

Sayak Chakraborti
Advocate
HIGH COURT, CALCUTTA

Chamber:
42 A CENTRAL ROAD
JADAVPUR
KOLKATA – 700 032
Mobile : 9874763583
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No-Encumbrances Certificate and Detailed Report on Title

Ref:- ALL THAT piece and parcel of contiguous land admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. together with an approx. thirty year old two storied residential structure standing thereon admeasuring more or less 1350 Sq. Ft. built-up area on the ground floor and more or less 1350 Sq. Ft. built-up area on the first floor both having cemented flooring without any lift provision along with one car parking space admeasuring more or less 135 Sq. Ft. built-up area on the ground floor having cemented flooring lying and situated at part of erstwhile Premises No. 142 Prince Anwar Shah Road and now known, numbered and identified as KMC Premises No. 188/102 Prince Anwar Shah Road, Kolkata – 700045, P.S. erstwhile Tollygunge and now Jadavpur, District – erstwhile 24 Parganas and now 24 Parganas (South), Assessee No. 210930903607, within the limits of Ward No. 093 of The Kolkata Municipal Corporation (hereinafter referred to as the “Property”).

I have caused necessary searches before the District Sub-Registrar Office at Alipore and the Additional District Registrar Office at Alipore for the period from 2003 to 2022 and have inspected the Kolkata Municipal Corporation record together with the other relevant documents in respect of the aforesaid property.

My report is as follows:-



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A. TITLE

I. I have perused various title documents with respect to the Property together with other papers furnished to me by M/s Nirman, a partnership firm having its principal place of business at Premises No. 22, R.N. Mukherjee Road, P.O. G.P.O., P.S. Hare Street, Kolkata-700001, West Bengal, India (hereinafter referred to as the “Company”). The Report herein is based on the photocopy of the documents furnished to me with respect to the Property. Necessary searches were conducted in the appropriate registration offices, but physical verification of the Property was not conducted.

II. On perusal of the documents of title, I observe as follows:-

The Company is the sole and absolute owner of the Property being ALL THAT piece and parcel of contiguous land admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. together with an approx. thirty year old two storied residential structure standing thereon admeasuring more or less 1350 Sq. Ft. built-up area on the ground floor and more or less 1350 Sq. Ft. built-up area on the first floor both having cemented flooring without any lift provision along with one car parking space admeasuring more or less 135 Sq. Ft. built-up area on the ground floor having cemented flooring lying and situated at part of erstwhile Premises No. 142 Prince Anwar Shah Road and now known, numbered and identified as KMC Premises No. 188/102 Prince Anwar Shah Road, Kolkata – 700045, P.S. erstwhile Tollygunge and now Jadavpur, District – erstwhile 24 Parganas and now 24 Parganas (South), Assessee No. 210930903607, within the limits of Ward No. 093 of The Kolkata Municipal Corporation.



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Devolution of Title:-

1. One Mugneerum Bangur and Company, a registered co-partnership firm having its principal place of business at 7, Lyons Range, Calcutta, dealing in purchase and sale of lands, etc. by operation of a registered Kobala dated 23rd December 1938 purchased from one Gurupada Haldar and Sukumari Debi of Haldarpara Lane, Kalighat, Calcutta pieces and parcels of land admeasuring more or less 4.22 acres being C.S. Plot Numbers 300 and 301, Mouza – Arakpore, J.L. No. 39, being part of 142 Prince Anwar Shah Road within the limits of Tollygunge Municipality, P.S. Tollygunge, District – 24 Parganas which was registered at and before the Office of The District Sub-Registrar at Alipore and was duly recorded in Book No. I, Volume No. 119, Pages 87 to 97, Being No. 5194 for the year 1938.
2. The said Mugneerum Bangur and Company also by operation of a Deed of Mourashi Mokalari Patta dated 10th April 1940 took from one Sachindranath Kole, executor to the estate of Swarnamoyee Dashi, its respective share in the land being C.S. Plot Nos. 300 and 301 as zamindar, wherein the permanent Mourashi Mokalari rights in respect of the said lands and jama were confirmed in favour of the said Mugneerum Bangur and Company and the said Deed was registered at and before the Office of the Joint Sub-Registrar at Alipore Sadar and the same was duly recorded in Book No. I, Volume No. 45, Pages 127 to 132, Being No. 1303 for the year 1940.
3. The said Mugneerum Bangur and Company also by operation of a Deed of Mourashi Mokalari Patta dated 30th July 1940 took from one Panchanan Mandal, its respective share in the land being C.S. Plot Nos. 300 and 301 as zamindar, wherein the permanent Mourashi Mokalari rights in respect of the said lands and jama were confirmed in favour of the said Mugneerum Bangur



