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Ref: No. 247/2022/HHD/KHD

of 2023

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Date:

REPORT ON TITLE

Re: IN THE MATTER OF VERIFICATION OF TITLE to the lands situate, lying and being at Shela (sim), Taluka Sanand, in the Registration District Ahmedabad, Sub-District Sanand bearing: (1) Block/Survey No. 76/A admeasuring about 8498 sq.mts included in Draft Town Planning Scheme No. 3 (Shela) and given Final Plot Nos. (a) 71/1/1 admeasuring about 4936 sq.mts and (b) 71/1/2 admeasuring about 163 sq.mts. in all admeasuring about 5099 sq.mts. included in City Survey Office: Sanand, of Ward: Shela (Binkheti) and given City Survey No. 76/A/P2 admeasuring about 5099 sq.mts., of Sheet No. NA99 and (2) Block/Survey No. 76/B admeasuring about 8094 sq.mts included in Draft Town Planning Scheme No. 3 (Shela) and given Final Plot No. 71/2 admeasuring about 4865 sq.mts.

We have undertaken the work of verification of title with respect to the Lands above referred to, by taking necessary searches with the revenue and sub registry records (Index-I) for a period of last about more than thirty years. We have caused necessary searches to be taken accordingly. We have taken root of title commencing from about 1985, prior to more than thirty years from now up to July, 2023. Our Report on Title is stated hereafter. For detailed facts and particulars reference may be taken from the documents, papers, writings and records referred to herein below.

A. Description:

- (1) Lands under reference are the lands situate, lying and being at Shela (sim), Taluka Sanand, in the Registration District Ahmedabad, Sub-District Sanand bearing:

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- (i) Block/Survey No. 76/A admeasuring about 8498 sq.mts included in Draft Town Planning Scheme No. 3 (Shela) and given Final Plot Nos. (a) 71/1/1 admeasuring about 4936 sq.mts and (b) 71/1/2 admeasuring about 163 sq.mts in all admeasuring about 5099 sq.mts., the area for which Non-agricultural use permission is given as referred to herein below and the area of Final Plot i.e. 5099 sq.mts. is included in City Survey Office: Sanand, of Ward: Shela (Binkheti) and given City Survey No. 76/A/P2 admeasuring about 5099 sq.mts., of Sheet No. NA99 and the remaining area admeasuring about 3399 sq.mts. is given separate 7/12 extract being Block/Survey No. 76A/paiki 1

AND

- (ii) Block/Survey No. 76/B admeasuring about 8094 sq.mts is included in Draft Town Planning Scheme No. 3 (Shela) and given Final Plot No. 71/2 admeasuring about 4865 sq.mts. Out of the area thereof, the land admeasuring about 4857 sq.mts. (for which Non-agricultural use permission is given as referred to herein below) is given separate 7/12 extract being Block/Survey No. 76B/paiki 2 and the remaining area admeasuring about 3237 sq.mts. is given Block/Survey No. 76B/paiki 1. (Hereinafter collectively referred to as the "Said Lands").

- (2) Land of Block/Survey Nos. 76/A admeasuring about 8498 sq.mts and 76/B admeasuring about 8094 sq.mts are given upon durasti-bifurcation of the land of Block/Survey No. 76 admeasuring about 16592 sq.mts. (Hereinafter referred to as the "Said Bigger Land"), as per the letter of the District Inspector Land Records, Ahmedabad dated 1<sup>st</sup> September, 2016 bearing No. D.S.O/D.R.K/S.R No. 2/15-16/Ja No. 3158, Puravni Patrak No. 64 read with his letter dated 7<sup>th</sup> October, 2016 bearing No. D.S.O/D.R.K./K.J.P. Amalvari/2016 and letter dated 10<sup>th</sup> January, 2019 bearing No. K.J.P./S.R. 300 in Pu.P. No. 64. (Reference: Revenue Entry Nos. 5078, dated 28<sup>th</sup> October, 2016 and 6186, dated 10<sup>th</sup> January, 2020).

- (3) Said Bigger Land was allotted in lieu of the land of Old Survey No. 32/2 admeasuring about 4 Acres and 04 Gunthas, upon implementation of scheme of consolidation in the revenue village Shela by the Government. (Reference: Revenue Entry No. 715, dated 11<sup>th</sup> April, 1977).

