent authority on dated : 08-06-2007.



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28. Thereafter, the co-owner of the said land namely Dharminbhai Manubhai HUF through its Karta & Manager Dharminbhai Manubhai Patel has sold and conveyed the said land bearing (a) Survey No. 783 admeasuring 5666 sq.mtrs., (b) Survey No. 785 admeasuring 2327 sq.mtrs. & (c) Survey No. 795 Paiki admeasuring 3540 sq.mtrs., totally admeasuring 11533 sq.mtrs. merged into Draft Town Planning Scheme No. 41 (Sola-Hebatpur) and allotted Final Plot No. 97 / 1 admeasuring 6920 sq.mtrs. of Mouje - Sola to Alkaben Ketanbhai Desai by sale deed registered in the office of the Sub-Registrar of Assurances at Ahmedabad - 2 (Vadaj) under Serial No. 7576 dated 16-06-2007. In said Sale Deed Kakalbhai Motiram Modh & Shantaben Kakalbhai Modh have joined as confirming party and confirmed the aforesaid sale deed for his right of agreement to sale and entry to that effect was mutated in the revenue record vide Mutation Entry No. 9542, dated : 18-07-2007, which was certified for land of (a) Survey No. 783 admeasuring 5666 sq.mtrs. & (b) Survey No. 785 admeasuring 2327 sq.mtrs. by the competent authority on dated : 08-10-2007.

29. It has been observed by us that, the Hon. Deputy Collector, Viramgam Prant, Ahmedabad passed order on 16-10-2007 under ordered No. RTS / CASE NO. / APPEAL / 201 / 06 and ordered to Dispute application not approved and entry to that effect was mutated in the revenue record vide Mutation Entry No. 9795, dated : 19-11-2007, which was certified by the competent authority on dated : 25-01-2008.



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32. It has been observed by us that, the demand for unconditional withdrawal is kept admissible unless the defendant (Alkaben Ketanbhai Desai)'s dispute plea goes into any kind of merits and order for the same was passed by Hon. Deputy Collector, Viramgam Prant, Ahmedabad on 26th December, 2008 under Ordered No. RTS / APPEAL / CASE NO. 119 / 2007 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 10455, dated : 06-01-2009, which was certified by the competent authority on dated : 18-03-2009.
33. It has been observed by us that, the context of the standing instructions issued by the Government, at present, upon conducting the process of Promulgation of computerized record, on ascertaining the village record from manuscript and computerized 7/12 and village form No. 6, the mistakes were noticed and hence, the Mamlatdar Daskroi passed order bearing No. R.T.S. / RECORD PROMULGATION / 08 / 09 dated : 15-01-2009 for rectification the errors and entry to that effect was mutated in the revenue record vide Mutation Entry No. 10686, dated : 15-06-2009, which was certified by the competent authority on dated : 21-08-2009.
34. It has been observed by us that, the process of KJP Durasti was conducted by the District Inspector Land Record, Ahmedabad and issued order bearing No. DSO / DRK / 55 / 2009 dated 15-09-2009 and land bearing Survey No. 795 totally admeasuring 13254 sq. mtrs. was divided into two sub divisions in accordance with the Provision of Section 117 of Land Revenue



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30. It has been observed by us that, the appellant Alkaben Ketanbhai Desai filed Appeal in the court of Hon. Deputy Collector, Viramgam Prant, Ahmedabad wherein the Hon. Deputy Collector, Viramgam Prant, Ahmedabad passed order on 31-07-2008 under ordered No. RTS / APPEAL / CASE No. 170 / 2008 and directing to certify mutation entry No. 9542 for land of Survey No. 795 Paiki and entry to that effect was mutated in the revenue record vide Mutation Entry No. 10261, dated : 12-08-2008, which was certified by the competent authority on dated : 26-09-2008.
31. Thereafter, the co-owner of the said land namely Alkaben Ketanbhai Desai has sold and conveyed the said land bearing (a) Survey No. 783 admeasuring 5666 sq.mtrs., (b) Survey No. 785 admeasuring 2327 sq.mtrs. & (c) Survey No. 795 Paiki admeasuring 3540 sq.mtrs., totally admeasuring 11533 sq.mtrs. merged into Draft Town Planning Scheme No. 41 (Sola-Hebatpur) and allotted Final Plot No. 97 / 1 admeasuring 6920 sq.mtrs. of Mouje - Sola to Yogi Infrastructure - a partnership firm by sale deed registered in the office of the Sub-Registrar of Assurances at Ahmedabad - 2 (Vadaj) under Serial No. 15512 dated 26-08-2008. In said Sale Deed Kakalbhai Motiram Modh, Shantaben Kakalbhai Modh, Sureshkumar Kakalbhai Modh, Nayanaben Sureshkumar Modh, Harshadkumar Kakalbhai Modh & Jyotikaben Harshadkumar Modh have joined as confirming party and confirmed the aforesaid sale deed for his right of agreement to sale and entry to that effect was mutated in the revenue record vide Mutation Entry No. 10305, dated : 16-09-2008, which was certified by the competent authority on dated : 15-11-2008.



