



## DSP LAW ASSOCIATES

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Pratik Bagaria

DSP: 249/7 /255

July 13, 2021

### **SOUBHAGYA NIRMAN LLP**

Unit 1F, 1<sup>st</sup> Floor,  
2/5 Sarat Bose Road,  
Kolkata - 700 020

Kind Attn: Mr. Ashok Saraf

Dear Sir,

Re: Premises No. 4A, Picasso Bithi, Kolkata -700017.

We are enclosing herewith our Search Report and chain on title in the matter.

Yours faithfully,  
For **DSP law Associates.**,

  
Advocate

**Encl: as above.**



# DSP LAW ASSOCIATES

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Phone & Fax : 22624714 /15 /16, Email : info@dsplaw.com

Deepak Choudhury  
Samar Chakraborty  
Pratik Bagaria

**Client: SOUBHAGYA NIRMAN LLP, having  
LLP IN: AAI 9727, & PAN: ADIFS8213L,  
of Unit 1F, First Floor, 2/5 Sarat Bose Road,  
PIN- 700 020**

## SEARCH REPORT & CHAIN ON TITLE

**I. SECTION 'A' - DEFINITIONS:** The term or expression used in our this Report, unless there be something contrary or repugnant to the subject or context, shall have the meaning assigned to them as follows:

- (1) **“SUBJECT PROPERTY” OR “SAID PREMISES”** shall mean **ALL THAT** municipal Premises No. 4A, Picasso Bithi (formerly part of Premises No. 4, Picasso Bithi theretofore Premises No. 4, Hungerford Street), under Police Station Shakespeare Sarani (formerly Park Street) P.O. Circus Avenue, Kolkata -700017, within Ward No. 63 of Kolkata Municipal Corporation. .
- (2) **“OWNERS”** shall mean (1) **ADARSH AGARWALA** wife of Manick Agarwala, **NEERJA AGARWAL** wife of Sajan Kumar Agarwala and (3) **RITA AGARWALA FAMILY TRUST** created and/or established by the Last Will and Testament dated 10<sup>th</sup> April 2017 made by Late Rita Agarwala.
- (3) **“DEVELOPER”** shall mean our Client the abovenamed **SOUBHAGYA NIRMAN LLP**, a Limited Liability Partnership registered under the Limited Liability Partnership Act, 2008, having LLP IN: AAI – 9727, having its registered address at 2/5 Sarat Bose Road, Unit ‘1F’, Post Office Elgin Road, Police Station Ballygunge, Kolkata – 700 020 and having its PAN ADIFS8213L
- (4) **“DEVELOPMENT AGREEMENT”** shall mean the Development Agreement dated 12<sup>th</sup> April 2019 made between the Owners herein therein also as the Owner, the Client herein therein as the Developer and Shiv Kumar Agarwal, Satyam Agarwal and Shubham Agarwala and registered with Additional Registrar of Assurances-III, Kolkata in Book I Volume No. 1903-2019 Pages 67465 to 67543 Being No. 190301559 for the year 2019.

**II. SECTION 'B' - Search Report :** Under instructions from the client, abovenamed we had from time to time, during the months of January 2019 to April 2019 caused to be made necessary searches at the Registration Offices, Government Offices and Courts specified hereinafter in respect of the Subject Property and our findings from the searches so caused to be made are as follows:

**1. Registration Offices:**

- 1.1 We have caused to be made searches of the relevant Index II and wherever Index II was torn or not available, Index I at the offices of the Registrar of Assurances, Calcutta and Additional Registrar of Assurances-II, Kolkata, during the years 1988 onwards till the date of searches . Xerox copy each of the Receipts issued by the concerned Registration Offices from time to time and the Reports of such Searches



received from the searchers from time to time are annexed hereto and marked 'A1 to A 11'.

1.2 While causing to be made such searches at the registration offices, we found an entry in respect of a Deed of Declaration dated 2<sup>nd</sup> February 2009 and registered with the Additional Registrar of Assurances-II, Kolkata in Book No. I Volume No.3 Pages 8205 to 8212 Being No. 900 for the year 2009 executed by Mrs. Bhagwati Devi Agarwal. This declaration appears to be a boundary declaration in respect of the Subject Property. No other entry was found upon such searches.

