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Dated 28.02.2024....

To

M/s. Whiteland Corporation Private Limited,
10th Floor, World Mark, Sector 65, Gurugram.

Subject: Legal Opinion

Sir,

We have been called upon to submit our legal opinion in respect of land bearing Rect. 3 Killa nos. 21(7-8) 22(7-7) 23/1(3-8) 28(0-12) Rect. No. 9 Killa nos. 5(8-0) 6(8-0) 15(8-0) 16/1(7-7) Rect. No. 10 Killa Nos. 1(6-19) 2/1(3-11) 3(8-0) 4(8-0) 10(7-8) 11(7-8) 20(7-8) 21/1/1(4-0) total measuring 102 Kanals 16 Marlas, situated in revenue estate of Dhanwapur, Tehsil Kadipur, District Gurugram.

- A. Land bearing Rect. 3 Killa nos. 21(7-8) 22(7-7) 23/1(3-8) 28(0-12) Rect. No. 5 Killa nos. 3/2/2(0-16) 4(2-2) 6/2(4-16) 7(8-0) 8/1(4-0) 14/1(4-8) 27(0-11) Rect. No. 9 Killa nos. 5(8-0) 6(8-0) 15(8-0) 16(8-0) Rect. No. 10 Killa Nos. 1(6-19) 2/1(3-11) 3(8-0) 4(8-0) 10(7-8) 11(7-8) 20(7-8) 21/1(4-13) Rect. No. 16 Killa no. 7/2/1(1-9) Rect. No. 19 Killa nos. 20/2(4-2) 21(7-10) Rect. No. 20 Killa nos. 1/3(0-0) 8/2(2-18) 13(7-8) 14/1(4-16) 16(5-18) 17/1(4-0) 20(7-3) 25(8-0) Rect. No. 21 Killa nos. 15(8-0) 16(8-0) 17(8-0) 24(8-0) 25(7-19) Rect. No. 22 Killa nos. 1(8-0) 2(8-0) 3(7-8) 9(8-0) 10(8-0) 11/1(0-18) 12/1(0-18) Rect. No. 23 Killa nos. 5(2-8) 6(2-4) 15/1(0-4) Rect. No. 26 Killa nos. 4/1(3-8) 5/1(3-8) Rect. No. 30 Killa nos. 3(7-11) 6/2(3-7) 7(8-0) 8(8-0) 9(8-0) 14(8-0) 15(8-0) 16/1(0-8) Khasra nos. 62(1-19) 63(0-12)



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Dated. 28.09.2024

71(1-6) 102(0-9) 239(4-1) 242(2-0) 264(0-2) 265(0-2) 266(0-2) Rect.
No. 31 Killa nos. 11(8-0) Rect. No. 31 Killa nos. 19(8-0) 20(8-0)
23(6-13) 24(3-15) Rect. No. 31 Killa nos. 17(9-8) 18(8-0) Rect. No.
34 Killa nos. 3(6-4) 9/1(1-15) total measuring 395 Kanals, situated in
revenue estate of Dhanwapur, Tehsil and District Gurgaon.

1. That Jamabandi for the year 1995-96(**Annexure 1**), reflects following
persons to be owners in possession of aforesaid land holding:-

(i) Gulab Singh	1/5 share
(ii) Jagpal	1/5 share
(iii) Om Parkash	1/20 share
(iv) Partap Singh	1/20 share
(v) Hira Lal	1/20 share
(vi) Jagbir	1/20 share
(vii) Smt. Rajo	1/35 share
(viii) Ishwar Singh	1/35 share
(ix) Jai Bhagwan	1/35 share
(x) Krishna	1/35 share
(xi) Dhanpati	1/35 share
(xii) Chanderpati	1/35 share
(xiii) Bimla	1/35 share
(xiv) Raj Singh	1/45 share
(xv) Rajender Singh	1/45 share
(xvi) Hoshiar Singh	1/45 share
(xvii) Satbir Singh	1/45 share



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(xviii) Rajesh Singh	1/45 share
(xix) Rakesh Singh	1/45 share
(xx) Veer Bhan	1/45 share
(xxi) Tejbhan	1/45 share
(xxii) Bhagwani	1/45 share

2. That Jagpal is reflected to be incultivating possession of land bearing Rect. No. 31 Killa no. 11(8-0) measuring 8 Kanals, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.
3. That Om Parkash, Partap Singh, Hira Lal and Jagbir are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos. 19(8-0) 20(8-0) 23(6-13) 24(3-15) total measuring 26 Kanals 8 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharers.
4. That Rajender Singh, Hoshiar Singh, Satbir Singh, Rajesh Singh, Rakesh Singh, Veer Bhan, Tejbhan and Smt. Bhagwani are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos. 17(9-8) 18(8-0) total measuring 17 Kanals 8 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.
5. That Urban Estate is reflected to be in possession of land bearing Rect. No. 34 Killa nos. 3(6-4) 9/1(1-15) total measuring 7 Kanals 19 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon.



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6. That land bearing Rect. No. 9 Killa no. 16/2(0-13) Rect. No. 10 Killa no. 21/1/2(0-13) Rect. No. 19 Killa nos. 20/2/2(1-0) 21/1(0-2) Rect. No. 20 Killa nos. 8/2/1(0-14) 13/1(0-1) 14/1/1(0-18) 16/1(0-4) Rect. No. 34 Killa no. 3/2(1-15) had been acquired by State of Haryana through Land Acquisition Collector. Mutation bearing no. 1768 (**Annexure 2**) was sanctioned on the basis of aforesaid acquisition. It is pertinent to mention that field book and titamma are not attached with the aforesaid mutation.
7. That mutation bearing nos. 1891, 1896, 1934 and 2106 do not pertain to land subject matter of this legal opinion.
8. That Raj Singh expired. Mutation of his inheritance bearing no. 2116 (**Annexure 3**) was sanctioned in favour of Smt. Santosh Devi (widow) and Krishan Kumar (son) of Raj Singh.
9. That mutation bearing no. 2160 (**Annexure 4**) was sanctioned on the basis of oral partition in respect of land which is not the subject matter of this legal opinion. However, Rapat Roznamcha bearing no. 100 dated 21.11.2000 is required to be checked for the sake of abundant caution so that needless controversy would not arise in future.
10. That Rapat Roznamcha bearing no. 139 does not pertain to land subject matter of this legal opinion.
11. That Gulab Singh mortgaged his 1/5 share out of land subject matter of this legal opinion along with other land holding in favour of PLDB for a sum of Rs. 2,00,000/-. Rapat Roznamcha bearing no. 360 dated 26.07.2000 was entered in respect of aforesaid mortgage.



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Subsequently, the aforesaid land holding had been redeemed and Rapat Roznamcha bearing no. 1017 dated 04.07.2008 was entered in this regard.

