

Ref: DD/TR/01/05/23

Date: 02.05.2023

TO WHOM IT MAY CONCERN

(PART I): DESCRIPTION OF THE PROPERTY

All that piece or parcel of altogether land measuring **0.2418 Acre** being part of R.S. Plot No.220, corresponding to L.R. Plot No. 17 (area measuring 0.13 Acre) & 21 (area measuring 0.1118 Acre), within Mouza Dabgram, Pargana Baikunthapur, recorded in R.S. Khatian No 375 Corresponding to L.R. Khatian Nos. 496, 497, 498, 499, 500,507 & 508, in Sheet No. 12 (R.S.); 63(L.R.), J.L. No.02, Touzi No.91, within Ward No. XL of Siliguri Municipal Corporation, under the jurisdiction of P.S. Bhaktinagar, Dist. Jalpaiguri.

(PART-II): List of Documents Submitted Before Me For Scrutiny and Legal Opinion:

1. Photocopy of Deed of Conveyance being document No.I-5767 for the year 1977 registered at the office of the Addl. Dist. Sub-Registrar, Jalpaiguri dated 08.07.1977;
2. Photocopy of Deed of Conveyance being document No.I-8247 for the year 1978 registered at the office of the Dist. Sub-Registrar, Jalpaiguri dated 20.10.1978;
3. Photocopy of Deed of Conveyance being document No.I-4985 for the year 2010 executed on 09.01.2007 and finally registered on 05.10.2010 at the office of the Addl. Dist. Sub-Registrar, Rajganj, Dist. Jalpaiguri;
4. Photocopy of Deed of Gift being document no. I- 1415 for the year 2018 registered at the office of the District Sub-Registrar- Jalpaiguri;
5. Photocopy of Deed of Conveyance being document no. I- 10945 for the year 1975 registered at the office of the District Sub-Registrar, Jalpaiguri;
6. Photocopy of Deed of Partition being document no.I-5458 for the year 2006 registered at the office of the D.S.R. Jalpaiguri being document No.I-5458 for the year 2006;
7. Photocopy of Deed of Conveyance being document no. I- 1234 for the year 2022 registered at the office of the A.D.S.R. Bhaktinagar, Dist. Jalpaiguri;
8. Photo Copy of Death certificate of Bakul Bhowmick
9. Photo copy of Death certificate of Tapan Bhowmick
10. Photo copy of Legal Heir Affidavit Dated 09.09.2021 affirmed by Sri Joyraj Bhowmick before the Ld. Executive Magistrate, Siliguri;
11. Photo copy of L.R. Khatian Nos. 496, 497, 498, 499, 500, 507 & 508;



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12. Photo copy of receipt of Mutation Case No. WR/2023/0701/106 which is pending as on this date for disposal by the concerned authority in the name of legal heirs of Late Tapan Bhowmick in respect L.R. Khatian No.498;
13. Photo copy of receipt of Mutation Case No.MN/2023/0701/9216 which is pending as on this date for disposal by the concerned authority in the name of Darjeeling Real Estate Agents & Developers in respect of L.R. Khatian No.507;
14. Photo Copy of Affidavit dated 08.10.2020 before the Ld. Executive Magistrate, Siliguri for amalgamation of the land;
15. Photo copy of Deed of Development Agreement being document no. I- 01688 for the year 2020 and I- 03406 for the year 2020 both registered at the office of the A.D.S.R. Bhaktinagar, Dist. Jalpaiguri;
16. Photo copy of Deed of Development G.P. being document no. I-01694 for the year 2020 and I-03408 for the year 2020, registered at the office of the A.D.S.R. Bhaktinagar, Dist. Jalpaiguri;
17. Photo copy of Khajna Receipt 7 nos.;
18. Photo Copy of Holding Tax Receipt 3 nos.;
19. Photo copy of Partnership Deed of M/S Darjeeling Real Estate Agents & Developers;
20. Photo copy of Fire Safety Recommendation letter issued by the Deputy Director, West Bengal Fire and Emergency Services, S.F. Road, Siliguri vide Memo No. FSR/0125186217900017, dated 26.01.2021;
21. Photo copy of the Project vide approved plan, bearing Plan No. SWS-OBPAS/0104/2022/1515 dated 24.11.2022 issued by the Siliguri Municipal Corporation for Ground + Six Storied residential cum commercial building;

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

(I) WHEREAS one Smt. Bakul Bhowmick, wife of Tapan Bhowmick, of Hakim Para Siliguri became the absolute owner in khas possession of all that **0.10 Acre** of land within Mouza Dabgram, Pargana Baikunthapur, recorded in R.S. Khatian No.375 being part of Plot Nos.338/710, 338, 649, 242, 245, 251, 286, 287, 322, 174, **220**, 330, 646, 580, 582/1020, 687, 331/701, 338/771, 233, in Sheet No.12, under P.S. Rajganj (now Bhaktinagar), Dist. Jalpaiguri, by virtue of purchase from Sri Phanindra Nath Talukdar & Sri Amallesh Chandra Talukdar, both are sons of Late Harendra Kumar Talukdar, i.e. the erstwhile owner in possession of the land, through a registered Deed of Conveyance being Document No.I-5767 for the year 1977 registered at the office of the Addl. Dist. Sub-Registrar, Jalpaiguri dated 08.07.1977.