1.3 We would, however, like to specifically mention as regards the said searches as follows:-

1.3.1 At the time of causing searches in respect of the computerized records at the Additional Registrar of Assurances-II, Kolkata from 2002 to 2008, they did not maintain any Indices for public inspection and the clerk sitting on the computer gave oral details to the searcher in respect of the concerned property only.

1.3.2 Since the introduction of Section 47A of Indian Stamp Act as applicable to West Bengal, pending documents or any document which has been presented for registration, but registration whereof is kept in abeyance for want of assessment of market value by the registering authority, do not reflect in the searches and get recorded in Indices only upon payment of deficit stamp duty and registration fee applicable thereon although they take effect from the date of their execution.

## 2. Courts and The Sheriff, Calcutta High Court:

2.1 We have caused to be made necessary searches as to whether any Title Suit or Title Execution Case or Money Suit or Money Execution Case were filed in the City Civil Court at Calcutta against the persons named in the table in clause 2.3 below during the years mentioned therein. From the information received by us it would appear that no Suits or Cases were filed upto the respective date of issuance of the search information slips. Xerox copies of the said Information slips issued by the concerned Courts are annexed hereto and marked as annexure "B 1" to "B52".

2.2 We also caused to be inspected by our clerk, the Property and Miscellaneous Registers in the Office of the Sheriff, Calcutta High Court, for any attachment against the persons named in the table in clause 2.3 below during the years mentioned therein and no entry of any such attachment was found therein upto the respective date of issuance of the respective receipts. Xerox copies of each of the applications and receipts issued by the said department are annexed hereto and marked as annexure "C1" to "C13".

## 2.3 Table:

Sl. No.	Names	Years
1.	Bhagwati Devi Agarwala (also known as Bhagwati Agarwala) wife of Yudhisthir Lal Agarwala	2008-2019 (till date of searches)

2.	Rita Agarwala wife of Shiv Kumar Agarwala	2017
3.	Adarsh Agarwala wife of Manick Agarwala	2017-2019 (till date of searches)
4.	Neerja Agarwal wife of Sajan Kumar agarwal	2017-2019 (till date of searches)
5.	Samvit Sutodiya son of Ravi Sutodiya	2017-2019 (till date of searches)
6.	Advit Agarwala son of Satyam Agarwala	2017-2019 (till date of searches)
7.	Aaryavi Agarwala son of Satyam Agarwala	2017-2019 (till date of searches)
8.	Aarish Agarwala son of Shubham Agarwala	2017-2019 (till date of searches)
9.	Shiv Kumar Agarwala son of Yudhisthir Lal Agarwala	2017-2019 (till date of searches)
10.	Satyam Agarwala son of Shiv Kumar Agarwala	2017-2019 (till date of searches)
11.	Shubham Agarwala son of Shiv Kumar Agarwala	2017-2019 (till date of searches)
12.	Nav Ratan Goenka son of Late Kishori Lal Goenka	2017-2019 (till date of searches)
13.	Rita Agarwala Family Trust	2017-2019 (till date of searches)

### **3. Kolkata Municipal Corporation:**

3.1 We appointed Mr. Rajiv Shaw to cause necessary searches and also caused to be made necessary searches in respect of the said premises on the website of the Kolkata Municipal Corporation "www.kmcgov.in" with Assessee No. 110632300062. The searches have disclosed the following:

3.1.1 Name of the Owner is (Smt.) Bhagawati Devi Agarwala.

3.1.2 The Annual Value is Rs. 7,80,400/- w.e.f from 2<sup>nd</sup> Quarter 2006-07.

3.2 We have downloaded a No Outstanding Certificate dated 19.12.2018 from the website <http://kmcgov.in> stating that (i) there are no outstanding amount due in respect of Assessee No. 110632300062, (ii) the Annual Valuation is Rs. 79580/- w.e.f. 1/2012 and (iii) there is no current unpaid amount. A copy of the NOC is marked as Annexure 'D'



- 3.3. We have been provided by client a copy of the Mutation Certificate dated 05.03.2019 in respect of premises No.4A Picasso Bithi (Assessee No. 110632300062), wherefrom it appears that the Owners have caused their name to be mutated therein. Copy of mutation certificate is annexed hereto and marked with the letter "D 1".

