

HOUSE "M", MONDEAL RETAIL PARK, BETWEEN ISKCON TEMPLE AND RAJPATH CLUB, S. G. HIGHWAY,  
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REF. NO. **10469/2016**

To,

**Optimistic Vision LLP**

**TITLE CERTIFICATE CUM TITLE REPORT**

**Reg:-** Non-Agricultural land bearing (i) Final Plot No. 113/2/6 admeasuring 874 Sq. mtrs. and Final Plot No. 113/2/5 admeasuring 4144 Sq. mtrs. collectively admeasuring about 5018 Sq. mtrs. [given in lieu of Survey Nos. 138/3/p admeasuring 4443 Sq. mtrs., 138/3/p admeasuring 1567 Sq. mtrs., 183/B admeasuring 2075 Sq. mtrs., 182/B admeasuring 278 Sq. mtrs., totally admeasuring 8363 Sq. mtrs.] both the Final Plots forming part of Draft Town Planning Scheme No. 3 (Shela) situate, lying and being at Moje Shela, Taluka Sanand, in the Registration District of Ahmedabad and Sub District of Sanand and belonging to M/s. Optimistic Vision LLP.

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. 30-12-2021) 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 land 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:

**A. History of land bearing Block No. 138/3:-**

[1] That as per the notification of the District Inspector Land Records, Ahmedabad vide order bearing No. KJP SR 9/76/76 dated 27-12-1966 passed pursuant to the amalgamation scheme approved by the Settlement Commissioner vide order bearing No. L.R - 7 dated 29-04-1974, the amalgamation scheme became applicable to the land of village Shela. Accordingly the land bearing (1) Survey No. 145/25, (2) Survey No. 145/26, (3) Survey No. 168/8, (4) Survey No. 168/10, (5) Survey No. 168/12, (6) Survey No. 168/11, (7) Survey No. 170/1, (8) Survey No. 170/4 and (9) Survey No. 170/8 were given amalgamated Block No. 138 and its area was determined to be 88830 sq. mtrs. out of which land admeasuring 202 Sq. mtrs. held as Pot Kharaba land and the name of Aminabibi Mohammadali Kadari was recorded as owner of the said land. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 715 dated 11-04-1977.

[2] That effect of Area and Assessment were wrongly stated in Entry No. 637. Hence Head quarter Assistant, Ahmedabad vide his order bearing No. K.J.P.S.R- 37 dated 17-05-1983, issued Durasti Patrak No. 7 and wherein necessary corrections were made out as under:-

Before Durasti		Deleted Survey No.		After Durasti	
Block No.	Area (in sq. mtrs)	Survey No.	Area (in sq. mtrs)	Block No.	Area (In sq. mtrs)
138	88830	168/8	12849	138	75981

Mutation Entry to the said effect was made in the revenue records of the said land vide entry no. 1071 dated 20-05-1983.

[3] Mutation Entry No. 1131 dated 25-03-1984 is not related to the said land. Hence not dealt herein.

[4] That land bearing Block No. 138 was purchased by Aminabibi Mohammadali Kadari after obtaining permission from Collector. Hence, Mamlatdar vide his order passed in Ganot case no. 273/83 dated 17-07-1984 directed to withdraw notice issued under section 84-C in respect of the said land. Mutation Entry to the said effect was made in the revenue record of said land vide Entry No. 1213 dated 10-10-1984.

[5] That the Non Agricultural Use permission for Industrial Use Small Scale Industries, Engineering in respect of the land bearing Block No. 138 admeasuring 75981 sq. mtrs was granted by the Taluka Development Officer, Sanand vide order bearing No. Ta/P/JMN/B.KH.P/S.R/7/A/1985 dated 29-11-1985. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 1252 dated 29-11-1985.

[6] That Aminabibi Mohammadali Kadari distributed the said land bearing Block No. 138 amongst her family members by way of family partition in following manner:--

S.R No.	Ownership As per Partition	Area: (In sq. mtrs)
1	(1) Zahrulhak Mohammadali (2) Aminabibi Mohammadali (3) Maherunnisha Kadari (4) Mubin Zahrulhak Kadari (5) Sajid Zahrulhak Kadari	22723
2	(1) Faizulhak Mahammadali Kadari (2) Mumtaz Faizulhak Kadari (3) Sarik Faizulhak Kadari (4) Butul Faizulhak Kadari (5) Raufa Faizulhak Kaadari	32765
3	(1) Razayunnisha Mohammadali Kadari	10246

	(2) Mamshad Imambakshi Kadari (3) Rashid Imambakshi Kadari (4) Anjum Imambakshi Kadari	
4	(1) Ashafayunnisha Mohammadali Kadari (2) Mohtesim S Kadari (3) Khushnud S Kadari (4) Farhana S Kadari (5) Isharaf S Kadari (6) Taufik S Kadari	10246

Mutation Entry to the said effect was made in the revenue records of the said land by Entry No. 1269 dated 12-04-1986.

