



*Soma Paul*

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Date: 25/10/2024

## TO WHOM IT MAY CONCERN

Search herein is made in respect of the land of SMT MUKTI KUNDU, daughter Late AJIT KUMAR KUNDU, Hindu by religion, resident of 3, Sayed Mustafa Ali Road, Hakimpara, P.O.& P.S. Siliguri, Pin 734001, Dist. Darjeeling, in the State of West Bengal, to ascertain as to whether any transfer is made in respect to the land measuring 0.077 Acre, situated within Mouza SILIGURI now Siliguri Purba, Pargana Baikunthapur, P.S. Siliguri, District Darjeeling appertaining to Plot no. 10264(R.S.) 1669 ( L.R), Khatian No. 4992(R.S.) 1301 (L.R), J.L. no. 110(88) now 92, which is more specifically described in the schedule hereinunder.

On perusal of the available documents produced before me, prima-facie, it transpires to me as follows :-

### 1) DESCRIPTION OF LAND :-

ALL THAT PIECE OR PARCEL of vacant land measuring 0.077 Acre, of an annual rent payable to the Govt. of West Bengal now represented by the B.L. & L.R.O. Siliguri, recorded in Khatian No. 4992 (R.S.) 1301 (L.R), included in appertaining to Plot no. 10264 (R.S.) 1669 (L.R), situated within Mouza SILIGURI now Siliguri Purba, J.L. no. 110(88) now 92, within the limits of Siliguri Municipal Corporation Ward No. 15, within the jurisdiction of Police Station Siliguri, Addl. Dist. Registry Office & SubDivision Siliguri, District Darjeeling, in the State of West Bengal.

The total land is butted and bounded as follows:

- |              |   |   |
|--------------|---|---|
| By the North | : | 21 ft. wide SMC known as Sayed Mustafa Ali Rd,  |
| By the South | : | Land of Sri Goutam Paul and others,   |
| By the East  | : | 4 ft wide common passage and land with house of Sri Abhayapada Kanciu & Sri Ajoy Kundu, |
| By the West  | : | 16 ft 6 inch wide SMC known as Sayed Mustafa Ali Road                                   |



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(02)

02) REPORT OF DEVOLUTION OF THE TITLE :

That from the documents submitted to me and enclosed herewith it appears that One Sri Shrish Chandra Kundu (Now Deceased), Son of Late Ram Charan Kundu, took Lease of all that piece or parcel of Homestead land measuring 10 Kathas, in Jote Gajal Singh, under the then Mouza Dabgram, P.S. Siliguri, Dist. Darjeeling, from Sri Harendra Nath Singha, Son of Late Shukh Mohan Singha, resident of Dabgram, P.S. Rajganj, Dist. Jalpaiguri, at an Yearly Rental basis, by virtue of a Deed of Lease being No. 856 for the year 1948, executed on 10.03.1948 and registered in the office of the then SubRegistrar, Siliguri.

Thereafter abovenamed Shrish Chandra Kundu, died intestate leaving the following persons, as his only legal heirs to inherit his said land, in accordance with the provisions of the Hindu succession act. 1956 :

- |                              |     |
|------------------------------|-----|
| (1) Sai Ajit Kumar Kundu     | Son |
| (2) Sri Indrajit Kumar Kundu | Son |
| (3) Sri Ranjit Kumar Kundu   | Son |

Thereafter as per provisions of the West Bengal Estates Acquisition Act, 1953, the said Homestead land measuring 10 Kathas was identified as R.S.Plot / Dag No. 10264, Sheet No.19, and was recorded in the name of abovenamed Sri Ajit Kumar Kundu, Sri Indrajit Kumar Kundu and Sri Ranjit Kumar Kundu in Finally Published R.S Khatian No. 4992 of Mouza Siliguri, J.L.No. 110, P.S. Siliguri, Dist. Darjeeling, and abovenamed Sri Ajit Kumar Kundu, Sri Indrajit Kumar Kundu and Sri Ranjit Kumar Kundu, became the direct tenant/raiyat under the Govt. of West Bengal and had been paying rents to the Govt. of West Bengal and constructed a residential house etc. on the said land.



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(03)

After that abovenamed (1) Sri Ajit Kumar Kundu, (2) Sri Indrajit Kumar Kundu and (3) Sri Ranjit Kumar Kundu, mutated their names in the Holding Register of the Siliguri Municipal Corporation, Siliguri & identified the said property as Holding No. 306 of Ward No. XV of the Siliguri Municipal Corporation, Siliguri.

Thereafter above named (1) Sri Ajit Kurnar Kundu, (2) Sri Indrajit Kumar Kundu and (3) Sri Ranjit Kumar Kundu, executed a Deed of Partition **being No. 3134 dated 30.03.1974** and registered in the office of the then Sub-Registrar Siliguri, with respect to the said total property and by virtue of said Deed of Partition, above named Sri Ajit Kumar Kundu, had acquired Homestead land measuring 0.077 acre together with old house etc. standing thereon, above named Sri Indrajit Kumar Kundu, had acquired land measuring 0.038 acre together with old house etc. standing thereon and above named Sri Ranjit Kumar Kundu had acquired land measuring 0.0585-acre together with old house etc. standing thereon, free from all encumbrances and charges whatsoever.

