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Ref: _____

Date: 18.10.2022

TO WHOM IT MAY CONCERN

Sub: Legal Scrutiny Report of the project named "SHREEDHAM"

(PART I): DESCRIPTION OF THE PROPERTY:

All that piece or parcel of land measuring 42.22 Kathas out of which land measuring 23.35 Kathas appertaining to and forming part of R.S. Plot No.68, L.R. Plot No.190, and land measuring 18.87 Kathas appertaining to and forming part of R.S. Plot No.71, L.R. Plot No.194, recorded in Khatian No.448 (previous L.R.); 1967, 1968, 1934, 1905, 1966, 3179, 1821 & 3210 (present L.R.); 27 (R.S.), in Mouza Baragharia, Pargana Patharghata, J.L. No.82, Sheet No.1, within the jurisdiction of P.S. Matigara, Dist. Darjeeling.

(PART II) : List of Documents submitted before me for Scrutiny and Legal Opinion:

1. Photocopy of Deed of Conveyance being document No. I- 3808 for the year 1970 dated 29.07.1970 registered at the office of the Sub-Registrar, Siliguri.
2. Photocopy of General Power of Attorney being No. IV- 39 for the year 2003 registered in the Office of the A.D.S.R. Siliguri II at Bagdogra.
3. Photocopy of Deed of Sale being No.I-3073 for the year 2004, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra.
4. Photocopy of Deed of Sale being No. I-2507 for the year 2005, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
5. Photocopy of Deed of Sale being No. I-506 for the year 2005, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
6. Photocopy of Deed of Sale being No. I-2506 for the year 2005, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
7. Photocopy of Deed of Sale being No. I-505 for the year 2005, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
8. Photocopy of Deed of Sale being No.I-4646 for the year 2006, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
9. Photocopy of General Power of Attorney being No. IV- 35 for the year 2005 registered in the Office of the D.S.R. Coochbehar.
10. Photocopy of Deed of Sale being No.I-4647 for the year 2006, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.



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11. Photocopy of General Power of Attorney being No. IV- 34 for the year 2005 registered in the Office of the D.S.R. Coochbehar.
12. Photocopy of Deed of Sale being No.I-4644 for the year 2006, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
13. Photocopy of General Power of Attorney being No. IV- 94 for the year 2005 registered in the office of A.D.S.R. Contel 1, P. Medinipur.
14. Photocopy of Deed of Sale being No.I-4649 for the year 2006, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
15. Photocopy of General Power of Attorney being No. IV- 36 for the year 2005 registered in the Office of the D.S.R. Coochbehar.
16. Photocopy of Deed of Sale being No.I-0662 for the year 2015, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
17. Photocopy of Deed of Sale being No.I-0661 for the year 2015, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
18. Photocopy of Deed of Sale being No.I-0680 for the year 2015, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
19. Photocopy of Deed of Sale being No.I-0682 for the year 2015, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
20. Photocopy of Deed of Sale being No.I-1204 of 2020, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
21. Photocopy of Deed of Sale being No.I-1463 for the year 2015, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
22. Photocopy of Deed of Sale being No.I-8626 for the year 2015, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
23. Photocopy of L.R. Khatian being Nos. 1967, 1968, 1934, 1905, 1966, 3179, 1821 & 3210.
24. Photocopy of Conversion certificate vide Order No. 58/DLLRO/01/12 Dated 16.02.2012 of the office of the District Land and Land Reforms Officer, at Darjeeling.
25. Photocopy of Death Certificate of Bharati Jaiswal.
26. Photocopy of Legal Heir certificate of Bharati Jaiswal dated 17.05.2019 issued by the Councillor Ward No.46 (S.M.C.).
27. Photocopy of Affidavit dated 31.05.2019 affirmed by Sri Prahlad Jaiswal before the Ld. Executive Magistrate, Siliguri.