[7] That said Aminabibi Mohammadali died intestate on 03-05-1988. Hence names of her heirs viz. (1) Zahrulhak Mohammadali, (2) Ramiyunisha Mohammadali, (3) Faizulhak Mohammadali and (4) Ashafayunnis Mohammadali were entered in the revenue records of the land bearing Survey No. 138. Mutation Entry to the said effect was made in the revenue records of the said land by Entry No. 1456 dated 10-07-1988.

[8] That owners of the Non Agricultural land bearing Block No. 138 admeasuring 75981 Sq. mtrs., sold and conveyed said land along with the construction to Akash Shela Co. Operative Housing Society Limited vide various Sale Deeds registered before the Sub Registrar of Sanand as mentioned in the table shown below:-

S.R No	Name of Vendors	Reg No./ Date	Area (sq.mtrs)	Mutation Entry/ Date

1	(1) Ashfakunnisha Mohammadali Kadari as self and as power of attorney holder of no. (2), (4) and (6) (2) Khushnud Saiyad Mahemud Kadari, (3) Mohatsim Saiyad Mahemud Kadari, (4) Farahana Saiyad Mahemud Kadari, (5) Ishraf Saiyad Mahemud Kadari, (6) Taufik Saiyad Mahemud Kadari	1570/19-07-1996	10246	2101/30-07-1996
2	(1) Raniyunnisha Mohammadali Kadari (2) Mamshad Imambaksh Kadari (3) Rashid Imambaksh Kadari through his Power of Attorney Holder Mamsad Ahemad Imambaksh Kadari (4) Anjum Imambaksh Kadari	1571/19-07-1996	10246	2102/30-07-1996
3	(1) Zahrulhak Mohammadali Kadari, (2) Maherunnisha Zahrulhak Kadari, (3) Mubin Zahrulhak Kadari (4) Sajid Zahrulhak Kadari	1572/19-07-1996	22723	2103/30-07-1996
4	(1) Faizulhak Mohammadali (2) Mumataz Begam Faizulhak, (3) Sarik Faizulhak, (4) Butul Faizulhak (5) Raufa Faizulhak	1573/19-07-1996	32766	2104/30-07-1996

[9] That said Akash Shela Co. Operative Housing Society Limited sold and conveyed the Non Agricultural land bearing Block No. 138 paiki admeasuring 6010 sq. mtrs. to Pravinbhai Talkashibhai Kotak vide a sale deed dated 06-01-2007 registered before the Sub-Registrar of Sanand at serial No. 125 dated 06-01-2007. Mutation Entry to the said effect was made in the revenue record of said land vide Entry No. 2864 dated 16-01-2007.

[10] That Mutation Entry No. 3511 dated 03-02-2010 is in respect of other portion of land bearing Block No. 138 paiki and 176 and the same was cancelled as it was not consistent with the revenue records. Hence not dealt with herein.

[11] That vide order bearing No. D.S.O/D.R.K./Durasti/2012 dated 20-04-2012 passed by the District Inspector of Land Records, Ahmedabad, a rectified Durasti Patrak No. 47 was issued and wherein necessary corrections were made out in computerized 7/12, and pursuant to it, land bearing Block No. 138 admeasuring was divided in to three parts as under:-

Sr. No	Block No.	Area (In Sq. Mtrs)	Owners Name
1	138/1	25091	Shri Venktesh Developers
2	138/2	44880	Shri Akash Shela Co. Operative Housing Society
3	138/3	6010	Pravinbhai Talkashibhai Kotak

Mutation Entry to the said effect was made in the revenue records of the said land vide Entry no. 4268 dated 27-04-2012.

[12] Thereafter Pravinbhai Talakshibhai Kotak sold and conveyed the Non Agricultural land bearing Block No. 138/3 admeasuring about 6010 Sq. mtrs. to Optimistic Vision LLP vide a Sale Deed dated 30-12-2016 registered before the Sub Registrar of Sanand at Serial No. 140 dated 06-01-2017. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 5133 dated 27-02-2017.

#### B. History of land bearing Block No. 182/2

[1] That as per the Notification of the District Inspector Land Records, Ahmedabad vide order bearing No. KJP SR 9/76/76 dated 27-12-

1966 passed pursuant to the amalgamation scheme approved by the Settlement Commissioner vide order bearing No. L.R - 7 dated 29-04-1974, the amalgamation scheme became applicable to the land of village Shela. Accordingly the land bearing (1) Survey No. 170/2, (2) Survey No. 170/3 and (3) Survey No. 170/5 total land admeasuring 32678 sq. mtrs were amalgamated and given Block No. 182 and its area was determined to be 32678 sq. mtrs and the name of Alarakha Raheman was recorded as owner of the said land. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 715/17 dated 11-04-1977.

**[2]** That said Alarakha Raheman sold and conveyed the land bearing Block No. 182 admeasuring 32678 sq. mtrs to (1) Shambhubhai Maganbhai and (2) Dhulabhai Shambhubhai by sale deed registered before the Sub-Registrar at serial No. 5247 dated 06-05-1981. Mutation Entry to the said effect was made in the revenue records of the said land by Entry No. 900 dated 07-05-1981.