- (4)(a) The land admeasuring about 5099 sq.mts. of Block/Survey No. 76/A (apparently the Final Plot Land) is given Non-agricultural permission for multipurpose use as per the order of the Collector Ahmedabad dated 12<sup>th</sup> November, 2022 bearing No. 6552/07/04/024/2022, as per the terms and

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conditions stipulated therein. (Reference: Revenue Entry No. 7106, dated 12<sup>th</sup> November, 2022).

- (b) The land admeasuring about 4857 sq.mts. of Block/Survey No. 76/B is given Non-agricultural permission for multipurpose use as per the order of the Collector Ahmedabad dated 4<sup>th</sup> November, 2022 bearing No. 6401/07/04/024/2022, as per the terms and conditions stipulated therein. (Reference: Revenue Entry No. 7104, dated 4<sup>th</sup> November, 2022).
- (5) It appears that prior to the bifurcation-durasti referred to herein above, Said Bigger Land admeasuring about 16592 sq.mts. was allotted the Land of Final Plot No. 71 admeasuring about 9907 sq.mts. of Draft Town Planning Scheme No. 3 (Shela). (Reference: Copy of 'F' Form). However, as informed to us, pursuant to the opinion of the town planning authority, the land of Block/Survey No. 76/A admeasuring about 8498 sq.mts is allotted the lands of Final Plot Nos. (a) 71/1/1 admeasuring about 4936 sq.mts and (b) 71/1/2 admeasuring about 163 sq.mts in all admeasuring about 5099 sq.mts. and the land of Block/Survey No. 76/B admeasuring about 8094 sq.mts is allotted the land of Final Plot No. 71/2 admeasuring about 4865 sq.mts.

Note:

The land admeasuring about 4857 sq.mts. out of the Land of Block/Survey No. 76/B (apparently calculated against the proportionate area of the entire area of the (old) Final Plot No. 71 admeasuring about 9907 sq.mts. allotted in lieu of the Said Bigger Land prior to above referred revision/amendment in the Final Plot area) instead of 4865 sq.mts. is given Non-agricultural use permission as referred to hereinabove and accordingly separate 7/12 extract is given to the area for which the nonagricultural use permission is given by the concerned authority i.e. admeasuring about 4857 sq.mts.

- (6) As per Revenue Entry No. 1509, dated 20<sup>th</sup> December, 1989, it appears that usage right was given to ONGC for the land admeasuring about 3020 sq.mts., out of the Said Bigger Land.

B. Devolution:

With respect to the land of (old) Block/Survey No. 76 admeasuring about 16592 sq.mts.

- (1) Much prior to the year 1975, the land of (old) Block/Survey No. 76 admeasuring about 16592 sq.mts (Said Bigger Land) was registered in the revenue records in the name of Amibhai Pirbhai, came in his name under

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the provisions of the Taluqdari Act, as per the order of Agricultural Land Tribunal dated 29<sup>th</sup> April, 1964, in Case No. 66. (Reference: Revenue Entry No. 189, dated 29<sup>th</sup> October, 1964).

- (2) Name of Hasanbhai Pirbhai was entered as the co-owner along with the Said Amibhai Pirbhai. (Reference: Revenue Entry No. 519, dated 7<sup>th</sup> March, 1972).
- (3) Said Amibhai Pirbhai died without any issue and names of his brother Hasanbhai Pirbhai Momin and nephew Mahammadbhai Hasanbhai were entered in the revenue records. (Reference: Revenue Entry No. 791, dated 18<sup>th</sup> December, 1979 and copy of Affidavit dated 23<sup>rd</sup> April, 2012 made by Mahammadbhai Hasanbhai attested before Notary Public).
- (4) Said Hasanbhai Pirbhai died and his wife Karimaben had also died and names of Mahammadbhai Hasanbhai and Nooriben daughter of Hasanbhai were entered in the revenue records. (Reference: Revenue Entry No. 2156, dated 23<sup>rd</sup> October, 1996 and copy of Affidavit dated 23<sup>rd</sup> April, 2012 made by Mahammadbhai Hasanbhai attested before Notary Public).
- (5) Names of Abdulbhai Mahammadbhai, Sulemanbhai Mahammadbhai, Dilawarbhai Mahammadbhai, Bismillahbhai Mahammadbhai and Allauddinbhai Mahammadbhai being the sons of Mahammadbhai Hasanbhai were entered in the revenue records as co-owners in the Said Bigger Land. (Reference: Revenue Entry No. 2836, dated 19<sup>th</sup> December, 2006).
- (6) Said Nooriben Hasanbhai released and renounced her share from the Said Bigger Land in favour of her brother Mahammadbhai Hasanbhai by or under a Declaration dated 5<sup>th</sup> December, 2006, attested before Notary Public. (Reference: Revenue Entry No. 3116, dated 21<sup>st</sup> January, 2008).
- (7) Said Abdulbhai Mahammadbhai executed an Agreement for Sale dated 11<sup>th</sup> February, 2011. registered with the office of Sub Registrar of Assurances, under Serial No. 1195 in favour of Arjunsinh Pavansinh Zala with respect to the land admeasuring about 2262 sq.mts. out of the Said Bigger Land. Same is cancelled as per its cancellation dated 2<sup>nd</sup> August, 2011, registered with the office of Sub Registrar of Assurances, under Serial No. 5275 executed by and between them. (Reference: Copies thereof).

