

Kripa Sankar Mondal
Advocate
DISTRICT JUDGES COURT, BURDWAN

Phone No.: 8348761945, 9064544734
Chamber
Sarbamangala Para, Kamantala,
P.O.: Burdwan, District: Burdwan
BURDWAN-713101, W.B.
E-mail: advocatekripasankar@gmail.com

Ref.
To,
CHIEF MANAGER,
State Bank of India,
SME BRANCH
District: Burdwan

Date: 07.02.2022

Dear Sir,

I am submitting my bill in connection with the TIR made in connection with the Landed Property in question held by the Present Owner, **Asha Banka**, W/o Satish Prasad Banka, resident at- BL-II, Sector II, P.O.- Bidhannagar, P.S.- Bidhannagar North, Kolkata-700091, Dist- North 24 Pargana, and **Sajjan Agarwal**, S/o Biswanath Agarwal, resident at- CD-114, Salte Lake City, Sector-I, Kolkata- 700064, Dist- North 24 Pargana

Sl. No.	Particulars	Amount
1	Advocate's Fee for preparing Title Investigation Report (30 Years Non-Encumbrance Certificate) Including Court Searching along with B.L. & L.R.O office searching and L.A. Searching	Rs.3500=00
2	Actual Costs of obtaining the 5 Certified Copy of title deed alongwith miscellaneous Cost	Rs. 5500 = 00

Total Rs 9000/-

Total amounting to **Rs. 9000/-** [Rupees Nine Thousand Five Hundred only]

Please arrange the payment of the same at the earliest. My Current Bank

Account No. is **37777443071** with your Bank, Kaigram Branch, Burdwan.

Date:
Place: Burdwan

Kripa Sankar Mondal
[Kripa Sankar Mondal]

Signature of the Advocate

Kripa Sankar Mondal
Advocate
Dist. Judges' Court
Burdwan

Kripa Sankar Mondal
Advocate
DISTRICT JUDGES COURT, BURDWAN

Phone No.: 8348761945, 9064544734
Chamber
Sarbamangala Para, Kamantala,
P.O.: Burdwan, District: Burdwan
BURDWAN-713101, W.B.
E-mail: advocattekripasankar@gmail.com

Ref.

Date: 07.02.2022

To,
CHIEF MANAGER,
State Bank of India,
SME BRANCH
Municipal Market, 2nd Floor
District: Burdwan

Dear Sir,

As per your instruction I have made search in respect of Landed Property, and after Completion of the said search, I am Submitting my opinion in the bank format.

Details of the Landed Property belonging to the Present Owners, **Asha Banka**, W/o Satish Prasad Banka, & **Sajjan Agarwal**, S/o Biswanath Agarwal, **Property situated at Mouza: Galsi, J.L. No. 64, under Gram Gram Panchayat**

Deed No.	Khatian No.	Plot No. (L.R.)	Class	Area
1362 of 2015 1363 of 2015 1364 of 2015	LR.: 7561 & 7562	595	Commercial Bastu	46 Decimal (More or less) of Commercial Bastu Land

Total: **46 Decimal (More or less) of Commercial Bastu Land.**, which is butted and bounded as follows: **On the North:** G.T. Road; **On the South:** Plot No 593 & 594; **On the East:** Bahrat Weigh Bridge; **On the West:** Plot No 591, Mouza- Khetura

Date:
Place: Burdwan

Kripa Sankar Mondal
[Kripa Sankar Mondal]

Signature of the Advocate

Kripa Sankar Mondal
Advocate
Dist. Judges' Court
Burdwan

Ref.

Date: 07.02.2022

Annexure: B: Report of Investigation of Title in respect of Immovable Property

1. a) Name of the Branch / Business Unit / Office seeking opinion.	State Bank of India, SME BRANCH, Hawker's Market, 2 ND Floor, within P.O., P.S. & District: Burdwan.
b) Reference No. and date of the Letter under the cover of which the documents tendered for Scrutiny are forwarded.	Ref. No. NIL
c) Name of the Borrowers.	Biswanth Constructions Pvt. Ltd. Represented by its Directors Biswanath Agarwal, registered office at: - 132/1A, Raja Rammohan Sarani, Kolkata- 700009,
2. a) Name of the unit /concern / company / persons offering the Property/(ies) as Security.	Biswanth Constructions Pvt. Ltd. Represented by its Directors Biswanath Agarwal, registered office at: - 132/1A, Raja Rammohan Sarani, Kolkata- 700009,
b) Constitution of the unit / concern / person / body / authority offering the property for creation of charge.	Biswanth Constructions Pvt. Ltd. Represented by its Directors Biswanath Agarwal, registered office at: - 132/1A, Raja Rammohan Sarani, Kolkata- 700009
c) State as to under what capacity is security offered [whether as Joint Applicant or Borrower or as Guarantor, etc.]	Borrower

3. Complete or full description of the immovable property / (ies) offered as security including the following details:

[Details of the Landed Property belonging to the Present Owners, **Asha Banka**, W/o Satish Prasad Banka, & **Sajjan Agarwal**, S/o Biswanath Agarwal, **Property situated at Mouza: Galsi, J.L. No. 64, under Galsi Gram Panchayat**

Deed No.	Khatian No.	Plot No. (L.R.)	Class	Area
1362 of 2015	LR: 7561 &	595	Commercial Bastu	46 Decimal (More or less) of Commercial Bastu Land
1363 of 2015	7562			
1364 of 2015				

Total: **46 Decimal (More or less) of Commercial Bastu Land.**, which is butted and bounded as follows: **On the North:** G.T. Road; **On the South:** Plot No 593 & 594; **On the East:** Bahrat Weigh Bridge; **On the West:** Plot No 591, Mouza- Khetura

Ref.