**[3]** That family partition took place between (1) Shambhubhai Maganbhai, (2) Dhulabhai Shambhubhai and (3) Ashokbhai Shambhubhai, pursuant to which the land bearing Block No. 182 admeasuring 32678 sq. mtrs came to the share of Shambhubhai Maganbhai. Mutation Entry to the said effect was made in the revenue records of the said land by Entry No. 2324 dated 22-01-1999.

**[4]** That said Shambhubhai Maganlal Prajapati sold and conveyed the land bearing Block No. 182 admeasuring 32678 sq. mtrs to (1) Yogeshbhai Chandrakant Bhavsar and (2) Vipulbhai Chandrakant Bhavsar by a sale deed dated 26-04-2004 registered before the Sub-Registrar Sanand at Serial No. 1512 dated 26-04-2006. Mutation Entry to the said effect was made in the revenue records of the said land by Entry No. 2715 dated 26-05-2006.

[5] That the Non Agricultural Use permission for Residential use in respect of the land bearing Block No. 182 admeasuring 32678 sq. mtrs and other lands were granted by Deputy District Development Officer, Managing Committee and District Development Officer, District Panchayat, Ahmedabad vide order bearing no. MSL/BKHP/S.R-233/VASHI 2603 to 2608 dated 08-09-2006. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 2787 dated 15-09-2006.

[6] That owners of land bearing Block No. 179A,182,183 and 185 had made an application for entering the name of "Vyom Developers", as occupiers of said land on the basis of Partnership Deed dated 17-10-2006. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 2824 dated 27-11-2006. However said entry was cancelled by Circle Officer, Sanand.

[7] That said M/s. Vyom Developers, a Partnership Firm sold and conveyed the land bearing Block No. 182 paiki admeasuring 278 sq. mtrs out of land bearing Block No. 182 totally admeasuring 32678 sq. mtrs and other lands to Jayeshbhai Talakashibhai Kotak by a sale deed dated 06-01-2007 registered before the Sub-Registrar of Sanand at Serial No. 124 dated 06-01-2007. Mutation Entry to the said effect was made in the revenue record of said land vide Entry No. 2863 dated 16-01-2007. However said entry was cancelled by the Circle Officer, Sanand.

[8] That said (1) Yogeshbhai Chandreshbhai Bhavsar, (2) Vipulbhai Chandrakant Bhavsar through their Power of Attorney Holder Soalnki Arvindbhai Jivanbhai sold and conveyed the land bearing Block No. 182 paiki admeasuring 32,400 sq. mtrs out of total land bearing Block No. 182 totally admeasuring 32678 sq. mtrs to Vyom Developers, a Partnership Firm by a Sale Deed dated 06-08-2007 registered before the Sub-Registrar of Sanand at Serial No. 4068 dated 07-08-2007. Mutation Entry to the said effect was made in the

revenue records of the said land by Entry No. 2973 dated 09-08-2007.

[9] That being aggrieved by cancellation of Mutation Entry No. 2863 dated 16-01-2007, M/s. Vyom Developers, a Partnership Firm preferred an Appeal before Deputy Collector, Dholka Prant. The Deputy Collector, Dholka Prant vide his order dated 17-09-2007 passed in RTS/Appeal/No. 28/07 dismissed the appeal and confirmed the order passed in Circle Officer, Sanand. Mutation Entry to the said effect was made in the revenue record of said land vide Entry No. 3066 dated 15-11-2007.

[10] That Mutation Entry No. 3127 dated 31-01-2008 and Entry No. 3232 dated 09-07-2008 are in respect of other portion of land bearing Block No. 182 paiki. Hence not dealt with herein.

[11] That a sale deed dated 06-01-2007 was executed by M/s. "Vyom Developers" a Partnership Firm through its Partners viz. (1) Yogesh Chandrakant Bhavsar (2) Vipul Chandrakant Bhavsar (3) Balvant Ramkumar Agrawal (4) Vishal Balvant Agrawal (5) Kumar Rajendraprasad Agrawal (6) Navin Sushil Sarogi (7) Vishal Vedprakash Chiripal (8) Vedprakash Devkinandan Chiripal and (9) Brijmohan Devkinandan Agrawal (all the persons from Sr. No. 1 to 9 through their Power of Attorney Holder Hemantbhai Jayatilal Maniyar) in favor of Jayeshbhai Talakashibhai Kotak of Non Agricultural land bearing Block No. 182 paiki admeasuring 278 sq. mtrs. out of land bearing Block No. 182 totally admeasuring 32678 sq. mtrs. registered before the Sub-Registrar of Sanand at serial No. 124 dated 06-01-2007. Mutation Entry to the said effect was made in the revenue record of said land by Entry No. 3301 dated 07-10-2008.