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28. Photocopy of order dated 11.11.2019 in reference to Act VIII Case No.10/2019 passed by the Court of the Ld. District Judge, Darjeeling.
29. Photocopy of Affidavit dated 30.09.2020 before the Ld. Executive Magistrate, Siliguri for amalgamation of the land.
30. Photocopy of Deed of Development Agreement dated 14.12.2020 being No.I-05501 for the year 2020, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
31. Photocopy of Deed of Development G.P. being No.I-05507 for the year 2020, registered at the office of the A.D.S.R, Siliguri-II at Bagdogra.
32. Photocopy of Khajna Receipt 7 nos.
33. Photocopy of Gram Panchayat tax receipts 7 nos.
34. Photocopy of Partnership Deed of M/s. Darjeeling Real Estate Agents & Developers.
35. Photocopy of Fire Safety Recommendation letter issued by the office of the Deputy Director, West Bengal Fire & Emergency Services, S.F. Road, Siliguri, vide Memo No. FSR/0125186210500136 dated 02.08.2021.
36. Photocopy of Building Plan vide Order No. 426/MPS dated 20.04.2022 duly approved by the Executive Officer, Matigara Panchayat Samity for construction of a Basement + Ground + Four storied residential cum commercial building.
37. Photocopy of Cancellation of Deed of Agreement being document No. IV- 00313 for the year 2017, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra.

(PART III): FLOW OF TITLE OF PROPERTY - (HISTORY OF TITLE)

(I)

WHEREAS one Ram Chandra Prasad (since deceased), Son of Late Babul Sah became the absolute owner in possession of all that 9.46 Acres of land in Mouza Baragharia, under the then P.S. Siliguri (now Matigara), in the District of Darjeeling by virtue of purchase from one Sri Jagadish Prasad Sah, Son of Nagin Sah through a Deed of Conveyance being document No. I-3808 for the year 1970 dated 29.07.1970 registered at the office of the Sub-Registrar, Siliguri.

AND WHEREAS being such owner in possession of the above referred land, said Ram Chandra Prasad subsequently on 20.05.1986 died intestate (as it appear from General Power of Attorney being No. IV- 39 of 2003 registered at A.D.S.R. Bagdogra) leaving behind him his wife Smt. Sita Devi, Son Sri Brij Kishore Prasad and one daughter namely Smt. Sunayna Devi as his sole legal heirs and successors who accordingly jointly and in in equal shares inherited the said entire landed property as per the provisions of the Hindu Succession Act, 1956.





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AND WHEREAS thereafter **SHELCON PROPERTIES (P) LTD.**, a private limited company having its registered office at Hill Cart Road, Siliguri became the absolute owner in possession of all that **5.38 Acres** of land in R.S. Plot Nos.68, 69 & 70 corresponding to L.R. Plot No.190, recorded in Khatian No. 14/1 (R.S.); 27 (L.R.), within Mouza Baragharia, Pargana Patharghata, J.L. No.82, under P.S. Matigara, Dist. Darjeeling, by way of purchase from the said legal heirs of Late Ram Chandra Prasad [i.e. Smt. Sita Devi (wife), Sri Brij Kishore Prasad (son) and Smt. Sunayna Devi (daughter)], through a Deed of Conveyance being document No. I- **3073 for the year 2004**, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. And the said registered deed was executed by said Sri Brij Kishore Prasad for self and as constituted attorney of Smt. Sita Devi and Smt. Sunayna Devi by virtue of a General Power of Attorney being No. IV- 39 for the year 2003 registered in the Office of the A.D.S.R. Siliguri II at Bagdogra.

AND WHEREAS by virtue of purchase through above referred registered deed the above named SHELCON PROPERTIES (P) LTD. had acquired permanent, heritable and transferable right, title and interest in the said landed property measuring 5.38 Acres free from all encumbrances and furthermore being such owner in khas, actual and physical possession of the said landed property said SHELCON PROPERTIES (P) LTD. Duly mutated and recorded its name in the L.R. R.O.R. vide L.R. Khatian being No.448, in L.R. Plot No.190, within Mouza Baragharia, J.L. No.82, under P.S. Matigara, Dist. Darjeeling.

(II)

WHEREAS one Baijnath Prasad (since deceased) and one Tarakeswar Prasad (since deceased) son of late Baijnath Prasad were the absolute and recorded owners of entire portion of land under L.R. Plot No.194 having an area measuring 2.68 acres and 3 acres under Khatian No.99 and 44/1 respectively.