Date: 07.02.2022

a) Survey No.	Not Available
b) Door/House No. [in case of House Property].	
c) Extent / Area including Plinth / Built-up Area in case of House Property.	46 Decimal (More or less) of Commercial Bastu Land
d) Locations like name of the place, village, city, registration, sub-district etc. Boundaries.	District: Burdwan, P.S.: Galsi, Mouza: Galsi, J.L. No. 64, under Galsi Gram Panchayat, A.D.S.R. Office at Khandaghosh and D.S.R. Office at Sadar Burdwan
4. a) Particulars of the documents scrutinized serially and chronologically. b) Nature of documents verified and as to whether they are Originals or Certified Copies or registration extracts duly verified.	Mentioned herein below

Sl. No	Date	Name/Nature of the Document	Original / Certified Copy/Certified Extract/Photo Copy etc.	In case of Copies, whether the Original was scrutinized by the Advocate.
1	08.04.2015	Original Registered Deed of Sale being No. 1362 dated 08.04.2015	Original	Yes
2	08.04.2015	Original Registered Deed of Sale being No. 1363 dated 08.04.2015	Original	Yes
3	08.04.2015	Original Registered Deed of Sale being No. 1364 dated 08.04.2015	Original	Yes
4	14.10.2020	Original Registered Development Agreement being No. 4692 dated 14.10.2020	Original	Yes
5	27.07.2021	Original Registered Power of Attorney being No. 6148 dated 27.07.2021	Original	Yes
6	25.07.2000	Original Registered Deed of Conveyance being No. 2239 dated 25.07.2000	Original	Yes

Kripa Sankar Mondal
Advocate
DISTRICT JUDGES COURT, BURDWAN

Phone No.: 8348761945, 9064544734

Chamber

Sarbamangala Para, Kamantala,
P.O.: Burdwan, District: Burdwan
BURDWAN-713101, W.B.

E-mail: advocatekripasankar@gmail.com

Ref.

Date: 07.02.2022

7	25.07.2000	Original Registered Deed of Conveyance being No. 2240 dated 25.07.2000	Original	Yes
8	05.11.1969	Original Registered Deed of Indenture dated being No. 7527 dated 05.11.1969	Original	Yes
9	-	Copy of Agreement Letter of Supplementary Understanding	Xerox	No
10	09.03.2021	Certified Copies of L.R. Records of Rights, under L.R. Khatian Nos. 7561 & 7562 of Mouza: Galsi, J.L. No. 64, within P.S. Galsi & District: Burdwan.	Certified Copies	Yes
11	21.08.2000	Xerox copy of L.R. Records of Rights, under L.R. Khatian Nos. 4054 of Mouza: Galsi, J.L. No. 64, within P.S. Galsi & District: Burdwan. in favour of Arun Agarwal	Xerox Certified Copy	No
12	21.08.2000	Xerox copy of L.R. Records of Rights, under L.R. Khatian Nos. 4055 of Mouza: Galsi, J.L. No. 64, within P.S. Galsi & District: Burdwan. in favour of Samir Agarwal	Xerox Certified Copy	No
13	05.10.2020	Original Land Rent Receipt dated 05.10.2020	Original	yes
14	02.07.2021	Galsi Gram Panchayat Tax dated 02.07.2021	Original	Yes
15	29.06.2021	Original Conversion Certificate dated 29.06.2021	Original	Yes
16	23.09.2021	NOC for Residential cum Commercial Building Construction through by Purba Barddhaman Zila Parishad dated 23.09.2021	Original	Yes
17	17.09.2021	Fire Safety recommendation for the Proposed Residential cum Commercial Building Construction dated 17.09.2021 approved by W.B. Fire & Emergency Services.	Original	Yes
19	28.09.2021	Original sanction Plan for Residential cum Commercial Building Construction approved by Zila Parishad Purba Barddhaman	Original	Yes
20	-	Original Court Searching Slips for last 12 years i.e. from 2011 to 2022	Original	-

5. a. Whether Certified Copy of all Title Documents are Yes, and compared the said Certified

Kripa Sankar Mondal
Advocate
Dist. Judges' Court
Burdwan

Ref.

