

KALRAV R. PATEL
ADVOCATE
GUJARAT HIGH COURT

SEARCH REPORT

To,

“Shivaay Buildcon”

Office: 540 Valand Vas, Rabari Vas,
Zundal Village, Tal & Dist. Gandhinagar 382421.



Subject:- The land situated at the Moje Zundal Village, Taluka Gandhinagar being having Registration District Sub District Gandhinagar bearing City Survey no. **NA340/7/P2**(Old Survey No. 340/7 admeasuring 1922 Sq. Mts of land is being covered up under the Draft T. P. Scheme No. 409/B(Zundal)and allotted Final Plot No. **66 paiki 1153 Sub. Sq. Mts** is N.A. Land)wherein 1153 Sub. Sq. Mts of land is Non agricultural land and City Survey no. **NA340/12/1**(Old Survey No. 340/12/1 ad-measuring 1315 Sq. Mts of non agricultural land paiki **217 Sub. Sq. mts** of land is being covered up under the Draft T. P. Scheme No. 409/B(Zundal)and allotted Final Plot No. **66 wherein 1283 Sub Sq. Mts of land is for multipurpose used and** City Survey no. **NA341/2** (Old Survey No. 341/2 ad-measuring 2934 Sq. Mts of land paiki **957 Sub Sq. Mts of land** is being covered up under the Draft T. P. Scheme No. 409/B(Zundal)and allotted Final Plot No. **69 wherein 574 Sub. Sq. Mts** is N.A. Land)wherein 2143



1/2/2012

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Office 2: 214, Sardar Patel Chambers, Opp. Bank of Maharashtra, Vasant Chowk, Lal Darwaja, Ahmedabad-380001.

Sub. Sq. Mts of land paiki **574 Sub. Sq. Mts** of land is for multipurpose, thus I am providing the **Search Report of both the Non agricultural land bearing the Final Plot NO. 66 + 69 ad-measuring 1857 Sub. Sq. Mts.**

Pursuant to the request of land owner we have carried out the work of the title investigation of the non agricultural land situated at the Moje Zundal Village, Taluka Gandhinagar being having Registration District Sub District Gandhinagar bearing City Survey no. **NA340/7/P2**(Old Survey No. 340/7 ad-measuring 1922 Sq. Mts of land is being covered up under the Draft T. P. Scheme No. 409/B(Zundal)and allotted Final Plot No. **66 paiki 1153 Sub. Sq. Mts** is N.A. Land)wherein 1153 Sub. Sq. Mts of land is Non agricultural land and City Survey no. **NA340/12/1**(Old Survey No. 340/12/1 ad-measuring 1315 Sq. Mts of non agricultural land paiki **217 Sub. Sq. mts** of land is being covered up under the Draft T. P. Scheme No. 409/B(Zundal) and allotted Final Plot No. **66 wherein 1283 Sub Sq. Mts of land is for multipurpose used and** City Survey no. **NA341/2** (Old Survey No. 341/2 ad-measuring 2934 Sq. Mts of land paiki **957 Sub Sq. Mts of land** is being covered up under the Draft T. P. Scheme No. 409/B(Zundal)and allotted Final Plot No. **69 wherein 574 Sub. Sq. Mts** is N.A. Land)wherein 2143 Sub. Sq. Mts of land paiki **574 Sub. Sq. Mts** of land is for multipurpose, thus I am providing the **Search Report of both the Non agricultural land bearing the Final Plot NO. 66 + 69 ad-measuring 1857 Sub. Sq. Mts** and to obtain the Title Clearance Certificate we have given the public notice in "Gujarat Samachar" news paper on 01/11/2022. To this intent, we have caused the searches of the available records of the concerned officer of the Sub Registrar, Gandhinagar for the period of last Thirty Years and have perused and scrutinized copy of the documents/papers/revenue records as are made available to us and believing the same to be true, corrects and genuine and also based on the information/



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clarification as are made available to use by or through you and relying upon the same to be true and correct, we submit our Title Report as under for your personal purpose.

HISTORY OF THE LAND BEARING SURVEY NO.340/7

- (1) The land bearing Survey no. 340/7 ad-measuring 00-19 Gutha means 1922 Sub Sq.Mts of agricultural land was being under the independent possession of Mr. Dhulaji Vajaji prior to 1946.
- (2) Thereafter, after the sudden death of the owner of the said land Dhulaji Vajaji on 28/12/1946 his legal guardian his mother namely Baijiji as per the inheritance right and after taking the reply of the village leaders was entered into the revenue record being no. 1510 dated 21/03/1947 and the said entry has been certified by the concerned officer.
- (3) Thereafter in order to prevent division of land into other rights in the record of rights of the land and to consolidate it as per Section 5 of the Act of 1947 and as per the Taluka Circular order no. L. N. D. Ta.3/51 and also under the Act, it was noted as "Pieces" being No. 1642 dated 01/10/1951 and the said entry was being authorized by the concerned officer on 12/06/1952.
- (4) Thereafter the owner of the said land was Bai Jiji who was the guardian of Gandaji Vajaji and minor Dahyaji Dhulaji but she was gone with other persons since last 12 months therefore his brother in law Gandaji Vajai had given the reply and after the confirmation of the reply of the village leaders, the said land was entered in the record being Entry no. 2107 on 20/10/1954 and the said entry was confirmed by the concerned officer.



12/07/54

- (5) Thereafter, under the provision of The Bombay Personal Reward Abolition Act, 1952, the Honble Collector, Ahmedabad had issued the Circular being no. W. T. N. 4035 dated- 28/07/1953 on the basis of the Taluka order no. W.T.N 108 dated- 02/02/1955 wherein the land going on under the Jaat Inam Head of Zundal Village and as all the lands were going to be abolished on 01/08/1955 under Jaat Inam, the order was passed under the Khalsa Raiyatvari Head and the said order was recorded in the Record of Rights under the occupier column being Entry no. 2125 dated 15/06/1955 and the said entry was being certified by the concerned officer on 09/10/1955.
- (6) In the records of rights of the said land , the name of Dhulaji Vajaji was being entered in the year 1948 as a reserved category but as Dhulaji Vajaji was not cultivating the said land since last two years therefore his name as reserved category was being abolished by the circular of Taluka Order No. TNC dated 07/03/1955, the name of Dhulaji Vajaji was being reduced in the records of rights of other rights being Entry no. 2145 dated 01/06/1956 and the said entry was being authenticated by the concerned officer on 14/09/1956.
- (7) The names of the cultivators previously entered in the land records as ordinary ganotiyas but in the year 1955-56 in possession of the land of those survey numbers shall be named as ordinary ganotiyas in the second right as ordinary ganotiyas in the year 1955-56 and shall be reduced to which as per the Taluka order No. TMC/55, there was reduction in the name as ordinary ganotiya by Entry no. 2151 from the other rights dated 15/07/1956 and the said entry was being authenticated by the concerned officer on 28/08/1956.