AND WHEREAS the respective legal heirs of above named Baijnath Prasad and Tarakeswar Prasad, decided to sell their respective shares of land in L.R. Plot No.194 jointly on mutual understanding.

AND WHEREAS after the death of abovementioned Baijnath Prasad his three survived sons namely Sri Chandeswar Prasad, Sri Rajeshwar Prasad and Sri Nageswar Prasad along with the heirs of one predeceased son Tarakeswar Prasad namely Smt. Madhuri Devi (wife) and Sri Vivek Prasad (son) jointly become the owner as legal heirs and successors of Late Baijnath Prasad's portion of land measuring 2.68 Acres in L.R. Plot No.194, having their respective share of 1/4th, 1/4th, 1/8th and 1/8th respectively.

AND WHEREAS on the other hand after the death of abovementioned Tarakeswar Prasad his wife Smt. Madhuri Devi and Sri Vivek Prasad become the absolute joint owners as legal heirs of Tarakeswar Prasad's portion of land in the above mentioned L.R. Plot No.194, measuring 3 Acres having with 50% undivided share each therein.





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AND WHEREAS as because the entire land was unidentified in between deceased Baijnath Prasad and deceased Tarakeswar Prasad and the legal heirs of both the deceased persons belong to same family thus they had decided to sell the entire property jointly to the intending purchaser(s) part by part and the amount of sale proceeds of respective share will be shared among themselves proportionately on mutual understanding.

AND WHEREAS above named Sri Chandeswar Prasad, Sri Rajeshwar Prasad, Sri Nageswar Prasad along with the heirs of deceased son Tarakeswar Prasad namely Madhuri Devi (wife) and Sri Vivek Prasad (son) jointly thereafter had transferred for valuable consideration and made over physical possession of all that piece or parcel of land measuring 9 Bighas out of that 5.68 Acres (2.68 Acres + 3 Acres), forming part of L.R. Plot No.194, recorded in Khatian No.44/1, situated within Mouza Baragharia, J.L. No.82, Pargana Patharghata, P.S. Matigara, District Darjeeling, unto and in favour of SMT. SANJUKTA SAHA, daughter of Dr. Sandip Saha, by virtue of a registered sale Deed No. I-2507 out of that land measuring 2 Bighas, SMT. TAPASHREE SANYAL, wife of Dr. Partha Sanyal, by virtue of a registered Sale Deed No.I-506, land measuring 3 Bighas, SMT. LINA SAHA, wife of Mr. Pulak Saha, by virtue of a registered Sale Deed No.I-2506 land measuring 1 bigha and SRI TUSHAR KANTI CHANDA, son of late Kalipada Chanda, by virtue of a registered Sale Deed No.I-505 land measuring 3 Bighas of land, all are registered in the Office of the A.D.S.R. Siliguri II at Bagdogra for the year 2005.

AND WHEREAS by virtue of aforesaid four separate Sale Deeds, being Document Nos.I-2507, I-506, 1-2506 and 1-505, above named Smt. Sanjukta Saha, Smt. Tapashree Sanyal, Smt. Lina Saha and Sri Tushar Kanti Chanda became the sole absolute and exclusive owner of the aforesaid land total measuring 9 Bighas, having permanent, heritable and transferable right title and interest therein.

AND WHEREAS thereafter above named Smt. Sanjukta Saha had transferred for valuable consideration and made over physical possession of all that piece or parcel of land measuring 2 Bighas, forming part of Plot No.194, recorded Khatian No.44/1, situated within Mouza Baragharia, J.L.No. 82, Pargana Patharghata, P.S. Matigara, in the District of Darjeeling, through her constituted Attorney of Sri Jayanta Dhar, son of late Arun Chandra Dhar, vide G.P. No. 35 for the year 2005 registered in the office of D.S.R. Coochbehar, unto and in favour of SHELCON PROPERTIES PVT. LTD. By virtue of Sale Deed, being document No.4846, entered in Book No.I, Volume No.121, Pages 297 to 304, registered in the office A.D.S.R. Siliguri II at Bagdogra, for the year 2006.