**4. ACQUISITION, REQUISITION AND ALIGNMENT SEARCHES:**

**4.1 KOLKATA IMPROVEMENT TRUST :**

The Subject Property or portion thereof does not appear to be affected by any scheme or alignment of the Kolkata Improvement Trust. Please note that our report is based on oral enquiry made in the department by our representative and no written report from the said office has been received.

**4.2 LAND ACQUISITION COLLECTOR :**

The Subject Property or portion thereof does not appear to be affected by any acquisition or requisition proceeding of the Land Acquisition Collector, Calcutta. Please note that our report is based on oral enquiry made in the department by our representative and written report from the said office has not yet been received.

**4.3 KOLKATA METROPOLITAN DEVELOPMENT AUTHORITY (KMDA)**

We have been provided by client a Letter from KMDA, Housing Sector vide No. 2E/OB/CE/860/XII-19/7268 dated 28.02.2020. From the letter it would appear that Subject Property is not affected by any published /sanction Scheme/ Alignment of the erstwhile Trust. Xerox copy of letter is annexed hereto and marked with the letter "E".

**5. DEBTS RECOVERY TRIBUNAL**

- 5.1 From the report given by Mrs. Sanjukta Ray, Advocate no entry/proceeding has been found by her in the name of Bhagawati Devi Agarwala in the Debts Recovery Tribunal-I, II and III. Xerox copy of report is annexed hereto and marked as annexure "F".

III. **SECTION 'C' – CHAIN ON TITLE:** From the recitals and particulars contained in the documents provided and/or obtained by us by way of certified copies of deeds, the chain of title in respect of the subject property appears to be as follows:-

- A. One Nirendra Nath Sircar was the owner of premises No. 4 Hungerford Street, Calcutta with a land area of 1 Bigha 12 Cottahs 9.5 Chittacks more or less along with the buildings and structures thereon(hereinafter referred to as "**the Larger Premises**").
- B. By an Indenture of Conveyance dated 6<sup>th</sup> March 1952 and registered with the Registrar of Assurances, Calcutta in Book No. I, Volume No. 37, Pages 158 to 163, Being No. 672 for the year 1952 the said Nirendra Nath Sircar for the consideration therein mentioned sold the Larger Premises unto and to the said Sangit Kala Mandir absolutely and forever.