Date: 07.02.2022

	obtained from the relevant Sub-Registrar Office and compared with the documents made available by the Proposed Mortgagor? [Please also enclose all such Certified Copies and relevant Fee Receipts along with the TIR].	Copy of Title Deed with the aforesaid Original Title Deed and found that the said Title Deed is genuine one.
	b. Whether all Pages in the Certified Copies of Title Documents which are obtained directly from Sub-Registrar's Office have been verified Page to Page with Original Documents submitted?	Yes
	c. Whether the Certified Copies of the Title Documents are not available, the copy provided should be compared with the Original to ascertain whether the total page numbers in the copy tally page by page with the Original produced. [In case Originals Title Deed is not produced for comparing with the Certified or Ordinary Copies should be handled more diligently & cautiously].	Not Applicable
6.	a) Whether the Records of Registrar Office or Revenue Authorities relevant to the property in question are available for verification through any online portal or computer system?	L.R. Records of Rights relating to Revenue Authority are available for verification through Online Portal Computer System.
	b) If such Online / Computer records are available, whether any verification or cross checking are made and the comments / findings in this regard.	L.R. Records of Rights verified through online Portal and found that the same are genuine one
	c) Whether the genuineness of the Stamp Paper is possible to be got verified from any online portal and if so, whether such verification was made?	No
7.	a) Property offered as security falls within the jurisdiction of which Sub-Registrar Office?	A.D.S.R., Galsi
	b) Whether it is possible to have registration of documents in respect of the property in question, at more than one office of sub-registrar / district registrar / registrar-general. If so, please name all such offices?	A.D.S.R. Galsi & D.S.R., Burdwan and R.A., Kolkata
	c) Whether search has been made at all the offices named at (b) above?	Yes, Original Registration Office's Searching Receipts at A.D.S.R., Galsi at D.S.R., Burdwan and which are enclosed along with this Report.
	d) Whether the Searches in the office of registering authorities or any other records reveal registration of multiple title documents in respect of the property in question?	No

Ref.

Date: 07.02.2022

8. Chain of Title tracing the title from the oldest Title Deed to the Latest Title Deed establishing Title of the Property in question from the predecessors in title / interest to the current title holder. And wherever Minor's Interest or other clog on title is involved, search should be made for a further period, depending on the need for clearance of such clog on the Title.

It is evident from the registered deed of convenience being number 1362, 1363 & 1364 dated 08.05.2015 registered before A.R.A.-III Kolkata, that the landed property under Mouza: Galsi, J.L. 64, L.R. Plot No: 595, it appears that the Landed Property originally belongs to one Seikh Abdul Hakim & Seikh Omar Ambia. Thereafter Seikh Abdul Hakim & Seikh Omar Ambia jointly enjoying and possessing the landed property transferred to Anath Chandra @ Anata Nath Chandra by virtue of registered deed of sale being No. 7527 dated 06.11.1969 registered before sub-registrar Barddhaman. Thereafter Anath Chandra @ Anata Nath Chandra became absolute Owner and possessor of the landed property by virtue of registered deed of sale being No. 7527 dated 06.11.1969 registered before sub-registrar Barddhaman. Thereafter while Anath Chandra @ Anata Nath Chandra enjoying and processing the landed property transfer to Arun Agarwal by virtue of registered deed of sale being number 2239 dated 25.07.2000 register before DSR Barddhaman. And also transfer to Sameer Agarwal by virtue of registered deed of sale being number 2240 dated 25.07.2000 register before D.S.R. Barddhaman. Thereafter Sameer Agrawal and Arun Agarwal became absolute Owner and possessor of the landed property by virtue of two registered Deeds of Sale being no. 2239 and 2240 dated 25.07.2000 register before DSR Barddhaman.

Thereafter while Arun Agarwal enjoying and possessing the landed property transfer to **Sajjan Agarwal** i.e. Present Owner by virtue of registered deed of sale being number. 1362 dated 08.05.2015 registered before A.R.A.-III Kolkata and Samir Agarwal transfer to **Asha Banka** i.e. Present Owner by virtue of registered deed of sale being number. 1363 dated 08.05.2015 and registered before A.R.A.-III Kolkata.

And other portion of the landed property Samir Agarwal transfer to **Asha Banka** i.e. Present Owner by virtue of registered deed of sale being No. 1364 dated 08.05.2015 registered before A.R.A.-III Kolkata.

Thereafter **Asha Banka and Sajjan Agarwal** become absolute owner and processor of the landed property by virtue of 3 register deeds of sale being no. 1362, 1363 & 1364 dated 08.05.2015 and

Ref.

Date: 07.02.2022

registered before A.R.A.-III Kolkata, and also muted their name in L.R.R.O.R. and also paid land revenue taxes and panchayat tax accordingly.

Thereafter Asha Banka and Sajjan Agarwal jointly enjoying and possessing they execute a Development Agreement for construction of Residential with Commercial building (G+IV) with **Biswanth Constructions Pvt. Ltd.** Represented by its Directors Biswanath Agarwal, **registered office at:** - 132/1A, Raja Rammohan Sarani, Kolkata- 700009, By virtue of Registered Development Agreement being No. 4692 dated 14.10.2020 registered before A.R.A-IV Kolkata. And also execute a Power of Attorney in favour of **Biswanth Constructions Pvt. Ltd.** Represented by its Directors Biswanath Agarwal, **registered office at:** - 132/1A, Raja Rammohan Sarani, Kolkata- 700009.