AND WHEREAS on 13/05/2006 Smt. Tapashree Sanyal, thereafter had transferred for valuable consideration and made over physical possession of all that piece or parcel of land measuring 42 kathas 5 chhataks 27 sq.ft. or 0.70 Acres out of the aforesaid land measuring 3 Bighas, forming part of Plot No.194, recorded in Khatian No.44/1, situated within Mouza Baragharia,



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J.L. No. 82, Pargana Patharghata, P.S. Matigara, in the District of Darjeeling, through her constituted Attorney of Sri Jayanta Dhar son of late Arun Chandra Dhar, vide G.P. No. 34 for the year 2005 registered in the office of D.S.R. Coochbehar, unto and in favour of SHELCON PROPERTIES PVT. LTD. By virtue of Sale Deed being document No.4847, entered in Book No.I, Volume No.121, Pages 305 to 312, registered in the office A.D.S.R. Siliguri II at Bagdogra, for the year 2006.

AND WHEREAS on 13/05/2006 Smt. Lina Saha thereafter had transferred for valuable consideration and made over physical possession of all that piece or parcel of land measuring 1 Bigha forming part of Plot No.194, recorded in Khatian No.44/1, situated within Mouza Baragharia, J.L.No. 82, Pargana Patharghata, P.S. Matigara, in the District of Darjeeling, through her constituted Attorney of Sri Jayanta Dhar son of late Arun Chandra Dhar, vide G.P. No. 94 for the year 2005 registered in the office of A.D.S.R. Contel 1, P. Medinipur, unto and in favour of SHELCON PROPERTIES PVT. LTD. By virtue of Sale Deed being document No.4848, entered in Book No.I, Volume No.121, Pages 313 to 320, registered in the office A.D.S.R. Siliguri II at Bagdogra, for the year 2006.

AND WHEREAS on 13/05/2006 Sri Tushar Kanti Chanda, thereafter had transferred for valuable consideration and made over physical possession of all that piece or parcel of land measuring 0.2790 Acres out of the aforesaid land measuring 3 Bighas, forming part of Plot No.194, recorded in Khatian No.44/1, situated within Mouza Baragharia, J.L.No. 82, Pargana Patharghata, P.S. Matigara, in the District of Darjeeling, through his constituted Attorney of Sri Jayanta Dhar son of late Arun Chandra Dhar, vide G.P. No. 36 for the year 2005 registered in the office of D.S.R. Coochbehar, unto and in favour of SHELCON PROPERTIES PVT. LTD. By virtue of Sale Deed being document No.4849, entered in Book No.I, Volume No.121, Pages 321 to 330, registered in the office A.D.S.R. Siliguri II at Bagdogra, for the year 2006.

AND WHEREAS by virtue of above referred four separate Sale Deeds, being document Nos. I-4846, I-4847, I-4848 & I-4849 for the year 2006, the above named SHELCON PROPERTIES PVT. LTD. became the sole, absolute and exclusive owner of the aforesaid land altogether measuring 1.969 Acres out of that 9 Bighas of land in L.R. Plot No.194, having with permanent, heritable and transferable right, title and interest therein. And after purchasing the land as mentioned above the above named SHELCON PROPERTIES PVT. LTD. has duly mutated and recorded its name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir vide L.R. Khatian being No.448.

(III)

AND WHEREAS thereafter the above named SHELCON PROPERTIES (P) LTD. sold and transferred all that **6 Kathas** of land out of its above purchased land in R.S. Plot No.68 corresponding to its L.R. Plot No. 190, recorded in L.R. Khatian No. 448, within Mouza Baragharia, Pargana

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Patharghata, J.L. No.82, under P.S. Matigara, Dist. Darjeeling, unto and in favour of one **MD. JAHUR**, son of Late Md. Atiulla, of Champasari, Siliguri, through a Deed of Conveyance being document No. I- **0662 for the year 2015**, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. And after purchasing the land as mentioned above the above named MD. JAHUR has duly mutated and recorded his name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly a new L.R. Khatian being No.1967 has been opened in his name by the said authority.