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Code and accordingly (A) land admeasuring 3844 sq.mts., was given Survey No. 795 / 1 which is standing in the names of (i) Nirubhai alias Nareshbhai Naranbhai Patel, Dahyabhai Parsottamdas Patel, Narsinhbhai Ishwarbhai Patel, Narottambhai Ishwarbhai Patel, Natubhai Ishwarbhai Patel, Ramanbhai Ishwarbhai Patel, Rukshmaniben Wd/o. Mohanbhai Parsottamdas Patel, Mukeshbhai Mohanbhai Patel, Parulben D/o. Mohanbhai Parsottamdas Patel, Ilaben D/o. Mohanbhai Parsottamdas Patel & Hetalben D/o. Mohanbhai Parsottamdas Patel (Jointly owner of admeasuring 304 sq.mtrs.) & (ii) Yogi Infrastructure - a partnership firm(owner of admeasuring 3540 sq.mtrs.) & (B) land admeasuring 9410 sq.mts., was given Survey No. 795 / 2 which is standing in the names of Vinodbhai Shantilal and entry to that effect was mutated in the revenue record vide Mutation Entry No. 10855, dated : 19-09-2009, which was certified by the competent authority on dated : 13-11-2009.

35. It has been observed by us that, the process of KJP Durasti was conducted by the District Inspector Land Record, Ahmedabad and issued order bearing No. K. J. P. / S.R. - 83 dated 07-12-2009 and land bearing Survey No. 795 / 1 totally admeasuring 3844 sq. mtrs. was divided into two sub divisions in accordance with the Provision of Section 117 of Land Revenue Code and accordingly (A) land admeasuring 3540 sq.mts., was given Survey No. 795 / 1 / 1 which is standing in the names of Dahyabhai Parsottamdas etc. and (B) land admeasuring 304 sq.mts., was given Survey No. 795 / 1 / 2 which is standing in the names of Nirubhai alias Nareshbhai Naranbhai Patel and



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entry to that effect was mutated in the revenue record vide Mutation Entry No. 10989, dated : 18-12-2009, which was certified by the competent authority on dated : 19-03-2010.

36. It has been observed by us that, the Deputy Collector, Viramgam passed order bearing No. RTS / APPEAL - 201 / 06 dated : 16-01-2007 and rejected the revision application filed by Binalben D/o. Rasikbhai Damabhai & others confirming the order dated 16-06-2010 passed by the District Collector, Ahmedabad bearing No. LB / Re. No. 68 / 2009 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 11483, dated : 06-08-2010, which was certified by the competent authority on dated : 14-10-2010.

37. Thereafter, the co-owner of the said land namely Vinodbhai Shantilal Shah has sold and conveyed the said land bearing Survey No. 795 / 2 Paiki 5544 sq.mtrs. merged into Draft Town Planning Scheme No. 41 (Sola-Hebatpur) and allotted Final Plot No. 97 / 2 admeasuring 3326 sq.mtrs. of Mouje - Sola to (1) Trikambhai Jamnadas Patel (Undivided share 38 %), (2) Prafulbhai Baldevbhai Patel (Undivided share 16.90 %), (3) Samirbhai Trikambhai Patel (Undivided share 22.55 %), (4) Ghanshyambhai Bhagwanbhai Patel (Undivided share 22.55 %) by sale deed registered in the office of the Sub-Registrar of Assurances at Ahmedabad under Serial No. 20057 dated : 30-10-2010 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 11666, dated : 15-11-2010, which was certified by the competent authority on dated : 19-03-2011.