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- and Company and the said Deed was registered at and before the **Office of the Joint Sub-Registrar at Alipore Sadar** and the same was duly recorded in **Book No. I, Volume No. 34, Pages 170 to 176, for the year 1940.**
4. The said Mugneerum Bangur and Company also by operation of a **Deed of Mourashi Mokarari Patta** dated **04th August 1940** took from one Kumud Krishna Mandal, its respective share in the land being C.S. Plot Nos. 300 and 301 as zamindar, wherein the permanent Mourashi Mokarari rights in respect of the said lands and jama were confirmed in favour of the said Mugneerum Bangur and Company and the said Deed was registered at and before the **Office of the Joint Sub-Registrar at Alipore Sadar** and the same was duly recorded in **Book No. I, Volume No. 33, Pages 132 to 138, Being No. 1851 for the year 1940.**
 5. The said Mugneerum Bangur and Company also by operation of a **Deed of Mourashi Mokarari Patta** dated **23rd August 1940** took from one Sarat Chandra Mandal, its respective share in the land being C.S. Plot Nos. 300 and 301 as zamindar, wherein the permanent Mourashi Mokarari rights in respect of the said lands and jama were confirmed in favour of the said Mugneerum Bangur and Company and the said Deed was registered at and before the **Office of the Joint Sub-Registrar at Alipore Sadar** and the same was duly recorded in **Book No. I, Volume No. 35, Pages 146 to 151, Being No. 1855 for the year 1940.**
 6. The said Mugneerum Bangur and Company also acquired some other C.S. Plots in Mouza - Arakpore which together with C.S. Plot Nos. 300 and 301 mentioned hereinabove in one complete block formed a part of Premises No. 142 Prince Anwar Shah Road, within the limits of Tollygunge Municipality, P.S. Tollygunge, District - 24 Parganas.



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7. Subsequently, the said Mugneerum Bangur and Company pursuant to a scheme divided the entire land, acquired by it through various deeds and documents, and numbered them as 1, 2, 3, 4 and so on providing roads with surface drains, electric lights, etc. for the purpose of selling such pieces and parcels of land.
8. The said Mugneerum Bangur and Company by operation of a registered **Conveyance** dated **07th January 1947** sold, transferred and conveyed free from all encumbrances one such plot of land from the abovementioned scheme being Plot No. 50, admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. to one G. S. Emporium Limited, a company with limited liabilities having business in export and import and having its registered office at 35 Chittaranjan Avenue, Calcutta which was registered at and before the **Office of the Joint Sub-Registrar at Alipore** and the same was duly recorded in **Book No. I, Volume No. 8, Pages 150 to 159, Being No. 130** for the year **1947**.
9. The said G. S. Emporium out of the total consideration of Rs. 10,938.30/- payable under the **Deed of Conveyance** dated **07th January 1947** paid Rs. 2738.30/- in cash and for the balance consideration amount of Rs. 8,200/- executed on the same day a **Deed of Security** creating first charge on the said property in favour of the said Mugneerum Bangur and Company which was registered at and before the **Office of the Joint Sub-Registrar at Alipore** and the same was duly recorded in **Book No. I, Volume No. 10, Pages 22 to 26, Being No. 90** for the year **1947**.
10. The said property being ALL THAT piece and parcels of contiguous land admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. being Plot No. 50 lying, situated at and identified as Premises No. 142 Prince Anwar Shah Road, within the limits of Tollygunge Municipality, P.S. Tollygunge, District - 24 Parganas was at that time under the possession of the Military Department on



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requisition and compensation for such computation as was due from the Government of India and it was also stipulated therein that the said G.S. Emporium would be entitled to receive such compensation from the Government from the date of execution of the said Deed of Conveyance dated 07th January 1947 till the date such requisition was to be in force.