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- (8)(a) Said Sulemanbhai Mahammadbhai, Abdulbhai Mahammadbhai, Bismillahbhai Mahammadbhai, Mahammadbhai Hasanbhai, Allaudin Mahammadbhai and Dilawarbhai Mahammadbhai sold and conveyed the land admeasuring about 8094 sq.mts out of and on the eastern side of the Said Bigger Land to Noorabhai Jamalbhai Hajibhai (50% Share), Pirmahammad Noorabhai, Kasambhai Noorabhai and Rehmanbhai Noorabhai (Pirmahammadbhai, Kasambhai and Rehmanbhai jointly 50% share) by or under a Sale Deed dated 23<sup>rd</sup> April, 2012, registered with the office of Sub Registrar of Assurances, under Serial No. 2519, in the manner and for the consideration recorded therein. (*Reference: Revenue Entry No. 4256, dated 23<sup>rd</sup> April, 2012*). As stated in the Said Sale Deed, the area sold thereunder does not include the area out of the Said Bigger Land acquired by ONGC as referred to herein above. To support and supplement the Said Sale, Said Mahammadbhai Hasanbhai and five others executed a Declaration-cum-Indemnity Bond on 23<sup>rd</sup> April, 2012, attested before Notary Public. Said Sale is confirmed by (1) Nooriben daughter of Hasanbhai and (2) Hanifaben daughter of Mahammadbhai by or under two separate Deeds of Confirmation both dated 25<sup>th</sup> June, 2012, attested before Notary Public and by (3) Husainaben wife of Abdulbhai, Samsuddin Abdulbhai, Azruddin Abdulbhai, Subhaben wife of Sulemanbhai as self and as mother and natural guardian of minors Nazmuddin, Sultana and Tajuddin, Zubedaben wife of Allaudinbhai as self and as mother and natural guardian of minors Irfan and Ayshabanu, Madinaben wife of Dilawarbhai as self and as mother and natural guardian of minors Sajeda, Saddamhusein, Rasidahmed and Muskan by or under a Deed of Confirmation dated 30<sup>th</sup> June, 2012, attested before Notary Public.
- (b) Prior to aforesaid sale, order for Block bifurcation was obtained per the order of the Deputy Collector Sanand (Prant), Sanand dated 5<sup>th</sup> April, 2012, bearing No. RTS/Block Vibhajan/Shela/S.R. No. 32/12 as per the terms and conditions stipulated therein. (*Reference: Revenue Entry No. 4248, dated 10<sup>th</sup> April, 2012*).
- (9) Said Mahammadbhai Hasanbhai and Abdulbhai Mahammadbhai released and renounced their respective share in the Said Bigger Land in favour of remaining co-owners. (*Reference: Revenue Entry No. 4303, dated 10<sup>th</sup>, July, 2012*).
- (10) Said Dilawarbhai Mahammadbhai released and renounced his respective share in the Said Bigger Land in favour of the other co-owners by or under

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an Affidavit dated 11<sup>th</sup> September, 2014, attested before Notary Public.  
(Reference: Revenue Entry No. 4643, dated 15<sup>th</sup> September, 2014).