- C. By an Indenture of Conveyance dated 26<sup>th</sup> September 1957 made between Sangit Kala Mandir therein referred to as the Vendor of the First Part one Yudhisthir Lal Agarwala therein referred to as the Confirming Party of Second Part and Bhagwati Agarwala therein referred to as the Purchaser of the Third Part and registered with the Registrar of Assurances, Calcutta in Book No. I, Volume No. 95, Pages 256 to 264, Being No. 4193 for the year 1957, the said Sangit Kala Mandir for the consideration therein mentioned sold to the said Bhagwati Agarwala the Larger Premises.
- D. By an Indenture of Conveyance dated 20<sup>th</sup> March 1996 and registered with the Registrar of Assurances, Calcutta in Book No. I, Being No. 1142 for the year 1996, the said Bhagwati Devi Agarwala sold to one Rhino Trading Company Private Limited and Panitola Trading Company Private Limited a divided and demarcated portion on the southern side of the Larger Premises containing an area of 12 Cottah 12 Chittaks and 16 Square feet more or less which sold portion was subsequently assessed separately and renumbered as premises No. 4B Picasso Bithi, Kolkata.
- E. The said Bhagwati Devi Agarwala remained the owner of the remaining portion of the Larger Premises which was renumbered by the Kolkata Municipal Corporation as premises No. 4A Picasso Bithi being the said premises and was separately assessed by the Kolkata Municipal Corporation under Assessee No. 110632300062.
- F. The said Bhagwati Devi Agarwala, a Hindu died on 21<sup>st</sup> July 2015 after making and publishing her Last Will and Testament dated 26<sup>th</sup> December 2012 whereby and whereunder she appointed her son-in-law Nav Ratan Goenka as the sole Executor and gave devised and bequeathed the said premises to her three daughter-in-laws namely Rita Agarwala (since deceased), Adarsh Agarwal and Neerja Agarwal in equal shares absolutely.
- G. Probate in respect of the said Will of Bhagwati Devi Agarwala was granted on 8<sup>th</sup> February, 2019 to the said Nav Ratan Goenka by the Hon'ble High Court at Calcutta in Probate Case No. 60 of 2018.
- H. The said Rita Agarwala, a Hindu died on 17<sup>th</sup> September 2017 after making and publishing her Last Will and Testament dated 10<sup>th</sup> April 2017 whereby and whereunder she appointed her husband Shiv Kumar Agarwal as the Sole Executor and gave devised and bequeathed her one-third share or part in the said premises unto and upon the Family Trust to be known in the name and Style of Rita Agarwala Family Trust, and appointed the said Shiv Kumar Agarwal and Nav Ratan Goenka as the Trustees of the said Trust absolutely.
- I. Probate in respect of the said Will of Rita Agarwala was granted on 15<sup>th</sup> January, 2019 to Shiv Kumar Agarwal by the Hon'ble High Court at Calcutta in Probate Case No. 278 of 2018.
- J. The said Nav Ratan Goenka and Shiv Kumar Agarwal by the two Deeds of Assent dated 15<sup>th</sup> February 2019 assented and consented to the bequests made by the respective said Last Wills and Testament of Bhagwati Devi Agarwal and Rita Agarwala and made over possession of the respective bequeathed properties to the respective beneficiaries. Particulars of the two deeds of assent are as follows:-





- a. Deed of Assent made between Nav Ratan Goenka as Executor of First Part and Aadarsh Agarwala, Neerja Agarwal and Shiv Kumar Agarwala (as Executor to the estate of late Rita Agarwala) as Legatees of the Second Part and registered with Additional Registrar of Assurances-III in Book I Volume No. 1903-2019 Pages 23816 to 23860 Being No. 190300511 for the year 2019.
  - b. Deed of Assent made between Shiv Kumar Agarwal as Executor of First Part and Rita Agarwal Family Trust represented by Nav Ratan Goenka and Shiv Kumar Agarwala as Legatee of the Second Part and registered with Additional Registrar of Assurances-III in Book I Volume No. 1903-2019 Pages 23861 to 23913 Being No. 190300512 for the year 2019.
- K. The Owners have subsequently caused their names to be mutated their names in respect of the said Property in the records of the Kolkata Municipal Corporation.
- L. The said Development Agreement was thereafter entered upon by the Owners with our client abovenamed. A power of attorney dated 12<sup>th</sup> April, 2019 was also executed and registered by Adarsh Agarwala, Neerja Agarwal and Shiv Kumar Agarwala and Nav Ratan Goenka, in favour of in favour of the Developer and its directors Ashok Saraf and registered with the Additional Registrar of Assurances-III, Kolkata in Book IV, Volume No. 1903-2019 Pages 80418 to 80462 Being No. 190301878 for the year 2019.

