

HARISH AGRAWAL

Advocate

Chamber No. 216, 'E' Block
New Lawyers Chambers,
Rajasthan High Court
Campus, Jaipur

Office Cum Resi at: 6/460, SFS,
Agrawal Farm, Mansarovar, Jaipur.
Mo. 9829523625, 0141-2395118
e-mail: harishagrawal24@gmail.com

Ref:

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LEGAL SEARCH AND OPINION

To
The Authorised Signatory,
M/s. Sand Dune Construction Pvt. Ltd,
'Karan Heights', Tonk Road,
Jaipur

Sub:- Title Search and Opinion in respect of Property at Tonk Road Duggar Garden belonging to Khasra No. 307, Village Rampura Rupa, Tonk Road Jaipur having area of 6600 Sq. Yards at Laxmi Mandir Tiraha (old name of property Chowki Bohra Ka Bagh), Jaipur.

Dear Sir,

I have been seen the Photostat copies of documents furnished to me in respect of aforesaid property i.e. a plot of land measuring 6600 Sq. Yards for the purpose of giving of title search report., I got perused the entire chain of documents sent by you, which are as under:

1. i) The photo copy of the certified true copy issued on 31.07.1996 by Director of Maharaja Sawai Mansingh -II Museum Trust, Jaipur of auction order in respect of aforesaid Chowki Bohra Ka Bagh to be held on 03.01.1949 at 12:00 noon issued by Officer Incharge, Shikar Khana.
- ii) The certified true copy issue on 31.7.1996 by Director of Maharaja Sawai Mansingh -II Museum Trust, Jaipur of Jaipur Gazette dated 15.1.1949 published by Jaipur Government Part-I Vol. No. 33671 no. 58071 page 216 regarding auction of the aforesaid property on 25.01.1949.
- iii) The photo copy of the certified true copy issued by Dy. Commissioner Sawai Jaipur regarding details and perimeter of the property and the name of the persons who participated in the auction. The name of Sh. Sohan Lal Duggar is found in the said letter.
- iv) The document dated 20.5.1949 issued by Jaipur Auction House, Jaipur regarding the details of the properties sold in the auction wherein the description of Bohra Ka Bagh is available in item no. 2 which was auctioned for Jharsai Rs. 18,500/- + Batta Rs. 1,156/ 4 Anna. Thus the total amount shown is Rs. 19,656/4 Anna.
- v) The document dated 13.7.1949 showing the sanction of the aforesaid auction where in the property at no. 3 Bohra Ka Bagh has been sold to Sh. Sohan Lal Duggar for an amount of Rs. 19,656/ 4 Anna and after adjustment of Rs. 5,000/- already paid the balance amount of Rs. 14,656/4 Anna was to be recovered by the auctioneer.

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- vi) The letter dated 08.03.1949 issued by the Officer Incharge, Shikar Khana Jaipur to Seth Sh. Sohan Lal Duggar, Haldiyan Ka Rasta, Jaipur acknowledging the receipt of the sale price of the aforesaid property and handing over of the possession of the said plot of land measuring 270 x 220 feet on outright sale free from Nazrana & Lease, with the liberty to dispose of or otherwise transfer, gift, mortgage, sale or bequeath or otherwise construct it in anyway the purchaser desires.

Opinion about aforesaid transaction: The property is Free Hold validly purchase by Late Seth Sh. Sohan Lal Duggar from the Jaipur Government of His Highness Maharaja Sawai Man Singh II of Jaipur through Officer Incharge, Shikar Khana Jaipur.