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38. Thereafter, Mutation entry of N.A. was removed from land of Survey No. 795/2 and N.A. entry entered in land bearing Survey No. 795/1/1 and order for the same was passed by Hon. Mamlatdar, Daskroi, Ahmedabad on 13th October, 2011 under Ordered No. IDHARA / SOLA / NOTE NO. 10855, 10989 / SUDHARO / VASHI / 2011 and entry for the same was made in mutation registrar on 20th August, 2016 by entry No. 15758 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 12208, dated : 14-10-2011, which was certified by the competent authority on dated : 07-01-2012.
39. Thereafter, upon the reconstitution of City and Daskroi Taluka of Ahmedabad District vide Resolution No. PFR / 102011 / 275 / L / 1 dated 17-03-2012, two different Talukas of Ahmedabad Taluka are formed as Ahmedabad (East) and Ahmedabad (West) and accordingly, Sola 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. 12588, dated 03-05-2012, which was certified by the competent authority on 05-05-2012.
40. Mutation entry No. 12609 dated : 26-05-2012 is not pertaining to the land under investigation. And hence it is being dealt with.
41. It has been observed by us that, the Secretary, Revenue Department (Appeal) Ahmedabad passed order bearing No. MVV / HAKAP / AMD / 141 / 2010 dated 30-04-2011 and Binalben D/o. Rasikbhai & six others's request for permission is granted &



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maintain the status quo until the first hearing confirming the order dated 16-06-2010 passed by the District Collector, Ahmedabad bearing No. LB / Re. No. 68 / 2009 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 12903, dated : 09-10-2012, which was certified by the competent authority on dated : 27-12-2012.

42. Thereafter, the owners of the land of (a) Survey No. 795 / 1 / 1 admeasuring 3540 sq.mtrs., (b) Survey No. 795 / 1 / 2 admeasuring 304 sq.mtrs. & (c) Survey No. 795 / 2 admeasuring 9410 sq.mtrs. have filed an application for the amalgamation of all the lands adjoining to each other before the the District Inspector Land Record, Ahmedabad and accordingly, the District Inspector Land Record, Ahmedabad has issued Durasti Patrak No. 90 vide their order No. MR No. - SPE / 2 / 73 / 09 / 10, dated 50-03-2010 for the amalgamation of the said land into Amalgamated Survey No. 795 and the area was fixed to the extent of 13254 sq. mtrs. and entry to that effect was mutated in the revenue record of the said land vide Mutation Entry No. 13523, dated : 10-09-2013, which was certified by the competent authority on 21-11-2013.

43. Thereafter, all the parties of civil suit no. 770 / 2005 compromised and filled compromise pursis in the court of Principal civil judge (C.D.), Ahmedabad and therefore, said suit was dismissed and entry to that effect was mutated in the revenue record of the said land vide Mutation Entry No. 14102, dated : 19-07-2014, which was certified by the competent authority on 01-10-2014.



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44. Mutation entry No. 15017 (dated : 01-10-2015), 15691 (dated : 20-07-2016), 15739 (dated : 09-08-2016) & 16322 (dated : 02-08-2017) are not pertaining to the land under investigation. And hence they are being dealt with.
45. Thereafter Mutation entry No. 9378 contains mistake that 795 sq.mtrs. in place of 2124 sq.mtrs. After deduction of Town Planning & land of deduction of Town Planning from the names of (1) Dahyabhai Parsottamdas, (2) Narsinhbhai Ishwarbhai & (3) Narottambhai Ishwarbhai, (4) Natubhai Ishwarbhai, (5) Ramanbhai Ishwarbhai, (6) Rukshmaniben Wd/o. Mohanbhai Parsottamdas, (7) Mukeshbhai Mohanbhai, (8) Parulben Mohanbhai, (9) Ilaben Mohanbhai & (10) Hetalben Mohanbhai removed in mutation registrar and order for the same was passed by Hon. City Mamlatdar, Ghatlodiya, Ahmedabad on 16th March, 2018 under Ordered No. CITI / GHATLODIYA / E-DHARA / SUDHARAHUKAM / S.R.29 / 2018 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 16732, dated : 19-03-2018, which was certified by the competent authority on dated : 15-05-2018.
46. It has been observed by us that, the process of KJP Durasti was conducted by the District Inspector Land Record, Ahmedabad and issued Durasti Patrak No. 166 vide their order bearing No. K. J. P. / S.R.-745 dated 28-03-2018 and land bearing Survey No. 795 admeasuring 13254 sq. mtrs. was divided into two sub divisions in accordance with the Provision of Section 117 of Land Revenue Code and accordingly (A) land admeasuring