- (8) Thereafter the possession of the land bearing said survey number are as follows and the order of conso dated- 27/11/1959 is recorded as under

Survey No.	Name going on as per Records	Name of the person who is occupier
340/7	Gandaji Vajaji and Minor Dahyaji Dhulaji as guardian	Atiya Amtha
340/12	Atiya Amtha	As guardian of Gandaji Vajaji and minor Dahyaji Dhulaji
445/2/A	Nathabhai Ranchodbhai	Marghabhai BakorbhaiAdarbhai Bakorbhai
445/2/A	Marghabhai Bakorbhai Adarbhai Bakorbhai	Nathabhai Ranchodbhai

As per the Bombay Prevention of Fragmentaion and Consolidation of Holdings Act, 1947, the plan of consolidation in the said village have been started from 06/01/1958 means that till the plan of consolidation is not implemented in the said village till date except the payment of Giro and Varsai, there will no change in any of the land and if the change is done then as per the provision of Section 27, it will be considered as null and void and accordingly the entry was made in the record entry no. 2298 dated 27/11/1959 and was being authenticated by the concerned officer.

- (9) The farmers whose name were running as ordinary ganotiya and were not cultivating the said land since 1956-57, there name was being reduced as ordinary ganotiya such as Gandaji

1/10/59

Vajaji by Entry no. 2875 dated 05/10/1966 and the said entry was certified by the concerned officer and since then Mr. Ataji Amthaji is the independent occupier of the said land.

(10) Thereafter, the owner of the said land Ataji Amthaji was expired before 60 years without any will, therefore the direct heirs of the said Ataji Amthaji namely Manguben Vaghaji and Becharji Vaghaji, Bhikhaji Vaghaji, Ravji Kalaji, Kaniji Kalaji, Lasiben widow of Kalaji Vaghaji and Beniben widow of Lakhaji Vaghaji and Chhaganji Lakhaji and Takhaji Lakhaji and Vishnuji Lakhaji and Rameshji Lakhaji except this there were no other legal heirs such as son or daughter or any other expired son and daughter, therefore in order to enter the joint names of Manguben Vaghaji and others in the record of rights of land subject to inheritance rights an application was submitted to Mamlatdar through E-dhara Center officer in person and after the production of affidavit, death certificate, birth certificate and panchnama was entered in the Records by Entry no. 5188 dated 28/11/2005 and the said entry was confirmed by the concerned officer.

(11) Thereafter, the said land being survey no. 340/7 ad-measuring 1922 Sub Sq. Mts of old conditions agriculture land whose owners were Becharji Vaghaji Thakore, Kankuben wife of Becharji Vaghaji Thakore, Shankarji Vaghaji and Manguben daughter of Vaghaji Bapuji and Raoji Kalaji and Kantiji Kalaji and Lasiben widow of Kalaji Vaghaji, Bhikhaji Vaghaji and Budhaji Bhikhaji and Dashrathji Bhikhaji and Pasiben wife of Bhikhaji Vaghaji and Chhaganji Lakhaji and Takhaji Lakhaji and Vishnuji Lakhaji and Rameshji Lakhaji was purchased by Shakarbhaji Fulabhai Patel, Mahendrabhai Ambalal Patel and Mahendrabhai Keshvalal Patel by their own earning as per the share falls within them and paid on 26/09/2005 and

executed the registered sale deed and was kept for sale. The said registered sale deed was executed before the Sub Registrar office, Gandhinagar being Serial No. 7191 and was recorded on the same date itself and thereafter on the basis of the said sale deed, the new owners of the land being Shakarbhai Fulabhai Patel, Mahendrabhai Ambalal Patel and Mahendrabhai Keshvalal Patel was being entered in the record of rights by Entry no. 5194 dated 28/11/2005 and the same was authenticated on 12/01/2006 by the concerned officer.

- (12) Thereafter, the said land being survey no. 340/7 ad-measuring 1922 Sub Sq. Mts and Survey no. 340/12 ad-measuring 1315 sub Sq. Mts of old conditions agriculture land whose owners were Shakarbhai Fulabhai Patel, Mahendrabhai Ambalal Patel and Mahendrabhai Keshvalal Patel was purchased by Dhirubhai Dayarambhai Patel and Tushar Dashrathrai Bhatt and Kirit Dashrathrai Bhatt and Shishir Dashrathray Bhatt by their own earning as per the share falls within them and paid and executed the registered sale deed on 31/06/2006 and was kept for sale. The said registered sale deed was executed before the Sub Registrar office, Gandhinagar being Serial No. 7999 and was recorded on the same date itself and thereafter on the basis of the said sale deed, the new owners of the land being Dhirubhai Dayarambhai Patel and Tushar Dashrathrai Bhatt and Kirit Dashrathrai Bhatt and Shishir Dashrathray Bhatt was being entered in the record of rights by Entry no. 5344 dated 11/08/2006 and the same was authenticated on 20/09/2006 by the concerned officer.

- (13) Thereafter, the said land being survey no. 340/7 ad-measuring 1922 Sub Sq. Mts and Survey no. 340/12 ad-measuring 1315 sub Sq. Mts of old conditions agriculture land and the land being Survey No. 340/13 ad-measuring 1214 sub Sq. Mts of

old Conditions agricultural land whose owners were Dhirubhai Dayarambhai Patel and Tushar Dashrathrai Bhatt and Kirit Dashrathrai Bhatt and Shishir Dashrathray Bhatt was purchased by Prabhudas Chimanbhai Patel by his own earning as per the share falls within them and paid and executed the registered sale deed on 06/10/2009 and was kept for sale. The said registered sale deed was executed before the Sub Registrar office, Gandhinagar being Serial No. 11015, 11019 and 11018 and was recorded on the same date itself and thereafter on the basis of the said sale deed, the new owners of the land being Prabhudas Chimanbhai Patel was being entered in the record of rights by Entry no. 6158 dated- 17/11/2009 and the same was authenticated on 20/02/2010 by the concerned officer.