It is pertinent to note that as stated in paragraph no.8, mentioned hereinabove, M/s. Vyom Developers, a Partnership Firm had purchased the land bearing Survey No. 182 paiki

admeasuring 32,400 sq.mtrs. and it had not purchased the land bearing Survey No. 182 paiki admeasuring 278 sq.mtrs, which M/s. Vyom Developers had further sold and conveyed 278 sq.mtrs to Jayeshbhai Talakashibhai Kotak as stated in paragraph no. 7 and 11 mentioned hereinabove.

Hence to maintain the chain of title, a Rectification Deed dated 12-03-2021 which was registered in the office of Sanand at Serial No. 4031 dated 12-03-2021 was executed by and between and (1) Yogesh Chandrakant Bhavsar and (2) Vipul Chandrakant Bhavsar (First Party therein) and M/s. Vyom Developers (Second Party therein) and accordingly rectified some numerical mistakes with respect to areas of the land sold as erroneously mentioned in the Sale Deed dated 06-08-2007 registered before the Sub-Registrar of Sanand at Serial No. 4068 dated 07-08-2007 and accordingly such mistakes were rectified as mentioned hereunder in the table:-

Area incorporated incorrectly in the Sale Deed registered at Serial No. 4068 dated 07-08-2007		Area to be rectified as mentioned hereunder	
Survey No.	Area	Survey No.	Area
182 Paiki	32400	182	32678
183 Paiki	4096	183	6171

Moreover, certain changes were also made with respect to adjacent land located in the southern direction of land bearing Survey No. 182. Save and except the above mentioned details all other part of Sale Deed dated 06-08-2007 registered before the Sub-Registrar of Sanand at Serial No. 4068 dated 07-08-2007 remains the same.

[12] That Mutation Entry No. 3531, 3774 and 4103 is in respect of other portion of land bearing Block No.182. Hence the same is dealt with herein.

**[13]** Thereafter Jayeshbhai Talakshibhai Kotak sold and conveyed Non Agricultural land bearing Block No. 182 paiki admeasuring 278 Sq. mtrs. out of land bearing Block No. 182 totally admeasuring 32678 Sq. mtrs. along with other lands to Optimistic Vision LLP vide a Sale Deed dated 30-12-2016 registered before the Sub Registrar of Sanand at Serial No. 141 dated 06-01-2017. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 5134 dated 27-02-2017.

**[14]** Thereafter several mutation entries were mutated in the revenue records of the said land. However, such entries are related to other portion of the land bearing Block No. 182. Hence it is not dealt with herein. Details of such Mutation Entries are mentioned hereunder:-

Mutation Entry No./Date	Mutation Entry No./Date	Mutation Entry No./Date
5293/05-08-2017	5381/06-11-2017	5571/15-06-2018
5298/09-08-2017	5401/21-12-2017	5572/15-06-2018
5314/16-08-2017	5402/21-12-2017	5706/24-10-2018
5315/16-08-2017	5445/03-02-2018	5793/18-01-2019
5316/16-08-2017	5452/12-02-2018	5814/06-02-2019
5317/16-08-2017	5500/23-03-2018	5815/13-02-2019
5362/03-10-2017	5547/17-05-2018	5887/27-05-2019
5363/03-10-2017	5548/17-05-2018	5889/28-05-2019
5380/06-11-2017	5555/25-05-2018	

**[15]** That District Inspector Land Records, Ahmedabad, vide its Puravani Patrak No. 59 and order bearing, KJP/SR No. 566 dated 30-05-2016 and accordingly Kami Jasti Patrak was issued and Durasti of area of land bearing Block No. 182 admeasuring 32678 sq. mtrs was made. Pursuant to it, land bearing Block No. 182 was divided into 2 parts as follows:-

Block No.	Area (in sq. mtrs.)
182/1	32400
182/2	278
<b>Total</b>	<b>32678</b>

Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 5944 dated 18-07-2019.

[16] Thereafter M/s. Vyom Developers, a Partnership Firm had executed Confirmation Deed dated 26-03-2021 Notarized before Notary S. A. Jain at Serial No. 17/48/2021 dated 26-03-2021 in favour of M/s. Optimistic Vision LLP and irrevocably confirmed the sale deed dated 06-01-2007 registered before the Sub-Registrar of Sanand at serial No. 124 dated 06-01-2007, in favour of Jayeshbhai Talakashibhai Kotak. Moreover they had also confirmed the two different Sale Deeds executed by Jayeshbhai Talakashibhai Kotak in favour of Optimistic Vision LLP. Details of the same are mentioned hereunder in the table:-

Details of Vendors and Purchaser	Serial No./Date	Land and Area(in Sq.mtrs)	Mutation Entry
Vendor:- Jayeshbhai Talakashibhai Kotak  Purchaser:- M/s. Optimistic Vision LLP	Presented before the Sub Registrar at Serial No. 9184/30-12-2016  (New Serial No. 140/06-01-2017)	Block. 138/3 admeasuring 6010 sq.mtrs	5134/27- 02-2017
Vendor:- Jayeshbhai Talakashibhai Kotak  Purchaser:- M/s. Optimistic Vision LLP	New. Serial No. 141/06-01-2017	(1) Block No. 182 paiki 278 sq.mtrs and (2) Block No. 183 paiki 2075 sq.mtrs	5134 /27-02- 2017

