

HOUSE "M", MONDEAL RETAIL PARK, BETWEEN ISKCON TEMPLE AND RAJPATH CLUB, S. G. HIGHWAY,
BODAKDEV, AHMEDABAD - 380059. PHONE : (O) 079 - 29710100, 29710200 E-mail : janiandco@gmail.com

REF. NO. 13397/2023

To,

MR. GHANSHYAMBHAI JAYANTIBHAI PATEL.

TITLE CERTIFICATE CUM TITLE REPORT

Reg :- Non Agricultural Land bearing Final
Plot No. 177 admeasuring about 1,396 sq.
mtrs. (Given in lieu of Block No. 722)
forming part of Town Planning Scheme No.
03 (Ghuma) situate, lying and being at Moje
Ghuma, Taluka Ghatlodiya in the
Registration District of Ahmedabad and Sub-
District of Ahmedabad - 09 (Bopal)
belonging to MR. GHANSHYAMBHAI
JAYANTIBHAI PATEL and Development
Rights granted to VISAT INFRA, a
PARTNERSHIP FIRM.



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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. 26-04-  
2023) 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] That Amalgamation scheme became applicable in the lands  
of village Ghuma. Accordingly land bearing Survey No.



587/7 was given Block No. 722 and its area was determined as admeasuring about Acre 00-23 Gs. That Lalji Maharaj Trust was held as owner and occupier and (1) Aatmaram Chhaganlal was held as ordinary tenant and (2) Becharbhai Joitaram was held as protective tenant of the said land bearing Block No. 722.

- [2] That proceeding under Gujarat Devasthan Inams Abolition Act, 1969 was initiated and Mamlatdar and Agricultural Land Tribunal vide his order passed in Ganot Case No. De. E Ghuma/ 155/ 285 dated 01-05-1971 removed the name of Aatmaram Chhaganlal with respect to the said land bearing Block No. 722. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 2947 dated 01-03-1973.
- [3] That Mamlatdar and Agricultural land Tribunal vide his order passed in Ganot Case No. Ghuma 1406/ 75 dated 30-04-1976, dismissed the ongoing proceeding as the tenant viz. Ambalal Bechardas (Legal heir of Bechardas Joitaram) was already removed from the revenue records of the said land bearing Block No. 722 as per the order passed in the above said Mutation Entry No. 2947 dated 01-03-1973. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 3058 dated 19-05-1976.
- [4] That upon application by heirs of Tenant Atmaram Chhaganlal viz. (1) Kasturben wd/o Aatmaram Chhaganlal and (2) Naginbhai Aatmaram proceeding under Section 32G of Gujarat Tenancy and Agricultural Lands Act, 1948 was initiated for purchase of the said land bearing Block No. 722. However at the time of hearing, the heirs of Tenant did not remain present and did not show any interest in purchasing the said land. Therefore Mamlatdar and Agricultural Land





Tribunal vide his order dated 29-04-1998 passed in Ganot Case No. 106/97 held the said land as Purchase Bin Amli under Section 32P of the Gujarat Tenancy and Agricultural Lands Act, 1948 as Tenants viz. Legal heirs of Aatmaram Chhaganlal (1) Kasturben wd/o Aatmaram Chhaganlal and (2) Naginbhai Aatmaram refused to purchase the said land. Moreover the said land was vested with Government and name of Government was entered as a owner in the revenue records of the said land.

- [5] That being aggrieved by the above said order dated 29-04-1998 passed in Ganot Case No. 106/97 by Mamlatdar and Agricultural Land Tribunal, that Ramji Mandir Trust through its Trustees Dilipbhai Ishwarbhai Patel and others filed Ganot Appeal bearing no. 107/01 against (1) Mamlatdar and Agricultural Land Tribunal, City/Dasckroi (2) Legal heirs of Aatmaram Chhaganlal (A) Kasturben wd/o Aatmaram Chhaganlal and (B) Naginbhai Aatmaram before Deputy Collector, Viramgam Prant.