AND WHEREAS thereafter the above named SHELCON PROPERTIES (P) LTD. also sold and transferred all that **5 Kathas** of land out of its above purchased land in R.S. Plot No.68 corresponding to its L.R. Plot No.190, recorded in L.R. Khatian No. 448, within Mouza Baragharia, Pargana Patharghata, J.L. No.82, under P.S. Matigara, Dist. Darjeeling, unto and in favour of one **RUKSHANA BEGUM**, Wife of MD. Jahur, of Champasari, Siliguri, through a Deed of Conveyance being document No. I- **0661 for the year 2015**, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. And after purchasing the land as mentioned above the above named RUKSHANA BEGUM has duly mutated and recorded her name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly a new L.R. Khatian being No.1968 has been opened in her name by the said authority.

AND WHEREAS thereafter the above named SHELCON PROPERTIES (P) LTD. further sold and transferred all that **9 Kathas** of land out of its above purchased land in R.S. Plot No.68 corresponding to its L.R. Plot No.190, recorded in L.R. Khatian No. 448, within Mouza Baragharia, Pargana Patharghata, J.L. No.82, under P.S. Matigara, Dist. Darjeeling, unto and in favour of one **AFSARI KHATUN**, Wife of MD. Jakir Husen, of Champasari, Siliguri, through a Deed of Conveyance being document No. I- **0680 for the year 2015**, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. And after purchasing the land as mentioned above the above named AFSARI KHATUN has duly mutated and recorded her name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly a new L.R. Khatian being No.1934 has been opened in her name by the said authority.

AND WHEREAS thereafter the above named SHELCON PROPERTIES (P) LTD. sold and transferred all that **8.37 Kathas** of land out of its above purchased land in R.S. Plot Nos. 68 & 71 corresponding to its L.R. Plot Nos.190 & 194, recorded in L.R. Khatian No. 448, within Mouza Baragharia, Pargana Patharghata, J.L. No.82, under P.S. Matigara, Dist. Darjeeling, unto and in favour of (i)**SRI PRAHLAD JAISWAL**, Son of Late Ramabtar Jaiswal & (ii) **SMT. BHARTI JAISWAL**, Wife of Sri Prahallad Jaiswal, of Champasari, Siliguri, through a Deed of Conveyance being document No. I- **0682 for the year 2015**, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. And moreover after purchasing the land as mentioned above the above named SRI PRAHLAD JAISWAL & SMT. BHARTI JAISWAL had duly mutated and recorded their names in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly new L.R. Khatian being Nos.1821 & 1822 have been opened in their name by the said authority.



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AND WHEREAS subsequently on 10.03.2019 above named Bharati Jaiswal, W/o Sri Prahlad Jaiswal, died intestate leaving behind her husband i.e. said Sri Prahlad Jaiswal and her two minor sons namely Master Priyanshu Jaiswal and Master Anish Jaiswal as her sole legal heirs and successors who accordingly jointly inherited the undivided 50% share in said 8.37 Kathas or about 0.1381 Acre of land which is measuring about 4.185 Katha or 0.06905 Acre, as per the provisions of the Hindu Succession Act, 1956. And thereafter said Sri Prahlad Jaiswal has been appointed as the Guardian of the person and property of said two minor sons namely Master Priyanshu Jaiswal and Master Anish Jaiswal by the Court of the Ld. District Judge, Darjeeling in reference to Act VIII Case No.10/2019 vide order dated 11.11.2019 within the purview of U/Sec 10 of Guardian and Wards Act, 1890. And by virtue of purchase as well as by virtue of inheritance from the share of his above named wife, said SRI PRAHLAD JAISWAL has acquired the absolute ownership of all that **5.58 Katha** of land out of aforesaid 8.37 Katha of land and Master Priyanshu Jaiswal and Master Anish Jaiswal became the absolute co-owners in respect of all that all that 2.79 Katha of land out of aforesaid 8.37 Katha of land.