12. That Jagpal mortgaged his 1/5 share out of land subject matter of this legal opinion along with other land holding in favour of OBC, Sheetla Mata Road, Gurgaon for a sum of Rs. 1,50,000/-. Rapat Roznamcha bearing no. 121 dated 17.11.2003 was entered in this regard. Subsequently, the aforesaid land holding had been redeemed. Rapat Roznamcha bearing no. 468 dated (not legible) was entered in this regard.

13. That Rajo, Ishwar Singh, Jai Bhagwan and Suresh Kumar mortgaged their 1/10 share out of land bearing Rect. No. 9 Killa nos. 5, 6, 15, 16 Rect. No. 10 Killa no. 3 along with other land in favour of PLDB, Gurgaon for a sum of Rs. 2,00,000/-. Rapat Roznamcha bearing no. 79 dated 10.10.2002 was entered in respect of aforesaid mortgage. Subsequently, the aforesaid land holding had been redeemed. Rapat Roznamcha bearing no. 1032 dated 29.06.2010 was entered in this regard.

14. That Jagbir Singh mortgaged his 90/5403 share out of land subject matter of this legal opinion along with other land holding in favour of PARDB, Gurgaon for a sum of Rs. 1,00,000/-. Rapat Roznamcha bearing no. 9 dated 08.09.2004 was entered in respect of aforesaid mortgage. Subsequently, aforesaid mortgage had been redeemed.



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Rapat Roznamcha bearing no. 804 dated 30.04.2010 was entered in this regard.

15. That Hira Lal mortgaged his 1/20 share out of land subject matter of this legal opinion along with other land in favour of The Gurgaon Primary Co operative Agriculture Bank for a sum of Rs. 2,43,000/-. Rapat Roznamcha bearing no. 547 dated 10.08.2004 was entered in respect of aforesaid mortgage. Subsequently, aforesaid land holding had been redeemed. Rapat Roznamcha bearing no. 895 dated 30.04.2010 was entered in this regard.

16. That Rajender son of Amar Singh had pledged his 1/45 share out of aforesaid land holding for bail in favour State of Haryana for a sum of Rs. 7,45,110/-. Rapat Roznamcha bearing no. 574 dated 04.08.2005 was entered in this regard. **We have not been able to locate any document pertaining to redemption of aforesaid land holding. However, this part of the opinion relating to the Rapat Roznamcha has been given after examining the remarks column of the Jamabandi for the year 1995-96. For the sake of abundant caution we have sought at our end certified copies of the aforesaid Rapat Roznamcha.**

17. That Jamabandi for the year 2000-2001 (Annexure 5), reflects following persons to be owners in possession of land bearing **Rect. 3 Killa nos. 21(7-8) 22(7-7) 23/1(3-8) 20(0-12)** Rect. No. 5 Killa nos. 3/2/2(0-16) 4(2-2) 6/2(4-16) 7(8-0) 8/1(4-0) 14/1(4-8) 27(0-11) **Rect. No. 9 Killa nos. 5(8-0) 6(8-0) 15(8-0) 16/1(7-7) Rect. No. 10 Killa**



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Nos. 1(6-19) 2/1(3-11) 3(8-0) 4(8-0) 10(7-8) 11(7-8) 20(7-8) 21/1/1(4-

0) Rect. No. 16 Killa no. 7/2/1(1-9) Rect. No. 19 Killa nos. 20/2/1(3-2) 21/2(7-8) Rect. No. 20 Killa nos. 1/3(0-0) 8/2/2(2-3) 13/2(7-7) 14/1/2(3-18) 16/2(5-4) 17/1(4-0) 20(7-3) Rect. No. 21 Killa nos. 15(8-0) 16(8-0) 17(8-0) 24(8-0) 25(7-19) Rect. No. 26 Killa nos. 4/1(3-8) 5/1(3-8) Rect. No. 30 Killa nos. 3(7-11) 6/2(3-7) 7(8-0) 8(8-0) 9(8-0) 14(8-0) 15(8-0) 16/1(0-8) Khasra nos. 62(1-19) 63(0-12) 71(1-6) 102(0-9) 239(4-1) 242(2-0) 264(0-2) 265(0-2) 266(0-2) Rect. No. 31 Killa nos. 11(8-0) Rect. No. 31 Killa nos. 19(8-0) 20(8-0) 23(6-13) 24(3-15) Rect. No. 31 Killa nos. 17(9-8) 18(8-0) Rect. No. 34 Killa nos. 3/1(2-7) 3/3(2-2) 9(1-15) total measuring 343Kanals 12 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon:-

- | | |
|---------------------|------------|
| (i) Gulab Singh | 1/5 share |
| (ii) Jagpal | 1/5 share |
| (iii) Om Parkash | 1/20 share |
| (iv) Partap Singh | 1/20 share |
| (v) Hira Lal | 1/20 share |
| (vi) Jagbir | 1/20 share |
| (vii) Smt. Rajo | 1/40 share |
| (viii) Ishwar Singh | 1/40 share |
| (ix) Jai Bhagwan | 1/40 share |
| (x) Suresh | 1/40 share |
| (xi) Krishna | 1/40 share |



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(xii) Dhanpati	1/40 share
(xiii) Chanderpati	1/40 share
(xiv) Urmila @ Nirmala	1/40 share
(xv) Santosh Devi	1/90 share
(xvi) Krishan Kumar	1/90 share
(xvii) Rajender Singh	1/45 share
(xviii) Hoshiar Singh	1/45 share
(xix) Satbir Singh	1/45 share
(xx) Rajesh Singh	1/45 share
(xxi) Rakesh Singh	1/45 share
(xxii) Veer Bhan	1/45 share
(xxiii) Tejbhan	1/45 share
(xxiv) Bhagwani	1/45 share

18. That Jagpal is reflected to be in cultivating possession of land bearing Rect. No. 31 Killa no. 11(8-0) measuring 8 Kanals, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.

19. That Om Parkash, Partap Singh, Hira Lal and Jagbir are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos. 19(8-0) 20(8-0) 23(6-13) 24(3-15) total measuring 26 Kanals 8 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharers.

20. That Rajender Singh, Hoshiar Singh, Satbir Singh, Rajesh Singh, Rakesh Singh, Veer Bhan, Tejbhan and Smt. Bhagwani are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos.



