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Ref. No. VAD / 2015 / 168

Date : 22 / 09 / 2015

TO WHOM SO EVER IT MAY CONCERN

LEGAL OPINION CUM NON ENCUMBRANCE CERTIFICATE & LEGAL SCRUTINY REPORT

REF. : Title Opinion in respect of the **NON - AGRICULTURAL LAND** being Survey No. 4/A/1 - 2 - 3 being Consolidated Survey No. 4/A/1 having Final Plot No. 6 of T. P. Scheme No. 1, admeasuring 4848-00 Sq. Mt., situated in the village sim NIMETA, Tal. Waghidya & Dist. Vadodara presently owned by **VISHNUBHAI DAHYABHAI PATEL, SHAILESHBHAI KUBERBHAI PATEL, BABUBHAI BHANJIBHAI PATEL, BHAVESHBHAI GHANSHYAMBHAI PATEL, ASHOKBHAI VISHNUBHAI PATEL** and indented to be owned by **LALABHAI H. KHAKKAR, PARESH B. PATEL and HIPIN C. PATEL.**

Following Documents were scrutinized by me :

- (1) Copies of the Revenue Records (6, 7/12, 8 - A) reflecting the name of **VISHNUBHAI DAHYABHAI PATEL, SHAILESHBHAI KUBERBHAI PATEL, BABUBHAI BHANJIBHAI PATEL, BHAVESHBHAI GHANSHYAMBHAI PATEL, ASHOKBHAI VISHNUBHAI PATEL** vide Entry No. 1877
- (2) Copy of the N. A. Order, dated 27/11/89
- (3) Copy of Registered Consent Deed / Sammati Karar vide Reg. Sr. No. 1724, dated 03/07/2015
- (4) Copy of Registered Agreement for Sale (Banakhat) Sr. No. 956, dated 03/05/2014 executed in favour of **LALABHAI H. KHAKKAR, PARESH B. PATEL and HIPIN C. PATEL**
- (5) Copy of Registered Cancelled Deed of Agreement for Sale vide Reg. Sr. No. 2118, dated 20/08/2015
- (6) Copy of Notarized Cancelled Deed of Agreement for Sale vide Notary Sr. No. 7111, dated 23/07/2015
- (7) Copy of Registered Agreement for Sale (Banakhat) Sr. No. 1693, dated 05/09/2013 executed in favour of **Bhagabhai Shankarbhai Patel (HUF)**

I have carefully scrutinized on the basis of the copies of the documents of title produced before me in respect of said Lands which is in the name of **VISHNUBHAI DAHYABHAI PATEL, SHAILESHBHAI KUBERBHAI PATEL, BABUBHAI BHANJIBHAI PATEL, BHAVESHBHAI GHANSHYAMBHAI PATEL, ASHOKBHAI VISHNUBHAI PATEL.**



I hereby submit my legal opinion cum non - encumbrance certificate & legal scrutiny report as under :

That the agricultural land being Survey No. 4 of village moje Nimeta, Tal. Waghodiya, & Dist. Vadodara was originally owned by Jinabhai Nathabhai, Ranchodbhai Natabhai and Ramsangbhai Nathabhai as per Revenue Entry No. 25.

That, said Ranchodbhai Nathabhai demised, so his legal heir Badvantsinh Ranchodbhai was mutated by virtue of succession and entry for the same was mutated in revenue records vide R. E. No. 380, dated 5/6/65 and certified.

That, family partition took place between above said joint owners and the captioned land being S. No. 4/A/1, adm. 2 - Acre and 58 - Guntha came in to the name Badvantbhai Ranchodbhai and entry for the same was mutated in the revenue records vide R. E. No. 776, dated 30/04/77 and certified by competent authority.

That, above said land was ancestral land so captioned land was mutated in the joint names being Devisinh Jinabhai, Madhavsinh Jinabhai, Ganpatbhai Jinabhai, Bhagwansinh Ramsing, Mansinh Ramsing, Ranjitsinh Ramsing and Kantaben Ramsinh and entry for the same was in the revenue records vide R. E. No. 898, dated 7/9/88 and certified by competent authority.

That, above said Badvantsbhai Ranchodbhai demised on 28/10/91, thus his legal heirs namely Lilaben Badvantsinh Dodiya, Randhirsinh Badvantsinh Dodiya and Gitaben Badvantsinh Dodiya were mutated in the revenue records by virtue of succession and entry mutated vide R. E. No. 1037, dated 8/3/92 and certified by competent authority.