Moreover the Legal heirs of Aatmaram Chhaganlal (A) Kasturben wd/o Aatmaram Chhaganlal and (B) Naginbhai Aatmaram had also filed Ganot Appeal bearing no. 126/01 against (1) Mamlatdar and Agricultural Land Tribunal, Dascroi (2) Ramji Mandir Trust through its Trustees (A) Punjabhai Parshottamdas Patel and (B) Ambalal Khodidas Patel and (3) Charity Commissioner, Ahmedabad before Deputy Collector, Viramgam Prant.

- [6] That it appears that Lalji Maharaj Trust was registered as a Trust under the provisions of Bombay Public Trust Act at Serial No. A - 452.
- [7] That since the year 1976 to 2002, many changes were made in the Trustees of the Lalji Maharaj Trust (alias Ramji



Maharaj Trust). Moreover in the year 2002, that names of Old Trustees were deleted and (1) Dilipbhai Ishwarbhai (2) Babubhai Kalidas Patel (3) Kanubhai Haribhai Patel (4) Kiritbhai Bhikhabhai Patel and (5) Ambalal Khodidas Patel were appointed as New Trustees of the Trust. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 6387 dated 26-02-2002.

- [8] That after Promulgation process several mistakes were appeared in the New 7/12 forms of the several lands of the village Ghuma. Therefore Mamlatdar, Dasckroi by his rectification order bearing no. RTS/ Record Promulgation/ 34/ 08 dated 24-12-2008, rectified the several mistakes and accordingly Survey No. was rectified as 577 paiki and Aakar was rectified as 758.75. Mutation Entry to the said effect was made in the revenue record vide Entry No. 8251 dated 10-06-2009.
- [9] That the above mentioned Ganot Appeal No. 107/01 and 126/01 were transferred to the Deputy Collector (Land Reforms and Appeal), Ahmedabad and was given Ganot Appeal No. 142/2003. That Deputy Collector (Land Reforms and Appeal) vide his order dated 08-04-2010 dismissed the Ganot Appeal No. 142/2003 and upheld the order dated 29-04-1998 passed by Mamlatdar and Agricultural Tribunal in Ganot Case No. 106/97. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 8577 dated 04-06-2010.
- [10] That effect of the above said referred order dated 29-04-1998 passed by Mamlatdar and Agricultural Tribunal in Ganot Case No. 106/97 was recorded in the revenue records of the said land bearing Block No. 722 vide Entry No. 11193 dated 02-11-2018.





[13] That above said order dated 17-12-2018 passed in Ganot Case No. 162/16 (Old Case No. 143/10) by Mamlatdar and Agricultural Land Tribunal had been taken into review by Deputy Collector (Ganot), Ahmedabad vide Review Application bearing no. A.C.B/ T.N.C./ Ganot/ Review/ Case No. 46/2019.



That Deputy Collector (Ganot), Ahmedabad vide his order dated 10-07-2019 upheld the order dated 17-12-2018 passed in Ganot Case No. 162/16 (Old Case No. 143/10) by Mamlatdar and Agricultural Land Tribunal. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 11572 dated 31-07-2019.

[14] That Ratilal Khodidas Patel had instituted Regular Civil Suit bearing no. 243/2019 against (1) Naginbhai Aatmaram Patel (2) Becharbhai Aatmaram Patel (3) Lalji Maharaj Trust through their Trustees viz. (3.1) Ambalal Khodidas Patel (3.2) Kanubhai Haribhai Patel (3.3) Babubhai Kalidas Patel and (3.4) Kiritbhai Bhikhabhai Patel before Principal Civil Judge, Ahmedabad Rural. That Plaintiff had claimed that in the year 1989, Lalji Maharaj Trust had orally sold and conveyed the said land bearing Block No. 722 to him and he claimed to be in possession of said land. Moreover that Plaintiff had prayed to declare him as a owner and occupier of the said and on the basis of that oral transaction and on the basis of law of Adverse Possession.

[15] That upon implementation of Draft Town Planning Scheme No. 03 (Ghuma) the said land bearing Block No. 722 admeasuring about 2,327 sq. mtrs. was given Final Plot No. 177 and its area was determined as admeasuring about 1,396 sq. mtrs.

[16] That upon payment of Premium, the Collector, Ahmedabad vide his order bearing no. 2555/ 07/ 06/ 032/ 2022 dated 07-05-2022 converted the said land bearing Final Plot No. 177 admeasuring about 1,396 sq. mtrs. (Given in lieu of Block No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) from New and Indivisible Tenure into Old Tenure Land for Non Agricultural use for Multipurpose use.





Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 12734 dated 07-05-2022.

- [17] That Non Agricultural use permission for Multipurpose use for land bearing Final Plot No. 177 admeasuring about 1,396 sq. mtrs. (Given in lieu of Block No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) was granted by Collector, Ahmedabad vide his order bearing no. 2608/ 07/ 06/ 032/ 2022 dated 11-05-2022. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 12751 dated 11-05-2022.

- [18] That (1) Naginbhai Aatmaram Patel and (2) Becharbhai Aatmaram Patel sold and conveyed the said land bearing Final Plot No. 177 admeasuring about 1,396 sq. mtrs. (Given in lieu of Block No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) to Ghanshyambhai Jayantibhai Patel vide Sale Deed dated 16-05-2022 which was Registered before Sub Registrar of Ahmedabad - 09 (Bopal) at serial no. 8069 on 16-05-2022. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 12769 dated 17-05-2022.

That (1) Naginbhai Aatmaram Patel and (2) Becharbhai Aatmaram Patel executed Power of Attorney after Sale Deed dated 16-05-2022 which was Registered before Sub Registrar of Ahmedabad - 09 (Bopal) at serial no. 8071 on 16-05-2022 for the said land bearing Final Plot No. 177 admeasuring about 1,396 sq. mtrs. (Given in lieu of Block No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) in favor of Ghanshyambhai Jayantibhai Patel.

That (1) Naginbhai Aatmaram Patel himself and as a natural guardian of Minor Ravi Naginbhai Patel and Krisha Naginbhai Patel (1/1) Parulben Naginbhai Patel and (2)



Becharbhai Aatmaram Patel (2/1) Sonalben d/o Becharbhai Aatmaram Patel w/o Shaileshbhai Patel and (2/2) Vinaben d/o Becharbhai Aatmaram Patel w/o Sannibhai Patel executed Indemnity Bond cum Confirmation Deed dated 21-06-2022 which was Registered before Sub Registrar of Ahmedabad - 09 (Bopal) at serial no. 10270 on 21-06-2022 for the said land bearing Final Plot No. 177 admeasuring about 1,396 sq. mtrs. (Given in lieu of Block No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) in favor of Ghanshyambhai Jayantibhai Patel.

That (1) Kamlaben w/o Becharbhai Aatmaram Patel and (2) Jigneshkumar Becharbhai Patel executed Indemnity Bond cum Confirmation Deed dated 29-06-2022 which was Registered before Sub Registrar of Ahmedabad - 09 (Bopal) at serial no. 10778 on 29-06-2022 for the said land bearing Final Plot No. 177 admeasuring about 1,396 sq. mtrs. (Given in lieu of Block No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) in favor of Ghanshyambhai Jayantibhai Patel.

[19] That vide circular bearing no. DhaMa/ 2022/ 107/ M/ PaFa 2/31/ 2022/ 398/ La.1 dated 26-08-2022 issued by the Revenue Department, the Village Ghuma which formed part of Taluka Dascroi is now made part of Taluka Ghatlodiya. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 12965 dated 12-09-2022.

[20] That with reference to the Regular Civil Suit No. 243/2019, the Fourth Additional Civil Judge, Ahmedabad (Rural) vide his order dated 24-01-2023, dismissed the said Regular Civil Suit No. 243/2019 under provisions of the Order - VII Rule XI (D) of Civil Procedure Code, 1908 as it was barred by the provisions of the Limitation Act. Moreover the Hon'ble





Judge has also observed that as per the claim of plaintiff he has orally purchased the said land from Lalji Maharaj Trust. However since the said land was belonging to a Public Trust, prior permission of Charity Commissioner is required for sale/transfer of the said land. The plaintiff has failed to prove that he had obtained the said permission under section 36 of Bombay Public Trust Act, 1950 prior to the oral purchase of said land. Hence the so called oral purchase is also in violation of Bombay Public Trust Act, 1950.

