

SISIR KUMAR DAS
ADVOCATE, SILIGURI.

RESIDENCE :
HAKIM PARA, SILIGURI.
P.O.Siliguri,Dt.Darjeeling

Ref No :

Date : 01-02-2024

TO WHOM IT MAY CONCERN

I have perused and examined the Original Deed of Partition No.3030, dated 25-10-2021, L.R. / Hal Khatian and other connected papers and documents in relation to the property of (1) Sri Shekhar Nath Banerjee, and (2) Sri Onkar Nath Banerjee, both Sons of Late Ratneshwar Banerjee @ Ratneswar Banerjee, residents of Mahalaxmi Bhawan, Satyen Bose Road, Babu Para, Ward No.XXVII, Siliguri, P.O. Siliguri Town, Pin 734004, P.S. Siliguri, Dist. Darjeeling, and I have conducted necessary searches in the office of the Addl. Dist. Sub-Registrar, Siliguri, and my findings in respect of the said property is as follows :-

(1) DEVOLUTION / HISTORY OF LAND :

That Sri Manmohan Banerjee (Now Deceased), Son of Late Rashik Chandra Banerjee, took Lease of all that piece or parcel of Homestead land measuring 10-Kathas 11-Chhataks, under the then Mouza Dabgram, P.S. Siliguri, Dist. Darjeeling, from Sri Birendra Nath Roy Sarkar and (2) Sri Digendra Nath Roy Sarkar, Both Sons of Late Babulal Roy Sarkar of Siliguri, at an Yearly Rental basis, by virtue of a Deed of Lease executed by them on 21.04.1944 and registered in the office of the Sub-Registrar, Siliguri, in Book No.1, Being document No.289-for the year 1944.

That as per provisions of the West Bengal Estates Acquisition Act, 1953, the said Homestead land measuring 10-Kathas 11-Chhataks was identified as Plot / Dag No.5580, Sheet No.5 and was recorded in the name of above named Sri. Manmohan Banerjee in Finally Published R.S Khatian No.2018-of Mouza Siliguri, J.L.No.110, P.S. Siliguri, Dist. Darjeeling, and above named Sri. Manmohan Banerjee became the direct tenant/raiyat under the Govt.of West Bengal and had been paying rents to the Govt.of West Bengal and constructed a residential house etc. on the said land.

That thereafter abovenamed Manmohan Banerjee, died intestate, leaving the following persons, as his only legal heirs to inherit his said property, in equal share therein, in accordance with the provisions of the Hindu succession act. 1956 :-

- (1) Sri Chittaranjan BanerjeeSon;
(2) Sri Ratneshwar BanerjeeSon;

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01/02/24
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Advocate, Siliguri

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That thereafter abovenamed Chittaranjan Banerjee, died intestate, leaving the following persons, as his only legal heirs to inherit his 50% undivided share of the said property in accordance with the provisions of the Hindu succession act. 1956 :-

- | | |
|--------------------------------|-----------|
| (1) Smt. Prova Rani Banerjee |Wife; |
| (2) Sri Manas Ranjan Banerjee |Son; |
| (3) Sri Tapas Ranjan Banerjee |Son; |
| (4) Sri Ashish Ranjan Banerjee | Son; |

That thereafter above named legal heirs of Late Chittaranjan Banerjee, sold their undivided proportionate share of land measuring 0.088-acre, to and in favour of Sri Ratneswar Banerjee, by virtue of Deed No.2371-for the year 1978, executed by Smt. Prova Rani Banerjee, by virtue of Deed No.2370-for the year 1978, executed by Sri Manas Ranjan Banerjee, by virtue of Deed No.2378-for the year 1978, executed by Sri Tapas Ranjan Banerjee, and by virtue of Deed No.2379-for the year 1979, executed by Sri Ashish Ranjan Banerjee, all the deeds were registered in the office of the then Sub-Registrar, Siliguri.

That thereafter above named Ratneshwar Banerjee, died intestate on 28.12.1981 leaving his wife -Smt. Rani Banerjee and four sons namely -(1) Onkar Nath Banerjee, (2) Sri Shankar Nath Banerjee, (3) Vaskar Nath Banerjee and (4) Shekhar Nath Banerjee, as his only legal heirs to inherit his said property in accordance with the provisions of the Hindu Succession Act. 1956.

That thereafter above named (1) Onkar Nath Banerjee, (2) Sri Shankar Nath Banerjee, (3) Vaskar Nath Bannerjee and (4) Shekhar Nath Banerjee, excuted a Deed of Release with respect to their share of land, to and in favour of their mother -Smt. Rani Banerjee, and the said Deed of Release was registered in the office of the then Sub-Registrar, Siliguri, being document No.5504-for the year 1982 and thereafter above named Vaskar Nath Banerjee, died intestate on 16.10.1985, as bachelor.