That, above said Dodiya Madhavsinh Jinabava demised on 3/11/2004, thus his legal heirs namely Dodiya Savitaben Madhavsinh, Dodiya Urmilaben Madhavsinh, Dodiya Ranjanben Madhavsinh, Dodiya Minaben Madhavsinh were mutated in the revenue records by virtue of succession and entry mutated vide R. E. No. 1614, dated 5/2/2009 and certified by competent authority on 25/3/2009.

Thus, as per abstract 7/12 the following persons are the joint land owners of the captioned land:

- (1) Bhagwansinh Ramsinh Dodiya
- (2) Ranjitsinh Ramsinh Dodiya



- (3) Ganpatsinh Jinabhai Dodiya
- (4) Lilaben Badwantsinh Dodiya
- (5) Ranjitsinh Badwantsinh Dodiya
- (6) Gitaben d/o. Badwantsinh Dodiya and w/o. Pravinsinh Sindha
- (7) Madhuben d/o. Devisinh Dodiya and w/o. Narendrasinh Solanki
- (8) Bhikhiben d/o. Devisinh and w/o. Badvantsinh
- (9) Kapilaben d/o. Devisinh Dodiya and w/o. Bhupatsinh Tantod
- (10) Savitaben Madhavsinh Dodiya
- (11) Urmilaben d/o. Madhavsinh Dodiya and w/o. Shivsindh Rana
- (12) Ranjanben d/o. Madhavsinh Dodiya and w/o. Vijaysinh Raj
- (13) Janakben d/o. Madhavsinh Dodiya and w/o. Ajitsinh Chauhan
- (14) Meenaben d/o. Madhavsinh Dodiya and w/o. Gopalsinh Sinora
- (15) Kunjlataben alias Kunjalben wd/o. Mansinh Ramsinh
- (16) Mehulsinh Mansinh Dodiya
- (17) Mitesh Mansinh Dodiya
- (18) Ranjitsinh Narsinh Parmar (Dodiya)

That, above all persona are joint owners of captioned land bearing Survey No. 4/A/1 - 2 - 3 being Consolidated Survey No. 4/A/1 having Final Plot No. 6 of T. P. Scheme No. 1, admeasuring 4848-00 Sq. Mt., situated in the village sim NIMETA, Tal. Waghdiya & Dist. Vadodara.

That, competent authority Collector Vadodara vides Order No. N. A. / S. R. / 31, No. Land / Vasi / 4251 to 58, dated 27/11/1989 had declared the above said land for the purpose of Non - Agricultural.

That, above said land owners Bhagwansinh Ramsinh Dodiya and Others had sold and conveyed the captioned land being NON - AGRICULTURAL LAND being Survey No. 4/A/1 - 2 - 3 being Consolidated S. vey No. 4/A/1 having Final Plot No. 6 of T. P. Scheme No. 1, admeasuring 4848-00 Sq. Mt., situated in the village sim NIMETA to (1) Vishnubhai Dahyabhai Patel, (2) Shaileshbhai Kuberbhai Patel, (3) Babubhai Bhavjibhai Patel, (4) Bhaveshbhai Ghansambhai Patel and (5) Ashokbhai Vishnubhai Patel by way of Registered Sale Deed Sr. No. 2179, dated 06/08/2011 (Order dated 16/08/2011).

That, M/s. Merchant and Associates had filed a Special Civil Suit No. 619 / 2000 in the Court of Hon'ble Civil Judge (S.D.) Vadodara against Devisinh Jinabhai Dodiya and 7 Other in respect of the property being S. No. 4/A/1-2-3 of village Nimeta, adm. 7366 Sq. Mt. land and



Lispendence is Registered in the Office of Sub – Registrar of Assurance, Waghodiya, Dist. Vadodara vide Reg. Sr. No. 417, dated 01/02/2011.

That, said (1) Vishnubhai Dahyabhai Patel, (2) Babubhai Bhavjibhai Patel, and (3) Ashokbhai Vishnubhai Patel had executed a Registered Banakhat in favour of Bhagabhai Shankarbhai Patel HUF in respect of the land bearing R. S. No. 4/A/1-2-3 (amalgamated S. vey No. 4/A/1 having Final Plot No. 6 of T. P. Scheme No. 1, for the rest of the land of their 50% share held by them after deducting the land of Bhaveshbhai Ghanshyambhai Patel and Shaileshbhai Kuberbhai Patel and the said Agreement for Sale (Banakhat) is Registered in the Office of Sub – Registrar of Assurance, Waghodiya, Dist. Vadodara vide Reg. Sr. No. 1693, dated 05/09/2013.