AND WHEREAS thereafter the above named Master Priyanshu Jaiswal and Master Anish Jaiswal through their father namely Sri Prahlad Jaiswal have sold and transferred all that said **2.79 Katha** of land out of aforesaid 8.37 Katha of land unto and in favour of **M/S. DARJEELING REALESTATE AGENTS & DEVELOPERS**, a partnership firm, having its office address at Neelkamal Plaza, Opposite Meghdoot Cinema Hall, Hill Cart Road, Siliguri, within P.O. & P.S Siliguri, Dist. Darjeeling, by virtue of a Deed of Conveyance being document No. I – 1204 of 2020 registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. And after purchasing the land as mentioned above the above named M/S. DARJEELING REALESTATE AGENTS & DEVELOPERS has duly mutated and recorded its name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly a new L.R. Khatian being No. **3179** has been opened in its name by the said authority.

AND WHEREAS thereafter the above named SHELCON PROPERTIES (P) LTD. sold and transferred all that **8.73 Kathas** of land out of its above purchased land in R.S. Plot Nos. 68 & 71 corresponding to its L.R. Plot Nos.190 & 194, recorded in L.R. Khatian No. 448, within Mouza Baragharia, Pargana Patharghata, J.L. No.82, under P.S. Matigara, Dist. Darjeeling, unto and in favour of **SRI UTTAM CHHETRI**, Son of Sri Punya Deo Chhetri, of Pradhan Nagar, Siliguri, through a Deed of Conveyance being document No. I- **1463 for the year 2015**, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. And moreover after purchasing the land as mentioned above the above named SRI UTTAM CHHETRI has duly mutated and recorded his name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly new L.R. Khatian being No.1905 has been opened in his name by the said authority.



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AND WHEREAS thereafter the above named SHELCON PROPERTIES (P) LTD. sold and transferred all that 7.62 Kathas of land out of its above purchased land in R.S. Plot No.71 corresponding to its L.R. Plot No.194, recorded in L.R. Khatian No. 448, within Mouza Baragharia, Pargana Patharghata, J.L. No.82, under P.S. Matigara, Dist. Darjeeling, unto and in favour of one **MOHAMMED SADDAM HUSSAIN**, Son of Mohammed Sabir Alam, of Pradhan Nagar, Siliguri, through a Deed of Conveyance being document No. I- **8626 for the year 2015**, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. And moreover after purchasing the land as mentioned above the above named MOHAMMED SADDAM HUSSAIN has duly mutated and recorded his name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly new L.R. Khatian being No.1966 has been opened in his name by the said authority. Subsequently in the month of July, 2018 said Mohammed Saddam Hussain has sold and transferred all that 2.5 Kathas of land out of his above purchased land for valuable consideration and remained in khas possession of his remaining **5.12 Kathas** of land out of aforesaid 7.62 Kathas of land.

AND WHEREAS above mentioned altogether land measuring 42.22 Kathas, of said Md. Jahur, Ruksana Begum, Afsari Khatun, Sri Uttam Chhetri, Mohammed Saddam Hussain, Sri Prahlad Jaiswal and M/s. Darjeeling Real Estate Agents & Developers are located adjacent to each other and they share common boundary and for better utilization of the said landed property on 21.09.2020 the respective owners of the said landed property have jointly executed an Affidavit before the Ld. Executive Magistrate, Siliguri dated 30.09.2020 whereby they amalgamated the said entire land and made it a single piece or parcel of land.

AND WHEREAS thereafter said Md. Jahur, Ruksana Begum, Afsari Khatun, Sri Uttam Chhetri, Mohammed Saddam Hussain and Sri Prahlad Jaiswal with intent to raise a multistoried residential complex i.e. Basement + Four storied building(s) upon their above mentioned land have jointly executed a Deed of Development Agreement on 14.12.2020 in favour of above named M/s. Darjeeling Real Estate Agents & Developers being document No. I-**05501 for the year 2020** registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. And in furtherance of the said agreement the above named land owners have further executed a General Power of Attorney for development in favour of said M/s. Darjeeling Real Estate Agents & Developers, being document No. I-**05507 for the year 2020** registered at the office of the A.D.S.R. Siliguri-II at Bagdogra, and thereby engaged and entrusted said M/s. Darjeeling Real Estate Agents & Developers to do the development and construction works as per sanctioned plan of the concerned appropriate authority. And thereafter accordingly the above named M/s. Darjeeling Real Estate Agents & Developers has already obtained Building plan for proposed Basement + Four storied residential cum commercial building duly approved by the Executive Engineer, Matigara Panchayat Samity, vide Order No. **426/MPS dated 20.04.2022** and has started the development and construction work upon the said entire 42.22 Kathas of land as per said building plan.