11. It was necessary to obtain permission from the Collector for sale of any requisitioned land and the said Mugneerum Bangur and Company obtained the required permission from the Collector of 24 Parganas on 03rd December 1946.
12. The said G.S. Emporium by operation of a registered Conveyance dated 10th October 1947 sold, transferred and conveyed indefeasibly and absolutely the said property being ALL THAT piece and parcels of contiguous land admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. being Plot No. 50 lying and situated at Premises No. 142 Prince Anwar Shah Road, within the limits of Tollygunge Municipality, P.S. Tollygunge, District - 24 Parganas free from all encumbrances except the first charge mentioned hereinabove to one Arun Kumar Roy which was registered at and before the Office of the Joint Sub-Registrar at Alipore and the same was duly recorded in Book No. I, Volume No. 58, Pages 246 to 255, Being No. 3199 for the year 1947 and subsequently the said property was released from requisition and the absolute possession of the same was delivered by the military authorities.
13. The said Mugneerum Bangur and Company made an assignment of the Deed of Security executed in their favour by the said G. S. Emporium as mentioned hereinabove in favour of one Messrs. Amalgamated Development Limited, a joint stock company with limited liability having its registered office at No. 9 Netaji Subhas Road, Calcutta by operation of a Deed of Assignment dated 07th March 1949.



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14. The said Messrs. Amalgamated Development Limited on full discharge of the Deed of Security creating first charge on the said property released the same in favour of the said Arun Kumar Roy by operation of a **Deed of Release** dated **09th November 1951** which was registered at and before the Office of the Joint Sub-Registrar at Alipore and the same was duly recorded in **Book No. I, Volume No. 106, Pages 292 to 295, Being No. 6958** for the year **1951**.
15. The said Arun Kumar Roy by operation of the said Deed of Release secured the said property being ALL THAT piece and parcels of contiguous land admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. being Plot No. 50 lying, situated at and identified as Premises No. 142 Prince Anwar Shah Road, Kolkata - 700045, within the limits of Tollygunge Municipality, P.S. Tollygunge, District - 24 Parganas free from all encumbrances.
16. The said Arun Kumar Roy by operation of a registered **Indenture** dated **20th August 1965** sold, transferred and conveyed free from all encumbrances the said property being ALL THAT piece and parcel of contiguous land admeasuring more or less 5 Cottah 12 Chittack 5 Sq. Ft. lying and situated at erstwhile part of Premises No. 142 Prince Anwar Shah Road and now known, numbered and identified as KMC Premises No. 188/102 Prince Anwar Shah Road, within the limits of erstwhile Tollygunge Municipality and now the Kolkata Municipal Corporation, Kolkata - 700045, P.S. erstwhile Tollygunge and now Jadavpur, District - erstwhile 24 Parganas and now 24 Parganas (South) to one Amiya Bose @ Amiya Kumar Bose which was registered at and before the **Office of the Sub-Registrar at Alipore** and the same was duly recorded in **Book No. I, Volume No. 110, Pages 209 to 222, Being No. 6918** for the year **1965**.
17. The said Amiya Bose @ Amiya Kumar Bose by operation of a registered **Deed of Conveyance** dated **10th January 1968** sold, transferred and conveyed free from all encumbrances the said



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property being ALL THAT piece and parcel of contiguous land admeasuring more or less 5 Cottahs 12 Chittaks 5 Sq. Ft. lying and situated at erstwhile part of Premises No. 142 Prince Anwar Shah Road and now known, numbered and identified as KMC Premises No. 188/102 Prince Anwar Shah Road, within the limits of erstwhile Tollygunge Municipality and now the Kolkata Municipal Corporation, Kolkata - 700045, P.S. erstwhile Tollygunge and now Jadavpur, District - erstwhile 24 Parganas and now 24 Parganas (South) to State Bank of India Senior Supervising Staff Co-Operative Housing Society Limited which was registered at and before the Office of The Registrar of Assurances at Calcutta and the same was duly recorded in Book No. I, Volume No. 28, Pages 269 to 275, Being No. 17 for the year 1968.

18. The said Amiya Bose @ Amiya Kumar Bose in connection with the registered Deed of Conveyance dated 10th January 1968 executed a Deed of Indemnity dated 10th January 1968 in favour of the said State Bank of India Senior Supervising Staff Co-Operative Housing Society Limited which was registered at and before the Office of The Registrar of Assurances at Calcutta and the same was duly recorded in Book No. I, Volume No. 13, Pages 351 to 356, Being No. 108 for the year 1968.

19. The said State Bank of India Senior Supervising Staff Co-Operative Housing Society Limited by operation of a registered Indenture dated 23rd May 1986 sold, transferred and conveyed free from all encumbrances the Said Property being ALL THAT piece and parcel of contiguous land admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. lying and situated at erstwhile part of Premises No. 142 Prince Anwar Shah Road and now known, numbered and identified as KMC Premises No. 188/102 Prince Anwar Shah Road, within the limits of erstwhile Tollygunge Municipality and now the Kolkata Municipal Corporation, Kolkata - 700045, P.S. erstwhile



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Tollygunge and now Jadavpur, District – erstwhile 24 Parganas and now 24 Parganas (South) to one Snehakana Bose which was registered at and before the Office of The Registrar of Assurances at Calcutta and the same was duly recorded in **Book No. I, Volume No. 163, Pages 463 to 475, Being No. 7388** for the year 1986.