- (11) As referred in Clause A. (2) hereinabove, Said Bigger Land is bifurcated as follows:

<u>Sr. No.</u>	<u>Block/ Survey No.</u>	<u>Came in the names of</u>	<u>Area (in sq.mts.)</u>
1.	76/A	Sulemanbhai Mahammadbhai, Allauddin Mahammadbhai and Bismillahbhai Mahammadbhai	8498
2.	76/B	Noorabhai Jamalbhai, Pirmahammad Noorabhai, Kasambhai Noorabhai and Rehmanbhai Noorabhai	8094
		TOTAL	16592

With respect to Block/Survey No. 76/A admeasuring about 8498 sq.mts.

- (12) Said Sulemanbhai Mahammadbhai, Allauddin Mahammadbhai and Bismillahbhai Mahammadbhai sold and conveyed the Said Land of Block/Survey No. 76/A to Jinendra Ravichandra Vora by or under Sale Deed dated 17<sup>th</sup> March, 2017, registered with the office of Sub Registrar of Assurances, under Serial No. 1814, in the manner and for the consideration recorded therein. (Reference: Revenue Entry No. 5150, dated 27<sup>th</sup> March, 2017). To support and supplement the Said Sale, Said Sulemanbhai Mahammadbhai and two others executed an Indemnity Bond and Power of Attorney in favour of Said Jinendra Ravichandra Vora both dated 17<sup>th</sup> March, 2017 registered with the office of Sub Registrar of Assurances, under Serial Nos. 1815 and 1817 respectively. Said Sale is confirmed by (1) Nooriben Hasanbhai, Mahammadbhai Hasanbhai and Dilawarbhai Mahammadbhai, (2) Sajedaben Dilawarbhai Momin, Minors (a) Saddamhusein Dilawarbhai and (b) Rashidahmed Dilawarbhai represented through their father Dilawarbhai and (3) Subhanben Sulemanbhai, Najmuddin Sulemanbhai, Tajuddin Sulemanbhai, Sultanaben Sulemanbhai, Zubedaben Allauddin, Irfanali Allauddin, Minor Ayeshabanu represented through her father Allauddin Mahammadbhai, Sharifaben Bismillahbhai, Minors Riyazahmed and Muskanben represented through their father Bismillahbhai Mahammadbhai, all dated 17<sup>th</sup> March, 2017, registered with the office of Sub Registrar of Assurances, under Serial Nos. 2123, 2125 and 2126 respectively.

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- (13) Said Jinendra Ravichandra Vora sold and conveyed the Said Land of Block/Survey No. 76/A to Rameshbhai Kantibhai Patel by or under a Sale Deed dated 20<sup>th</sup> December, 2019 registered with the office of Sub Registrar of Assurances, under Serial No. 14024, in the manner and for the consideration recorded therein. (Reference: Revenue Entry No. 6181, dated 30<sup>th</sup> December, 2019).

With respect to Block/Survey No. 76/B admeasuring about 8094 sq.mts.

- (14) Said Noorabhai Jamalbhai Hajibhai, Pirmahammad Noorabhai, Kasambhai Noorabhai and Rehmanbhai Noorabhai sold and conveyed the land admeasuring about 2700 sq.mts out of and on the southern side of the Said Land of Block/Survey No. 76/B, to Pasabhai Toyabhai Pitambardas by or under Sale Deed dated 29<sup>th</sup> November, 2018, registered with the office of Sub Registrar of Assurances, under Serial No. 13338, in the manner and for the consideration recorded therein. (Reference: Revenue Entry No. 8754, dated 18<sup>th</sup> December, 2018).

- (15) Noorabhai Jamalbhai Hajibhai, Pirmohammad Noorabhai, Kasambhai Noorabhai and Rehmanbhai Noorabhai (jointly 5394 sq.mts.) and Pasabhai Toyabhai Pitambardas (2700 sq.mts.) sold and conveyed Land of Block/Survey No. 8094 sq.mts to Rameshbhai Kantibhai Patel by or under Sale Deed dated 15<sup>th</sup> June, 2020, registered with the office of Sub Registrar of Assurances, under Serial No. 8454, in the manner and for the consideration recorded therein. (Reference: Revenue Entry No. 6556, dated 18<sup>th</sup> June, 2021).

- (16) Accordingly Said Lands stand in the revenue/city survey records in the name of Said Rameshbhai Kantibhai Patel.

