

100-10356/2014

9/6/14



পশ্চিমবঙ্গ পশ্চিম বঙ্গাল WEST BENGAL

45 B 416645

V.C. NO. 1450/14

10/11/14
5:40 pm

DEED OF GIFT

Contd.....P/2.

UNFITTED THAT THE DOCUMENT
ADMITTED TO REGISTRATION, THE
SIGNATURE SHEET AND THE ENCLOSURE
SHEETS ATTACHED TO THIS DOCUMENT
ARE THE PROPERTY OF THIS OFFICE

LD. DIST. SUB-REGISTRAR
CHITTOUR 11/11/2014

9/11/2014

Approved vide
st. Judge's order
12.06.09.09.2014



Surat Berman
as father, natural and
appointed guardian of
minor Habteab Berman.
(DONOR)

Star Construction
Beisan
Partner

9-24072

88

Biplab Ghosh
Advocate/Siliguri

No. 1453 Date 22/11/23
of Star Construction
of sly
Rs. 10/- Rupees (Ten)

Ritu Yadav
Star Vendor
Sig. Court
L.No. 110/R.M.

Sonal Barmen
as father, natural and
appointed guardian of
minor Hardeep Barm
(son or)

= 2 =

THIS DEED OF GIFT IS MADE ON THIS THE 10th
DAY OF NOVEMBER, 2014.

DESCRIPTION OF THE LAND :

AREA : 33 DECIMALS.
KHATIAN NO. : 1421 (L.R.).
PLOT NO : 97 (R.S.) / 19 (L.R.).
MOUZA : GOURCHARAN.
J.L. NO. : 81.
P.S. : MATIGARA.
DISTRICT : DARJEELING.
TOTAL VALUE OF GIFT : Rs.20,00,000/- ONLY.
ASSESSED VALUE : Rs.78,80,598/- ONLY.

Contd.....P/3.

= 3 =

Surat Barman
as father, natural and
appointed guardian of
minor Hardeep Barman.
(DONOR)

BETWEEN

MASTER HARDEEP BARMAN (MINOR), son of Sri Surat Barman, Hindu by faith, student by occupation, Indian by nationality, resident of Ghokla Jote, Barogharia, Matigara, P.O. & P.S. Matigara, Dist. Darjeeling, being represented by father & natural guardian **SRI SURAT BARMAN**, son of Sri Birendra Nath Barman, Hindu by faith, Indian by nationality, business by occupation, resident of Ghokla Jote, Barogharia, Matigara, P.O. & P.S. Matigara, Dist. Darjeeling, hereinafter called the "**DONOR**" (which expression shall mean and include unless excluded by or repugnant to the context his heirs, executors, successors, administrators, legal representatives and assigns) of the **ONE PART**. PAN – AJSPS6117K.

AND

SMT. ATOSHI BARMAN, wife of Sri Surat Barman, Hindu by religion, Indian by nationality, housewife by occupation, resident of Ghokla Jote, Barogharia, Matigara, P.O. & P.S. Matigara, Dist. Darjeeling, hereinafter called the "**DONEE**" (which expression shall mean and include unless excluded by or repugnant to the context her heirs, executors, successors, administrators, legal representatives and assigns) of the **OTHER PART**. PAN – AJSPB7407P.

Contd P/4.

Smt. Barman
as father, natural and
appointed guardian of
minor Hardeep Barman.
(DONOR)

= 4 =

WHEREAS the Donor herein became the absolute owner of landed property purchased by the Donor's father being the father and natural guardian of his minor son Hardeep Barman (Donor) out of the own income of the father of the minor a plot of land measuring 33 decimals as fully described in the schedule herein below from Smt. Kalpana Mazumdar & others vide a registered Deed of Sale dated 27th day of March, 2009 duly registered in the office of the Additional District Sub-Registrar, Siliguri – II at Bagdogra, recorded in Book No.I, Volume No.5, Pages 5444 to 5456, being Document No.1846 for the year 2009 wherein the father of the minor represented the minor as Purchaser in the capacity of father and natural guardian.