- (14) Thereafter the owner of the said land Prabhudas Chimanbhai Patel became age old was not able to maintain the land in question therefore to enter the name of other partners and legal heirs such as Kantaben Prabhudas, Nimishaben Prabhudas, Ankitaben Prabhudas, Hiteshkumar Prabhudas had applied before the Mamlatdar through E-Dhara Center to enter the names jointly in the records of Rights Column and had provided the application, affidavit, pedhinama and the names of the said legal heirs Kantaben Prabhudas, Nimishaben Prabhudas, Ankitaben Prabhudas, Hiteshkumar Prabhudas was entered in the records by Entry no. 6738 on 03/08/2011 along with Prabhudas Chimanbhai and the said entry was authenticated on 29/09/2011 by the concerned officer.

- (15) Thereafter their case was going on between the plaintiff namely Bhadarji Ataji Thakore Vs. Respondent (1) Deputy Mamlatdar, Gandhinagar and (2) Juhaji Gandaji etc wherein the Prant officer had ordered on 18/02/2015 to withdraw the case and



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also ordered to be removed from the register in the case No.RTS/SR/DASU.444/2014 and the said order was entered into the records by entry no. 7707 dated 24/02/2015 and the said entry was confirmed by the concerned officer on 30/05/2015

- (16) Thereafter it was decided to allot the 1153 sub Sq. Mts of land from the land bearing survey no. 340/7 ad-measuring 1922 sub sq. mts of land is being covered up under the Draft T. P. Scheme No. 409/B(Zundal)and allotted Final Plot No. 66 paiki 1153 Sub. Sq. Mts.
- (17) Thereafter for the non agricultural land use of the Survey no. 340/7 ad-measuring 1922 paiki 1153 Sub Sq. Mts land under Section 65 of the Land Revenue Act,1879, the owners of the said land have applied for permission before the Collector, Gandhinagar online on 18/01/2022 and the Hon'ble Collector by its order no.Sr.No.635/06/03/057/2022 dated 19/03/2022 had given the permission to use the said land for various purposes. Thereafter the N.A. Entry was made in the records of rights being Entry no. 10554 dated 19/03/2022 and the said entry was being authorized by the concerned officer on 28/04/2022.
- (18) Thereafter, after the said land was declared as non agricultural land, the note was made being Entry no. 10554 of the said land being Survey No 340/7 (Account No. 12) Area 1922 Sub Sq. Mts paiki 1152 Sq. Mts of land and as per the above details the property card was ready and also noted to close the page of 7/12 extract.





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Details of the Property Card of Survey/Block No. 340/7 (Account No. 12) ad-measuring 1922 Sq.Mts Paiki ad-measuring 1153 SQ. Mts.

District: Gandhinagar
City Survey Officer: Gandhinagar
City Survey Ward: Zundal(Non Agriculture)
Sheet No. NA99
City Survey no. NA340/7P2
Maintenance Surveyor: Surveyor Zundal
(Non-Agriculture)

HISTORY OF THE LAND BEARING SURVEY NO.340/12

- (19) The land bearing Survey no. 340/12 admeasuring 00-13 Gutha means 1315 Sub Sq.Mts of agricultural land was being under the independent possession of Mr.Atiya Amtha prior to 1951-52.
- (20) Thereafter in order to prevent division of land into other rights in the record of rights of the land and to consolidate it as per Section 5 of the Act of 1947 and as per the Taluka Circular order no. L. N. D. Ta.3/51 and also under the Act, it was noted as "Pieces" being No. 1642 dated 01/10/1951 and the said entry was being authorized by the concerned officer on 12/06/1952.
- (21) The names of the cultivators previously entered in the land records as ordinary ganotiyas namely Madha Mathur but in the year 1955-56 in possession of the land of those survey numbers shall be named as ordinary ganotiyas in the second right as ordinary ganotiyas in the year 1955-56 and shall be reduced to which as per the Taluka order No. TMC/55, there was reduction in the name as ordinary ganotiya Madha Mathur



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by Entry no. 2151 from the other rights dated 15/07/1956 and the said entry was being authenticated by the concerned officer on 28/08/1956. From their onwards the name of Manga Juha was entered into the other land records.

(22) Thereafter the possession of the land bearing said survey number are as follows and the order of conso dated- 27/11/1959 is recorded as under

Survey No.	Name going on as per Records	Name of the person who is occupier
340/7	Gandaji Vajaji and Minor Dahyaji Dhulaji as guardian	Atiya Amtha
340/12	Atiya Amtha	As guardian of Gandaji Vajaji and minor Dahyaji Dhulaji
445/2/A	Nathabhai Ranchodbhai	Marghabhai Bakorbhai Adarbhai Bakorbhai
445/2/A	Marghabhai Bakorbhai Adarbhai Bakorbhai	Nathabhai Ranchodbhai

As per the Bombay Prevention of Fragmentaion and Consolidation of Holdings Act, 1947, the plan of consolidation in the said village have been started from 06/01/1958 means that till the plan of consolidation is not implemented in the said village till date except the payment of Giro and Varsai, there will no change in any of the land and if the change is done then as per the provision of Section 27, it will be considered as null and void and accordingly the entry was made in the record entry no. 2298 dated 27/11/1959 and was being authenticated by the concerned officer.



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- (23) Thereafter the investigation under Section 32(G) of the Act, Mr. Manga Juha is not considered as he had mortgaged the said possession for Rs.250/- and the price does not have to be determined as per Section 32(G) of the Act. They entered record entry no. 2911 of the said land on 07/10/1966 as per order of dispossession and the said entry have been confirmed by the concerned officer on 29/06/1967.
- (24) Thereafter the said Mangaji Juha expired after three years after mortgaging the said land. Therefore after the death of Mangaji Juhaji, the direct legal heirs of the said Mangaji Juhaji were Gandaji Mangaji, Kankuben Mangaji, Maniben Mangaji except this there were no other legal heirs such as son or daughter or any other expired son and daughter. Therefore under the provision of the rights of legal heirs the occupier of the land being Gandaji Mangaji was entered in the records being Entry no. 3207 on 11/05/1976 and thereafter was authenticated by the concerned officer.
- (25) Thereafter, among the owners of the said land the daughters of Mangaji Juhaji Thakor had willingly waive away the rights without any distribution from the said lands and other lands by entering the Entry no. 3208 dated 11/05/1976 and the said entry was confirmed by the competent authority.
- (26) Thereafter the said owner of the land namely Gandaji Mangaji expired on 14/05/1966 without any will, so that the direct legal heirs of the said deceased person was his wife namely Mena Widow of Gandaji Mangaji and minor Bhikhaji Gandaji and Minor Nathiben Gandaji and Minor Shankarji Gandaji and Minor Kliben Gandaji and minor Popatbhai Gandaji and natural guardian except this there were no other legal heirs or an other son or daughter or son and daughter who expired.