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AND WHEREAS thereafter the above named Smt. Bakul Bhowmick further purchased all that about **0.03 Acre** of land adjacent to her above purchased land within Mouza Dabgram, Pargana Baikunthapur, recorded in R.S. Khatian No.375 being part of Plot Nos.338/710, 338, 649, 242, 245, 251, 286, 287, 322, 174, **220**, 330, 646, 580, 582/1020, 687, 331/701, 338/771, 233, in Sheet No.12, under P.S. Rajganj (now Bhaktinagar), Dist. Jalpaiguri from said Sri Phanindra Nath Talukdar & Sri Amalesh Chandra Talukdar through a registered Deed of Conveyance being document No.I-8247 for the year 1978 registered at the office of the Dist. Sub-Registrar, Jalpaiguri dated 20.10.1978.

AND WHEREAS by virtue of aforesaid two registered Deeds the above named Smt. Bakul Bhowmick became the absolute owner in possession of all that 0.13 Acre of land within Mouza Dabgram, under P.S. Rajganj (now Bhaktinagar), District Jalpaiguri with permanent, heritable and transferable right, title and interest therein free from all encumbrances and charges whatsoever. It is mentioned here that thereafter said Smt. Bakul Bhowmick being such absolute owner of the aforesaid land had sold and transferred all that **0.0645 Acre** of land out of her aforesaid land measuring **0.13 Acre** unto and in favour of **Smt. Shyama Devi Agarwal**, Wife of Bhimraj Agarwal, of Punjabi para, Siliguri through a registered Deed of Conveyance being document No.I-4985 for the year 2010 executed on 09.01.2007 and finally registered on 05.10.2010 at the office of the Addl. Dist. Sub-Registrar, Rajganj, Dist. Jalpaiguri and thereafter the above named Smt. Bakul Bhowmick remained in actual khas possession of her remaining **0.0655 Acre** of land out of her above purchased land.

AND WHEREAS subsequently the above named Bakul Bhowmick died intestate on 01.04.2015 leaving behind her husband Tapan Kumar Bhowmick, and two sons & one daughter namely **Sri Debraj Bhowmick, Sri Joyraj Bhowmick, and Smt Debjani Sen (Bhowmick)**, as her sole legal heirs and successors and thereafter on 07.08.2019 her said husband Tapan Kumar Bhowmick also died intestate. And after demise of said Bakul Bhowmick her above named legal heirs jointly and equally inherited the afore said landed property measuring 0.0655 Acre as per the provisions of the Hindu Succession Act, 1956 and accordingly the above named legal heirs and successors of said Late Bakul Bhowmick became the absolute co-owners of the said property having with permanent, heritable and transferable right, title and interest therein free from all encumbrances and charges whatsoever and moreover during the L.R. survey settlement the said land has been recorded in L.R. Khatian Nos. 496, 497 & 499 in the respective names of Sri Debraj Bhowmick, Sri Joyraj Bhowmick, and Smt Debjani Sen. (Bhowmick), and also in L.R. Khatian No.498 in the name of their father namely Tapan Bhowmick and at present Sri Debraj Bhowmick, Sri Joyraj Bhowmick, and Smt Debjani Sen. (Bhowmick), have jointly filed application for Mutation before the B.L. & L.R.O. Rajganj in respect of the land as recorded in L.R. Khatian No.498 vide Mutation Case No. WR / 2023 / 0701 /106 which is pending as on this date for disposal by the said authority.



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(II) WHEREAS it is already mentioned herein above that Smt. Shyama Devi Agarwal has acquired all that **0.0645 Acre** of land within Mouza Dabgram, Pargana Baikunthapur, recorded in R.S. Khatian No.375 being part of Plot No. **220**, in Sheet No.12, under P.S. Rajganj (now Bhaktinagar), Dist. Jalpaiguri, by virtue of purchase from said Smt. Bakul Bhowmick (since deceased) through aforesaid registered Deed of Conveyance being document no. I-4985 for the year 2010 executed on 09.01.2007 and finally registered on 05.10.2010 at the office of the Addl. Dist. Sub-Registrar, Rajganj, Dist. Jalpaiguri.