AND WHEREAS by virtue of the aforesaid purchase the Donor is the lawful owner of the said land having permanent, heritable and transferable right, title and interest in the said land and is possessing and enjoying the said land openly, freely without any interruption from any one whatsoever.

AND WHEREAS the Donor duly mutated his name with the B.L. & L.R.O. – Matigara whereby a new L.R. Record of Rights has been opened in the name of the Donor being Khatian No.1421 wherein the aforesaid 33 Decimals of land has been incorporated in L.R. Plot No.19 in Mouza – Gourcharan, J.L.No.81, P.S. Matigara, Dist. Darjeeling and as morefully described in the Schedule hereinbelow.

Contd P/5.

Smt. Beomen
as father, natural and
appointed guardian of
minor Hriday Barman
(DONOR)

= 5 =

AND WHEREAS the father of the Donor has filed an application under the Guardian and Wards Act, 1890 before the Ld. District Judge at Darjeeling registered as Act VIII Case No.45 of 2013 praying for appointment / declaration of guardian of the minor Donor for his person and property in respect of the land as described in the Schedule hereinbelow.

AND WHEREAS for the welfare, proper care, proper education, maintenance and for the healthy upbringing of the minor Donor, for the benefit and the moral and ethical welfare of the minor Donor the father and natural guardian of the minor has also prayed in the aforesaid application to the Ld. District Judge, Darjeeling for an order granting permission to the father and natural guardian of the minor Donor to sign, execute and present for registration before the Additional District Sub-Registrar, Siliguri – II at Bagdogra, a Deed of Gift absolutely conveying the below schedule property in favour of the mother i.e. Smt. Atoshi Barman (Donee). The Ld. District Judge, Darjeeling while adjudicating upon the said application and considering the necessity and welfare of the minor Donor has allowed the prayer of the father of the minor Donor and the permission of the Ld. District Judge, Darjeeling is annexed herewith and forms part of these presents.

Contd P/6.

Sunita Bhowmik
as father, natural and
appointed guardian of
minor Hruday Barma
(DONOR)

= 6 =

AND WHEREAS the Donor out of natural love and affection for the Donee who is the natural mother of the minor Donor, decided to bestow unto the Donee by way of gift all that piece or parcel of landed property measuring 33 Decimals as fully described in the Schedule below and everything appertaining thereto free from all encumbrances and charges whatsoever.

NOW THIS INDENTURE OF GIFT WITNESSETH THAT in consideration of natural love and affection and for the necessity, welfare and maintenance of the Donor, the Donor doth execute this DEED OF GIFT in favour of the Donee and make a gift of the land as described in the Schedule below unto and in favour of the Donee, and the Donor do hereby and hereunder renounce his right, title and interest with intent to vest the same in and grant, convey, transfer, give and assure unto and to the use of the Donee, freely and voluntarily the land described in the Schedule below and delivered possession of the same unto and in favour of the Donee TO HAVE AND TO HOLD the same for their use and benefit absolutely and unconditionally forever.

The Donor doth hereby further DECLARE that the Donee by virtue of these presents shall own, enjoy and possess the land as described in the Schedule below and shall be clothed with all the right, title, interest and possession that the Donor had in the said land described in the Schedule below immediately before the execution of these presents and shall enjoy and possess the same as absolute owner thereof.

Contd P/7.

Surat Basma
as father, natural and
appointed guardian of
minors Hardeep Basma
(DONOR)

= 7 =

AND THAT the Donee accepts the gift of the land described in the Schedule below and affixes her signatures hereunder as a token of acceptance.

The estimated value of the land is Rs.20,00,000/- (Rupees Twenty Lakh) only.