C. Public Notice:

- (1) As a part of investigation of Title, we gave public notice appeared in the daily newspaper "Sandesh", on 20<sup>th</sup> December, 2022, inviting claims, if any, in upon or to the Said Land from any person whomsoever. We have not received any claim/objection in response thereto.

D. Other Particulars:

- (1) One Kush Maheshbhai Sharma initiated a Regular Civil Suit bearing No. 118 of 2018 against aforesaid Jinendra Ravichandra Vora with respect to the land of Block/Survey No. 76/A before the Hon'ble Civil Court at Sanand. However, the Said Suit is unconditionally withdrawn pursuant to a withdrawal pursis filed by the Plaintiff on 9<sup>th</sup> December, 2019 and the order

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to that effect is passed by the Hon'ble Court on 9<sup>th</sup> December, 2019 under Exh-1.

- (2) Aforesaid Hanifaben daughter of Mahammadbhai Hasanbhai and wife of Daudbhai Momin filed an R.T.S/Appeal No. 142/17 before Deputy Collector, Sanand Prant, Sanand against heirs of deceased Abdulbhai Mahammadbhai and others. As per the order of Deputy Collector, Sanand dated 16<sup>th</sup> January, 2018, said appeal was withdrawn and also rejected on merits. (*Reference: Revenue Entry No. 5449, dated 9<sup>th</sup> February, 2018*).
- (3) Aforesaid Nooriben daughter of Hasanbhai Pirbhai filed an R.T.S/Appeal No. 143/17 before Deputy Collector, Sanand Prant, Sanand against Mahammadbhai Hasanbhai Momin and others. As per the order of Deputy Collector, Sanand dated 17<sup>th</sup> October, 2018, said appeal was rejected being barred by limitation and also on merits. (*Reference: Revenue Entry No. 5739, dated 4<sup>th</sup> December, 2018*).

E. Disclaimer:

- (1) The aforesaid Report is reference of available revenue records and sub registry records relevant for the purposes to study devolution of title and to ascertain any charge or encumbrance and does not contain entire revenue or sub registry records. We have relied upon the same without going into the details or further legal validation/scrutiny of records and proceedings referred to therein and implication thereof. Further, we have assumed the documents produced before us as genuine.
- (2) As reported by our Search Clerk / Search Advocate, who has taken search of the revenue and sub registry records, it is found that some of the record is not maintained properly or damaged and not available. Search may lack or miss some particulars. Therefore, it is required that Declaration-cum-Indemnity on Title to be made.
- (3) We have neither undertaken any on-site verification of the Said Lands, nor carried out verification of any negative court proceedings before any court/forum/authority nor verified any acquisition by any Government/ Semi-Government Authorities other than that mentioned in the available Revenue and Sub-Registry Records. Further as informed to us, the Said Lands have not been given in security nor created any charge or encumbrance of any nature whatsoever thereon, nor the Said Land/s is/are subject matter of any pending litigations and/or proceedings, nor any order,

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decree, attachment or any order of any court or authority is operating against the Said Lands adversely affecting the title thereto.

- (4) This Certificate and Report on Title is based on the searches taken with the available Revenue Records and available Records of the Sub Registrar (Index II) only for the period of from 30 years from July, 2023. However, where possible we have endeavored to ascertain the title beyond such period of 30 years. We disclaim any liability in respect thereof.

IN VIEW OF WHAT HAS BEEN STATED HEREINABOVE, we are of the Opinion that the Title of RAMESHBHAI KANTIBHAI PATEL to the Said Lands above referred to in the manner aforesaid is clear, marketable and free from all encumbrances and reasonable doubt, subject to Town Planning Scheme and Zoning, subject to the rectification in the Non-agricultural use permission of the Block/Survey No. 76/B (Final Plot No. 71/2) by amending its area to 4865 sq.mts. from 4857 sq.mts. and effect thereof to be given in the revenue records, subject to the terms and conditions of Non-Agricultural Permissions, subject to Declaration-Cum-Indemnity on Title being made, subject to usage rights of/acquisition by ONGC on the Said Bigger Land, subject to above devolution on title, disclaimer, our note(s) and observations(s) and subject to any other laws, acts, rules and regulations as may be applicable to the Said Lands.

DATED THIS 24<sup>TH</sup> DAY OF AUGUST, 2023

*H. Desai & Co*  
ADVOCATES & SOLICITORS

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