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- 17(9-8) 18(8-0) total measuring 17 Kanals 8 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.
21. That Urban Estate, Gurgaon is reflected to be in possession of land bearing Rect. No. 34 Killa nos. 3/1(2-7) 3/3(2-2) 9(1-15) total measuring 6 Kanals 4Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon.
22. That it is pertinent to mention that in the Jamabandi for the year 1995-96, name of Suresh son of Hari Singh was not mentioned. The name of Suresh son of Hari Singh was mentioned for the first time in Jamabandi for the year 2000-01. The name of Suresh son of Hari Singh referred to above thereafter continues in subsequent revenue record. Similarly, land bearing Rect. No. 3 Killa no. 28 had been wrongly mentioned to be Killa no. 20. However, the aforesaid mistake of Killa number had been rectified in the subsequent Jamabandi.
23. That it is pertinent to mention that in the Jamabandi for the year 1995-96, name of Nirmala is mentioned to be Bimla. However, in the Jamabandi for the year 2000-01 and thereafter, in the subsequent revenue record the name is mentioned to be Nirmala or Urmila @ Nirmala.
24. That land bearing Rect. No. 20 Killa no. 25(8-0) was not mentioned in the Jamabandi for the year 2000-01. However, the said Killa number has been mentioned in the subsequent Jamabandis. Furthermore, area



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of land bearing Rect. No. 20 Killa no. 16/2 had been wrongly mentioned to be 5 Kanals 4 Marlas. Actually, the area of aforesaid land parcel ought to have been 5 Kanals 14 Marlas. The aforesaid land parcels are not the subject of this legal opinion.

25. That Gulab Singh expired. Mutation of his inheritance bearing no. 2571 (**Annexure 6**) was sanctioned on the basis of registered Will bearing Vasika no. 237 dated 30.07.1997 in favour of Mukhtyar Singh, Satpal Singh, Inderjeet, Harish Chander, Rajpal and Sumit Kumar sons of Gulab Singh. **It is pertinent to mention that in the pedigree table mentioned on mutation bearing no. 2571, as many as fifteen legal heirs of Shri Gulab Singh had been mentioned including eight daughters and one wife. However, the mutation was sanctioned on the basis of aforesaid Will only in favour of six sons of Gulab Singh and the daughters and wife had been disinherited from the estate of deceased Gulab Singh.**
26. That there is reference of Rapat Roznamcha bearing no. 897 dated 18.05.2010 (**Annexure 7**) in the remarks column of Jamabandi for year 2000-01. The aforesaid Rapat Roznamcha had been entered in respect of Status Quo order passed in case titled "Birmati Vs Mukhtyar Singh and others. The aforesaid status quo order had been reflected to be vacated by virtue of Rapat Roznamcha bearing no. 657 dated 25.02.2021 (**Annexure 8**) on dismissal of appeal bearing CIS no. CA/245 of 2016 by virtue of order dated 19.02.2020.



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27. That we have examined the judgment and decree dated 19.02.2020 whereby appeal filed by plaintiff/appellant was dismissed. In the aforesaid suit Smt. Bati @ Birbati challenged the Will bearing Vasika no. 237 dated 30.07.1997 executed and got registered by her father namely, Mr. Gulab Singh in favour of his sons disinheriting the daughters and wife from the rights of inheritance from the ancestral property. The suit filed by Smt. Bati @ Birbati was dismissed vide judgment and decree dated 25.02.2016. Appeal filed against the aforesaid judgment and decree was also dismissed vide judgment and decree dated 19.02.2020 (Annexure 9) passed by Shri Aman Deep Dewan, the then Additional District Judge, Gurugram.

28. That RSA bearing no. 1270 of 2021 is pending before Hon'ble High Court of Punjab and Haryana at Chandigarh against the aforesaid judgment and decree dated 19.02.2020 and is fixed for 05.12.2023. Furthermore, the claim of the plaintiff/appellant in the aforesaid case was rejected on the ground that Gulab Singh father of the plaintiff/appellant had expired on 01.02.2002 that is prior to coming into force of amended provision of Hindu Succession Act.

29. That thus, clearly there is a dispute with regard to legality of title held by the six sons of Gulab Singh who on the date of his demise has 1/5 share in the land in question. Consequently prior to purchase of land it has to be insisted that the litigation referred to above be settled. It needs to be highlighted that Gulab Singh had



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not 1/5 undivided share land in question. Therefore, in the absence of settlement of litigation the entire land parcel cannot be put to any meaningful use for want of partition.

30. That Jamabandi for the year 2005-2006 (Annexure 10), reflects following persons to be owners in possession of land bearing **Rect. 3 Killa nos. 21(7-8) 22(7-7) 23/1(3-8) 28(0-12)** Rect. No. 5 Killa nos. 3/2/2(0-16) 4(2-2) 6/2(4-16) 7(8-0) 8/1(4-0) 14/1(4-8) 27(0-11) **Rect. No. 9 Killa nos. 5(8-0) 6(8-0) 15(8-0) 16/1(7-7)** **Rect. No. 10 Killa Nos. 1(6-19) 2/1(3-11) 3(8-0) 4(8-0) 10(7-8) 11(7-8) 20(7-8) 21/1/1(4-0) 24(8-0) 25(7-19)** Rect. No. 16 Killa no. 7/2/1(1-9) Rect. No. 19 Killa nos. 20/2/1(3-2) 21/2(7-8) Rect. No. 20 Killa nos. 1/3(0-0) 8/2/2(2-3) 13/2(7-7) 14/1/2(3-18) 16/2(5-4) 17/1(4-0) 20(7-3) 25(8-0) Rect. No. 21 Killa nos. 15(8-0) 16(8-0) 17(8-0) 24(8-0) 25(7-19) Rect. No. 26 Killa nos. 4/1(3-8) 5/1(3-8) Rect. No. 30 Killa nos. 3(7-11) 6/2(3-9) 7(8-0) 8(8-0) 9(8-0) 14(8-0) 15(8-0) 16/1(0-8) Khasra nos. 62(1-19) 63(0-12) 71(1-6) 102(0-9) 239(4-1) 242(2-0) 264(0-2) 265(0-2) 266(0-2) Rect. No. 31 Killa nos. 11(8-0) Rect. No. 31 Killa nos. 19(8-0) 20(8-0) 23(6-13) 24(3-15) Rect. No. 31 Killa nos. 17(9-8) 18(8-0) Rect. No. 34 Killa nos. 3/1(2-7) 3/3(2-2) 9(1-15) total measuring 343 Kanals 12 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon:-

- | | | |
|-------|----------------|------------|
| (i) | Mukhtyar Singh | 1/30 share |
| (ii) | Satpal Singh | 1/30 share |
| (iii) | Inderjeet | 1/30 share |



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|-----------------------|------------|
| (iv) Harish Chand | 1/30 share |
| (v) Rajpal | 1/30 share |
| (vi) Sumit Kumar | 1/30 share |
| (vii) Jagpal | 1/5 share |
| (viii) Om Parkash | 1/20 share |
| (ix) Partap Singh | 1/20 share |
| (x) Hira Lal | 1/20 share |
| (xi) Jagbir | 1/20 share |
| (xii) Smt. Rajo | 1/40 share |
| (xiii) Ishwar Singh | 1/40 share |
| (xiv) Jai Bhagwan | 1/40 share |
| (xv) Suresh | 1/40 share |
| (xvi) Krishna | 1/40 share |
| (xvii) Dhanpati | 1/40 share |
| (xviii) Chanderpati | 1/40 share |
| (xix) Bimla | 1/40 share |
| (xx) Santosh Devi | 1/90 share |
| (xxi) Krishan Kumar | 1/90 share |
| (xxii) Rajender Singh | 1/45 share |
| (xxiii) Hoshiar Singh | 1/45 share |
| (xxiv) Satbir Singh | 1/45 share |
| (xxv) Rajesh Singh | 1/45 share |
| (xxvi) Rakesh Singh | 1/45 share |
| (xxvii) Veer Bhan | 1/45 share |