#### **IV. SECTION 'C' – STATEMENTS AND COMMENTS:**

Besides our statements and comments made at different places of this report, we would also like to mention the following:

- (i) The report on searches is on the basis of the records available as on the date of such searches caused to be done;
- (ii) The two deeds of assent dated 15<sup>th</sup> February, 2019 were registered after searches of Index II was carried out on 6<sup>th</sup> February, 2019 at the registration office and hence the same were not reflected in the annexed search sheets.
- (iii) The area of the said premises as per the boundary declaration dated 2<sup>nd</sup> February, 2009 is 17 Cottah 5 Chittacks 42 Square Feet more or less which is less than the area mentioned in the Development Agreement. Upon survey and measurement caused by client a fresh boundary declaration was caused to be executed and registered on 26/11/2020 by the Owners represented by their constituted attorney Mr. Ashok Saraf at the office of the Additional Registrar of Assurances-I, Kolkata in Book I CD Volume No. 1901-2020 Pages 225433 to 225451 Being No. 190104362 for the year 2020 in which too the area stated is 17 Cottah 5 Chittacks 42 Square Feet more or less may be done by client to find out about the true area.
- (iv) Client has subsequently obtained (a) the No Objection Certificate in the Owners from the competent authority under the Urban Land (Ceiling and Regulation) Act, 1976 vide No. 693-ULC/KOL/XVI-4178/2019 dated 19.08.2019 and (b) Fire Safety Recommendation vide. Memo No.IND/WB/FES/20192020/68389 dated 18.01.2020 copy of the same as provided by client to us are annexed hereto and marked with the letters "G and H".

- (v) The searches undertaken by us do not relate to any encumbrance or charge created by operation of law like statutory charges on default of payment of Income Tax, Sales Tax and other Government dues or by any authority besides those specifically mentioned above but relates to encumbrance created by those act of parties which requires, under law, a corresponding record to be maintained for the public in general at the offices at which we have caused to be made the searches as aforesaid.
- (vi) This Search Report is meant for the understanding of abovenamed Client alone and shall not be for use and reliance for any other person.

**Under the circumstances as above and save and subject to what has been stated hereinabove, our searches when made did not disclose encumbrance affecting the Subject Property.**

DATED THIS 13<sup>th</sup> DAY OF JULY 2021

for DSP LAW ASSOCIATES



**Advocate**



**DATED THIS ..13<sup>th</sup>... DAY OF ..JULY... 2021**

**Client: SOUBHAGYA NIRMAN LLP**

**Re: Premises No. 4A, Picasso Bithi, Kolkata  
- 700 017**

**SEARCH REPORT**

DSP LAW ASSOCIATES

Advocates

4D NICCO HOUSE

1B & 2 HARE STREET,

KOLKATA -700001

Form No. 1556

[New Rule Form No. 19 (Appendix-I)]

No. REGN AA 101050

Receipt for Fees Deposited for Search or Inspection

Serial Number of application ..... 12050

Date of application ..... 30/11/19

Search for the year(s) ..... 1988-01

Name of office to which the record to be searched or inspected relates ..... En

Name of person or property to be searched ..... a

Nature of document ..... m

Particulars of record to be inspected (year, number, book, volume and page in the case of registered document)..... 4, Hungerford St

PS Park St

From whom received ..... M. Das

Fees paid under Article —

- (i)
- (ii)

15/-

..... Registrar of .....





Government of West Bengal  
Office of the KOLKATA (A.R.A. - II)  
Receipt for fees deposited for Search  
Form - 1556

Date of Application: 06-02-2019

**Serial No of Application** 1902002045/2019 **Search No** 1902002045/2019  
**Search for the Years** From 2002 To 2019 **Record Available** From 10/11/2008 onwards  
**Property to be Searched** District: Kolkata, PS: Park Street, Premises: 4, Road: Picasso Bithi(Hungerford Street)  
**From whom Received** Mr M Das  
**Fees Paid under Articles** F1(i) 2/- F1(ii) 17/-

**Search Result:**

Sl.No.	Property Location	Property Type & Transaction	Plot & Khatian No and Zone	Area of Property
1	District: Kolkata, PS: Park Street, KOLKATA MUNICIPAL CORPORATION, Premises: 4, Road: Picasso Bithi(Hungerford Street),	Property Type: Land Transaction: Declaration, Declaration relating to immovable property		Area of Land: 17 Katha, 5 Chatak, 42 Sq. Ft., (17 Katha, 5 Chatak, 42 Sqft)
<b>Deed Details :</b>		Deed No: I-190200900/2009, Query No: 1902001373 /2009, Serial No: 190200534/2009, Page: 8205 - 8212, Date of Registration: 03/02/2009, Date of Completion: 04/02/2009, Date of Delivery: 04/02/2009		