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Therefore to enter the joint name alongwith the Menabai widow of Gandaji Mangaji in the rights of occupier column was entered before the Talati with the application and other village leaders and after the production of the death certificate was entered in to the records being Entry no. 3233 dated 26/12/1976 and the same was authenticated on 16/04/1977 by the concerned officer.

- (27) Thereafter, the owners of the said land Bai Mena widow of Gandaji Mangaji expired before 10 years and also Bai Diwali widow of Mangaji Juhaji expired around 32 years and Bhikhaji Gandaji expired on 26/12/1993 without any will and therefore to remove the names from the rights of records, the application was given the Mamlatdar Edhara office by attaching application, affidavits and death certificate and panchnama, the said names of Bai Mena widow of Gandaji Mangaji and Bai Diwali Widow of Mangaji Juhaji was removed by making Entry no. 5190 dated 28/11/2005 and the said entry was confirmed on 12/01/2006 by the concerned officer.
- (28) The owner of the said land namely Menaben Gandaji had mortgaged the land in "The Zundal Seva Sahkari Mandali Limited and taken the loan from the Mandali and the said owner Menaben Gandaji had paid the whole loan taken from "The Zundal Seva Sahkari Mandali Limited" therefore the mandali had provided the No Due Certificate and because of the said certificate obtained, the same is required to be removed from the records therefore the, the said certificate was entered being Entry no. 5192 dated 28/11/2005 and the same was being certified by the concerned officer on 12/01/2006.



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- (29) Thereafter the owner of the land means the executor who were the legal heirs of the expired Gandaji Mangaji Thakore namely Nathtiben Gandaji Thakore and Shankarji Gandaji Thakore and Kliben Gandaji Thakore and Popatji Gandaji Thakore who wrote to the mortgagor Mr. Gandaji Wajaji Thakore and Dahyaji Dhulaji Thakore wrote the mortgage deed. Thereafter in order to reduce the name and enter it as an occupier had applied in person before the Mamlatdar Office at E. Dhara Centre and after submitting the mortgage return assignment agreement was being entered into the rights of records being Entry no. 5193 dated 28/11/2005 and the same was being confirmed by the competent authority on 12/01/2006.
- (30) Thereafter, the said land being survey no. 340/12 admeasuring 1315 old Conditions agricultural land whose owners were Dahyaji Dhulaji Thakore, Gandaji Vajaji Thakore, Bhalaji Gandaji Thakore, Juhaji Gandaji Thakore, Bharatsinh Bhalaji Thakore, Arvindbhai Bhalaji Thakor, Hansaben daughter of Juhaji Gandaji and Ramilaben daughter Gandaji Vajaji and Babliben daughter of Gandaji was purchased by Shankarbhai Fulabhai Patel and Mahendrabhai Ambalal Patel, Mahendrabhai Keshavlal Patel by their own earning and had paid from their sharing had made the registered sale deed on 26/09/2005 was kept for sale. The said registered sale deed was executed before the Sub Registrar office, Gandhinagar being Serial No. 7190 and was recorded on the same date itself and thereafter on the basis of the said sale deed, the new owners of the land being Shankarbhai Fulabhai Patel and Mahendrabhai Ambalal Patel, Mahendrabhai Keshavlal Patel was being entered in the record of rights by Entry no.5196 dated 28/11/2005 and the same was authenticated on 12/01/2006 by the concerned officer.



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(31) Thereafter the land bearing survey no. 340/12 admeasuring 1315 Sub Sq. Mts of old conditions agricultural land and survey no. 340/7 ad-measuring 1922 sub sq. mts of land of old conditions agricultural land and the survey no. 340/13 admeasuring 1214 sub sq. mts of land of old conditions and Mr.Dhirubhai Dayarambhai Patel and Tushar Dashrathrai Bhatt and Kirit Dashrathray Bhatt, Shishir Dashrathrai Bhatt had purchased from their own earning from the owners of the said land Mr. Shankarbhai Fulabhai Patel, Mahendrabhai Ambalal Patel, Mahendra Keshavlal Patel and the said owners had executed the registered sale deed on 31.06.20036 and kept for sale. The said sale deed was executed before the Sub Registrar Gandhinagar being Serial No. 7999 and was recorded on the same date. And thereafter on the basis of the said registered sale deed, the names of the owners of the land namely Mr.Dhirubhai Dayarambhai Patel and Tushar Dashrathrai Bhatt and Kirit Dashrathray Bhatt, Shishir Dashrathrai Bhatt was being entered in the column of the record of rights by Entry No. 5344 dated 11/08/2006 and the said entry number was being authenticated by the registered officer.

(32) Thereafter the land bearing survey no. 340/12 admeasuring 1315 sub sq. mts of old conditions agricultural land and survey no. 340/7 ad-measuring 1922 sub sq. mts of land of old conditions agricultural land and the survey no. 340/13 admeasuring 1214 sub sq. mts of land of old conditions and their ownesrs namely Dhirubhai Dayarambhai Patel, Tushar Dashrathray Bhatt and and Kirit Dashrathray Bhatt, Shishir Dashrathrai Bhatt had purchased from their own earning from the owners of the said land namely Prabhudas Chimanbhai Patel and had executed the registered sale deed on . 06/10/2009 by doing different different sale deed and was



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kept for sale. The said sale deed was executed before the Sub Registrar Gandhinagar being Serial No. 11015, 11019 and 11018 and was recorded on the same date. And thereafter on the basis of the said registered sale deed, the names of the owners of the land namely Prabhudas Chimanbhai Patel was being entered in the column of the record of rights by Entry No. 5344 dated 17/11/2009 and the said was confirmed by the concerned authority on 20.02.2010.