AND WHEREAS said Smt. Shyama Devi Agarwal, has further acquired the absolute ownership of all that adjacent land measuring **0.0293** Acre in R.S. Plot No.220, corresponding to L.R Plot No 21, within Mouza Dabgram, R.S Sheet No. 12, corresponding to L.R. Sheet no 63, Pargana Baikunthapur, J.L. No.02, Touzi No.91, under P.S. Bhaktinagar, Dist. Jalpaiguri, by virtue of a Deed of Gift being document no. I- 1415 for the year 2018 registered at the office of the District Sub-Registrar- Jalpaiguri. And in the aforesaid manner said **Smt. Shyama Devi Agarwal** has become the absolute owner in possession of all that altogether 0.0645 Acre + 0.0293 Acre = **0.0938 Acre** of land and subsequently she has also duly mutated and recorded her name at the concerned B.L.&R.O. office and accordingly L.R. Khatian Nos. 500 & 508 have been opened in the name of Smt. Shyama Devi Agarwal hereof by the said authority.

(III) WHEREAS one Kumari Maya Pradhani, Wife of Sri Ram Bahadur Pradhan, of Dabgram, Haider Para, under the then P.S. Rajganj, Dist. Jalpaiguri, became the sole and absolute owner in khas, actual and physical possession of all that 0.165 Acre of land comprising Plot No.**220**, in Sheet No.12 recorded in R.S. Khatian No.375, within Mouza Dabgram, Pargana Baikunthapur, P.S. Bhaktinagar, Dist. Jalpaiguri, by virtue of purchase for valuable consideration from the erstwhile owner in possession of the said land one Sri Hari Prasad Sharma, Son of Chhabilal Sharma through a registered Deed of Conveyance being document No. I- 10945 for the year 1975 registered at the office of the District Sub-Registrar, Jalpaiguri.

AND WHEREAS thereafter the above named Kumari Maya Pradhani died intestate leaving behind her husband Sri Ram Bahadur Pradhan and only son named Sri Bishnu Kumar Pradhan, Son of Ram Bahadur Pradhan as her sole legal heirs and successors and as per the provisions of Hindu Succession Act, 1956 after demise of said Kumari Maya Pradhani, her above named legal heirs have jointly inherited the said 0.165 Acre of land in equal share having with permanent, heritable and transferable right, title and interest therein free from all encumbrances and charges whatsoever.

AND WHEREAS thereafter the above named Sri Ram Bahadur Pradhan and Sri Bishnu Kumar Pradhan amicably and mutually partitioned their above mentioned 0.165 Acre of land on 11.12.2006 by executing a Deed of Partition among themselves which was



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registered at the office of the D.S.R. Jalpaiguri being document No.I-5458 for the year 2006 and in the said deed of partition both the above named Sri Ram Bahadur Pradhan and **Sri Bishnu Kumar Pradhan** were allotted 0.0825 Acre of land each and the land measuring **0.0825 Acre** allotted to said Sri Bishnu Kumar Pradhan and said Sri Bishnu Kumar Pradhan by virtue of said registered deed of partition had acquired permanent, heritable and transferable right, title and interest along with khas possession therein free from all encumbrances and charges whatsoever. And subsequently said Sri Bishnu Kumar Pradhan had also duly mutated and recorded his name at the concerned B.L. & R.O. office and accordingly L.R. Khatian No.507 has been opened in his name by the said authority.

AND WHEREAS thereafter the above named Sri Bishnu Kumar Pradhan on 28.01.2022 sold and transferred his entire aforesaid land measuring 0.0825 Acre unto and in favour of **M/S. DARJEELING REAL ESTATE AGENTS & DEVELOPERS** through a Deed of Conveyance being document No. I- 1234 for the year 2022 registered at the office of the A.D.S.R. Bhaktinagar, Dist. Jalpaiguri. And by virtue of aforesaid purchase the Vendor No.5 hereof has become the absolute owner in possession of the said land measuring **0.0825 Acre** together with permanent, heritable and transferable right, title and interest therein free from all encumbrances and charges whatsoever. And after purchasing the said 0.0825 Acre of land the above named M/S. DARJEELING REAL ESTATE AGENTS & DEVELOPERS has already filed application for Mutation before the B.L. & L.R.O. Rajganj in respect of its above purchased land vide Mutation Case No. MN /2023/0701/9216 which is pending as on this date for disposal by the said authority.

AND WHEREAS in the aforesaid manner the above named **Sri Debraj Bhowmick, Sri Joyraj Bhowmick, Smt Debjani Sen (Bhowmick), Smt. Shyama Devi Agarwal and M/S. Darjeeling Real Estate Agents & Developers** have become the absolute co-owners in respect of all that piece or parcel of altogether land measuring 0.2418 Acre being part of R.S. Plot No.220, corresponding to L.R. Plot No. 17 (area measuring 0.13 Acre) & 21 (area measuring 0.1118 Acre), within Mouza Dabgram, Pargana Baikunthapur, recorded in L.R. Khatian Nos. 496, 497, 498, 499, 500,507 & 508, J.L. No.02, Touzi No.91, within Ward No. XL of Siliguri Municipal Corporation, under the jurisdiction of P.S Bhaktinagar, Dist. Jalpaiguri.