**C. History of land bearing Block No. 183/2**

[1] That as per the notification of the District Inspector Land Records, Ahmedabad vide order bearing No. KJP SR 9/76/76 dated 27-12-1966 passed pursuant to the amalgamation scheme approved by the Settlement Commissioner vide order bearing No. L.R - 7 dated 29-04-1974, the amalgamation scheme became applicable to the land of village Shela. Accordingly the land bearing Survey No. 170/9 admeasuring 6171 sq. mtrs was given Block No. 183 and its area was determined to be 6171 sq. mtrs. and the name of Lalabhai Shamsherbhai was recorded as a occupier of the said land. Moreover note of fragmented land was also made in the revenue records of the said land. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 715 dated 10-04-1977.

[2] That said (1) Lalabhai Shamsherbhai, (2) Usmanbhai Lalabhai, (3) Mahmadbhai Lalabhai and (4) Yusufbhai Lalabhai sold and conveyed the land bearing Block No. 183 admeasuring 6171 sq. mtrs to (1) Shambhubhai Maganbhai and (2) Dhulabhai Shambhubhai by a sale deed registered before the Sub-Registrar of Sanand at Serial No. 6312 dated 01-06-1981. Mutation Entry to the said effect was made in the revenue records of the said land by Entry No. 912 dated 11-06-1981.

**Note:** Copy of the said Sale Deed is not provided to us.

[3] That family partition took place between (1) Shambhubhai Maganbhai, (2) Dhulabhai Shambhubhai and (3) Ashokbhai Shambhubhai, pursuant to which the land bearing Block No. 183 admeasuring 6171 sq. mtrs came to the share of Dhulabhai Shambhubhai. Mutation Entry to the said effect was made in the revenue records of the said land by Entry No. 2324 dated 22-01-1999.

[4] Thereafter names of (1) Manjulaben Dhulabhai and (2) Kalpeshbhai Dhulabhai were entered as co-owners in the land bearing Block No. 183 admeasuring 6171 sq. mtrs along with the name of Dhulabhai Shambhubhai. Mutation Entry to the said effect was made in the revenue records of the said land by Entry No. 2437 dated 23-07-2003.

[5] That said (1) Dhulabhai Shambhubhai Prajapati, (2) Manjulaben Dhulabhai Prajapati and (3) Kalpeshbhai Dhulabhai Prajapati sold and conveyed the Agricultural land bearing Block No. 183 admeasuring 6171 sq. mtrs and other lands to (1) Yogeshbhai Chandrakantbhai Bhavsar and (2) Vipulbhai Chandrakantbhai Bhavsar vide a Sale Deed dated 26-04-2004 registered before the Sub-Registrar of Sanand at Serial No. 1513 dated 26-04-2006. Mutation Entry to the said effect was made in the revenue records of the said land by Entry No. 2714 dated 26-05-2006.

[6] That the Non Agricultural Use permission for Residential use in respect of the land bearing Block No. 183 admeasuring 6171 sq. mtrs and other lands were granted by Deputy District Development Officer, Managing Committee and District Development Officer, District Panchayat, Ahmedabad vide order bearing no. MSL/BKHP/S.R-233/VASHI 2603 to 2608 dated 08-09-2006. Mutation entry to the said effect was made in the revenue records of the said land vide Entry no. 2787 dated 15-09-2006.

[7] That owner of land bearing Block No. 179A,182,183 and 185 had made an application for entering the name of "Vyom Developers" as occupiers of said land on the basis of Partnership Deed dated 17-10-2006. Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 2824 dated 27-11-2006. However the said entry was cancelled by Circle Officer, Sanand.

[8] That said Vyom Developers, a partnership Firm sold and conveyed the Non Agricultural land bearing Block No. 183 paiki admeasuring 2075 sq. mtrs out of land bearing Block No. 183 totally admeasuring about 6171 sq. mtrs and other lands to Jayeshbhai Talakashibhai Kotak by a sale deed dated 06-01-2007 registered before the Sub-Registrar of Sanand at Serial No. 124 dated 06-01-2007. Mutation Entry to the said effect was made in the revenue record of said land vide Entry No. 2863 dated 16-01-2007. However said entry was canceled by the circle officer, Sanand.

[9] That said (1) Yogeshbhai Chandreshbhai Bhavsar, (2) Vipulbhai Chandrakantbhai Bhavsar through their Power of Attorney Holder Solanki Arvindbhai Jivanbhai sold and conveyed the Non Agricultural land bearing Block No. 183 paiki admeasuring 4096 sq. mtrs. out of land bearing Block No. 183 totally admeasuring 6171 sq. mtrs. and other lands to Vyom Developers, a Partnership Firm vide a sale deed dated 06-08-2007 registered before the Sub-Registrar of Sanand at Serial No. 4068 dated 07-08-2007. Mutation Entry to the said effect was made in the revenue records of the said land by Entry No. 2973 dated 09-08-2007.