(33) Thereafter the owner of the said land Prabhudas Chimanbhai Patel became age old was not able to maintain the land in question therefore to enter the name of other partners and legal heirs such as Kantaben Prabhudas, Nimishaben Prabhudas, Ankitaben Prabhudas, Hiteshkumar Prabhudas had applied before the Mamlatdar through E-Dhara Center to enter the names jointly in the records of Rights Column and had provided the application, affidavit, pedhinama and the names of the said legal heirs Kantaben Prabhudas, Nimishaben Prabhudas, Ankitaben Prabhudas, Hiteshkumar Prabhudas was entered in the records by Entry no. 6738 on 03/08/2011 along with Prabhudas Chimanbhai and the said entry was authenticated on 29/09/2011 by the concerned officer.

(34) Thereafter the Survey no. 340/12 ad-measuring 1315 sub Sq. mts paiki 217 Sub. Sq. mts of land is being covered up under the Draft T. P. Scheme No. 409/B(Zundal) and allotted Final Plot No. 66 paiki 130 Sub Sq. Mts of land and the remaining 1098 Sub Sq. mts of land is being covered up under the Draft T. P. Scheme No. 234(Zundal) and allotted Final Plot no. 178 paiki land was decided.



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- (35) Thereafter with regard to the land bearing Survey no. 340/1/2, M.D.I.L.R, Gandhinagar having Du. P. No. 76 and No. K.J.P/S.R/GAA.16/2017/18 to 23/06/2017 was sent and below note was made.

As per the present

S.N.	Area(Hec. Arc)	Shape
340/1/2	0-25-29	1.94

After Durasti of the said land

S.N.	Area(Hec. Arc)	Shape
340/1/2/1	0-13-15	1.00

Occupier:-

- (1) Prabhudas Chimanbhai Patel
- (2) Kantaben Prabhudas
- (3) Nimishaben Prabhudas
- (4) Ankitaben Prabhudas
- (5) Hiteshkumar Prabhudas

S.No.	Area(Hec.Arc)	Shape
340/1/2/1	0-12-14	0.94

Occupier:-

- (1) Prabhudas Chimanbhai Patel
- (2) Kantaben Prabhudas
- (3) Nimishaben Prabhudas
- (4) Ankitaben Prabhudas
- (5) Hiteshkumar Prabhudas



Thus, on the basis of the order of the said land K.J.P, Entry no. 8446 dated 28/06/2017 was made in the records of the said land and instead of Survey no. 340/1/2/2, Survey no. 340/12/1 and Survey no. 340/12/2 have been amended and the above entry has been authenticated by the concerned officer on 18/08/2017.

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- 36) Thereafter for the said survey no. 340/12/1 admeasuring 1315 sub sq. mts of land the previous owners of the land have applied online for the conversion of the land into non agriculture land before the Collector, Gandhinagar under section 65 of the Land Revenue Code, 1879 on 08.02.2022 and the Hon'ble Collector had passed the order being Serial No. 769/06/03/057/2022 to 01/04/2022 of the conversion of the said land into non agriculture land. and the said entry was came to be confirmed by the concerned officer on 07.05.2022.

HISTORY OF THE LAND BEARING SURVEY NO.341/2

- (37) The land bearing Survey no. 341/2 ad-measuring 00-29 Gutha means 2934 Sub Sq.Mts of agricultural land was being under the independent possession of Mr.Adarji Hiraji from 1939
- (38) Thereafter after the death of Shri Adarji Hiraji n 15.04.1939 without creating will under the provision of the legal heirs his son namely Sendhaji Adarji was being entered by Entry no. 1267 on 22.04.1939 and the said entry was being authenticated on 17.06.1939 by the concerned officer.
- (39) The entry no. 1562 of the said survey no. 341/2 does not apply to other land.
- (40) Thereafter the owner of the said land had to purchase the buffalo had obtained a loan of Rs.300 on 20.08.1949 and the said was entered into the record by Entry no. 1582 on 30.10.1949 and the said entry was being authorised by the concerned officer on 16/02/1950.



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- (41) Thereafter in order to prevent division of land into other rights in the record of rights of the land and to consolidate it as per Section 5 of the Act of 1947 and as per the Taluka Circular order no. L. N. D. Ta.3/51 and also under the Act, it was noted as "Pieces" being No. 1642 dated 01/10/1951 and the said entry was being authorized by the concerned officer on 12/06/1952.
- (42) Thereafter after the death of Shri Sendhaji Adarji Hiraji expired on 15.04.1939 without creating will therefore under the provision of the legal guardian of his son namely minor Bhikhaji Sendhaji Sendhaji Adarji was being entered by Entry no. 1810 on 26/01/1953 and the said entry was being authenticated on 02/11/1953 by the concerned officer.
- (43) Thereafter, under the provision of The Bombay Personal Reward Abolition Act, 1952, the Honble Collector, Ahmedabad had issued the Circular being no. W. T. N. 4035 dated-28/07/1953 on the basis of the Taluka order no. W.T.N 108 dated 02/02/1955 wherein the land going on under the Jaat Inam Head of Zundal Village and as all the lands were going to be abolished on 01/08/1955 under Jaat Inam, the order was passed under the Khalsa Raiyatvari Head and the said order was recorded in the Record of Rights under the occupier column being Entry no. 2125 dated 15/06/1955 and the said entry was being certified by the concerned officer on 09/10/1955.
- (44) Thereafter, after the death of owner of the said land Shri Bhikhaji Sendhaji in the year 1955 without creating will therefore under the provision of the legal rights the widow of Sendhaji Adarji namely Bai Wali had been entered being Entry no.2209 on 15/04/1959 and the said entry was being authenticated by the concerned officer on 17/07/1960.