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(xxviii) Tejbhan 1/45 share

(xxix) Bhagwani 1/45 share

31. That Jagpal is reflected to be in cultivating possession of land bearing Rect. No. 31 Killa no. 11(8-0) measuring 8 Kanals, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.
32. That Om Parkash, Partap Singh, Hira Lal and Jagbir are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos. 19(8-0) 20(8-0) 23(6-13) 24(3-15) total measuring 26 Kanals 8 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharers.
33. That Rajender Singh, Hoshiar Singh, Satbir Singh, Rajesh Singh, Rakesh Singh, Veer Bhan, Tejbhan and Smt. Bhagwani are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos. 17(9-8) 18(8-0) total measuring 17 Kanals 8 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.
34. That Urban Estate, Gurgaon is reflected to be in possession of land bearing Rect. No. 34 Killa nos. 3/1(2-7) 3/3(2-2) 9(1-15) total measuring 6 Kanals 4 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon.
35. That area of land bearing Rect. No. 30 Killa no. 6/2 had been mentioned to be 3 Kanals 7 Marlas in the Jamabandi for the years 1995-96 and 2001-02. However, in the Jamabandi for the year 2005-06, the area of aforesaid land parcel had been reflected to be 3 Kanals



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9 Marlas. The aforesaid land parcel is not the subject matter of this legal opinion.

36. That land bearing Rect. No. 10 Killa no. 24(8-0) 25(7-19) had been wrongly mentioned in the Jamabandi for the year 2005-06. The aforesaid land parcel had not been mentioned in the Jamabandi for the year 1995-96 and 2001-02 nor in the subsequent revenue record after Jamabandi for the year 2005-06.

37. That Rapat Roznamcha bearing nos. 493 dated 28.01.2008, 758 dated 08.04.2008, 68 dated 19.09.2008, 1020 dated 19.08.2013, 1231 dated 13.08.2014, 58 dated 13.09.2018, 596 dated 27.02.2008, 600 dated 16.05.2016, 351 dated 15.01.2010, 393 dated 28.01.2010, 639 dated 29.03.2010, 927 dated 09.06.2021, 18 dated 05.09.2008, 640 dated 29.03.2010, 194 dated 21.10.2020, 639 dated 29.03.2010 and 927 dated 09.06.2021 do not pertain to land subject matter of this legal opinion. However, this part of the opinion relating to the Rapat Roznamcha has been given after examining the remarks column of the Jamabandi for the year 2005-06. For the sake of abundant caution we have sought at our end certified copies of the aforesaid Rapat Roznamcha.

38. That Inderjeet and Sumit Kumar had mortgaged 1/5 share out of aforesaid land holding in favour of Gurgaon Gramin Bank, Gurgaon for a sum of Rs. 4,00,000/-. Rapat Roznamcha bearing no. 1038 dated 10.07.2008 was entered in this regard. It is pertinent to mention that aforesaid persons were owners in possession to the extent of 1/30



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share each. Therefore, they had illegally mortgaged 1/5 share out of aforesaid land holding. Subsequently, the aforesaid land holding had been redeemed and Rapat Roznamcha bearing no. 844 dated 29.06.2015 was entered in respect of aforesaid redemption. **This part of the opinion relating to the Rapat Roznamcha has been given after examining the remarks column of the Jamabandi for the year 2005-06. For the sake of abundant caution we have sought at our end certified copies of Rapat Roznamcha bearing no. 1038 dated 10.07.2008 and Rapat Roznamcha bearing no. 844 dated 29.06.2015.**

39. That land bearing Rect. No. 9 Killa no. 21 min(3-10) had been acquired. **Rapat Roznamcha bearing no. 658 dated 31.03.2010 (Annexure 11) was entered in this regard.**

40. That mutation bearing no. 2906 (**Annexure 12**), pertains to acquisition of land bearing Rect. No. 34 Killa no. 3/2(1-16) 9/1/2(1-10). It is pertinent to mention that land bearing Rect. No. 34 Killa no. 3/2(1-16) had already been acquired. Mutation bearing no. 1768 (**Annexure 2**) had already been sanctioned on the basis of aforesaid acquisition. Furthermore, similar to mutation bearing no. 1768, no field book or titamma is attached to the mutation bearing 2906. The land parcels mentioned above are not the subject matter of this legal opinion.

41. That Smt. Krishna, Dhanpati, Chanderpati and Nirmala @ Bimla executed and got registered release deed bearing Vasika no. 10077 dated 09.08.2006 to the extent of their 1/10 share out of aforesaid land



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holding in favour of Jai Bhagwan (1/3 share) and Ishwar Singh (2/3 share). Mutation bearing no. 3240 (**Annexure 13**) was sanctioned on the basis of aforesaid registered release deed.

42. That mutation bearing no. 3526 does not pertain to land subject matter of this legal opinion.

43. That Rajo expired. Mutation of her inheritance bearing no. 3475 (**Annexure 14**) was sanctioned in favour of Ishwar Singh, Jai Bhagwan, Suresh Kumar (sons), Smt. Krishna, Dhanpati, Chandepati, Urmila @ Nirmala daughters of Hari Singh.

44. That Jamabandi for the year 2010-2011 (**Annexure 15**), reflects following persons to be owners in possession of land bearing **Rect. 3 Killa nos. 21(7-8) 22(7-7) 23/1(3-8) 28(0-12)** Rect. No. 5 Killa nos. 3/2/2(0-16) 4(2-2) 6/2(4-16) 7(8-0) 8/1(4-0) 14/1(4-8) 27(0-11) **Rect. No. 9 Killa nos. 5(8-0) 6(8-0) 15(8-0) 16/1(7-7)** **Rect. No. 10 Killa Nos. 1(6-19) 2/1(3-11) 3(8-0) 4(8-0) 10(7-8) 11(7-8) 20(7-8) 21/1/1(4-0)** Rect. No. 16 Killa no. 7/2/1(1-9) Rect. No. 19 Killa nos. 20/2/1(3-2) 21/2(7-8) Rect. No. 20 Killa nos. 1/3(0-0) 8/2/2(2-3) 13/2(7-7) 14/1/2(3-18) 16/2(5-4) 17/1(4-0) 20(7-3) 25(7-3) Rect. No. 21 Killa nos. 15(8-0) 16(8-0) 17(8-0) 24(8-0) 25(7-19) Rect. No. 26 Killa nos. 4/1(3-8) 5/1(3-8) Rect. No. 30 Killa nos. 3(7-11) 6/2(3-9) 7(8-0) 8(8-0) 9(8-0) 14(8-0) 15(8-0) 16/1(0-8) Khasra nos. 62(1-19) 63(0-12) 71(1-6) 102(0-9) 239(4-1) 242(2-0) 264(0-2) 265(0-2) 266(0-2) Rect. No. 31 Killa nos. 11(8-0) Rect. No. 31 Killa nos. 19(8-0) 20(8-0) Rect. No. 31 Killa nos. 17(9-8) 18(8-0) Rect. No. 34 Killa nos. 3/1(2-