Thereafter Present Owner obtain NOC for construction of Commercial Cum residential Building (G+IV) form Purba Barddhaman Zila Parishad and approved by Galsi Gram Panchayat accordingly.

9.	Nature of Title of the intended Mortgagor of the Property [Whether full Ownership Rights, Leasehold Rights, Occupancy/Possessory Rights or Inam Holder or Govt. Grantee / Allottee etc.]	Full Ownership Right
10.	If Leasehold, whether;	No
	a) Lease Deed is duly stamped and registered	Not Applicable
	b) Lessee is permitted to mortgage the Leasehold right,	Not Applicable
	c) Duration of the Lease / unexpired period of lease,	Not Applicable
	d) If, a sub-lease, check the Lease Deed in favour of Lessee as to whether Lease Deed permits sub-leasing and mortgage by Sub-Lessee also.	Not Applicable
	e) Whether the Leasehold rights permits for the creation of any superstructure (if applicable)?	Not Applicable
	f) Right to get renewal of the Leasehold rights and nature thereof.	Not Applicable
11.	If Govt. grant/ allotment/Lease-cum/Sale Agreement, whether;	No
	Grant/ agreement etc. provides for alienable rights to the Mortgagor with or without conditions	Not Applicable
	The Mortgagor is competent to create charge on such property.	Not Applicable
	Whether any permission from Govt. or any other authority is required for creation of Mortgage and if so whether such valid permission is available.	Not Applicable

Kripa Sankar Mondal
Advocate
DISTRICT JUDGES COURT, BURDWAN

Phone No.: 8348761945, 9064544734

Chamber

Sarbamangala Para, Kamantala,
P.O.: Burdwan, District: Burdwan
BURDWAN-713101, W.B.

E-mail: advocatekripasankar@gmail.com

Ref.

Date: 07.02.2022

12.	If occupancy right, whether;	Yes
	a) Such right is heritable and transferable	Yes
	b) Mortgage can be created.	Yes
13.	Nature of Minor's interest, if any and if so, whether creation of Mortgage could be possible, the modalities/procedure to be followed including court permission to be obtained and the reasons for coming to such conclusion.	No
14.	If the Property has been transferred by way of Gift / Settlement Deed, whether:	No
	a) The Gift / Settlement Deed is duly stamped and registered:	Not Applicable
	b) The Gift / Settlement Deed has been attested by two Witnesses:	Not Applicable
	c) The Gift / Settlement Deed transfers the Property to Donee:	Not Applicable
	d) Whether the Donee has accepted the Gift by signing the Gift / Settlement Deed or by a separate writing or by implication or by actions:	Not Applicable
	e) Whether there is any restriction on the Donor in executing the Gift/Settlement Deed in question:	Not Applicable
	f) Whether the Donee is in possession of the gifted property:	Not Applicable
	g) Whether any life interest is reserved for the Donor or any other person and whether there is a need for any other person to join the creation of Mortgage:	Not Applicable
	h) Any other aspect affecting the validity of the title passed through the Gift / Settlement Deed:	Not Applicable
15.	a) In case of Partition / Family Settlement Deeds, whether the Original Deed is available for deposit. If not the modality/procedure to be followed to create a valid and enforceable mortgage.	Not Applicable
	b) Whether Mutation has been affected and whether the Mortgagor is in possession and enjoyment of his share.	Not Applicable
	c) Whether the Partition made is valid in Law and the Mortgagor has acquired a Mortgageable Title thereon.	Not Applicable
	d) In respect of Partition by a Decree of Court, whether such Decree has become Final and all other conditions / formalities are completed/complied with.	Not Applicable
	e) Whether any of the documents in question are executed in counterparts or in more than one set? If so, additional precautions to be taken for avoiding multiple Mortgages?	Not Applicable

Ref.

Date: 07.02.2022

16.	Whether the Title Documents include any testamentary documents / Wills?	No
	a) In case of Wills, whether the Will is Registered Will or unregistered Will?	Not Applicable
	b) Whether Will in the matter needs a mandatory probate and if so whether the same is probated by a Competent Court?	Not Applicable
	c) Whether the property is mutated on the basis of Will?	Not Applicable
	d) Whether the Original Will is available?	Not Applicable
	e) Whether the Original Death Certificate of the testator is available?	Not Applicable
	f) What are the circumstances and/or documents to establish the Will in question is the Last and Final Will of the testator?	Not Applicable
17.	a) Whether the property is subject to any Wakf rights?	No
	b) Whether the property belongs to Church / Temple or any religious / other institutions having any restriction in creation of charges on such properties?	No
	c) Precautions / Permissions, if any in respect of the above cases for creation of Mortgage?	Not Applicable
18.	a) Whether the property is a HUF/Joint Family Property, Mortgage is created for Family Benefit / Legal necessity, whether the major coparceners have no objection / join in execution minor's share if any, rights of female members etc.	No
	b) Please also comment on any other aspect which may adversely affect the validity of security in such cases?	Not Applicable
19.	a) Whether the Property belongs to any Trust or is subject to the rights of any Trust?	No
	b) Whether the Trust is a Private or Public Trust and whether Trust Deed specifically authorizes the Mortgage of the Property?	Not Applicable
	c) If so, additional precautions / permissions to be obtained for creation of valid Mortgage?	Not Applicable
	d) Requirements, if any for creation of Mortgage as per the Central / State Laws applicable to the Trust in the matter.	Not Applicable
20.	a) If the property is Agricultural land, whether the local laws permit mortgage of Agricultural land and whether there are any restrictions for creation / enforcement of Mortgage.	Not Applicable
	b) In case of Agricultural Property other relevant Records / Documents as per Local Laws, if any are to be verified	