That, said Vishnubhai Dahyabhai Patel and Others had executed a Registered Lease Deed in favour of Nayanbhai Bhagwanbhai Patel and the said Lease Deed is Registered in the Office of Sub – Registrar of Assurance, Waghodiya, Dist. Vadodara vide Reg. Sr. No. 1694, dated 05/09/2013.

That, said Vishnubhai Dahyabhai Patel and Others had executed a Registered Lease Deed in favour of Nayanbhai Bhagwanbhai Patel and the said Lease Deed is Registered in the Office of Sub – Registrar of Assurance, Waghodiya, Dist. Vadodara vide Reg. Sr. No. 1693, dated 05/09/2013 but the said Banakhat is cancelled by registered Deed of Cancellation vide Reg. Sr. No. 2118, dated 20/08/2015 in the Office of Sub – Registrar, Waghodiya, Dist. Vadodara.

That, said Vishnubhai Dahyabhai Patel and Others had executed a Registered Agreement for Sale (Banakhat) in favour of Lalabhai H. Khakkar, Paresh B. Patel, Bipin C. Patel and the said Agreement for Sale (Banakhat) is Registered in the Office of Sub – Registrar of Assurance, Waghodiya, Dist. Vadodara vide Reg. Sr. No. 956, dated 03/05/2014.

Thereafter, Compromise agreement is executed between M/s. Merchant and Associates and Bhagwansinh Ramsinh Dodiya and Others who are legal heirs of Devisinh Jinabhai Dodiya and others in respect of the property being Survey No. 4/A/1 – 2 – 3 being Consolidated Survey No. 4/A/1 having Final Plot No. 6 of T. P. Scheme No. 1, admeasuring 4848-00 Sq. Mt., which is duly Registered in the Office of Sub – Registrar of Assurance, Waghodiya, Dist. Vadodara vide Reg. Sr. No. 1724, dated 03/07/2015.





CERTIFICATE

I, hereby certify that from the documents referred above which was submitted to me and I have caused a necessary search in the Office of The Sub – Registrar, Waghodiya, Dist. Vadodara for the period from 2000 to 2015 and verified the information furnished in the report and during my possible search I do not find any adverse entry having been registered against the said property being **NON - AGRICULTURAL LAND** being Survey No. 4/A/1 – 2 – 3 being Consolidated Sur vey No. 4/A/1 having Final Plot No. 6 of T. P. Scheme No. 1, admeasuring 4848-00 Sq. Mt., situated in the village sim NIMETA, Tal. Waghdiya & Dist. Vadodara more described in **SCHEDULE** hereunder which owned by **VISHNUBHAI DAHYABHAI PATEL, SHAILESHBHAI KUBERBHAI PATEL, BABUBHAI BHANJIBHAI PATEL, BHAVESHBHAI GHANSHYAMBHAI PATEL, ASHOKBHAI VISHNUBHAI PATEL** is **CLEAR, MARKETABLE AND FREE FROM ENCUMBRANCES** subject of the Lease Deed Reg. vide Sr. No. 1694, dated 05/09/2013 in favour of Nayanbhai Bhagwanbhai Patel and outcome of the Civil Suit No. Special Civil Suit No. 619 / 2000 in the Court of Hon'ble Civil Judge (S.D.) Vadodara.

That, this report is issued on the basis of the search taken in Sub – Registrar Office and documents provided to us, thus any other documents which are not registered with Sub – Registrar Office and not disclose to us are subject to our examination.

SCHEDULE OF PROPERTY

An Immovable **NON - AGRICULTURAL LAND** being Survey No. 4/A/1 – 2 – 3 being Consolidated Sur vey No. 4/A/1 having Final Plot No. 6 of T. P. Scheme No. 1, admeasuring 4848-00 Sq. Mt., situated in the village sim NIMETA, Tal. Waghdiya & Dist. Vadodara.

Search Receipt No. 2015109003749, dated 2000 to 2015

Search Receipt No. 2015109005100, dated 2003 to 2015

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