- [21] That being aggrieved by the above said Judgment dated 24-01-2023 passed by Fourth Additional Civil Judge, Ahmedabad (Rural) in Regular Civil Suit No. 243/2019, that Ratilal Khodidas Patel had filed Civil Appeal No. 23/2023 against (1) Naginbhai Aatmaram Patel (2) Becharbhai Aatmaram Patel (3) Lalji Maharaj Trust through their Trustees viz. (3.1) Ambalal Khodidas Patel (3.2) Kanubhai Haribhai Patel (3.3) Babubhai Kalidas Patel and (3.4) Kiritbhai Bhikhabhai Patel before 2<sup>nd</sup> Additional District Judge, Ahmedabad (Rural).

In our opinion that said Civil Appeal No. 23/2023 is weak in nature because as per the order dated 24-01-2023 passed in Regular Civil Suit No. 243/2019, the said Civil Suit is barred by Limitation Act and so called oral purchase of said land is also in violation of provisions of the Bombay Public Trust Act, 1950. The said suit and subsequent appeal appears to have been filed with malafide intentions and to disturb the title of the said land. However final outcome of the said Civil Appeal No. 23/2023 shall be binding on both the parties.

- [22] That Development permission of construction of Residential Scheme on the said land bearing Final Plot No. 177 admeasuring about 1,396 sq. mtrs. (Given in lieu of Block



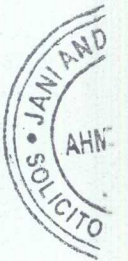
No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) was granted by Ahmedabad Municipal Corporation vide Rajachitthi No. 08315/ 120423/ A7485/ R0/ M1 dated 20-04-2023.

- [23] That said Ghanshyambhai Jayantibhai Patel was desirous to develop the said land belonging to him by constructing a Residential Scheme.

Thus the said Ghanshyambhai Jayantibhai Patel engaged the services of the Visat Infra, A Partnership Firm through its Partners (1) Visat Buildcon LLP and (2) Aradhana Realbuild LLP as a Developer for the said land bearing Final Plot No. 177 admeasuring about 1,396 sq. mtrs. (Given in lieu of Block No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) vide Development Agreement dated 09-06-2023 which was Registered before Sub Registrar of Ahmedabad - 09 (Bopal) at serial no. 9518 on 09-06-2023.

- [24] That as per the Development permission granted by Ahmedabad Municipal Corporation the Developer **VISAT INFRA, a PARTNERSHIP FIRM**, has decided to construct a Residential scheme known as "**ARADHANA 7 STOREY**" on the said land bearing Final Plot No. 22 admeasuring about 4,432 sq. mtrs. (in lieu of Survey No. 203 admeasuring about 7,389 sq. mtrs.) of Town Planning Scheme No. 33 (Gota).

- [25] Thus in the above manner Ghanshyambhai Jayantibhai Patel has become the owner of the said land bearing bearing Final Plot No. 177 admeasuring about 1,396 sq. mtrs. (Given in lieu of Block No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) and Development Rights was granted to Visat Infra, a Partnership Firm to develop the said land.





[26] That we have published a Public Notice inviting objections against issuance of a title clearance certificate in the daily news paper "Gujarat Samachar" on 25-02-2023 and in response to the same; we have received an objection from Ratilal Khodidas Patel stating inter alia that objectionist has right, title and interest in the said land bearing Block No. 722 and objectionist had filed Civil Appeal bearing no. 23/2023 before District Court which is still pending. However we have ignore the said objection as it was sent with malafide intentions and to disturb the title of the said land.

In view of what is stated above, we hereby opine that the title of above referred Non Agricultural Land bearing **Final Plot No. 177** admeasuring about **1,396 sq. mtrs.** (Given in lieu of Block No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) situate, lying and being at Moje **Ghuma**, Taluka Ghatlodiya in the Registration District of Ahmedabad and Sub-District of Ahmedabad - 09 (Bopal) belonging to **MR. GHANSHYAMBHAI JAYANTIBHAI PATEL** and Development Rights granted to **VISAT INFRA, A PARTNERSHIP FIRM** shall be clear and marketable and free from reasonable doubts without encumbrances subject to :-

- [1] Usual declaration cum indemnity Bond being made at the time of transfer of the said land.
- [2] Fulfillment of terms and conditions laid down in N.A use permission order.
- [3] Provisions of The Town Planning and Urban Development Act and use as per Zone of appropriate authority and plans



of construction being sanctioned by appropriate authority and provisions of applicable Town Planning Scheme.