Kripa Sankar Mondal
Advocate
DISTRICT JUDGES COURT, BURDWAN

Phone No.: 8348761945, 9064544734

Chamber


Sarbamangala Para, Kamantala,
P.O.: Burdwan, District: Burdwan
BURDWAN-713101, W.B.

E-mail: advocatekripasankar@gmail.com

Ref.

Date: 07.02.2022

	to ensure the validity of the title and right to enforce the Mortgage?	Not Applicable
	c) In the case of Conversion of Agricultural Land for commercial purposes or otherwise, whether requisite procedure followed / permission obtained.	Yes
21.	Whether the property is affected by any Local Laws or other regulations having a bearing on the creation security [viz. Agricultural Laws, Weaker Sections, Minorities, Land Laws, SEZ Regulations, Costal Zone Regulations, Environmental Clearance etc.]	No
22.	a) Whether the property is subject to any pending or proposed Land Acquisition Proceedings?	No
	b) Whether any Search / enquiry is made with the Land Acquisition Office and the outcome of such Search / Enquiry.	No
23.	a) Whether the Property is involved in or subject matter of any Litigation which is pending or concluded?	No
	b) If so, whether such litigation would adversely affect the creation of a valid Mortgage or have any implication of its future enforcement?	No
	c) Whether the Title Documents have any Court Seal / marking which points out any litigation / attachment / security to Court in respect of the property in question? In such case, please comment on such seal/marking.	No
24.	a) In case of partnership firm, whether the property belongs to the firm and the Deed is properly registered.	No
	b) Property belonging to Partners, whether thrown on hotchpot? Whether formalities for the same have been completed as per applicable Laws?	No
	c) Whether the person(s) creating Mortgage has / have authority to create Mortgage on behalf of the Firm.	No
25.	a. Whether the property belongs to a Limited Company, check the Borrowing Powers, Board Resolution, Authorization to create Mortgage / execution of documents, Registration of any prior charges with the Company Registrar (ROC), Articles of Association / Provision for Common Seal etc.	No
	b. Whether the Property (to be Mortgaged) is purchased by the above Company from any Other Company or Limited Liability Partnership (LLP) Firm (LLP) Firm? Yes / No	No
	c. If yes, whether the Search of Charges of the Property (to be Mortgaged) has been carried out with Registrar	


Kripa Sankar Mondal
Advocate
Dist. Judges' Court

Ref.

Date: 07.02.2022

	of Companies (ROC) in respect of such Vendor Company / LLP (Seller) and the Vendee company (purchaser)?	yes
	d. If the Search reveals encumbrances / charges, whether such charges / encumbrances have been satisfied? Yes/No	yes
26.	In case of Societies, Association, the required authority / power to Borrower and whether the Mortgage can be created, and the requisite resolutions bye-laws.	Not Applicable
27.	a) Whether any POA is involved in the Chain of Title?	No
	b) Whether the POA involved is one coupled with interest i.e. a Development Agreement cum Power of Attorney. If so, please clarify whether the same is a Registered document and hence it has created an interest in favour of the Builder/Developer and as such is irrevocable as per Law.	Development Agreement and Power of Attorney in favour of Biswanth Constructions Pvt. Ltd. Represented by its Directors Biswanath Agarwal, registered office at: - 132/1A, Raja Rammohan Sarani, Kolkata- 700009
	c) In case the Title document is executed by the POA holder, please clarify whether the POA involved is (i) one executed by the Builders viz. Companies / Firms / Individual or Proprietary Concerns in favour of their Partners / Employees / Authorized Representatives to sign Flat Allotment Letters, NOCs, Agreement for Sale, Sale Deeds etc. in favour of buyers of Flats / Units (Builder's POA) or (ii) other type of POA (Common POA).	Developers Execute Title Deed in favour of Proposed Purchasers
	d) In case of Builder's POA, whether a Certified Copy of POA is available and the same has been verified / compared with the Original POA.	Yes, Certified Copy of POA is available and same has been verified with the Original POA
	e) In case of Common POA (i.e. POA other than Builder's POA), please clarify the following clauses in respect of POA	No
	i) Whether the Original POA is verified and the title investigation is done on the basis of Original POA?	Not Applicable
	ii) Whether the POA is a Registered one?	Yes
	iii) Whether the POA is special or general one?	Special one
	iv) Whether the POA contains a specific authority or execution of title document in question?	Yes
	f) Whether the POA was in force and not revoked or had become invalid on the date of execution of the document in question?	POA in force and not revoked till date

Kripa Sankar Mondal
Advocate
DISTRICT JUDGES COURT, BURDWAN

Phone No.: 8348761945, 9064544734

Chamber

Sarbamangala Para, Kamantala,
P.O.: Burdwan, District: Burdwan
BURDWAN-713101, W.B.