Thereafter abovenamed Ajit Kumar Kundu, died intestate on 11.02.1986, leaving the following persons, as his only legal heirs to inherit his said land measuring 0.077-acre, together with old house etc. standing thereon, in accordance with the provisions of the Hindu Succession Act, 1956 :

- |  |                    |
|--|--------------------|
| (1) Smt. Mridule Rani Kundu                            | Wife               |
| (2) Abhay Pada Kundu                                   | Son                |
| (3) Ajoy Kumar Kundu                                   | Son                |
| (4) Smt. Laxmi Kundu                                   | Unmarried Daughter |
| (5) Smt. Mukti Kundu                                   | Unmarried Daughter |
| (6) Smt. Bani Kundu<br>(W/o. Sri. Subal Chandra Kundu) | Married Daughter   |
| (7) Smt. Subhira Bhuiya<br>(W/o. Sri Bhagbat Bhuiya)   | Married Daughter   |



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(04)

Afterthat above named (1) Sri Abhay Pada Kundu, (2) Sri Ajoy Kumar Kundu, (3) Smt. Mukti Kundu, (4) Smt. Bani Kundu and (5) Smt. Subhra Bhuiya, gifted their 5/7" undivided share of land measuring 0.077 acre, together with old house etc. standing thereon, to and in favour of (1) Smt. Mridula Rani Kundu and (2) Smt. Laxmi Kundu, by virtue of a Deed of Gift dated 09.03.1986, executed by Sri Ajoy Kumar Kundu, personally and Sri Abhay Pada Kundu forself and as Constituted Attorney of Smt. Mukti Kundu, Smt. Bani Kundu and Smt. Subhra Bhuiya, being document No. 1630 for the year 1987, described fully in Book No. I, Volume No. 43, pages from 217 to 226 and registered in the office of the then Sub-Registrar, Siliguri, free from all encumbrances and charges whatsoever. It may be mentioned herein the said Power of Attorney was with the First party/land owner hereof namely Smt. Mukti Kundu, and she has misplaced it. She has lodged a missing Diary on 02-06-2022 at Siliguri Police Station Vide G.D.No. 39, dated 02-06-2022. Thereafter the First Party/Land owner hereof along with the other two Principals/executants namely, Smt. Bari Kundu and Smt. Subhra Bhuiya executed a Deed of Declaration on 10.06.2022 and registered in the office of the Addl. Dist. Sub-Registrar, Siliguri, being document No. 1729 for the year 2022, and confirmed/Declared the transaction of said Gift Deed No. 1630 for the year 1987.

above named (1) Smt. Mridula Rani Kundu and (2) Smt. Laxmi Kundu, gifted their said total land measuring 0.077 acre, together with old house etc. standing thereon, to and in favour of SMT. MUKTI KUNDU, the, by virtue of a Deed of Gift being No. 1585 for the year 1999 and registered in the office of the Addl. Dist. Sub-Registrar, Siliguri and enjoyed the same having with all permanent, heritable, right, title, interest therein which is free from all encumbrances and charges, mortgages, claims, demands whatsoever from any corner and she has been in khas and physical possession of the said land having permanent, heritable and transferable right, title and interest thereon and every part thereof.

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(05)

thereafter above named Smt. Mukti Kundu, the Owner hereof, got her name mutated with respect to the said land, vide Mutation Case No. 914/1X-II/40-11, dated 08.12.2010 in the office of B.L. & L.R.O. Siliguri. & also mutated her name in the Holding Register of the Siliguri Municipal Corporation, Siliguri & identified the said property as Holding No. 51/632/413 of Ward No. XV of the Siliguri Municipal Corporation, Siliguri.

there after the name of above named Smt. Mukti Kundu, is recorded in L.R./Hal Khatian No. 1301, with respect to the said Homestead land measuring 0.077Acre and identified the said land as L.R./ Hal Plot No. 1669 of present Mouza Siliguri Purba, New J.L. No. 92, P.S. Siliguri, Dist. Darjeeling.

From the Website of the Land & Land Reforms and Refugee Relief and Rehabilitation Dept. (Govt. of West Bengal) and from the copy of Khatians issued from the office of the B.L. & L.R.O., Siliguri, as enclosed herewith, it

appears that the name of said Smt. Mukti Kundu has duly been recorded in the R.O.R., Siliguri, consisting of Plot no. 10264(R.S.) 1669 ( L.R), recorded in Khatian No. 4992(R.S.) 1301 (L.R), J.L. No.110(88) in Mouza SILIGURI, now Siliguri Purba, J.L. no. 110(88) now 92, within the limits of Siliguri Municipal Corporation Ward No. 15, within the jurisdiction of Police Station Siliguri, Addl. Dist. Registry Office & SubDivision Siliguri, District Darjeeling, in the State of West Bengal.

From the copy of Rent Receipt, produced before me and enclosed herewith, it appears that Rent/Land Revenue has been paid up to 1431 B.S. for the said total Land.



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(06)

Considering the above I am, prima-facie, of the opinion as enumerated hereunder :-

**03) OPINION :**

- a) From the documents, it is appeared that said Smt. Mukti Kundu has duly mutated her piece of land in the office of the B.L. & L.R.O, Siliguri and became a recorded owner of the **Khatian No. 1301 (L.R)** consist of land measuring **0.077 Acre**.
- b) From the documents submitted to me I did not find any adverse which could lead me to opine that the property in question is encumbered or that the same is either acquisition or requisition by the Govt.
- c) That it further transpires that the land in question is not affected under any provision of urban Land (Ceiling & Regulations) Act, 1976.
- d) From the Certified Copy of Khatian issued from B.L. & L.R.O. Siliguri, it appears that the land in question is classified as "BASTU".
- e) I certify that the above Title Deed produced before me is genuine.
- f) On perusal of the documents submitted to me, I am, prima-facie, of the opinion that the property in question as described in Clause-1 above is free, clear, saleable, marketable and mortgageable one, subject to verification of original Deed of Conveyances and other related documents.



*(Signature)*  
 (SOMA PAUL)  
 Advocate/Siliguri