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That thereafter above named Rani Banerjee, died intestate on 05.04.2014 leaving her said three sons namely:—(1) Sri Onkar Nath Banerjee, (2) Sri Shankar Nath Banerjee and (3) Shekhar Nath Banerjee, as her only legal heirs to inherit her undivided share of the said property (each having equal 1/3rd undivided share therein) in accordance with the provisions of the Hindu Succession Act. 1956.

That thereafter (1) Sri Onkar Nath Banerjee, (2) Sri Shankar Nath Banerjee and (3) Shekhar Nath Banerjee, have executed a Deed of Partition, on 25.10.2021 and registered in the office of the Addl. Dist. Sub-Registrar Siliguri, in Book No.I, being document No.3030-for the year 2021 with respect to the said total land, and by virtue of said Deed of Partition abovenamed Sri Shekhar Nath Banerjee, have acquired Homestead land measuring 1-Katha 10-Chhataks 6-Sq.ft. and (2) Sri Onkar Nath Banerjee, have acquired Homestead land measuring 1-Katha 10-Chhataks 6-Sq.ft. = Totaling Homestead land measuring 03-Kathas 04-Chhataks 12-Sq.ft..

In view of the above, (1) Sri Shekhar Nath Banerjee, is now the absolute owner of Homestead land measuring 1-Katha 10-Chhataks 6-Sq.ft. and (2) Sri Onkar Nath Banerjee, is now the absolute owner of Homestead land measuring 1-Katha 10-Chhataks 6-Sq.ft. = Totaling Homestead land measuring 03-Kathas 04-Chhataks 12-Sq.ft., as fully described in the Schedule appended below hereinafter referred to as "BELOW SCHEDULED PROPERTY" for the sake of brevity.

That thereafter above named (1) Sri Shekhar Nath Banerjee, and (2) Sri Onkar Nath Banerjee,, have entered into an Agreement for Development with the Developer —"STHAPATYA CONSTRUCTION", with respect to their said below Scheduled property, and the said Development Agreement was registered in the office of the Addl. Dist. Sub-Registrar Siliguri, in Book No.I, being document No.94-for the year 2022, and the Development Power Attorney was also registered in the office of the Addl. Dist. Sub-Registrar Siliguri, in Book No.I, being document No.100-for the year 2022.

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01/04/2022
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(2) RESULT OF THE SEARCHES :

I have caused necessary searches in the office of the Addl. Dist. Sub-Registrar, Siliguri for the years 2008 to 2024 (upto 29-01-2024), vide search application No.0402000818/2024 & No.0402000818/2024. And also obtained Court's Information slips from the Court of the Ld. Civil Judge Senior Division, Siliguri and Ld. Civil Judge Junior Division, Siliguri, for the years 2013 to 2024 and found that no case is pending against above named (1) Sri Shekhar Nath Banerjee and (2) Sri Onkar Nath Banerjee and nothing was found with respect to the said below scheduled property, affecting the right, title and interest of above named (1) Sri Shekhar Nath Banerjee and (2) Sri Onkar Nath Banerjee.

(3) OPINION :

In view of the above observations, I am of opinion that abovenamed (1) Sri Shekhar Nath Banerjee, and (2) Sri Onkar Nath Banerjee, became the absolute owners in possession of the said below scheduled property.

:SCHEDULE OF THE PROPERTY:

All that piece or parcel of Homestead land measuring 03-Three Kathas 04-Four Chhataks 12-Twelve Sq.ft., in R.S. Plot/Dag No.5580 (Five thousand five hundred eighty), recorded in R.S. Khatian No.2018 (Two thousand eighteen), Corresponding to L.R. Hal Plot / Dag No.95, recorded in L.R. / Hal Khatian No.86 and 87 of Mouza Siliguri, present Mouza Siliguri Madhya, J.L.No.110 new 88, identified as Holding No. 403/1/158/214/188 & 403/158/214/188 of Ward No.XXVII of the Siliguri Municipal Corporation, situated at Babu para, Siliguri, within the jurisdiction of Police Station, Sub-Division and Registry office Siliguri, Paragana Baikunthapur, Touzi No.3(ja), Dt. Darjeeling.

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The said property is presently butted and bounded as follows:

On the North : Land with house of Sri Shekhar Nath Banerjee, Sri Onkar Nath Banerjee, & Shankar Nath Banerjee;

On the South : 24-feet wide Siliguri Municipal Corporation Road, known as Satyen Bose Road ;

On the East : 21-feet wide Siliguri Municipal Corporation Road,

On the West : Land of Sri Shankar Nath Banerjee;

Encl:
Search receipt
as stated above.

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(SISIR KUMAR DAS)
Advocate, Siliguri.

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