[10] That being aggrieved by cancel of Mutation Entry No. 2863, M/s Vyom Developers preferred an Appeal before Deputy Collector, Dholka prant. The Deputy Collector, Dholka Prant vide his order dated 17-09-2007 passed in RTS/Appeal/No. 28/07 dismissed the appeal and confirmed the order passed by Circle Officer, Sanand. Mutation Entry to the said effect was made in the revenue record of said land vide Entry No. 3066 dated 15-11-2007.

[11] That some mistakes were found in computerized 7/12 form hence as per the order bearing No. Gam Dafatar/Kshati Sudharo/Shela/1 to 7/Vashi/2008 dated 22-07-2008 of Mamlatdar, Sanand rectification has been made in Kshati registered no. 1 to 26 of Page

no. 1 to 2. Mutation Entry to the said effect was made in the revenue record of said land by Entry No. 3258 dated 12-08-2008.

[12] That a sale deed dated 06-01-2007 executed by "Vyom Developers" a Partnership Firm through its Partners viz. (1) Yogesh Chandrakant Bhavsar (2) Vipul Chandrakant Bhavsar (3) Balvant Ramkumar Agrawal (4) Vishal Balvant Agrawal (5) Kumar Rajendraprasad Agrawal (6) Navin Sushil Sarogi (7) Vishal Vedprakash Chiripal (8) Vedprakash Devkinandan Chiripal and (9) Brijmohan Devkinandan Agrawal (all the persons from Sr. No. 1 to 9 through their Power of Attorney Holder Hemantbhai Jayatilal Maniyar) in favor of Jayeshbhai Talakashibhai Kotak of Non Agricultural land bearing Block No. 183 paiki admeasuring 2075 sq. mtrs out of land bearing Block No. 183 totally admeasuring 6171 sq. mtrs registered before the Sub-Registrar of Sanand at serial No. 124 dated 06-01-2007. Mutation Entry to the said effect was made in the revenue record of said land by Entry No. 3301 dated 07-10-2008.

It is pertinent to note that as stated in paragraph no.8, mentioned hereinabove, M/s. Vyom Developers, a Partnership Firm had purchased the land bearing Survey No. 182 paiki admeasuring 4096 sq.mtrs. and it had not purchased the land bearing Survey No. 182 paiki admeasuring 2075 sq.mtrs, which M/s. Vyom Developers had further sold and conveyed 2075 sq.mtrs to Jayeshbhai Talakashibhai Kotak as stated in paragraph no. 9 and 12 mentioned herein.

Hence to maintain the chain of title, a Rectification Deed dated 12-03-2021 which was registered in the office of Sanand at Serial No. 4031 dated 12-03-2021 was executed by and between and (1) Yogesh Chandrakant Bhavsar and (2) Vipul Chandrakant Bhavsar (First Party therein) and M/s. Vyom Developers (Second Party therein) and accordingly rectified some numerical mistakes with respect to areas of the land sold as erroneously mentioned in the Sale Deed dated 06-08-2007 registered before the Sub-Registrar

of Sanand at Serial No. 4068 dated 07-08-2007 and accordingly such mistakes were rectified as mentioned hereunder in the table:-

<b>Area incorporated incorrectly in the Sale Deed registered at Serial No. 4068 dated 07-08-2007</b>	<b>Area to be rectified as mentioned hereunder</b>		
<b>Survey No.</b>	<b>Area</b>	<b>Survey No.</b>	<b>Area</b>
182 Paiki	32400	182	32678
183 Paiki	4096	183	6171

Moreover, certain changes were also made with respect to adjacent land located in the southern direction of land bearing Survey No. 182. Save and except the above mentioned details all other part of Sale Deed dated 06-08-2007 registered before the Sub-Registrar of Sanand at Serial No. 4068 dated 07-08-2007 remains the same.

**[13]** That Jayeshbhai Talkashibhai Kotak had purchased said Non Agricultural land bearing Block No. 183 paiki admeasuring 2075 sq. mtrs out of land bearing Block No. 183 totally admeasuring 6171 sq. mtrs. However due to typographical mistake in S-Form, area of entire land of Block No. 183 admeasuring 6171 sq. mtrs instead of 2075 sq. mtrs was shown in the name of Jayeshbhai Talkashibhai Kotak. Hence as per order bearing No. S-Form/Kshati/Sr-187/09 passed by Mamalatdar, Sanand the same was rectified and accordingly land admeasuring 2075 sq. mtrs was reflected in the name of Jayeshbhai Talkashibhai Kotak in computerize 7/12 form. Mutation Entry to the said effect was made in the revenue record of said land by Entry No. 3431 dated 09-09-2009.