- [4] Final Result of Civil Appeal bearing no. 23/2023 before District Court.
- [5] Development Rights granted in favour of Visat Infra, a Partnership Firm for the land admeasuring about 1,396 sq. mtrs. of Final Plot No. 177 vide Development Agreement registered at Serial No. 9518 on 09-06-2023.

DATED THIS 27<sup>th</sup> DAY OF JUNE, 2023.

  
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 years 1990 to 2007 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 2007 to 2023 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 except the Civil Appeal bearing no. 23/2023.
- [5]. That we have relied upon the details mentioned in Mutation Entry as we have not been provided with supporting document/ orders on the basis of which the Mutation Entry has been made.



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BODAKDEV, AHMEDABAD - 380059. PHONE : (O) 079 - 29710100, 29710200 E-mail : janiandco@gmail.com

REF. NO. 13397/2023

To,

MR. GHANSHYAMBHAI JAYANTIBHAI PATEL.

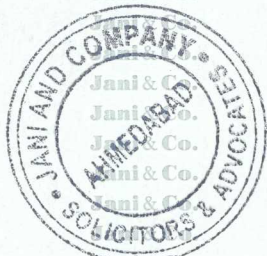
**NON-ENCUMBRANCE CERTIFICATE**

THIS IS TO CERTIFY THAT Non Agricultural Land bearing Final Plot No. 177 admeasuring about 1,396 sq. mtrs. (Given in lieu of Block No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) situate, lying and being at Moje Ghuma, Taluka Ghatlodiya in the Registration District of Ahmedabad and Sub-District of Ahmedabad - 09 (Bopal) (hereinafter referred to as the "PROJECT LAND") was belonging to MR. GHANSHYAMBHAI JAYANTIBHAI PATEL (hereinafter referred to as the "OWNER").

That Ghanshyambhai Jayantibhai Patel had executed Development Agreement dated 09-06-2023 which was Registered before Sub Registrar of Ahmedabad - 09 (Bopal) at serial no. 9518 on 09-06-2023 in favour of VISAT INFRA, A PARTNERSHIP FIRM through its Partners (1) Visat Buildcon LLP and (2) Aradhana Realbuild LLP to develop the said Project Land (hereinafter referred to as the "DEVELOPER").

As per instructions, we have examined the titles of the above referred land and have caused to be taken searches of available revenue and registration record for last 30 years through our search clerk and believing the same to be true, correct and trustworthy; we have issued a Title Certificate Cum Report dated 26-06-2023.

In furtherance of said Title Certificate Cum Report dated 26-06-2023 and subject to what is stated therein and we hereby issue this Non Encumbrance Certificate and opine that the said Project Land is free from any encumbrance/litigations except :-





- Civil Appeal No. 23/2023 filed by Ratilal Khodidas Patel against (1) Naginbhai Aatmaram Patel (2) Becharbhai Aatmaram Patel (3) Lalji Maharaj Trust through their Trustees viz. (3.1) Ambalal Khodidas Patel (3.2) Kanubhai Haribhai Patel (3.3) Babubhai Kalidas Patel and (3.4) Kiritbhai Bhikhabhai Patel before 2<sup>nd</sup> Additional District Judge, Ahmedabad (Rural).

### SCHEDULE

#### (Description of the PROJECT LAND)

ALL THAT piece or parcel of Non Agricultural Land bearing **Final Plot No. 177** admeasuring about **1,396 sq. mtrs.** (Given in lieu of Block No. 722) forming part of Town Planning Scheme No. 03 (Ghuma) situate, lying and being at Moje **Ghuma**, Taluka Ghatlodiya in the Registration District of Ahmedabad and Sub-District of Ahmedabad - 09 (Bopal).

**PLACE : AHMEDABAD**

**DATE : 27<sup>th</sup> JUNE, 2023**

For Jani & Co.,

*Hursh P. Jani*

**HURSH P JANI**

**Solicitor & Advocate**

**Enrollment No. G/559/2007**