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7) 3/3(2-2) 9(1-15) total measuring 333Kanals 11Marlas, situated in
revenue estate of Dhanwapur, Tehsil and District Gurgaon:-

(i) Mukhtyar Singh	1/30 share
(ii) Satpal Singh	1/30 share
(iii) Inderjeet	1/30 share
(iv) Harish Chand	1/30 share
(v) Rajpal	1/30 share
(vi) Sumit Kumar	1/30 share
(vii) Jagpal	1/5 share
(viii) Om Parkash	1/20 share
(ix) Partap Singh	1/20 share
(x) Hira Lal	1/20 share
(xi) Jagbir	1/20 share
(xii) Ishwar Singh	2/21 share
(xiii) Jai Bhagwan	13/210 share
(xiv) Suresh	1/35 share
(xv) Krishna	1/280 share
(xvi) Dhanpati	1/280 share
(xvii) Chanderpati	1/280 share
(xviii) Nirmala	1/280 share
(xix) Santosh Devi	1/90 share
(xx) Krishan Kumar	1/90 share
(xxi) Rajender Singh	1/45 share
(xxii) Hoshiar Singh	1/45 share



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(xxiii) Satbir Singh	1/45 share
(xxiv) Rajesh Singh	1/45 share
(xxv) Rakesh Singh	1/45 share
(xxvi) Veer Bhan	1/45 share
(xxvii) Tejbhan	1/45 share
(xxviii) Bhagwani	1/45 share

45. That Jagpal is reflected to be in cultivating possession of land bearing Rect. No. 31 Killa no. 11(8-0) measuring 8 Kanals, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.
46. That Om Parkash, Partap Singh, Hira Lal and Jagbir are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos. 19(8-0) 20(8-0) total measuring 16 Kanals, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharers.
47. That Rajender Singh, Hoshiar Singh, Satbir Singh, Rajesh Singh, Rakesh Singh, Veer Bhan, Tejbhan and Smt. Bhagwani are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos. 17(9-8) 18(8-0) total measuring 17 Kanals 8 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.
48. That Urban Estate, Gurgaon is reflected to be in possession of land bearing Rect. No. 34 Killa nos. 3/1(2-7) 3/3(2-2) 9(1-15) total measuring 6 Kanals 4 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon. It is pertinent to mention



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that mutation bearing no. 2906 had not been given effect in the aforesaid Jamabandi as well as in the subsequent Jamabandi.

49. That area of land bearing Rect. No. 20 Killa no. 25 had been wrongly mentioned to be 7 Kanals 3 Marlas instead of 8 Kanals. However, same had been rectified in the subsequent revenue record. The aforesaid land parcel is not the subject matter of this legal opinion.

50. That land mutation bearing no. 4020 does not pertain to land subject matter of this legal opinion.

51. That That Jamabandi for the year 2015-2016 (**Annexure 16**), reflects following persons to be owners in possession of land bearing **Rect. 3 Killa nos. 21(7-8) 22(7-7) 23/1(3-8) 28(0-12)** Rect. No. 5 Killa nos. 3/2/2(0-16) 4(2-2) 6/2(4-16) 7(8-0) 8/1(4-0) 14/1(4-8) 27(0-11) **Rect. No. 9 Killa nos. 5(8-0) 6(8-0) 15(8-0) 16/1(7-7)** **Rect. No. 10 Killa Nos. 1(6-19) 2/1(3-11) 3(8-0) 4(8-0) 10(7-8) 11(7-8) 20(7-8) 21/1/1(4-0)** Rect. No. 16 Killa no. 7/2/1(1-9) Rect. No. 19 Killa nos. 20/2/1(3-2) 21/2(7-8) Rect. No. 20 Killa nos. 1/3(0-0) 8/2/2(2-3) 13/2(7-7) 14/1/2(3-18) 16/2(5-4) 17/1(4-0) 20(7-3) 25(8-0) Rect. No. 21 Killa nos. 15(8-0) 16(8-0) 17(8-0) 24(8-0) 25(7-19) Rect. No. 26 Killa nos. 4/1(3-8) 5/1(3-8) Rect. No. 30 Killa nos. 3(7-11) 6/2(3-9) 7(8-0) 8(8-0) 9(8-0) 14(8-0) 15(8-0) 16/1(0-8) Khasra nos. 62(1-19) 63(0-12) 71(1-6) 102(0-9) 239(4-1) 242(2-0) 264(0-2) 265(0-2) 266(0-2) Rect. No. 31 Killa nos. 11(8-0) Rect. No. 31 Killa nos. 19(8-0) 20(8-0) Rect. No. 31 Killa nos. 17(9-8) 18(8-0) Rect. No. 34 Killa nos. 3/1(2-



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7) 3/3(2-2) 9(1-15) total measuring 333 Kanals 11 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon:-

(i) Mukhtyar Singh	1/30 share
(ii) Satpal Singh	1/30 share
(iii) Inderjeet	1/30 share
(iv) Harish Chand	1/30 share
(v) Rajpal	1/30 share
(vi) Sumit Kumar	1/30 share
(vii) Jagpal	1/5 share
(viii) Om Parkash	1/20 share
(ix) Partap Singh	1/20 share
(x) Hira Lal	1/20 share
(xi) Jagbir	1/20 share
(xii) Ishwar Singh	2/21 share
(xiii) Jai Bhagwan	13/210 share
(xiv) Suresh	1/35 share
(xv) Krishna	1/280 share
(xvi) Dhanpati	1/280 share
(xvii) Chanderpati	1/280 share
(xviii) Nirmala	1/280 share
(xix) Santosh Devi	1/90 share
(xx) Krishan Kumar	1/90 share
(xxi) Rajender Singh	1/45 share
(xxii) Hoshiar Singh	1/45 share



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(xxiii) Satbir Singh	1/45 share
(xxiv) Rajesh Singh	1/45 share
(xxv) Rakesh Singh	1/45 share
(xxvi) Veer Bhan	1/45 share
(xxvii) Tejbhan	1/45 share
(xxviii) Bhagwani	1/45 share

52. That Jagpal is reflected to be in cultivating possession of land bearing Rect. No. 31 Killa no. 11(8-0) measuring 8 Kanals, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.
53. That Om Parkash, Partap Singh, Hira Lal and Jagbir are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos. 19(8-0) 20(8-0) total measuring 16 Kanals, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharers.
54. That Rajender Singh, Hoshiar Singh, Satbir Singh, Rajesh Singh, Rakesh Singh, Veer Bhan, Tejbhan and Smt. Bhagwani are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos. 17(9-8) 18(8-0) total measuring 17 Kanals 8 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.
55. That Urban Estate, Gurgaon is reflected to be in possession of land bearing Rect. No. 34 Killa nos. 3/1(2-7) 3/3(2-2) 9(1-15) total measuring 6 Kanals 4 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon. It is pertinent to mention



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that mutation bearing no. 2906 had not been given effect in the aforesaid Jamabandi as well as in the subsequent Jamabandi.