20. The said Snehakana Bose by operation of the said registered Indenture dated 23rd May 1986 became the sole and absolute owner of the said property being ALL THAT piece and parcel of contiguous land admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. together with a two storied residential structure standing thereon admeasuring more or less 1350 Sq. Ft. built-up area on the ground floor and more or less 1350 Sq. Ft. built-up area on the first floor having cemented flooring along with one car parking space admeasuring more or less 135 Sq. Ft. built-up area on the ground floor having cemented flooring, constructed in accordance with the **Building Sanction No. 120(T) dated 03.07.1980** duly sanctioned by The Corporation of Calcutta, lying and situated at and identified as KMC Premises No. 188/102 Prince Anwar Shah Road, Kolkata – 700045, within the limits of erstwhile Tollygunge Municipality and now the Kolkata Municipal Corporation, P.S. erstwhile Tollygunge and now Jadavpur, District – erstwhile 24 Parganas and now 24 Parganas (South) and mutated her name in the records of The Kolkata Municipal Corporation and obtained Mutation Certificate in her name and started paying tax vide Assessee No. 210930903607.
21. The said Snehakana Bose died intestate on 22.04.2021, as is evident from the **Death Certificate being No. 160643** issued by **The Government of West Bengal**, leaving behind her only son Mr. Amit Bose as her only legal heir and successor, as her husband Amiya Bose @ Amiya Kumar Bose pre-deceased her and died intestate on 28.05.1984 as is evident from the **Death Certificate**



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being No. 18911 issued by The Corporation of Calcutta, who inherited the said property being ALL THAT piece and parcel of contiguous land admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. together with a two storied residential structure standing thereon admeasuring more or less 1350 Sq. Ft. built-up area on the ground floor and more or less 1350 Sq. Ft. built-up area on the first floor having cemented flooring along with one car parking space admeasuring more or less 135 Sq. Ft. built-up area on the ground floor having cemented flooring lying, situated at and identified as KMC Premises No. 188/102 Prince Anwar Shah Road, Kolkata - 700045, within the limits of erstwhile Tollygunge Municipality and now the Kolkata Municipal Corporation, P.S. erstwhile Tollygunge and now Jadavpur, District - erstwhile 24 Parganas and now 24 Parganas (South) as per the provisions of The Hindu Succession Act, 1956. The said inheritance is duly evident from the Affidavit being No. 675 dated 06.06.2022 duly affirmed by the Learned Metropolitan Magistrate, Calcutta, In Charge of the Affidavit Section wherein the said Mr. Amit Bose has sworn to the same.

22. By operation of the said inheritance, the said Amit Bose became the sole and absolute owner of the Said Property being ALL THAT piece and parcel of contiguous land admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. together with a two storied residential structure standing thereon admeasuring more or less 1350 Sq. Ft. built-up area on the ground floor and more or less 1350 Sq. Ft. built-up area on the first floor having cemented flooring along with one car parking space admeasuring more or less 135 Sq. Ft. built-up area on the ground floor having cemented flooring lying, situated at and identified as KMC Premises No. 188/102 Prince Anwar Shah Road, Kolkata - 700045, P.S. erstwhile Tollygunge and now Jadavpur, District - erstwhile 24 Parganas and now 24 Parganas (South), Assessee No. 210930903607, within the limits of Ward



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No. 093 of The Kolkata Municipal Corporation and mutated his name in the records of The Kolkata Municipal Corporation and obtained Mutation Certificate being No. TTD0066860 dated 03.08.2022 in his name.

23. The said Amit Bose by operation of a registered Deed of Conveyance dated 12th day of August 2022, sold, transferred and conveyed free from all encumbrances the said property being ALL THAT piece and parcel of contiguous bastu land admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. together with a two storied residential structure standing thereon without lift facility admeasuring more or less 1350 Sq. Ft. built-up area on the ground floor and more or less 1350 Sq. Ft. built-up area on the first floor having cemented flooring along with one car parking space admeasuring more or less 135 Sq. Ft. built-up area on the ground floor having cemented flooring lying, situated at and identified as KMC Premises No. 188/102 Prince Anwar Shah Road, Kolkata - 700045, P.S. erstwhile Tollygunge and now Jadavpur, District - erstwhile 24 Parganas and now 24 Parganas (South), Assessee No. 210930903607, within the limits of Ward No. 093 of The Kolkata Municipal Corporation to one M/s Nirman which was registered at and before the Office of The Additional District Sub-Registrar at Alipore and the same was duly recorded in Book No. I, Volume No. 1605-2022, Pages from 64021 to 64056, Being No. 160501806 for the year 2022.