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AND WHEREAS it may be noted here that before alienating the aforesaid land by said Shelcon Properties (P) Ltd. in the manner as referred herein above, the said company had applied before the office of the District Land and Land Reforms Officer, at Darjeeling for conversion of classification of its land from "Brick field" to "Commercial (housing complex/hotel)" which was accordingly allowed by the said office in its favour vide Order No. 58/DLLRO/01/12 Dated 16.02.2012.

AND WHEREAS it is also pertinent to mention here that during the process of searching it appears that previously the above named Md. Jahur, Ruksana Begum, Afsari Khatun, Sri Uttam Chhetri, Mohammed Saddam Hussain and Sri Prahlad Jaiswal and some other adjacent land owners had jointly executed a Deed of Agreement for Development with M/s. Grace Arjun Homes, a partnership firm having its office at 1/A, Rockville Road, Darjeeling, in respect of their above referred land vide Deed No. I- 05420 for the year 2016, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra but due to some reasons the said agreement for development could not be acted up on and consequently on 22.03.2017 the said agreement was cancelled with the mutual consent of all the parties by executing a Cancellation of Deed of Agreement, vide Deed No. IV- 00313 for the year 2017, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra.

(PART IV) : EVIDENCE OF LEASEHOLD RIGHT OF THE PROPERTY

The right, title and interest of Md. Jahur, Ruksana Begum, Afsari Khatun, Sri Uttam Chhetri, Mohammed Saddam Hussain, Sri Prahlad Jaiswal and M/s. Darjeeling Real Estate Agents & Developers over all that altogether land measuring 42.22 Kathas is evident from Deed of Conveyance being Nos. I-662/2015, I-661/2015, I-680/2015, I-1463/2015, I-8626/2015, I-682/2015 & I-1204/2020 as mentioned herein above and furthermore the above mentioned land has also been recorded in L.R. Khatian being Nos. 1967, 1968, 1934, 1905, 1966, 1821, 3210 and 3179 as mentioned above in the respective names of the said land owners.

(PART V) : OTHER PROVISIONS (Remarks, Observations and Requirements) : -

That from above referred Conversion Certificate issued by the District Land & Land Reforms Officer, Darjeeling vide Order No. 58/DLLRO/01/12 Dated 16.02.2012 the classification of the concerned land has been converted from "Brick field" to "Commercial (housing complex/hotel)".

NOTE: The validity and genuineness of the concerned building plan should be verified by any competent engineer.



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(PART VI) : CERTIFICATE

In view of the foregoing, I hereby certify that the title deed(s) intended to be deposited, relating to the below Scheduled property referred herein above and offered as security by way of equitable mortgage and the documents of title referred to above are perfect evidence of the title and that if the said equitable mortgage is created in the manner required by law, it would satisfy the requirements of creation of equitable mortgage subject to the observations cited below and satisfactory compliance of the requisition cited above.

I further certify that present land owners have derived a valid, clear, marketable and unencumbered title in the below Scheduled property as stated above.

SCHEDULE OF LAND

All that piece or parcel of land measuring 42.22 Kathas out of which land measuring 23.35 Kathas appertaining to and forming part of R.S. Plot No.68, L.R. Plot No.190, and land measuring 18.87 Kathas appertaining to and forming part of R.S. Plot No.71, L.R. Plot No.194, recorded in Khatian No. 448 (previous L.R.); 1967, 1968, 1934, 1905, 1966, 3179, 1821 & 3210 (present L.R.); 27 (R.S.), in Mouza Baragharia, Pargana Patharghata, J.L. No.82, Sheet No.1, within the jurisdiction of P.S. Matigara, Dist. Darjeeling.

The said land is butted and bounded as follows:

- By North : 23 Feet Non-Metal Road;
By South : Land in L.R. Plot No.194;
By East : Land of Gyan Jyoti College;
By West : Land of Sandeep Arora & others.

Yours truly,


Debdip Dutta
Advocate, Siliguri

Advocate, Siliguri.
Date: 18.10.2022