- vii) The certificate no. 19912 issued by Land and Building Tax Department, Jaipur dated 14.10.1990 regarding payment of Rs. 12,736/- as L & B Tax for the year 1990 deposited by Smt. Suwat Kunwar Duggar who is the wife of Late Seth Sh. Sohan Lal Duggar.
2. I, have perused the details of the property which admeasuring about 6600 Sq. yards originally purchased by Late Sh. Sohan Lal Duggar from the Jaipur Government. On perusal of various sale deeds in respect of the aforesaid property it is transpired that on 28.10.1968 Seth Sh. Sohan Lal Duggar was died intestate living behind his wife Smt. Suwat Kunwar Duggar and two sons namely Sh. Ratan Lal Duggar and Sh. Subh Karan Duggar. Thus the aforesaid three legal heirs became co-owners of the aforesaid property and each one of them inherited 1/3 undivided share equivalent to approx 2200 Sq. yards.
3. That Smt. Suwat Kunwar Duggar created a trust in the name of her Late Husband in the name and styled as 'Seth Sohan Lal Duggar Charity Trust' in the year 1980 under and by virtue of a deed of trust dated 04.12.1980 which was got registered in the office of Registrar of Assurances in Kolkatta in Book No. 4 Vol No. 119 pages 129 to 140. On perusal of the trust deed I noticed that the para 8 of the said deed authorises the trustees for sale and purchase of the movable or immovable properties forming part of the trust either by public auction or by private contract.

In pursuance of said power the 5 trustees of said trust passed a resolution on 09.05.2005 for selling of the 1/3 undivided share of the property Bohra Ji Ka Bagh commonly known as Duggar Garden in favour of M/s. Sarvottam Build Home Pvt. Ltd. by executing of sale deed. The aforesaid trustees S/Sh. N.M. Himatsingka, B.L. Surana, C.L. Kejriwal, Sanjay Saraf & L.P. Manot executed sale deed on 02.06.2005 which was registered on 21.6.2005 in the office of Sub-

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Registrar, Jaipur I entered on Book No. 1 Jild No. 353 Page No. 53 Sl. No. 2005003329 and pasted in Additional Book no. 1 Jild No. 147 on page no. 30 to 49.

Earlier, I conducted search from the office of Registrar Jaipur-I on 29.12.2014 by paying a inspection fees of Rs. 500/- vide receipt no. 2014051021235 document Sl. No. 20140501021257 the copy of the application submitted by me before the Sub-Registrar Jaipur -I alongwith aforesaid photostat copy of the receipt of the inspection fees amounting Rs. 500/- is enclosed herewith as **Annexure-1**. The said property i.e. the 1/3 undivided share of the property described is at present in the ownership of M/s. Sarvottam Build Home Pvt. Ltd.

4. That I, further perused the another sale deed dated 11.05.2005 executed by Smt. Jatan Kunwar W/o. Late Sh. Subh Karan Duggar, Major General Ashok Kumar Duggar, Sh. Kirti Duggar and Sh. Dilip Duggar in favour of M/s. Sarvottam Build Home Pvt. Ltd.

The 1/3 undivided share of the aforesaid property Bohra Ka Bagh (Duggar Garden) was inherited by Sh. Subh Karan Duggar S/o. Late Seth Sohan Lal Duggar. Sh. Subh Karan Duggar was also passed away intestate on 05.07.1985, so, his undivided 1/3 share in the said property was devolved upon his legal heirs namely Smt. Jatan Kunwar W/o. Late Sh. Subhkaran Duggar, Major General Ashok Kumar Duggar, Sh. Kirti Duggar and Sh. Dilip Duggar (all sons), Smt. Champa Tater W/o. Sh. Jhumarmal Tater R/o. Kathmandu, Smt. Asha Jain W/o. Sh. Jawhar Jain R/o. Kota, Smt. Sheela Singhvi W/o. Sh. Sumer Singhvi R/o. New Delhi, Smt. Madhu Jain W/o. Sh. A. Jain R/o. Gurgoan (all daughters) and Sh. Rajesh Duggar S/o. Late Dr. Mahendra Duggar and Smt. Smita Duggar W/o. Sh. Sameer Goyal D/o. Late Dr. Mahendra Duggar (a predeceased son of Late. Sh. Subhkaran Duggar)

The aforesaid 4 daughters of Late Sh. Shubh Karan Duggar executed Special Power of Attorney in favour of Sh. Ashok Kumar Duggar on 18.02.2005 Authorising him to execute a release deed for and on behalf their behalf in respect of their respective undivided right, interest, title in the aforesaid 1/3 undivided share of their father in the said property. So the sale deed dated 11.05.2005 was executed by the persons shown in first subpara of this para 4 in respect of 4/5th share out of 1/3 share of Late Sh. Subh Karan Duggar in the said property was registered in the office of Sub-Registrar Jaipur- I on 09.06.2005 in Book No. 1 Jild No. 352 Page No. 51 Sl. No. 2005003127 and pasted in Additional Book no. 1 Jild No. 1403 on page no. 1 to 19 in favour of M/s. Sarvottam Build Home Pvt. Ltd.