56. That mutation bearing no. 5028 does not pertain to land subject matter of this legal opinion.

57. That Partap Singh expired. Mutation of his inheritance bearing no. 5217 (**Annexure 17**) was sanctioned in favour of Smt. Birmati Devi (widow), Amit Kumar (son) and Rekha, Renu (daughters) of Partap Singh.

58. That mutation bearing no. 5271 does not pertain to land subject matter of this legal opinion.

59. That Rakesh expired. Mutation of his inheritance bearing no. 5351 (**Annexure 18**) was sanctioned in favour of Bhagwani mother of Rakesh.

60. That Bhagwani expired. Mutation of her inheritance bearing no. 5760 (**Annexure 19**) was sanctioned in favour of Rajender, Hoshiar, Satbir, Rajesh, Virbhan, Tejbhan (sons) to the extent of 6/7 share, Smt. Santosh (widow) and Krishan Kumar (son) of Raj Singh to the extent of 1/7 share.

61. That Jamabandi for the year 2020-2021 (**Annexure 20**), reflects following persons to be owners in possession of land bearing **Rect. 3 Killa nos. 21(7-8) 22(7-7) 23/1(3-8) 28(0-12)** Rect. No. 5 Killa nos. 3/2/2(0-16) 4(2-2) 6/2(4-16) 7(8-0) 8/1(4-0) 14/1(4-8) 27(0-11) **Rect. No. 9 Killa nos. 5(8-0) 6(8-0) 15(8-0) 16/1(7-7)** Rect. No. 10 Killa Nos. 1(6-19) 2/1(3-11) 3(8-0) 4(8-0) 10(7-8) 11(7-8) 20(7-8) 21/1/1(4-



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0) Rect. No. 16 Killa no. 7/2/1(1-9) Rect. No. 19 Killa nos. 20/2/1/2(-
17) Rect. No. 20 Killa nos. 1/3(0-0) 8/2/2(2-3) 13/2/1(3-13) 14/1/2(3-
18) 16/2(5-4) 17/1(4-0) 20(7-3) Rect. No. 21 Killa nos. 15(8-0)
16/1(6-8) 24/2(1-9) 25/2(0-19) Rect. No. 26 Killa nos. 4/1/1(2-13)
5/1/2(1-11) Rect. No. 30 Killa nos. 3(7-11) 6/2(3-9) 7(8-0) 8(8-0) 9(8-
0) 14(8-0) 15(8-0) 16/1(0-8) Khasra nos. 62(1-19) 63(0-12) 71(1-6)
102(0-9) 239(4-1) 242(2-0) 264(0-2) 265(0-2) 266(0-2) Rect. No. 31
Killa nos. 11(8-0) Rect. No. 31 Killa nos. 19(8-0) 20(8-0) Rect. No.
31 Killa nos. 17(9-8) 18(8-0) Rect. No. 34 Killa nos. 3/1(2-7) 3/3(2-2)
9(1-15) total measuring 275Kanals 17Marlas, situated in revenue
estate of Dhanwapur, Tehsil and District Gurgaon:-

- | | |
|--------------------|--------------|
| (i) Mukhtyar Singh | 1/30 share |
| (ii) Satpal Singh | 1/30 share |
| (iii) Inderjeet | 1/30 share |
| (iv) Harish Chand | 1/30 share |
| (v) Rajpal | 1/30 share |
| (vi) Sumit Kumar | 1/30 share |
| (vii) Jagpal | 1/5 share |
| (viii) Om Parkash | 1/20 share |
| (ix) Hira Lal | 1/20 share |
| (x) Jagbir | 1/20 share |
| (xi) Ishwar Singh | 2/21 share |
| (xii) Jai Bhagwan | 13/210 share |
| (xiii) Suresh | 1/35 share |



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(xiv) Krishna	1/280 share
(xv) Dhanpati	1/280 share
(xvi) Chanderpati	1/280 share
(xvii) Nirmala	1/280 share
(xviii) Santosh Devi	1/70 share
(xix) Krishan Kumar	1/70 share
(xx) Rajender Singh	1/35 share
(xxi) Hoshiar Singh	1/35 share
(xxii) Satbir Singh	1/35 share
(xxiii) Rajesh Singh	1/35 share
(xxiv) Veer Bhan	1/35 share
(xxv) Tejbhan	1/35 share
(xxvi) Birmati Devi	1/80 share
(xxvii) Amit Kumar	1/80 share
(xxviii) Rekha	1/80 share
(xxix) Renu	1/80 share

62. That Jagpal is reflected to be in cultivating possession of land bearing Rect. No. 31 Killa no. 11(8-0) measuring 8 Kanals, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.

63. That Om Parkash, Partap Singh, Hira Lal and Jagbir are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos. 19(8-0) 20(8-0) total measuring 16 Kanals, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharers.



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64. That Rajender Singh, Hoshiar Singh, Satbir Singh, Rajesh Singh, Rakesh Singh, Veer Bhan, Tejbhan and Smt. Bhagwani are reflected to be in cultivating possession of land bearing Rect. No. 31 Killa nos. 17(9-8) 18(8-0) total measuring 17 Kanals 8 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon being co sharer.

65. That Urban Estate, Gurgaon is reflected to be in possession of land bearing Rect. No. 34 Killa nos. 3/1(2-7) 3/3(2-2) 9(1-15) total measuring 6 Kanals 4 Marlas, situated in revenue estate of Dhanwapur, Tehsil and District Gurgaon. It is pertinent to mention that mutation bearing no. 2906 had not been given effect in the aforesaid Jamabandi as well as in the subsequent Jamabandi.

66. That land bearing Rect. No. 19 Killa no. 21/2(7-8) Rect. No. 20 Killa no. 25/2(7-4) Rect. No. 21 Killa no. 17/1(0-9) had not been mentioned in the aforesaid Jamabandi. The aforesaid land parcels do not pertain to land subject matter of this legal opinion.