E-mail: advocatekripasankar@gmail.com

Ref.

Date: 07.02.2022

	g) Please comment on the genuineness of POA?	Genuine one
	h) The unequivocal opinion on the enforceability and validity of the POA?	Not Applicable
28.	Whether mortgage is being created by a POA holder, check genuineness of the Power of Attorney and the extent of the powers given therein and whether the same is properly executed / stamped / authenticated in terms of the Law of the place, where it is executed.	Yes
29.	If the property is a Flat / Apartment or Residential/Commercial Complex, check and comment on the following:	Residential Cum Commercial Building
	a) Promoter's/Land owner's title to the land / building:	Land Owners Title to the Land
	a) Development Agreement / Power of Attorney:	Yes
	b) Extent of authority of the Developer/Builder:	Not Applicable
	c) Independent Title Verification of the Land and/or Building in question:	Yes
	d) Agreement for Sale (duly Registered):	Not Applicable
	e) Payment of proper Stamp Duty:	Not Applicable
	f) Requirement of Registration of Sale Agreement, Development Agreement, POA etc.	Development Agreement, POA both are registered.
	g) Approval of Building Plan, Permission of appropriate / Local Authority etc.	NOC for construction of Commercial Cum residential Building (G+IV) form Purba Barddhaman Zila Parishad and approved by Galsi Gram Panchayat
	b) Conveyance in favour of Society / Condominium concerned:	Not Applicable
	c) Occupancy Certificate / Allotment Letter / Letter of Possession:	Not Applicable
	d) Membership details in the Society etc.	Not Applicable
	e) Share Certificates:	Not Applicable
	f) No Objection Letter from the Society	Not Applicable
	g) All legal requirements under the Local / Municipal Laws, regarding ownership of Flats / Apartments / Building Regulations, Development Control Regulations, Co-operative Societies' Laws etc.	Yes
	h) Requirement for noting the Bank charges on the Records of the Housing Society, if any	Not Applicable
	i) If the property is a Vacant Land and Construction is yet to be made, approval of Lay Out and other precautions, if any:	NOC for construction of Commercial Cum residential Building (G+IV) form Purba

Kripa Sankar Mondal
Advocate
Dist. Judges Court
Burdwan

Ref.

Date: 07.02.2022

		Bardhaman Zila Parishad and approved by Galsi Gram Panchayat
	j) Whether the numbering pattern of the Units/Flats tally in all documents such as Approved Plan Agreement Plan etc.	Not Applicable
30.	Encumbrances, Attachments, and/or claims whether of Government, Central or State or other Local Authorities or Third-Party claims, Liens etc. and details thereof.	No
31.	The period covered under the Encumbrances Certificate and the name of the person in whose favour the encumbrance is created and if so, satisfaction of charge, if any.	More than 30 Years i.e. 1992 to 2022. The Landed Property in question is free from all Encumbrances
32.	Details regarding Property Tax or Land Revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	Land Revenue has been paid 1428 B.S. and Panchayat tax has also been paid
33.	a) Urban Land Ceiling Clearance, whether required and if so, details thereon. b) Whether No Objection Certificate under the Income Tax Act is required / obtained.	No No
34.	Details of RTC Extracts / Mutation Extracts / Khata Extracts pertaining to the property in question.	The names of the Present owner Asha Banka , W/o Satish Prasad Banka, resident at- BL-II, Sector II, P.O.- Bidhannagar, P.S.- Bidhannagar North, Kolkata-700091, Dist- North 24 Pargana, and Sajjan Agarwal , S/o Biswanath Agarwal, resident at- CD-114, Salte Lake City, Sector-I, Kolkata- 700064, Dist- North 24 Pargana been duly recorded in the Present L.R. Records of Rights.
35.	Whether the name of Mortgagor is reflected as Owner in the Revenue / Municipal / Village Records.	The names of the Present Owner Asha Banka , W/o Satish Prasad Banka, resident at- BL-II, Sector II, P.O.- Bidhannagar, P.S.- Bidhannagar North, Kolkata-700091, Dist- North 24 Pargana, and Sajjan Agarwal , S/o Biswanath Agarwal, resident at- CD-114, Salte Lake City, Sector-I,

Ref.