Earlier, I conducted search from the office of Registrar Jaipur-I on 29.12.2014 by paying a inspection fees of Rs. 500/- vide receipt no. 2014051021233 document Sl.



No. 20140501021255 the copy of the application submitted by me before the Sub-Registrar Jaipur -I alongwith aforesaid photostat copy of the receipt of the inspection fees amounting Rs. 500/- is enclosed herewith as **Annexure-2**. The said property i.e. 4/5th share of the 1/3 undivided share of the property described is at present in the ownership of M/s. Sarvottam Build Home Pvt. Ltd.

5. I further perused another sale deed dated 01.06.2005 executed by Sh. Rajesh Duggar S/o. Late Dr. Mahendra Duggar in favour of M/s. Sarvoattam in respect of remaining 1/5th share of undivided 1/3 share of Late Sh. Subh Karan Duggar. Smt. Smita Suggar W/o. Sameer Goyal D/o. Late Dr. Mahendra Duggar at the time of her marriage released her undivided right in the said property and executed a special power of attorney dated 17.05.2005 in favour of Sh. Rajesh Duggar. So, Sh. Rajesh Duggar executed the sale deed for transferring of aforesaid 1/5th Share in undivided 1/3 share. The said sale deed was registered on 15.06.2005 in Book No. 1 Jild No. 352 at Page No. 117 Sl. No. 2005003193 and pasted in additional book No. 1 jild no. 1404 at page no. 209 to 226 by sub-Registrar Jaipur-I.

Earlier, I conducted search from the office of Registrar Jaipur-I on 29.12.2014 by paying a inspection fees of Rs. 500/- vide receipt no. 2014051021234 document Sl. No. 20140501021256 the copy of the application submitted by me before the Sub-Registrar Jaipur -I alongwith aforesaid photostat copy of receipt of the inspection fees amounting Rs. 500/- is enclosed herewith as **Annexure-3**. The said property i.e. 1/5th share of the 1/3 undivided share of the property described is at present in the ownership of M/s. Sarvottam Build Home Pvt. Ltd.

6. That I, perused the sale deed dated 10.08.2005 executed by Sh. Bhagat Singh Duggar, Sh. Rajendra Singh Duggar, Sh. Sushil Kumar Duggar, Sh. Santosh Kumar Duggar in favour of M/s. Sarvottam Build Home Pvt. Ltd. in respect of 1/3 undivided share of the aforesaid property Bohra Ji Ka Bagh (Duggar Garden) approximately 2200 Sq. yards inherited by Sh. Ratan Lal Duggar S/o. Late Seth Sohan Lal Duggar. Sh. Ratan Lal Duggar was also passed away intestate in the year 1979 where upon his 1/3 undivided share in the said property was devolved to his legal heirs namely Smt. Kiran Kunwar (wife), Sh. Bhagat Singh Duggar, Sh. Rajendra Singh Duggar, Sh. Sushil Kumar Duggar and Sh. Santosh Kumar (all sons), Smt. Gulab Kunwar Bhandari W/o. Sh. Birdh Raj Bhandari and Smt. Usha Bhandari W/o. Sh. Jodh Singh Bhandari (both D/o. Late Sh. Ratan Lal Duggar). So, the aforesaid 7 persons inherited 1/7th undivided share in 1/3 undivided share.

Smt. Kiran Kanwar Duggar was also passed away intestate on 08.01.2001 leaving behind the above named 6 persons as her heirs. Smt. Gulab Kunwar Bhandari



D/o. Late Ratan Lal Duggar by virtue of Release Deed dated 25.07.2005 relinquished her 1/6th undivided right in favour of her brother Sh. Rajendra Singh Duggar.

The another D/o Late Sh. Ratan Lal Duggar namely Smt. Usha Bhandari was also passed away intestate on 08.03.2002 whereof her 1/6th undivided right in the said property was devolved on her husband Sh. Jodh Singh Bhandari and sons Sh. Narpat Bhandari, Sh. Mahipat Bhandari and her daughter Smt. Chandrika Bhandari. The above named 4 persons have released their respective 1/4th undivided right in the 1/6th undivided share of Late Smt. Usha Bhandari in the 1/3 undivided share of Late Sh. Ratan Lal Duggar in the said property by virtue of Release Deed dated 25.07.2005 in favour of Sh. Rajendra Singh Duggar.