SCHEDULE OF GIFTED LAND

All that piece or parcel of vacant, raiyati homestead land measuring 33 (Thirty Three) Decimals, appertaining to Plot No.97 (R.S.) corresponding to L.R. Plot No.19, recorded in L.R. Khatian No.1421, situated in Mouza - Gouranaran, J.L. No.81, Pargana - Patharghata, P.S. Matigara, A.D.S.R. Office - Siliguri-II at Bagdogra, District - Darjeeling under Patharghata Gram Panchayat. The above mentioned Scheduled plot of land is butted and bounded as follows:-

BY NORTH : Land of Smt. Kalpana Majumdar & others.
BY SOUTH : 14 feet wide road.
BY EAST : Anchal road 20 feet wide.
BY WEST : 15 feet wide road.

Contd P/8.

= 8 =

IN WITNESS WHEREOF the Donor above named doth hereunto has put his hands in these presents in the presence of the witnesses on the day, month and year first above mentioned.

This gift of entire land as described in the Schedule is accepted by me:

✓ *সত্যী বর্মান*

DONEE

WITNESSES:

1. Moheshwar Chandra Sankar
S/o - Sri Chandramohan Sankar
Vill - Runkhola Paha
POPS - Matigana
Dist - Darjeeling

2. Prudhulla Bannal
S/o: Lt. Harem Bannal
Vill: Patharcolony
POPS: Matigana
Dist: Darjeeling

Surat Barmen
as father, natural and
appointed guardian of
minor Hardeep Barmen.

(DONOR)

Drafted, read over and explained by me
and typed in my office.

(Signature)

(BIPLAB GHOSH)
ADVOCATE / SILIGURI
W.B. ERNL.No.994 OF 1995.

Act VIII Case No. 45 of 2013.

Sri Surat Barman Petitioner.

Order No.12.

Dated ::03.09.2014.

Today is fixed for passing order in the case. Accordingly, the record is taken up.

This case owes its origin to a petition filed by the applicant, viz., **Sri Surat Barman** under Sections 10 /29 of the Guardians & Wards Act, 1890 praying for his appointment as guardian of the person and property of his minor son, Master Hardeep Barman and granting permission to him to sign, execute and present for registration before the ADSR, Siliguri - II at Bagdogra, a Deed of Gift absolutely conveying the schedule property of the minor in favour of the mother of the minor, viz., Smt. Atoshi Barman and do all acts and Deeds connected to the registration thereto.

The petitioner's case is as follows :-

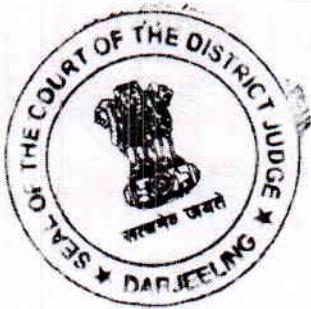
The petitioner, viz., Surat Barman and the minor, Hardeep Barman are ordinarily and permanently residing at Ghokla Jote, Baroghoria, Matigara, P.O.P.S., Matigara and District Darjeeling. Master Hardeep Barman was born on 02.03.2004. The petitioner being the father and natural guardian purchased a plot of land measuring 33 decimals as described in the schedule from Smt. Kalpana Majumder and others vide a registered Deed of Sale dated 27.03.2009, duly registered in the Office of ADSR, Siliguri-II, Bagdogra, recorded in Book No.1, Volume No.5, Pages 54444 to 5456 being document No. 1846 for the year of 2009. The petitioner mutated the name of his son, Master Hardeep Barman with the concerned Revenue Office and a new Land Reforms Record of Rights has been opened in the name of the minor being Khatian No.1421. The petitioner has also paid the land khazana and land tax to the Patharghata Gram Panchayat. In the said Deed of Sale, the minor was represented by the petitioner as father and natural guardian. The petitioner has other near relations, i. e., his mother and sister, Smt. Atoshi Barman and Jaya Barman respectively.