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5692 sq.mts., was given Survey No. 795 / 1 which is standing in the names of Vinodbhai Shantilal Shah (owner of admeasuring 3866 sq.mtrs.) & Trikambhai Jamnadas Patel, Prafulbhai Baldevbhai Patel, Samir Trikambhai Patel & Ghanshyambhai Bhagwanbhai Patel (Jointly owner of admeasuring 1826 sq.mtrs.) and (B) land admeasuring 7562 sq.mts., was given Survey No. 795 / 2 which is standing in the names of (i) Trikambhai Jamnadas Patel, Prafulbhai Baldevbhai Patel, Samir Trikambhai Patel & Ghanshyambhai Bhagwanbhai Patel (Jointly owner of admeasuring 3718 sq.mtrs.), (ii) Nirubhai alias Nandubhai Naranbhai Patel (owner of admeasuring 304 sq.mtrs.) & (iii) Yogi Infrastructure - a partnership firm (owner of admeasuring 3540 sq.mtrs.) and entry to that effect was mutated in the revenue record vide Mutation Entry No. 16779, dated : 03-04-2018, which was certified by the competent authority on dated : 21-05-2018.

47. Mutation entry No. 16916 dated : 01-06-2018 is not pertaining to the land under investigation. And hence it is being dealt with.
48. It has been observed by us that, the Secretary, Revenue Department (Appeal) Ahmedabad passed order bearing No. MVV / Hikap / AMD / 64 / 2018 dated 01-06-2018 and rejected the revision application filed by Binalben D/o. Rasikbhai Damabhai & others confirming the order dated 16-06-2010 passed by the District Collector, Ahmedabad bearing No. LB / Re. No. 68 / 2009 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 16967, dated : 20-06-2018, which was certified by the competent authority on dated : 13-08-2018.



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49. Mutation entry No. 17399 dated : 05-02-2019 is not pertaining to the land under investigation. And hence it is being dealt with.
50. It has been observed by us that, the land in question was new tenure land in nature and hence, the occupiers of said land had submitted an application to the District Collector, Ahmedabad for converting the said land into old tenure land for non-agricultural purpose and after consideration of said application, the District Collector, Ahmedabad passed order bearing No. CB / PRA.S.P. / PREMIUM / SOLA / SURVEY / BLOCK NO. 795 / 2 / S.R. 160 / 2017 dated 25-03-2019 and released land in question from restriction laid down by the statutory Provision of Section-43 Tenancy Act converting into old tenure land for non-agricultural purpose with a condition stipulated in the said order and entry to that effect was mutated in the revenue record vide Mutation Entry No. 17543, dated : 05-04-2019, which was certified by the competent authority on dated : 30-05-2019.
51. Thereafter, the co-owner of the said land namely Nirubhai alias Nareshbhai Naranbhai has sold and conveyed the said land bearing Survey No. 795 / 2 totally admeasuring 7562 sq.mtrs. Paiki 304 sq.mtrs. (as per Final Plot admeasuring 182 sq.mtrs.) of Mouje - Sola to Samir Trikambhai Patel by sale deed registered in the office of the Sub-Registrar of Assurances at Ahmedabad under Serial No. 1906 dated 09-08-2018 and entry to that effect was mutated in the revenue record vide Mutation Entry No. 17589, dated : 13-05-2019, which was certified by the competent authority on dated : 27-06-2019.