Sh. Santosh Kumar Duggar also executed Special Power of Attorney in favour of Sh. Rajendra Singh Duggar in respect of his 1/6th share in the undivided 1/3 share of the aforesaid property, which was signed before the Assistant Consular Officer Consulate General of India, New York on 02.05.2005.

Sh. Bhagat Singh Duggar another son of Late. Sh. Ratan Lal Duggar also executed a Special Power of Attorney in favour of Sh. Rajendra Singh Duggar in respect of his 1/6th share in the undivided 1/3 share of the aforesaid property, which was registered in the office of Sub-Registrar, Mumbai on 16.06.2005.

Earlier I, conducted search from the office of Registrar Jaipur-I on 29.12.2014 by paying a inspection fees of Rs. 500/- vide receipt no. 2014051021236 document Sl. No. 20140501021258 the copy of the application submitted by me before the Sub-Registrar Jaipur -I alongwith aforesaid photostat receipt of the inspection fees amounting Rs. 500/- is enclosed herewith as **Annexure-4**. The said property i.e 1/3 undivided share of the property described is at present in the ownership of M/s. Sarvottam Build Home Pvt. Ltd.

7. That I have also perused a Development Agreement executed on 14.03.2016 on a Non-Judicial Stamp paper of Rs. 100/- bearing Sl. No. AF297734 and 37 stout ledger papers i.e. in total 38 pages between M/s. Sarvottam Buildhome Pvt. Ltd. the owner through its Directors Sh. Pradeep Mittal and Sh. Ravi Mathur jointly signed and M/s. Sand Dune Construction Pvt. Ltd. through its Director Sh. Anuj Mathur for development and construction of a commercial / residential complex on the aforesaid 6600 Sq. Yards plot of land situated at Laxmi Mandir Tiraha, Tonk Road, Jaipur commonly known as Duggar Garden.

I, have gone through the contents of the said development agreement wherein the details of the aforesaid title documents has been mentioned for identification



of the property. The agreement further speaks in various clauses that the project land shall continue to be property of owners.

The clause 5 of the Development Agreement running from page 15 to 17 states that a sum of Rs. 7,00,00,000/- (Rupees Seven Crores only) through cheques have been paid to the owner as Interest Free Security Deposits which have been acknowledged by the owners. The said Interest Free Security Deposit will be refunded in the manner prescribed in sub-clause v at page 16-17 of the Development Agreement.

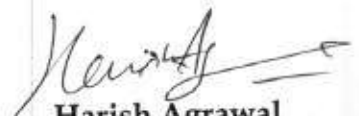
As per Clause 7 of the development agreement at page 17 the owner company shall be entitled to 63% of the gross revenue and the Developer company shall be entitled for 37% of the gross revenue from the project.

OPINION

Finally on perusal of the entire documents examined by me it is opined that the entire aforesaid property admeasuring about 6600 Sq. yards description as shown in the site plan of Duggar Garden in Khasra 307, Village Rampura Rupa on main Tonk Road, the changed name of the property namely Chowki Bhora Ka Bagh originally purchased by Late Seth Sh. Sohan Lal Duggar through auction from Jaipur Government admeasuring 270 ft. North to South and 220 ft. from East to West having Rochies Garden (now UDB Complex) towards north and Krishna Mall towards South, Tonk Road towards west and Gandhi Nagar Govt. Quarters / others property towards East was validly purchased by M/s. Sarvottam Build Home Pvt. Ltd. from the legal heirs of Late Seth Sh. Sohan Lal Duggar through four separate sale deeds executed by the respective legal heir of Late Seth Sh. Sohan Lal Duggar and his late wife and sons.

The said property is Free Hold and is in valid ownership and possession of M/s. Sarvottam Build Home Pvt. Ltd.

This Report/ Opinion has been given on the basis of Photostat copies of the documents received from M/s. Sand Dune Constructions Pvt. Ltd., Jaipur.


Harish Agrawal
Advocate