The petitioner has been examined as P.W. 1 and he has also filed affidavit - in - chief also which is kept in the record. Smt. Atoshi Barman, the wife of the petitioner has also been examined as P.W. 2. One



Prafulla Barman who is the uncle of the minor has also been examined as P.W. 3 and Maheshwar Chandra Sarkar, friend of P.W. 1 has also been examined as P.W. 4 and they have also filed their examination - in - chief on affidavit and kept in the record.

It is stated by the petitioner in his affidavit - in - chief ,that he is a businessman by occupation and the petitioner is unable to meet the educational expenditure of the minor, and as such the petitioner is facing acute financial hardship and presently the schedule described land is lying vacant and not put to any use. In such circumstances, the petitioner and his wife have decided to develop the said property by constructing a multi - storied building thereon and thereafter secure a viable and running monthly income therefrom. In order to fructify the intention of the petitioner and his wife, the petitioner has decided to gift absolutely the scheduled land being the property of the minor in favour of his mother who has also consented to such decision keeping in mind the welfare of the minor as paramount and also for proper care, education and maintenance of the minor and such decision is for benefit of the minor and his property. Such creation of running income for the minor has become a necessity and shall be of evident advantage to the minor which shall not only provide physical comfort, but also act as a catalyst towards the moral and ethical welfare of the child. It is also stated that unless an order from this Court for appointment of petitioner as guardian of the minor is granted, the schedule land will be of no use and the welfare, education and maintenance of the minor will be hampered as the petitioner is passing through acute financial hardship due to loss and down slide of his business..The minor's share in the property is valued at Rs. 20,00,000/- (Rupees Twenty Lacs) only which is in consonance with the prevailing market price. The petitioner has filed this petition praying for appointing and declaring him as guardian of the person and property of the minor and also granting permission to him to sign, execute and present for registration before the ADSR, Siliguri - II, Bagdogra , a Deed of Gift absolutely conveying the schedule property in favour of the mother of the minor, Smt. Atoshi Barman and do all acts and Deeds connected to the registration thereof.



3

The petitioner has filed certain documents i. e., the xerox copy of Voter Id. Card marked as (Exhibit-1), xerox copy of Adhar Card of the petitioner , marked as (Exhibit - 2) xerox copy of Adhar Card of minor, Hardeep Barman, marked as (Exhibit - 3), xerox copy of Birth Certificate of minor, marked as (Exhibit - 4), xerox copy of Sale Deed , marked as (Exhibit - 5), xerox copy of khatian, marked as (Exhibit -6) and the xerox copy of Deed of Gift, marked as (Exhibit - 7). That apart, it cannot be generally presumed that the father may act adversely to the welfare of his own son . I have nothing to disbelieve the version of the applicant and I do believe that the father is the best person to look after the welfare of his son and with this view, the prayer of the petitioner may be allowed.

In the result, the case succeeds.

C.F. paid is correct.

Hence,

/ O R D E R E D /

that the case be and the same is allowed. The Deed of Gift is hereby approved. The petitioner is hereby appointed the guardian of the person and property of the minor, Mst. Hardeep Barman and also granted the permission to gift the minor's property to his mother, Smt. Atoshi Barman but subject to filing of a **Bond of Rs.10,00,000/- (Rupees Ten Lacs)** only undertaking thereby :-

- a). that he shall keep the running income earned by developing the schedule property of the minor by constructing a multi - storied building thereon in his son's A/C in a monthly deposit scheme to be opened in any Nationalized Bank or Post Office.
- b). that he shall not withdraw any amount from the account of his minor son until he attains majority.



- c). that he shall remain bound to submit the statement of the minor's account before the Court as and when directed by the Court.
- d). that he shall obtain prior permission of the Court while desiring to draw any money from the aforesaid account of the minor during his minority.
- e). that he shall pay the penalty of Rs. 1,00,000/- (Rupees One Lac) only to the Court in case of default of any of the terms of the Bond.