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52. Thereafter, owners of the said land have filed an online application for obtaining the non-agriculture use permission of the said land and the Collector, Ahmedabad has granted non-agriculture use permission of the said land of Final Plot No. 97 / 2 admeasuring 2413 sq.mtrs. (Old Survey No. 795 / 2 Paiki admeasuring 4022 sq.mtrs.) of Draft Town Planning Scheme No. 41 (Sola-Hebatpur) of Mouje - Sola vide his Order No. 15 / 07 / 17 / 058 / 2019, dated : 04-05-2019 subject to the terms and conditions stipulated therein and entry to that effect was mutated in the revenue record vide Mutation Entry No. 17602 dated : 17-05-2019, which was certified by the competent authority on 15-07-2019.
53. Thereafter, the owners of the said land namely (1) Trikambhai Jamnadas Patel (Undivided share 38 %), (2) Prafulbhai Baldevbhai Patel (Undivided share 16.90 %), (3) Samirbhai Trikambhai Patel (Undivided share 22.55 %), (4) Ghanshyambhai Bhagwanbhai Patel (Undivided share 22.55 %) & (5) Samir Trikambhai Patel (owner of 304 sq.mtrs. as per Survey Number i.e. 182 sq.mtrs. as per Final Plot Number) have sold and conveyed the said land bearing Survey No. 795 / 2 admeasuring 7562 sq.mtrs. & other survey number merged into Draft Town Planning Scheme No. 41 (Sola-Hebatpur) and allotted (a) Final Plot No. 97 / 1 admeasuring 6920 sq.mtrs. & (b) Final Plot No. 97 / 2 admeasuring 2413 sq.mtrs Both Final Plot Paiki Final Plot No. 97 / 2 admeasuring 2413 sq.mtrs. (Old Survey No. 795 / 2 Paiki admeasuring 4022 sq.mtrs.) of Mouje Sola to M/s. Shreeji Infra, A Partnership Firm by Sale Deed registered in the office of the Sub-Registrar of Assurances at Ahmedabad-8 (Sola) under Serial No. 14592 dated 02-08-2019 and entry to that effect was



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mutated in the revenue record of the said land vide Mutation Entry No. 17811 dated 07-08-2019, which was certified by the competent authority on 30-09-2019.

54. We have furnished with records of rights [Gam Namuna No. 7-12, Gam Namuna No. 6 (A)] showing the above referred land is held by you as owners.
55. The report is not complete reports of the entire revenue records and records of the Sub-Registrar, Report refers to records relevant to understand the devolution of title, to ascertain, If any charge of encumbrance is subsisting and / or continuing in the records for details, facts and particulars, relevant documents, papers, writings and records to be referred.
56. This report on title is based on the revenue record given by you and available (Index-II) only of Sub-Registrar, Ahmedabad.
57. This report is merely and opinion of the undersigned and not at all conclusive proof or evidence of title and shall not be used as an evidence or proof, if any proceedings or collateral proceedings in court and / or before government of Semi-Government officer. Also for the negligency of lackness in the word of searches, the undersigned shall not be a held responsible in any case.
58. As informed to us, the said land has not been given in security nor created any charge or encumbrance of any nature whatsoever thereon, nor the said land is subject matter of any pending prodeedings, nor any order, decree, attachement or any order of



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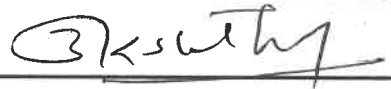
any court or authority is operating against the said land adversely affecting the titles.

UNDER THE CIRUMSTANCES, We hereby certify that in respect to Residential non-agriculture land bearing Survey No. 795 / 2 admeasuring 7562 sq.mtrs. & other survey number merged into Draft Town Planning Scheme No. 41 (Sola-Hebatpur) and allotted (a) Final Plot No. 97 / 1 admeasuring 6920 sq.mtrs. & (b) Final Plot No. 97 / 2 admeasuring 2413 sq.mtrs Both Final Plot Paiki Final Plot No. 97 / 2 admeasuring 2413 sq.mtrs. (Old Survey No. 795 / 2 Paiki admeasuring 4022 sq.mtrs.) for residential purpose situated, lying and being at Mouje - Sola, Taluka Ghatlodia in the Registration District of Ahmedabad and Sub-District of Ahmedabad-8 (Sola) is belonging to M/s. Shreeji Infra, A Partnership Firm and the title is clear and marketable and free from all encumbrances and attachements or any kind of encumbrances without any reasonable doubts and charges, subject to....

1. Usual Declaration on title being made at the time of Transfer & fulfillment of the conditions laid down in N. A. Order and revisions made thereof, if any.
2. Laws Applicable and in force to effect legally and properly regarding sale, transfer, or any other transaction with respect to the said land / property / project / units.

Place : Ahmedabad.

Date : 21-02-2020.



Bharat Kantilal Suthar, Advocate



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Enrolment No. G / 582 / 1994.