24. The said M/s Nirman by operation of the said registered Deed of Conveyance dated 12th day of August 2022 became the sole and absolute owner of the said property being ALL THAT piece and parcel of contiguous bastu land admeasuring more or less 5 Cottah 12 Chittak 5 Sq. Ft. together with a two storied residential structure standing thereon without lift facility admeasuring more or less 1350 Sq. Ft. built-up area on the ground floor and more or less 1350



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Sq. Ft. built-up area on the first floor having cemented flooring along with one car parking space admeasuring more or less 135 Sq. Ft. built-up area on the ground floor having cemented flooring lying, situated at and identified as KMC Premises No. 188/102 Prince Anwar Shah Road, Kolkata - 700045, P.S. erstwhile Tollygunge and now Jadavpur, District - erstwhile 24 Parganas and now 24 Parganas (South), Assessee No. 210930903607, within the limits of Ward No. 093 of The Kolkata Municipal Corporation and mutated its name in the records of The Kolkata Municipal Corporation and obtained Mutation Certificate being No. TTD 0066172 dated 12/09/2022 in its name.

B. MAP

The Company has furnished me with a copy of the site-cum-lay out plan of the Property.

C. MISCELLANEOUS

- (i) I assume that the photocopies of various documents, provided to me by the Company, referred to in this report are genuine and authentic.
- (ii) I have also assumed the existence, capacity, power and authority of each of the parties to enter and perform their respective obligations under the Title Documents referred to above.
- (iii) I also assume that no such facts or circumstances are in existence nor any such events have occurred which have rendered the Title Documents void or voidable or capable of rescission for any fraud or misrepresentation on the part of any of the party.
- (iv) This prima facie report has been prepared at the request of the Company and is not meant to be referred to and relied upon by any other person and is not for public distribution. This Report is confidential to the addressee and is not to be the subject of communication or reproduction, wholly or in part. My maximum aggregate liability to the Company arising from,



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or in relation to this appointment/report (in contract, tort, negligence or otherwise howsoever) arising shall not in any circumstances exceed the total professional fee paid to me for this specific mandate.

- (v) To the extent possible, I have relied upon the documents provided to me where such documents were not available for review, I have relied upon the veracity of information, confirmations and statements made to me by the representatives of the Company.
- (vi) I assume that all signatures, dates, stamps, seals and other markings on all the documents are authentic.
- (vii) I assume that the documents provided to me in connection with the Property are the only documents available with the Company.
- (viii) I assume that all documents made available to me have not been superseded by any other document(s) not made available to me for whatever reason.
- (ix) For the purpose of this Report, I have been provided to inspect and/ or verify some photocopies referred herein, I have also not examined the value or conducted physical verification of the Property as the valuation and physical verification of the Property is not part of my scope of work.
- (x) This report is addressed to and is solely for the benefit and use of the Company and should be read as a whole but not in bits and pieces and no other person shall rely on this report or any part thereof. I shall not be liable in any manner if a third party relies on this Report.
- (xi) I have not expressed any opinion as to matters governed by any law other than the laws of India. This report is based on the applicable laws and regulations of India, as such laws stand at the date hereof.



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- (xii) I shall not be responsible, or in any way held be liable, in the event of any loss and/or damage suffered by any person on account of any statement in this Report made relying on the documents furnished to me, information and confirmation given.
- (xiii) The legal due diligence has been restricted and kept limited to and is based entirely on the documents made available to me and some information and confirmation provided to me during my discussions with the Company's representatives and did not encompass verification or cross checking of the documents and information provided by the Company by visiting and meeting any governmental, regulatory or other authorities, agency or the concerned party and seeking/seeing their records and obtaining their confirmation. My findings, therefore, must be viewed in this light and with this limitation.
- (xiv) I also hereby certify that the above mentioned land is not subject to any restriction of Urban Land (Ceiling and Regulation) Act, 1976 and the same is not under claim of the CMDA and the CIT and any other authority and is fit for equitable mortgage.

Dated this 23rd day of February, 2023



Adv. Sayak Chakraborti
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