Let an endorsement to the effect that approval is given for disposing the property of the minor be made on the Deed of Gift.

The original Deed of Gift be returned to the petitioner.

Let a copy of the order be given free of cost to the petr.

Dictd. & Corrd.
by me ::

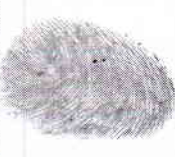




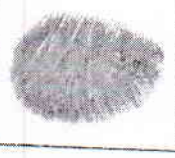

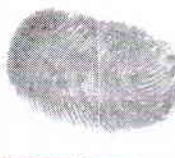
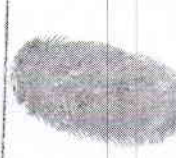

[Signature]
District Judge,
Darjeeling.

DISTRICT JUDGE
DARJEELING

[Signature]
(Uday Kumar)
District Judge,
Darjeeling.
03.09.2014.

DISTRICT JUDGE
DARJEELING

IMPRESSION SHEET











IMPRESSION OF THE DONOR					
	THUMB	FORE FINGER	MIDDLE FINGER	RING FINGER	LITTLE FINGER
Left Hand					
Right Hand					



Surat Berman
 Surat Berman

Surat Berman

SIGNATURE

IMPRESSION OF THE DONEE					
	THUMB	FORE FINGER	MIDDLE FINGER	RING FINGER	LITTLE FINGER
Left Hand					
Right Hand					



ਅਰਜੀ ਰਾਠੀ
 ਅਰਜੀ ਰਾਠੀ

ਅਰਜੀ ਰਾਠੀ

SIGNATURE



ELECTION COMMISSION OF INDIA

ভারতের নির্বাচন কমিশন

IDENTITY CARD

WB/04/025/0327491

পরিচয় পত্র

Duplicate

প্রতিরূপ



Elector's Name Surat Barman

নির্বাচকের নাম সুরত বর্মান

Father's Name Birendranath Barman

পিতার নাম বীরেন্দ্রনাথ বর্মান

Sex M

লিঙ্গ পুং

Age as on 1.1.2006 33

১.১.২০০৬ এ বয়স ৩৩

Address:

Pathar Kaloni Patharghata Matigada Darjeeling 734428

ঠিকানা:

পাথর কালোনি পাথরঘাটা মাটিগাড়া দার্জিলিং ৭৩৪৪২৮

Facsimile Signature
Electoral Registration Officer
নির্বাচক নিবন্ধন আধিকারিক


Assembly Constituency: 25-Siliguri

বিধানসভা নির্বাচন ক্ষেত্র: ২৫-শিলিগুড়ি

District: Darjeeling জেলা: দার্জিলিং



Date: 24.01.2006 তারিখ: ২৪.০১.২০০৬

189/6777


ELECTION COMMISSION OF INDIA
ভারতের নির্বাচন কমিশন

IDENTITY CARD GLQ3228913

পরিচয় পত্র



Elector's Name **Atoshi Barman**

নির্বাচকের নাম **অতোশী বর্মন**

Husband's Name **Surat Barman**


স্বামীর নাম **সুরৎ বর্মন**

Sex **F**
লিঙ্গ **স্ত্রী**

Age as on 1.1.2003 **20**
১.১.২০০৩-এ বয়স **২০**

Address:
Pathar Colonie Patharghata Matigara Darjeeling 734428

ঠিকানা :
পথর কলোনি পাথরঘাটা মটিগারা দার্জিলিং ৭৩৪৪২৮



Facsimile Signature
Electoral Registration Officer
নির্বাচক নিবন্ধন অধিকারিক

Assembly Constituency: **25-Siliguri**
বিধানসভা নির্বাচন কেন্দ্র : **২৫-শিলিগুড়ি**

District: **Darjeeling** জেলা: দার্জিলিং

Date: **04.05.2003** তারিখ: ০৪.০৫.২০০৩

1129998



Government Of West Bengal
Office Of the A.D.S.R. BAGDOGRA
District:-Darjeeling

Endorsement For Deed Number : I - 09762 of 2014
(Serial No. 10356 of 2014 and Query No. 0403L000024072 of 2014)

On 10/11/2014

Presentation(Under Section 52 & Rule 22A(3) 46(1),W.B. Registration Rules,1962)

Presented for registration at 17.40 hrs on :10/11/2014, at the Private residence by Surat Barman ,Executant.