Date: 07.02.2022

		Kolkata- 700064, Dist- North 24 Pargana reflected as Owners in the Revenue Record.
36.	a) Whether the Property offered as Security is clearly demarcated?	Yes
	b) Whether the demarcation / partition of the property is legally valid?	Yes
	c) Whether the property has clear access as per documents?	Yes
37.	Whether the property can be identified from the following documents and discrepancy / doubtful circumstances, if any revealed on such scrutiny? a) Document in relation to Electricity Connection b) Document in relation to Water Connection. c) Document in relation to Sales Tax Registration, if any applicable. d) Other Utility Bills, if any.	Yes, The Property can be identified from the Land Rent Receipts
38.	In respect of the Boundaries of the Property, whether there is a difference / discrepancy in any of the Title Documents or any other documents (such as Valuation Report, Utility Bills etc.) or the actual Current Boundary? If so, please elaborate / comment on the same.	No
39.	If the Valuation Report and/or Approved Sanctioned Plans are made available, please comment on the same including the comments on the description and boundaries of the property on the said document and that in the Title Deeds.	Approved Sanctioned Plan is available and the said Plan and NOC for construction of Commercial Cum residential Building (G+IV) form Purba Barddhaman Zila Parishad and approved by Galsi Gram Panchayat and the same has been tallied with the description and Boundaries of the Property that in the Title Deed
40.	Any bar/restriction for creation of mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duty etc.	No
41.	Whether the Bank will be able to enforce SARFEASI Act, if required against the property, offered as security?	Yes
	Property is that SARFEASI Complaint (Y/N)	Yes
42.	In case of absence of original Title Deeds, details of legal and other requirements for creation of a proper, valid and	Not Applicable

Kripa Sankar Mondal
Advocate
DISTRICT JUDGES COURT, BURDWAN

Phone No.: 8348761945, 9064544734

Chamber

Sarbamangala Para, Kamantala,
P.O.: Burdwan, District: Burdwan
BURDWAN-713101, W.B.

E-mail: advocatekripasankar@gmail.com

Ref.

Date: 07.02.2022

	enforceable Mortgage by deposit of Certified Extracts duly certified etc., as also any precaution to be taken by the Bank in this regard.	
43.	Whether the Governing Law / Constitutional documents of the Mortgagor (other than natural persons) permits creation of Mortgage and additional precautions, if any to be taken in such cases.	Not applicable
44.	Additional aspects relevant for investigation of title as per local laws.	Does not require
45.	Additional suggestions, if any to safeguard the interest of Bank / ensuring the perfection of security.	Does not require
46.	The specific person who is required to create Mortgage / to deposit documents creating mortgage	Biswanth Constructions Pvt. Ltd. Represented by its Directors Biswanath Agarwal, registered office at: - 132/1A, Raja Rammohan Sarani, Kolkata- 700009
47.	Whether the Real Estate Project comes under Real Estate (Regulation and Development) Act, 2016? Y/N	Not Applicable
	Whether the Project is registered with the Real Estate Regulatory Authority? If so, the details of such registration are to be furnished.	Not Applicable
	Whether the Registered Agreement for Sale as prescribed in the above Act / Rules there under is executed?	Not Applicable
	Whether the details of the Apartment / Plot in question are verified with the list of number and types of apartments or Plots booked as uploaded by the Promoter in the Website of Real Estate Regulatory Authority.	Not Applicable

Date:
Place: Burdwan

Kripa Sankar Mondal
[Kripa Sankar Mondal]

Signature of the Advocate

Kripa Sankar Mondal
Advocate
Dist. Judges' Court
Burdwan

Ref.

Date: 07.02.2022

Annexure: C: Certificate of Title

1. I have examined the Original Title Deed in the name of present owner i.e **Asha Banka**, W/o Satish Prasad Banka, resident at- BL-II, Sector II, P.O.- Bidhannagar, P.S.- Bidhannagar North, Kolkata-700091, Dist- North 24 Pargana, and **Sajjan Agarwal**, S/o Biswanath Agarwal, resident at- CD-114, Salte Lake City, Sector-I, Kolkata- 700064, Dist- North 24 Pargana, through their duly constituted Power of Attorney Holder, **Biswanth Constructions Pvt. Ltd.** Represented by its Directors Biswanath Agarwal, **registered office at:** - 132/1A, Raja Rammohan Sarani, Kolkata- 700009, already deposited relating to the schedule property/(ies) and offered as security by way of Equitable Mortgage and that the documents of title referred to in my Opinion are valid evidence of Right, Title and Interest and that if the said Equitable Mortgage is created, it will satisfy the requirements of creation of Equitable Mortgage and I further certify that:
2. I have examined the Documents in detail, taking into account all the Guidelines in the check list vide Annexure-B and the other relevant factors.
3. I confirm having made a search in the Land/ Revenue records. I also confirm having verified and checked the records of the relevant Government Offices / Sub-Registrar(s) Office(s), Revenue Records, Municipal / Panchayat Office, Land Acquisition Office, Registrar of Companies Office, Wakf Board (wherever applicable). I do not find anything adverse which would prevent the Title Holders from creating a valid Mortgage. I am liable/ responsible, if any loss is caused to the Bank due to negligence on my part or by my agent in making search.
4. Following scrutiny of Land Records / Revenue Records and relative Title Deed, Certified Copy of such Title Deed obtained from the concerned Registrar Office and Encumbrance Certificate (EC), I hereby certify the genuineness of the Original Title Deed. Suspicious / Doubt, if any, has been clarified by making necessary enquiries.
5. There are no prior Mortgage / Charges / encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period of 1992 to 2022 pertaining to the Immovable Property/(ies) covered by above said Original Title Deed. The property is free from all Encumbrances.
6. In case second / subsequent charge in favour of the Bank, there are no other Mortgage / Charges other than already stated in the Loan documents and agreed to by the Mortgagor and the Bank.