( Mr Tushar Kanti Mandal )  
A.R.A. - II KOLKATA  
OFFICE OF THE A.R.A. - II KOLKATA







Bengal Form No. 1556

[New Rule Form No. 19 (Appendix-I)]

**No. REGN AA 169776**  
**Receipt for Fees Deposited for Search or Inspection**

Serial Number of application ..... 6576

Date of application ..... 16.11.19

3. Search for the year(s) ..... 1988-01

4. Name of office to which the record to be searched or inspected relates ..... Pm

5. Name of person or property to be searched ..... P

6. Nature of document ..... m

7. Particulars of record to be inspected (year, number, book, volume and page in the case of registered document)..... 4A Picasso Bithi  
P.S. Park St

8. From whom received ..... M. Das

9. Fees paid under Article —

F (1) (i)

F (1) (ii)

F (2)

15/-  
[Signature]

..... Registrar of .....



AG

Government of West Bengal  
Office of the KOLKATA (A.R.A. - II)  
Receipt for fees deposited for Search  
Form - 1556

Date of Application: 16-01-2019

<b>Serial No of Application</b>	1902000772/2019	<b>Search No</b>	1902000772/2019
<b>Search for the Years</b>	From 2002 To 2019	<b>Record Available</b>	From 10/11/2008 onwards
<b>Property to be Searched</b>	District: Kolkata, PS: Park Street, Premises: 4A, Road: Piccaso Bithi(Hungerford Street)		
<b>From whom Received</b>	Mr M Das		
<b>Fees Paid under Articles</b>	F1(i) 2 /-	F1(ii) 17 /-	

**Search Result:** No Record Found

( Mr Tushar Kanti Mandal )  
A.R.A. - II KOLKATA  
OFFICE OF THE A.R.A. - II KOLKATA



Registration Office: R.A KOLKATA  
 Name for Searching: no: 4A, Picasso Bithi  
P.S.:- Park St.

Index-II/Index-I

Period: 1988-2019

Year	Report	Space for further instructions of Advocate, if any	Space for remarks, if any of Advocate
1988	/ mil		
to			
1998			
1999	(pages Torn)		
2000	mil		
2001	4		
2002	/ mil - (Computer Search)		
to			
2019			

Initials M @ @ @  
 Date 16/01/19  
 reverse

Contd on



West Bengal Form No. 1556

[New Rule Form No. 19 (Appendix-I)]

**No. REGN AA 449856**

**Receipt for Fees Deposited for Search or Inspection**

Serial Number of application ..... 16856

Date of application ..... 12/2/19

Search for the year(s) ..... 1999

Name of office to which the record to be searched or inspected relates ..... P.N.

Name of person or property to be searched ..... P

Name of document ..... M

Particulars of record to be inspected (year, number, book, volume and page in the case of registered document)..... Bhagawati Agarwal

..... W/O K. L. Agarwal

From whom received ..... M. Das

Fees paid under Article —

(1) (i)

(1) (ii)

(2)

24

..... Registrar of .....





West Bengal Form No. 1556

[New Rule Form No. 19 (Appendix-I)]

**No. REGN AA 449855**

**Receipt for Fees Deposited for Search or Inspection**

1. Serial Number of application ..... 16855

2. Date of application ..... 12/12/19

3. Search for the year(s) ..... 1999

4. Name of office to which the record to be searched or inspected relates ..... PH

5. Name of person or property to be searched ..... IT

6. Nature of document ..... M

7. Particulars of record to be inspected (year, number, book, volume and page in the case of registered document)..... Bhogwati Devi Agarwala  
W/O H. Y-L. Agarwala

From whom received ..... M. Das

Fees paid under Article —

- (1) (i)
- 1) (ii)
- )

27

..... Registrar of .....