Executed by guardian

Execution is admitted by

1. Surat Barman, son of Sri Birendra Nath Barman , Ghokla Jote , Barogharia , Matigara, Thana:-Matigara, P.O. :-Matigara, District:-Darjeeling, WEST BENGAL, India By Caste Hindu By Profession: Business,as the guardian of minor Hardeep Barman

Identified By Moheshwar Chandra Sarkar, son of Sri Chandra Mohan Sarkar, Ram Krishna Para , Matigara, Thana:-Matigara, P.O. :-Matigara, District:-Darjeeling, WEST BENGAL, India, By Caste: Hindu, By Profession: Business.

(Kaushik Ray)
A.D.S.R. Siliguri-II at Bagdogra

On 18/11/2014

Certificate of Market Value(WB PUVI rules of 2001)

Certified that the market value of this property which is the subject matter of the deed has been assessed at Rs.-78,80,598/-

Certified that the required stamp duty of this document is Rs.- 39403 /- and the Stamp duty paid as: Impresive Rs.- 5000/-

(Kaushik Ray)
A.D.S.R. Siliguri-II at Bagdogra

On 24/11/2014

Deficit stamp duty

Deficit stamp duty Rs. 34410/- is paid , by the draft number 574855, Draft Date 10/11/2014, Bank : State Bank of India, I A F CAMP BAGDOGRA, received on 24/11/2014

(Kaushik Ray)
A.D.S.R. Siliguri-II at Bagdogra

On 26/11/2014

Certificate of Admissibility(Rule 43,W.B. Registration Rules 1962)

(Kaushik Ray)

A.D.S.R. Siliguri-II at Bagdogra



Government Of West Bengal
Office Of the A.D.S.R. BAGDOGRA
District:-Darjeeling

Endorsement For Deed Number : I - 09762 of 2014
(Serial No. 10356 of 2014 and Query No. 0403L000024072 of 2014)

Admissible under rule 21 of West Bengal Registration Rule, 1962 duly stamped under schedule 1A, Article number : 33(i) of Indian Stamp Act 1899. also under section 5 of West Bengal Land Reforms Act, 1955; Court fee stamp paid Rs.10/-

Payment of Fees:

Amount By Cash

Rs. 86680.00/-, on 26/11/2014

(Under Article : A(1) = 86680/- on 26/11/2014)

(Kaushik Ray)
A.D.S.R. Siliguri-II at Bagdogra

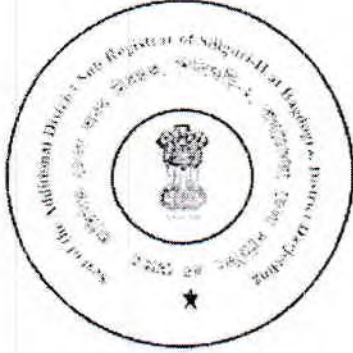

(Kaushik Ray)

A.D.S.R. Siliguri-II at Bagdogra

EndorsementPage 2 of 2

Certificate of Registration under section 60 and Rule 69.

Registered in Book - I
CD Volume number 34
Page from 2191 to 2207
being No 09762 for the year 2014.



Ray

(Kaushik Ray) 15-December-2014
A.D.S.R. Siliguri-II at Bagdogra
Office of the A.D.S.R. BAGDOGRA
West Bengal

Star Construction

Beison

Partner