**[14]** That Mutation Entry No. 3774 and 4103 is in respect of other portion of land bearing Block No.183. Hence the same is dealt with herein.

[15] Thereafter Jayeshbhai Talakshibhai Kotak sold and conveyed Non Agricultural land bearing Block No. 183 paiki admeasuring 2075 Sq. mtrs. out of land bearing Block No. 183 totally admeasuring 6171 Sq. mtrs. along with other lands to Optimistic Vision LLP, through its Managing Partner Abhishek Bhikhabhai Patel vide a Sale Deed dated 30-12-2016 registered before the Sub Registrar of Sanand at Serial No. 141 dated 06-01-2017. Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 5134 dated 27-02-2017.

[16] Thereafter several mutation entries were mutated in the revenue records of the said land. However, such entries are related to other portion of the land bearing Block No. 182. Hence it is not dealt with herein. Details of such Mutation Entries are mentioned hereunder:-

Mutation Entry No./Date	Mutation Entry No./Date
5296/05-08-2017	5602/09-07-2018
5297/09-08-2017	5603/09-07-2018
5445/03-02-2018	5814/06-02-2019
5451/12-02-2018	5815/13-02-2019
5456/14-02-2018	5887/27-05-2019
5457/14-02-2018	
5547/17-05-2018	
5548/17-05-2018	
5555/25-05-2018	

[17] That District Inspector Land Records, Ahmedabad, vide its Puravani Patrak No. 59 and order bearing, KJP/SR No. 566 dated 30-05-2016 and accordingly Kami Jasti Patrak was issued and Durasti of area of land bearing Block No. 183 admeasuring 6171 sq. mtrs was made. Pursuant to it, land bearing Block No. 183 was divided into 2 parts as follows:-

Block No.	Area (in sq. mtrs.)
183/1	4096
183/2	2075
<b>Total</b>	<b>6171</b>

Mutation Entry to the said effect was made in the revenue records of the said land vide Entry No. 5944 dated 18-07-2019.

[18] Thereafter M/s. Vyom Developers, a Partnership Firm had executed Confirmation Deed dated 26-03-2021 Notarized before Notary S. A. Jain at Serial No. 17/48/2021 dated 26-03-2021 in favour of M/s. Optimistic Vision LLP and irrevocably confirmed the sale deed dated 06-01-2007 registered before the Sub-Registrar of Sanand at serial No. 124 dated 06-01-2007, in favour of Jayeshbhai Talakashibhai Kotak. Moreover they had also confirmed the two different Sale Deeds executed by Jayeshbhai Talakashibhai Kotak in favour of Optimistic Vision LLP. Details of the same are mentioned hereunder in the table:-

Details of Vendors and Purchaser	Serial No./Date	Land and Area(in Sq.mtrs)	Mutation Entry
Vendor:- Jayeshbhai Talakashibhai Kotak  Purchaser:- M/s. Optimistic Vision LLP	Presented before the Sub Registrar at Serial No. 9184/30-12-2016  (New Serial No. 140/06-01-2017)	Block. 138/3 admeasuring 6010 sq.mtrs	5134/27- 02-2017
Vendor:- Jayeshbhai Talakashibhai Kotak  Purchaser:- M/s. Optimistic Vision LLP	New. Serial No. 141/06-01-2017	(1) Block No. 182 paiki 278 sq.mtrs and (2) Block No. 183 paiki 2075 sq.mtrs	5134 /27- 02-2017

**D. Common History of said Block Nos. 138/3, 182/2 and 183/2**

[1] That upon implementation of Draft Town Planning Scheme No. 3 (Shela), The Town Planning Officer, Ahmedabad Town Planning Scheme Unit - 10, Ahmedabad has issued opinion dated 12-03-2018 bearing No. Draft Town Planning Scheme No. 3 (Shela)/ Case No. 118/194 whereby following Final Plots have been given against corresponding Survey Numbers.

Survey No.	Original Plot No.	Area of Original Plot No. (in Sq. mtrs.)	Final Plot No.	Area of Final Plot No. (in Sq. mtrs.)
138/3/P	113/3	4443		
138/3/P	113/4	1567	113/2/6	874
183/B	113/5	2075	113/2/5	4144
182/B	113/6	278		
		8363		5018

[2] That revised Non Agricultural use permission for Multipurpose use was granted by the District Collector, Ahmedabad vide order bearing no. 967/07/04/024/2021 dated 15-04-2021 in respect of the land bearing Block No. 182/2 paiki 167 Sq. mtrs. (i.e. 60% proportionate final plot land). Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 6529 dated 15-04-2021.

[3] That the revised Non Agricultural use permission for Multipurpose use was granted by the District Collector, Ahmedabad vide order bearing no. 959/07/04/024/2021 dated 15-04-2021 in respect of the land bearing Block No. 183/2 paiki admeasuring 1245 Sq. mtrs. (i.e. 60% proportionate final plot land) Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 6528 dated 15-04-2021.