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[20]



- (45) Thereafter, the Hon'ble Judge had passed the order being Order no. 668 to date 21/04/1960, the occupier of the land being Baiwali widow of Sendhaji Adarji, and as per Section 32 of the Act Mr. Melaji Becharji has no right to purchase the land and due to such order, the said order have been recorded in the record of the land under Entry no. 2330 dated 20.06.1960 and was being certified by the concerned officer on 17/07/1960.
- (46) Thereafter in the year 1956-57, the farmer who have cultivated and to enter their name in the other rights, the reserved cultivator namely Shri Ghelaji Becharji was entered by Entry no. 2876 on 05/10/1966 and the said entry was authenticated by the concerned authority on 05/10/1967.
- (47) Thereafter, after 1956-57, the farmers who have cultivated the said land and to enter their name in the other rights, the reserved cultivator name shall be entered under the provision of Section 32(O) wherein in the land of survey no. 341/2, the reserved cultivator namely Ishwarbhai Becharbhai Ptel was entered independently by Entry no. 2877 dated 05.10.1966 and the said entry was certified by the concerned officer on 05/10/1967.
- (48) The said number of the land and other land wherein their owners have settled or taken the loan. But thereafter the said loan was being paid by the owner of the land Baiwali widow of Sendhaji Adarji and obtained the said No objection certificate from the Taluka on 10/12/1977 and the said entry was being noted in the record of rights being Entry no. 3010 dated 15/12/1967.



K. R. Patel

- (49) Thereafter on investigation as per Section 32(O) of the Gujarat Tenancy and Agricultural Lands Act, the tenant Ishwarbhai Becharbhai Patel and the owner of the said land Bai wali widow of Sendhaji Adarji, just to postpone the purchase, the order was passed in the Ganot Case no. 32(O)15/67 Zundal dated 20/02/1968 and the said note was entered in to the records of Rights Entry no. 3068 dated 20/06/1968 and the said entry was being authorized by the concerned officer on 08/04/1968.
- (50) Thereafter the tenant namely Ishwarbhai Becharbhai Patel had mortgaged the said land in "The Zundal Seva Sahkari Mandali Limited and taken the loan of Rs.5670/- from the Mandali and the said mandali has produced the deed therefore the said loan was entered into the records of rights being Entry no. 3375 dated 26/03/1977 and was being authorized by the competent authority.
- (51) Thereafter the case between the tenant Shri Ishwarbhai becharbhai Patel and the land owner Valieben widow of Sendhaji Adaji, Hon'ble Mamlatdar and Krishipanch no.1 Gandhinagar order No.Gajotcase/4562/84 dated 08.05.1985 as follows

"The two names were entered into the same by two different tenant and the purchase of both the tenant is on hold because the owner of the said land was widow and the tenant namely Ghelabhai Becharbhai have remained falsely as general tenant which he admitted in his affidavit and because of the said admission the tenant Ishwarbhai Becharbhai Patel and the owner in understanding between them had sold the land for an amount of Rs.500/- and that cost of sale was equal to the Rs.500/- both the tenants have to pay the penalty of Rs.1 under Section 84 of the Tenant Act and the tenant Ishwarbhai



[22]



Becharbhai Patl had remain in accordance with the Section 43 of the Act is ordered to be.

The note of the said order was made in the record of rights by Entry no. 3739 dated 31.05.1985 and the said entry was confirmed by the concerned officer on 06/11/1985.

(52) Thereafter the owner of the said land Ishwarbhai Becharbhai Patel in the said land and other lands due to our age we cannot give full attention to the agricultural work therefore Ishwarbhai Becharbhai Patel of the said land and other land as our legal heirs (Late Shri Vinodbhai Ishwarbhai Patel(Expired date 02/07/1999) wife Vidhyaben widow of Vinodbhai Ishwarbhai Patel and Ratibhai Ishwarbhai Patel had to be entered as joint name in the records of rights of occupier column before the Talati by producing an application, reply and pedhinama was entered into the record entry no. 4642 dated 30/10/2001 and from this date onwards alongwith the name of Ishwarbhai Becharbhai Patel, thename of Vidhyaben Widow of Vinodbhai Ishwarbhai Patel was entered jointly and also Ratibhai Ishwarbhai Patel as co Accountant in the said land and the said entry was being verified by the concerned officer on 08/05/2001.

(53) Thereafter the owner of the said land Ishwarbhai Becharbhai Patel had kept the said land in mortgage with "The Zundal Seva Sahakari Mandali Limited" and the said loan was paid up by the Ishwarbhai Becharbhai Patel to "The Zundal Seva Sahakari Mandali Limited" and the mandali had given the no due certificate and the said certificate was taken in the records of rights by Entry no. 6679 dated 06/06/2011 and the said entry was confirmed by the concerned officer on 12/09/2011.



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[23]



- (54) Thereafter, in the records of rights of the said land, there were other pieces noted entry no. 1642 but as per the Fragmentation Act if the area is more than 00-20 guthas then to reduced the fragmentation pieces the Prant Officer of Gandhinagar through his letter no. P.O/T.Kami/VAshi/2681/2012 dated 09.08.2012 had made the entry in the records of rights being Entry no. 7044 dated 31/08/2012 and the said entry was certified by the concerned officer on 26/11/2012.
- (55) Thereafter the owner of the land Ishwarbhai Becharbhai Patel etc means petitioner Vs. respondent Collector, Gandhinagar in the revision case of the Hon'ble Gujarat Revenue Panch, Ahmedabad order no. Revision application being Serial:TEN/BA/329/13 dated 19/04/2014 had ordered that

“The application for chief examination of the applicant being serial :T.E.N/B.A/329/13 is hereby granted and the serial:CB/Ganot/Vashi/2544 to 2545/2012 of the Collector, Gandhinagar had pronounced the order on 12/03/2012 is hereby rejected and the applicant in the present case is ready to pay the premium, the Collector had provided all the natural way to produce himself as per the law, is requested to pass the legal order”

The said order have been registered in the records of rights by Entry no. 7469 dated 11/04/2014 and the said entry was being authenticated by the concerned officer on 14/07/2014.

- (56) Thereafter the owner of the said land Ishwarbhai Becharbhai Patel having Survey no. 341/2 and other survey no. 341/2 paiki Total 4405 Sub Sq. Mts of land for the development of the Nagar Yojana No.234(Zundal) was covered into the T.P.Scheme of Final Plot no. 180 wherein 2643 Sub Sq,. Mts of land was



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[24]



decided for the allotment. Moreover the land of 957 Sq. Mts of total land of the said survey no. 341/2 has been allocated under Draft nagar Rachana Yonjana No.409/B(Zundal)and decided to allot 574 Sq. mts of land being final Plot no.69 under the said T.P.Scheme.