67. That by virtue of Fard Badar no. 22 (**Annexure 21**), land bearing Rect. No. 21 Killa no. 17/1(0-9) has been entered in the Jamabandi and total area had been rectified 276 Kanals 6 Marlas instead of 275 Kanals 17 Marlas.

68. That Mukhtyar Singh transferred his 1/30 share out of aforesaid land holding in favour of his son Bhagat Singh vide registered transfer deed bearing Vasika no. 4698 dated 15.09.2021. Initially, mutation bearing no. 6042 (**Annexure 22**) was entered on the basis of aforesaid transfer



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deed but same was rejected. Subsequently, mutation bearing no. 6332 (Annexure 23) was sanctioned on the basis of aforesaid registered transfer deed.

69. That Satpal transferred his 1/30 share out of aforesaid land holding in favour of his son Karambir Dahiya vide registered transfer deed bearing Vasika no. 4699 dated 15.09.2021. Initially, mutation bearing no. 6043 (Annexure 24) was entered on the basis of aforesaid transfer deed but same was rejected. Subsequently, mutation bearing no. 6329 (Annexure 25) was sanctioned on the basis of aforesaid registered transfer deed.

70. That mutation bearing no. 6067, 6131 and 6289 do not pertain to land subject matter of this legal opinion.

71. That name of Rajpal had been got changed from Rajpal to Rajbir by virtue of judgment and decree dated 25.01.2014. Mutation bearing no. 6056 (Annexure 26) was sanctioned on the basis of aforesaid judgment and decree.

72. That Inderjeet transferred his 1/30 share out of aforesaid land holding in favour of his sons namely Deepak Dahiya and Nishant Dahiya vide registered transfer deed bearing Vasika no. 1281 dated 02.05.2023. Mutation bearing no. 6349 (Annexure 27) was sanctioned on the basis of aforesaid registered transfer deed.

73. That Jagpal transferred his 1/5 share out of aforesaid land holding in favour of his sons namely Parveen Dahiya and Atul Dahiya vide registered transfer deed bearing Vasika no. 2027 dated 16.05.2023.



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Mutation bearing no. 6355(**Annexure 28**) was sanctioned on the basis of aforesaid registered transfer deed.

74. That Satbir Singh transferred his 1/35 share out of aforesaid land holding in favour of his sons namely Manish Singh and Mohit Dahiya vide registered transfer deed bearing Vasika no. 2208 dated 18.05.2023. Mutation bearing no. 6371(**Annexure 29**) was sanctioned on the basis of aforesaid registered transfer deed.

75. That so far as revenue record is concerned, following persons are reflected to be owners in possession of land bearing **Rect. 3 Killa nos. 21(7-8) 22(7-7) 23/1(3-8) 28(0-12) Rect. No. 9 Killa nos. 5(8-0) 6(8-0) 15(8-0) 16/1(7-7) Rect. No. 10 Killa Nos. 1(6-19) 2/1(3-11) 3(8-0) 4(8-0) 10(7-8) 11(7-8) 20(7-8) 21/1/1(4-0) total measuring 102 Kanals 16 Marlas, situated in revenue estate of Dhanwapur, Tehsil Kadipur, District Gurugram:-**

- | | | |
|--------|----------------|------------|
| (i) | Om Parkash | 1/20 share |
| (ii) | Hira Lal | 1/20 share |
| (iii) | Jagbir | 1/20 share |
| (iv) | Hoshier Singh | 1/35 share |
| (v) | Rajesh Singh | 1/35 share |
| (vi) | Veerbhan | 1/35 share |
| (vii) | Tejbhan | 1/35 share |
| (viii) | Rajender Singh | 1/35 share |
| (ix) | Harish Chand | 1/30 share |
| (x) | Rajbir | 1/30 share |



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(xi) Sumit Kumar	1/30 share
(xii) Ishwar Singh	2/21 share
(xiii) Jai Bhagwan	13/210 share
(xiv) Suresh Kumar	1/35 share
(xv) Krishna	1/280 share
(xvi) Dhanpati	1/280 share
(xvii) Chanderpäti	1/280 share
(xviii) Nirmala	1/280 share
(xix) Santosh Devi	1/70 share
(xx) Krishan Kumar	1/70 share
(xxi) Birmati Devi	1/80 share
(xxii) Amit Kumar	1/80 share
(xxiii) Rekha	1/80 share
(xxiv) Renu	1/80 share
(xxv) Bhagat Singh	1/30 share
(xxvi) Karambir Dahiya	1/30 share
(xxvii) Deepak Dahiya	1/60 share
(xxviii) Nishant Dahiya	1/60 share
(xxix) Parveen Dahiya	1/10 share
(xxx) Atul Dahiya	1/10 share
(xxxi) Manish Singh	1/70 share
(xxxii) Mohit Dahiya	1/70 share

76. That Chanderpäti who was co-owner in possession of 1/280 share in the land in question had expired. Mutation of her inheritance bearing



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no. 6351 (**Annexure 30**) was sanctioned in favour of Sunil son of Chanderpati.

77. That there is reference of mutation bearing no. 6402 (**Annexure 31**) in the Jamabandi for the year 2020-21 (**Annexure 32**) whereby Manish Singh sold his share vide registered sale deed bearing Vasika no. 3452 dated 13.06.2023 in favour of Kuldeep. **However, the aforesaid mutation is incomplete and complete copy of the same is yet to be supplied. Accordingly, it cannot be stated with certainty as to whether Mr. Manish Singh had sold his 1/70 share in the land in question. Complete copy of mutation bearing no. 6351 would be required.**

78. That Om Parkash, HiraLal, Jagbir (all 3/20 share), Hoshiar Singh, Rajesh Singh, Virbhan, TejBhan, Rajender Singh (all 1/7 share), Ishwar Singh (2/21 share), Jai Bhagwan (13/210 share), Suresh Kumar (1/35 share), Smt. Krishna, Dhanpati, Urmila @ Nirmala (all 3/280 share), Manish Singh, Mohit Dahiya (both 1/35 share), Sunil (1/280 share), Santosh Devi, Krishan Kumar (both 1/35 share), Birmati Devi, Amit Kumar, Rekha, Renu (all 1/20 share), Parveen Dhaiya, Atul (both 1/5 share) sold their 4/5 share measuring 82 Kanals 4 Marlas 7 Sarsai out of aforesaid land holding in favour of M/s White Land Corporation Pvt. Ltd. vide registered sale deed bearing Vasika no. 7291 dated 20.09.2023 on payment of valuable sale consideration. Mutation bearing no. 6461 (**Annexure 33**) was sanctioned on the basis of aforesaid registered sale deed.