[4] That revised Non Agricultural use permission for Multipurpose use was granted by the District Collector, Ahmedabad vide order bearing no. 2110/07/04/024/2021 dated 30-09-2021 in respect of the land bearing Block No. 138/3 paiki 3606 Sq. mtrs. (i.e. 60% proportionate final plot land). Mutation entry to the said effect was made in the revenue records of the said land vide Entry No. 6693 dated 30-09-2021.

#### **E. DEVELOPMENT AGREEMENT**

That **M/s. Optimistic Vision LLP** had entered into Development Agreement dated 22-04-2021 with **M/s. HR SPACECON LLP** which was registered before the office of Sub registrar of Sanand at serial no. 6548 dated 22-04-2021 to develop the land bearing Non-Agricultural land bearing (i) Final Plot No. 113/2/6 admeasuring 874 Sq. mtrs. and (ii) Final Plot No. 113/2/5 admeasuring 4144 Sq. mtrs. collectively admeasuring about 5018 Sq. mtrs. [Given in lieu of Survey Nos. 138/3/p admeasuring 4443 Sq. mtrs., 138/3/p admeasuring 1567 Sq. mtrs., 183/B admeasuring 2075 Sq. mtrs., 182/B admeasuring 278 Sq. mtrs., totally admeasuring 8363 Sq. mtrs.] both the Final Plots forming part of Draft Town Planning Scheme No. 3 (Shela) upon broad terms and conditions more specifically mentioned therein.

That subsequently said Development Agreement was cancelled by **M/s. HR SPACECON LLP** vide Cancellation Deed dated 03-03-2022 which was registered before the Sub Registrar of Sanand at Serial No. 4396 on 03-03-2022.

#### **F. PLAN PASS**

That Plans for making Residential construction on the land of Non-Agricultural land bearing (i) Final Plot No. 113/2/6 admeasuring 874 Sq. mtrs. and Final Plot No. 113/2/5 admeasuring 4144 Sq. mtrs. collectively admeasuring about 5018 Sq. mtrs. [given in lieu of

Survey Nos. 138/3/p admeasuring 4443 Sq. mtrs., 138/3/p admeasuring 1567 Sq. mtrs., 183/B admeasuring 2075 Sq. mtrs., 182/B admeasuring 278 Sq. mtrs., totally admeasuring 8363 Sq. mtrs.] both the Final Plots forming part of Draft Town Planning Scheme No. 3 (Shela) situate, lying and being at Moje Shela, Taluka Sanand, in the Registration District of Ahmedabad and Sub District of Sanand is sanctioned by Ahmedabad Urban Development Authority (AUDA) vide its order bearing No. IFP No/E-Nagar: JSK/09/2021/0156 having serial no. No. PRM/ 142/9/ 2021/6 dated 13-01-2022 and issued on 25-01-2022.

#### **G. PUBLIC NOTICE**

That in response to our "Public Notice" published in daily news paper "Gujarat Samachar" on 09-04-2016, inviting objections for issuance of Title Certificate for the above stated land; we have not received any objection from anyone till today.

In view of what is stated above, we are of the opinion that the titles of above referred Non-Agricultural land bearing (i) Final Plot No. 113/2/6 admeasuring 874 Sq. mtrs. and Final Plot No. 113/2/5 admeasuring 4144 Sq. mtrs. collectively admeasuring about 5018 Sq. mtrs. [given in lieu of Survey Nos. 138/3/p admeasuring 4443 Sq. mtrs., 138/3/p admeasuring 1567 Sq. mtrs., 183/B admeasuring 2075 Sq. mtrs., 182/B admeasuring 278 Sq. mtrs., totally admeasuring 8363 Sq. mtrs.] both the Final Plots forming part of Draft Town Planning Scheme No. 3 (Shela) situate, lying and being at Moje Shela, Taluka Sanand, in the Registration District of Ahmedabad and Sub District of Sanand and belonging to **M/s. Optimistic Vision LLP** shall be clear and marketable and free from reasonable doubts and without encumbrances subject to:-

- [1] Usual declaration cum indemnity bond made at the time of transfer of said land.

[2] Provisions of The Town Planning and Urban Development Act and use as per zone of local authority and plans of construction being sanctioned by appropriate authorities.

[3] Fulfillment of conditions laid down in the N.A Use permission.

**DATED THIS 08<sup>th</sup> DAY OF MARCH, 2022**

**Hrush P. Jani**  
 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 first two months of the year 1994, manual record of the year 1980 to 1987, 1989 to 1993 of Sub Registrar's office is destroyed/ torn out. Hence it cannot be inspected and its search is not available. 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 Govt. authorities have not put any restrictions in making construction on said Land because of any historical monument/religious place/ water body, etc. situated nearby, or road laying and widening, 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 said Land.

[4] We are informed that at present no litigation/suits are filed/pending before any Judicial/Quasi Judicial authorities.

[5] We have not been provided with copies of all part sale deeds and orders mentioned in mutation entries.