- (57) Thereafter the owner of the said land Ishwarbhai Becharbhai Patel bearing the said Survey no. 341/2 content of 2934 sub Sq. Mts of land bearing T.P.Scheme no.234 having final plot no.180 paiki on the fence of the said survey number eligibel to get the land as per the final plot having 2143 sub sq. mts of restricted type land for the residential use and to remove the restricted type land have applicant and application before the Gandhinagar Collector and the Collector through its order being No.C.B/Ganot/Vashi/3674 to 3675/2015 dated 01/07/2015 had converted the said land ad-measuring 2934 into the residential purpose. As per the cost of the Jantri Rs. 36,43,100/- of 40% premium Rs.14,57,240/- had informed to pay the said premium and the said owner had paid Rs.14,57,240/- in the treasury and verified and after the said amount was paid the Talati had given the receipt informing that the said premium had been paid in the Government. Thereafter the word restricted authority type was removed from the authority type column of the said land record and permission to change the condition of restricted authority type land for residential purpose only for removal of restricted authority type restriction was issued by the Hon'ble Collector of Gandhinagar through his order no. CB/Ganot Vashi4505 to 4512/2015 dated 27/07/2015 and the said note was done in the record of rights being Entry no. 7853 dated 03/08/2015 and the said entry was authorized by the concerned officer on 06/11/2015.



Kew



[25]



- (58) Thereafter the said survey no. 341/2 having 2934 sub sq. mts of old conditions land owned by Ishwarbhai Becharbhai Patel and Ratilal Ishwarbhai Patel and Vidhyaben widow of Vinodbhai Ishwarbhai Patel was purchasd by Baldevbhai Keshavlal Patel and Rajeshkumar Prahladbhai Patel by their own earning and executed the registered sale deed on 07/08/2015 and kept for sale. The said sale deed was registered before the Sub Registrar, Gandhinagar being Serial no. 11415 dated 02/09/2015 and an the basis of the said registered sale deed in column of the occupier in the records of rights was entered the name of Baldevbhai Keshavlal Patel and Rajeshkumar Prahladbhai Patel in the joint name by Entry no. 7877 dated 02/09/2015 and the said was authorized by the concerned officer on 09/11/2015.
- (59) Thereafter the owner of the said land Ishwarbhai Becharbhai Patel died intestate on 02/09/2015 and also Maniben wife of Ishwarbhai Becharbhai Patel died on 05/11/2004 and his son Vinodbhai Ishwarbhai Patel died on 02/07/1999. Therefore Vidhyaben Widow of Vinodbhai Patel and Lalitaben Ishwarbhai Patel and Shardaben Ishwarbhai Patel and Ratilal Ishwarbhai Patel were the direct legal heirs and there were no other sons or daughters or descendants of deceased sons or daughters among the heirs. Therefore as per the legal rights to enter the name of Vidhyaben Widow of Vinodbhai Patel in the joint name in the column of occupier, the application, affidavits, death certificate, pedhinama and panchnama was presented before the officer of E-Dhara centre and was entered in the records of the rights being Entry no. 7905 dated 08/10/2015 and the said entry was confirmed by the concerned officer on 11/12/2015.



KoZ

- (60) Thereafter the said survey no. 341/2 having 2934 sub sq. mts of land of old conditions and the land admeasuring 957 sub sq. mts of land for the affordable housing scheme totally 2143 sub sq. mts of land was for the residential purpose and therefore to obtain the permission from the Collector, Gandhinagar the owners of the said land applied for the same and the Collector by its order being CB/JAMIM/B.Khe/S.R.30/16/Vashi 5137 to 5151/2016 dated 29/02/2016 was given and the N.A. note entry was done in the records of rights being Entry no. 8042 dated 01/03/2016 and the said entry was being confirmed by the concerned officer on 02/06/2016.
- (61) Thereafter the land bearing Survey no. 341/2 having 2934 sub sq. mts paiki 957 sub Sq. mts of N.A land of T. P. Scheme No. 409/B(Zundal) being Final Plot no. 69 having 574 sub sq. mts of N. A. Land whose owners were Baldevbhai Keshavlal Patel, Rajeshkumar Prahladbhai Patel was purchased by Bipin Sohanlal Agrawal by their own earning and executed the registered sale deed on 20/03/2018 and kept for sale. The said registered sale deed was being given the serial no.5285 before the Gandhinagar Sub Registrar office and is noted and on the basis of the said records of rights, the name of the occupier Bipin Sohanlal Agrawal was entered independently being Entry no. 8734 dated 17/04/2018 and the said entry was authenticated by the concerned officer on 12/07/2018.
- (62) Then out of the 2934 sq mts of land of the said survey no. 341/2, 1977 sq. mts of land, 2643 sq. mts of final plot no. 180 of final T.P. Scheme no.234(Zundal), 1186 sq. mts of land from its owners Baldevbhai Keshavlal Patel and Rajeshkumar Prahladbhai Patel on behalf of and on behalf of the partnership firm namely "Pavansut Infra" and on behalf of the said partnership firm, the executor namely Harshad Rameshbhai

Patel, Navinbhai C. Patel had paid the amount from their earning and executed the registered sale deed on 26/03/2019. The said registered sale deed was being registered before the Sub Registrar Gandhinagar being Serial no.7113 and on the basis of the said registered sale deed, the name of the occupier was entered into the occupier column "Pavansuit Infra" a Partnership Firm and their partners namely Harshad Rameshbhai Patel and Navinbhai C. Patel jointly being Entry no. 9173 dated 01/04/2019 and the said entry was being authenticated by the concerned officer on 04/06/2019.

(63) Then out of the 2934 sq mts of land of the said survey no. 341/2, 957 sq. mts of land, 2643 sq. mts of final plot no. 69 of final T.P. Scheme no.409/B(Zundal), from its owners Bipin Sohanlal Agrawal we the executor on behalf of the partnership Firm "Jay Malechi Developers" from their own earning have executed the registered sale deed on 27/04/2021. The said registered sale deed was being registered before the Sub Registrar Gandhinagar being Serial no.14127 on the same date and on the basis of the said registered sale deed, the name of the occupier was entered into the occupier column "Jay Malechi Developers" a Partnership Firm and being Entry no. 10253 dated 22/07/2021 and the said entry was being authenticated by the concerned officer on 04/09/2021.