AND WHEREAS the above mentioned altogether land measuring 0.2418 Acre of said Sri Debraj Bhowmick, Sri Joyraj Bhowmick, Smt Debjani Sen. (Bhowmick), Smt. Shyama Devi Agarwal and M/S. Darjeeling Real Estate Agents & Developers are located adjacent to each other and they share common boundary and for better utilizing of the said landed property on 26.09.2020 the above named Sri Debraj Bhowmick, Sri Joyraj Bhowmick, Smt Debjani Sen. (Bhowmick), Smt. Shyama Devi Agarwal and also aforesaid Sri Bishnu



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Kumar Pradhan had jointly mutually agreed to amalgamate their respective plots of land and consequently all of them jointly executed an Affidavit before signed, the Ld. Executive Magistrate, at Siliguri on 08.10.2020 whereby they amalgamated the said entire land and also made it a single piece or parcel of land.

AND WHEREAS thereafter said Sri Debraj Bhowmick, Sri Joyraj Bhowmick, Smt Debjani Sen (Bhowmick), and Smt. Shyama Devi Agarwal with intent to raise a multistoried Residential cum Commercial complex i.e. ground + six storied building upon their above mentioned amalgamated land have executed two separate Deed of Development in respect of their respective share in the said entire amalgamated land in favour of a Promoter/Developer namely M/S. DARJEELING REAL ESTATE AGENTS & DEVELOPERS (i.e. one of the co-sharer of the above mentioned entire amalgamated land) being document No. I- 01688 for the year 2020 and I- 03406 for the year 2020 both registered at the office of the A.D.S.R. Bhaktinagar, Dist. Jalpaiguri. And thereafter in furtherance of the said two agreements the said Sri Debraj Bhowmick, Sri Joyraj Bhowmick, Smt Debjani Sen (Bhowmick), and Smt. Shyama Devi Agarwal have also executed two separate General Power of Attorney in favour of said Promoter/Developer document No. I-01694 for the year 2020 and I-03408 for the year 2020, registered at the office of the A.D.S.R. Bhaktinagar, Dist. Jalpaiguri and thereafter said M/S Darjeeling Real Estate Agents & Developers has already obtained Building Plan for Proposed Ground + Six Storied Residential cum commercial building duly approved by Siliguri Municipal Corporation has and it has granted commencement certificate to construct the Project vide approved plan, bearing Plan No. SWS-OBPAS/0104/2022/1515 dated 24.11.2022 and the said Promoter/Developer has started the development and construction work upon the said entire 0.2418 Acre of land as per said building Plan.

(PART IV): **EVIDENCE OF TITLE RIGHT OF THE PROPERTY**

The right, title and interest of Sri Debraj Bhowmick, Sri Joyraj Bhowmick, Smt Debjani Sen (Bhowmick), Smt. Shyama Devi Agarwal and M/S. Darjeeling Real Estate Agents & Developers & Developers over all that altogether land measuring 0.2418 Acres is evident from Deed of Conveyance being Nos. I-5767/1977, I-8247/1978, I-4985/2010, I-1415/2018, I- 1234/2022 as mentioned herein above and furthermore the above mentioned land has also been recorded in L.R. Khatian Being Nos. 496, 497, 498, 499, 500,507 & 508 as mentioned above in the respective names of the said land owners.

Note: The Validity and Geniuses of the concerned building plan should by verified by any competent engineer.



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(PARTVI): CERTIFICATE

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

SCHEDULE OF LAND

(DESCRIPTION OF THE LAND AS REFERRED TO ABOVE)

All that piece or parcel of altogether land measuring 0.2418 Acre being part of R.S. Plot No.220, corresponding to L. R. Plot No. 17 (area measuring 0.13 Acre) & 21 (area measuring 0.1118 Acre), within Mouza Dabgram, Pargana Baikunthapur, recorded in R.S. Khatian No 375 corresponding to L.R. Khatian Nos. 496, 497, 498, 499, 500,507 & 508, J.L. No.02, Touzi No.91, within Ward No. XL of Siliguri Municipal Corporation, under the jurisdiction of P.S Bhaktinagar, Dist. Jalpaiguri.

The said land is butted and bounded as follows:

NORTH : Land of Pradip Chowdhury and sold land of Dharma Paul Mittal;
SOUTH : Land of Selection Project Pvt. ltd
EAST : Land of 33' Haiderpara Main Road
WEST : Land of Shyama Devi Agarwal & Others.

Sincerely,

 02/05/23

Debdip Dutta

Advocate, Siliguri
DEBDIP DUTTA

Advocate, Siliguri