Ref.

Date: 07.02.2022

7. Minor(s) and his / their interest in the property / (ies) is to the extent of - NIL
8. The Mortgage if created will be available to the Bank for the Liability of the Intending Borrowers, **Biswanth Constructions Pvt. Ltd.** Represented by its Directors Biswanath Agarwal, **registered office at: - 132/1A, Raja Rammohan Sarani, Kolkata- 700009,**
9. I certify **Asha Banka**, W/o Satish Prasad Banka, resident at- BL-II, Sector II, P.O.- Bidhannagar, P.S.- Bidhannagar North, Kolkata-700091, Dist- North 24 Pargana, and **Sajjan Agarwal**, S/o Biswanath Agarwal, resident at- CD-114, Salte Lake City, Sector-I, Kolkata- 700064, Dist- North 24 Pargana. have an absolute, clear and Marketable title over the Schedule property/(ies). I further certify that the above Original Title Deeds genuine and a valid Equitable Mortgage can be created and the said Mortgage would be enforceable.
10. In case of creation of Equitable Mortgage of the Loan / Advance by Deposit of Title Deed, I certify that the deposit of following Title Deed / documents would create a valid and enforceable Mortgage: -
 - A. Original Registered Deed of Sale being No. 1362 dated 08.04.2015
 - B. Original Registered Deed of Sale being No. 1363 dated 08.04.2015
 - C. Original Registered Deed of Sale being No. 1364 dated 08.04.2015
 - D. Original Registered Development Agreement being No. 4692 dated 14.10.2020
 - E. Original Registered Power of Attorney being No. 6148 dated 27.07.2021.
 - F. Original Registered Deed of Conveyance being No. 2239 dated 25.07.2000.
 - G. Original Registered Deed of Conveyance being No. 2240 dated 25.07.2000
 - H. Original Registered Deed of Indenture dated being No. 7527 dated 05.11.1969
 - I. Certified Copies of L.R. Records of Rights, under L.R. Khatian Nos. 7561 & 7562 of Mouza: Galsi, J.L. No. 64, within P.S. Galsi & District: Burdwan.
 - J. Original Land Rent Receipt dated 05.10.2020.
 - K. Galsi Gram Panchayat Tax dated 02.07.2021
 - L. Original Conversion Certificate Approved by Galsi Gram Panchayat dated 29.06.2021
 - M. NOC for Residential cum Commercial Building Construction through by Purba Barddhaman Zila Parishad dated 23.09.2021
 - N. Fire Safety recommendation for the Proposed Residential cum Commercial Building Construction dated 17.09.2021 approved by W.B. Fire & Emergency Services.

Kripa Sankar Mondal
Advocate
DISTRICT JUDGES COURT, BURDWAN

Phone No.: 8348761945, 9064544734

Chamber

Sarbamangala Para, Kamantala,
P.O.: Burdwan, District: Burdwan
BURDWAN-713101, W.B.

E-mail: advocatekripasankar@gmail.com

Ref.

Date: 07.02.2022

0. Original sanction Plan for Residential cum Commercial Building Construction approved by **Zila Parishad Purba Bardhaman**
11. There are no legal impediments for creation of Equitable Mortgage under any applicable Law/ Rules in force.
12. It is certified the property is SARFAESI complaint

Schedule

Complete or full description of the immovable property / (ies) offered as security including the following details:

Details of the Landed Property belonging to the Present Owners, **Asha Banka**, W/o Satish Prasad Banka, & **Sajjan Agarwal**, S/o Biswanath Agarwal, **Property situated at Mouza: Galsi, J.L. No. 64, under Gram Gram Panchayat**

Deed No.	Khatian No.	Plot No. (L.R.)	Class	Area
1362 of 2015 1363 of 2015 1364 of 2015	LR.: 7561 & 7562	595	Commercial Bastu	46 Decimal (More or less) of Commercial Bastu Land

Total: **46 Decimal (More or less) of Commercial Bastu Land**, which is butted and bounded as follows: **On the North:** G.T. Road; **On the South:** Plot No 593 & 594; **On the East:** Bahrat Weigh Bridge; **On the West:** Plot No 591, Mouza- Khetura

Date:
Place: Burdwan

Kripa Sankar Mondal
[Kripa Sankar Mondal]
Signature of the Advocate

Kripa Sankar Mondal
Advocate
Dist. Judges' Court
Burdwan