(64) Thereafter the survey no.341/2 having 2934 sq. mts of land paiki 574 sq. mts of land, as per the Ganotdhara Act Section 43 the permission to pay the premium and to obtain the permission for non agricultural land the owners have done the online application before the Collector, Gandhinagar on 02/11/2021 and for the non agricultural land, the premium of Rs. 1,60,720 was deposited before the government wherein



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thereafter the Collector by its order being Serial no.59/06/03/057/2022 dated 11/01/2022 had given the permission for non agricultural purpose and to convert into the old scheme. The said entry was being recorded in the rights being Entry no. 10459 dated 11/01/2022 and the said entry was being authenticated by the concerned officer on 19/03/2022.

(65) Thereafter the said survey no. 341/2 being 2934 sq. mts of land paiki 574 sq. mts of land and to get the permission for multipurpose use under Section 65 of the Land Revenue Act, 1879, the owner of the said land had approached the Collector Office, Gandhinagar wherein the owner of the said land had filed an online application on 02/11/2021 wherein the Collector gives its order being Serial no. 99/06/03/057/2022 dated 18/01/2022 had given the permission to use the said land multipurpose. Thereafter the note of non agriculture land was being noted in the record of rights by its Entry no. 10473 dated 18/01/2022 and the said entry was being authenticated by the officer on 19/03/2022.

(66) Thereafter 1922 Sq. Mts of land of Survey no. 340/7, the land having Account no. 12 was being covered under the Draft T. P. Scheme no. 409/B(Zundal) and allotted the Final Plot no. 66 paiki 1153 sq. mts of land is non agriculture land and the said was included in the city survey being Survey no. NA340/7/P2 wherein the land of the said survey having final plot no.66 of the Draft T.P. Scheme No. 409/B paiki 1153 sq. mts of land you "Shivaay Buildcon" A Partnership Firm had done the registered sale deed on 05/08/2022 before the Sub Registrar Gandhinagar being Serial no. 35610 from the owner Shri Prabhudas Chimanbhai Patel and on the basis of the said sale deed in the occupier column, the name of Shivaay Buildcon was independently entered being Entry no. 28 dated



12/2



[29]



29/09/2022 and the said entry was being authenticated by the concerned officer on 12/12/2022.

(67) In the same way 1315 Sq. Mts of land of Survey no. 340/12/1, the land having Account no. 12 was being covered under the Draft T. P. Scheme no. 409/B(Zundal) and allotted the Final Plot no. 66 paiki 130 sq. mts of land is non agriculture land and the said was included in the city survey being Survey no. NA340/12/1, wherein 1315 sq. mts of land paiki 217 sq. mts of land (T.P. Scheme No. 409/B and T.P. Scheme no. 234) of land you "Shivaay Buildcon" A Partnership Firm had done the registered sale deed on 05/08/2022 before the Sub Registrar Gandhinagar being Serial no. 35610 from the owner Shri Prabhudas Chimanbhai Patel and on the basis of the said sale deed in the occupier column, the name of Shivaay Buildcon was independently entered being Entry no. 41 dated 27/12/2022, **but till date the said entry was not authorized.**

(68) In the same way, the said survey no. 341/2 having 2934 Sq. Mts of land bearing Khata no. 1174 paiki 957 Sq. Mts of land is N.A. Land included in the Draft T. P Scheme No. 409/B(Zundal) and allotted to final plot no. 69 wherein 574 sq. mts of land was for the multipurpose used the owner "Jay Malechi Developers" A partnership firm and their administrators Shri Dashrathbhai Dharamshibhai Desai and Varshaben Dashrathbhai Desai you, Shivaay Buildcon A Partnership Firm had executed the registered sale deed on 14/03/2022 before the Sub Registrar, Gandhinagar being Serial No. 11255 and was noted on the same date. ON the basis of the said registered sale deed, the name of the Shivaay Buildcon was being entered into the occupier column being Entry no. 32 dated 17/10/2022 and the said Entry number was being authorized by the concerned officer on 15/12/2022



12/12



[30]



- (69) Thereafter the land bearing 1283 sq. mts of land of the final plot no. 66 of the old survey no. 340/7 and 340/12/1 and the land bearing 574 sq. mts of land bearing final plot no. 69 of old survey no. 341/2, both the final plot in addition with each other that is 66=69 totaling 1857 sq. mts of land was used as non agricultural land for the residential purpose and for the commercial purpose and for the said, the you have made the plan on your own expenses and to grant the same you have put before the Gandhinagar Municipal Corporation, Gandhinagar and Junior Town Planar sir by its serial n.P.R.M/GMC/505/Zundal-409-B/07/2022/19195 dated 04/10/2022 had granted the 92 units paiki 78 flats and 14 shops to be build and on the same date the permission was granted for the development.

Since then the land situated in the boundary of Moje Zundal being survey no. **NA340/7/P2**(Old Survey No. 340/7 admeasuring 1922 Sq. Mts of land is being covered up under the Draft T. P. Scheme No. 409/B(Zundal)and allotted Final Plot No. **66 paiki 1153 Sub. Sq. Mts** is N.A. Land)wherein 1153 Sub. Sq. Mts of land is Non agricultural land and City Survey no. **NA340/12/1**(Old Survey No.340/12/1 ad-measuring 1315 Sq. Mts of non agricultural land paiki **217 Sub. Sq. mts** of land is being covered up under the Draft T. P. Scheme No. 409/B(Zundal)and allotted Final Plot No. **66 wherein 1283 Sub Sq. Mts of land is for multipurpose used and** City Survey no. **NA341/2** (Old Survey No. 341/2 ad-measuring 2934 Sq. Mts of land paiki **957 Sub Sq. Mts of land** is being covered up under the Draft T. P. Scheme No. 409/B(Zundal)and allotted Final Plot No. **69 wherein 574 Sub. Sq. Mts** is N.A. Land)wherein 2143 Sub. Sq. Mts of land paiki **574 Sub. Sq. Mts** of land is for multipurpose, thus I am providing the **Search Report of both the Non agricultural**



Kay



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land bearing the Final Plot NO. 66 + 69 admeasuring 1857
Sub. Sq.Mts is under the ownership of **“Shivaay Buildcon”**
and is without any burden and thus as per our legal opinion
the tile of the land owner to this land more particularly
described herein under is clear, marketable and free from
encumbrances and thus we give our opinion.

Today on 18th January, 2023 at Ahmedabad.



Kalraav

[KALRAV R. PATEL Advocate]