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79. That Harish Chand @ Harish Chander (1/30 share), Rajbir (1/30 share), Sumit Kumar @ Sumit (1/30 share), Bhagat Singh (1/30 share), Karambir Dahiya (1/30 share), Deepak Dahiya (1/60 share) and Nishant Dahiya (1/60 share) sold their 1/5 share measuring 20 Kanals 11 Marlas 2 Sarsai out of aforesaid land holding in favour of M/s Once Propbuild LLP vide registered sale deed bearing Vasika no. 7600 dated 25.09.2023 on payment of valuable sale consideration. Mutation bearing no. 6477 (Annexure 34) was sanctioned on the basis of aforesaid registered sale deed.

80. That aforesaid land holding had been orally partitioned. Mutation bearing no. 6480 (Annexure 35) was sanctioned on the basis of affidavit filed by the parties and Rapat Roznamcha bearing no. 169 dated 04.10.2023 in the following manner:-

- (i) Land bearing Rect. No. 3 Killa nos. 21(7-8) 22(7-7) 23/1/1(2-8) 28(0-12) Rect. No. 9 Killa Nos. 5(8-0) 6(8-0) 15(8-0) 16/1(7-7) Rect. No. 10 Killa nos. 1(6-19) 10(7-8) 11(7-8) 20(7-8) 21/1/1(4-0) total measuring 82 Kanals 5 Marlas had been allocated to M/s White Land Corporation Pvt. Ltd.
- (ii) Land bearing Rect. No. 3 Killa no. 23/1/2(1-0) Rect. No. 10 Killa nos. 2/1(3-11) 3(8-0) 4(8-0) total measuring 20 Kanals 11 Marlas had been allocated to Once Propbuild LLP.

81. That licence bearing no. 263 of 12.12.2023 had been issued by Director Town and Country Planning Haryana Chandigarh in respect of land bearing Rect. No. 3 Killa nos. 21(7-8) 22(7-7) 23/1/1(2-8)



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28(0-12) Rect. No. 9 Killa Nos. 5(8-0) 6(8-0) 15(8-0) 16/1(5-18) Rect. No. 10 Killa nos. 1(6-19) 10(7-8) 11(7-8) 20min(6-11) 21/1/1min(0-14) total measuring 76 Kanals 13 Marlas in favour of M/s White Land Corporation Pvt. Ltd.. Rapat Roznamcha bearing no. 643 dated 01.01.2024 (**Annexure 36**) was entered in in the revenue record in this regard.

82.That by virtue of Rapat Roznamcha bearing no. 1574 dated 05.08.2005 (**Annexure 37**), 1/45 share of Rajender son of Amar Singh which was pledged for bail in favour State of Haryana for a sum of Rs. 7,45,110/- had been released.

83.**That there is reference of document bearing Vasika no. 10765 dated 08.12.2023 executed by Rekha and Renu in favour of Amit Kumar. Aforesaid document is required to be checked.**

84.That by virtue of Fard Badar bearing no. 31 (**Annexure 38**) area of land bearing Rect. No. 9 Killa no. 16/1 had been rectified from 7 Kanals 7 Marlas to area measuring 5 Kanals 18 Marlas.

85.That so far as revenue record is land bearing Rect. No. 3 Killa nos. 21(7-8) 22(7-7) 23/1/1(2-8) 28(0-12) Rect. No. 9 Killa Nos. 5(8-0) 6(8-0) 15(8-0) 16/1(7-7) Rect. No. 10 Killa nos. 1(6-19) 10(7-8) 11(7-8) 20(7-8) 21/1/1(4-0) total measuring 82 Kanals 5 Marlas is reflected to be owned and possessed in the revenue record by M/s White Land Corporation Pvt. Ltd.

86.That similarly, land bearing **Rect. No. 3 Killa no. 23/1/2(1-0)Rect. No. 10 Killa nos. 2/1(3-11) 3(8-0) 4(8-0)** total measuring 20 Kanals



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11 Marlas is reflected to be owned and possessed in the revenue record by M/s Once Propbuild LLP.

87. That following defects/infirmities have been highlighted in respect of aforesaid land holding from the revenue record:-

- (i) In the Jamabandi for the year 1995-96, name of Nirmala is mentioned to be Bimla. However, in the subsequent revenue record the name is mentioned to be Nirmala @ Urmila and Nirmala @ Bimla.
- (ii) Mutation of inheritance of Gulab Singh bearing no. 2571 (Annexure 6) was sanctioned on the basis of registered Will bearing Vasika no. 237 dated 30.07.1997 in favour of Mukhtyar Singh, Satpal Singh, Inderjeet, Harish Chander, Rajpal and Sumit Kumar sons of Gulab Singh. It is pertinent to mention that in the pedigree table mentioned on the aforesaid mutation, there are as many as fifteen legal heirs had been mentioned including eight daughters and one wife.
- (iii) However, the mutation was sanctioned on the basis of aforesaid Will only in favour of six sons of Gulab Singh and the daughter and wife had been disinherited from the estate of deceased Gulab Singh. Copy of registered Will bearing Vasika no. 237 dated 30.07.1997 of Gulab Singh is required to be obtained.
- (iv) That we have examined the judgment and decree dated 19.02.2020 whereby appeal filed by plaintiff/appellant was



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dismissed. In the aforesaid suit Smt. Bati @ Birbati challenged the Will bearing Vasika no. 237 dated 30.07.1997 executed and got registered by her father namely, Mr. Gulab Singh in favour of his sons disinheriting the daughters and wife from the rights of inheritance from the ancestral property. The suit filed by Smt. Bati @ Birbati was dismissed vide judgment and decree dated 25.02.2016. Appeal filed against the aforesaid judgment and decree was also dismissed vide judgment and decree dated 19.02.2020 (Annexure 9) passed by Shri Aman Deep Dewan, the then Additional District Judge, Gurugram.

- (v) That RSA bearing no. 1270 of 2021 is pending before Hon'ble High Court of Punjab and Haryana at Chandigarh against the aforesaid judgment and decree dated 19.02.2020 and is fixed for 05.12.2023. Furthermore, the claim of the plaintiff/appellant in the aforesaid case was rejected on the ground that Gulab Singh father of the plaintiff/appellant had expired on 01.02.2002 that is prior to coming into force of amended provision of Hindu Succession Act.
- (vi) That Once Propbuild LLP has purchased 1/5 share in the land in question from the heirs of Mr. Gulab Singh. As stated earlier litigation pertaining to inheritance of Mr. Gulab Singh is pending in court of law. No doubt the land in question has been partitioned but title held by M/s Once



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Propbuild LLP cannot be said to be valid and marketable as its vendors share is involved in litigation.

88. That the present preliminary opinion is being submitted without obtaining the aforesaid documents on account of tremendous urgency exhibited by your staff. Needless to say, earnest efforts to be made to obtain the copies of the documents referred to above. However, at this stage in light of observations mentioned hereinabove, title held by M/s Once Propbuild LLP cannot be held to be valid and marketable so far as revenue record is concerned.

Note: The documents Annexures 30 to 37 have not been supplied in proper order


(Jagmohan Krishan Dang and Ishaan Dang)
Advocates



