D.R. Khilfar Deed No - 3617 Book-I for - 1989

5 Rs

INDIA

पाँच रुपये — FIVE RUPEES — सत्यमेव जयते — भारत — पाँच रुपये — FIVE RUPEES

6502A

No 3617

Stamp No 2000/-
" " 2000/-
" " 3.50
" " 3.50
" " 3.00
" " 45
Total No 4010/-

Admissible under Regn rule 21 duly stamped under the Indian Stamp Act. 1899 as amended by Act III of 1922 and section 81 of the Calcutta Improvement Act. 1911 Schedule

A 1089/-
B 28/-
Misc 4/-
Total 1121/-

Under Article
(I) (II) (2)
F (7)
G (a) 1455
G (b) 75
Stamp
Fees in C.E.S. 23.55
No. of C. Paper

Record Keeper
Alipore Sadar, Regn. Office
24-Parganas

20-3-89

THIS INDENTURE OF PARTITION made this 20th day of March One Thousand Nine Hundred and Eighty-nine Amongst **SRIKASHI NATH ROY** son of Late Satyendra Nath Roy [illegible]sident of 229, Upen Banerjee Road, Behala, P.S.Behala, Calcutta - 60, by Caste Hindu, by profession Business hereinafter called the Partitioner of the **FIRST PART** (which expression shall unless excluded by or repugnant to the context shall include his heirs, administrators, representatives and assigns) (2) **SRI SHANKAR NATH ROY** son of -

Contd..2/-

Sold to 56938
Advocate
Ref.
Date
K. P. Ray, Advocate
Alipore Judges Court, Calcutta
Licence Stamp Vendor
S. C. Court
City Civil Court, Cal.

14 MAR 1989

Presented for Registration at 12/30 A.M./P.M. of the 20th Day of March 19 89 at the Sadar Registration Office Alipore 24-Parganas by Vashi Nath Ray Executant/Claimant or one of the Executants/Claimants or Attorney for Executant/Claimant under a Power of attorney No. for B. authenticated by the Registrar of

Vashi nath Ray

Ed. C.R. Brahma

Sub-Registrar
Alipore 24 Parganas

20-3-89

Execution is admitted 1) Vashi Nath Ray S/o Lt Satyendra nath Ray 229 Upen Banerjee Road Cal 6
2) Sankar Nath Ray S/o Lt Satyendra nath Ray
3) Shome nath Ray S/o Lt Satyendra nath Ray 229 Upen Banerjee Road Cal 6 Hindu Service & Business

Son/Wife/Daughter of
District 24-Parganas P.S.
Profession

T2 No 2712
Vashi nath Ray
T2 No 2713
Sankar nath Ray

5 R$

INDIA

पाँच रुपये

सत्यमेव जयते

FIVE RUPEES भारत FIVE RUPEES

T2 NO 2714

Some Nath Roy

Ashish N Roy

Late Satyendra Nath Roy resident of 229, Upen Banerjee Road, Behala, P.S.Behala, Calcutta - 60, by caste Hindu by Profession ~~Pensioner,~~ Service hereinafter called the Partitioner of the **SECOND PART** (which expression shall unless excluded by or repugnant to the context shall include his heirs, administrators, representatives and assigns) **A N D** (3) **SHRI SHOME NATH ROY** son of Late Satyendra Nath Roy resident of 229, Upen Banerjee Road, Behala, P.S.Behala, Calcutta - 60, by caste Hindu, by profession service hereinafter called

Contd..3/p.

56939

Advocate
Ba
Date
F. P. Ray, Advocate
Alipore Judges Court, Calcutta
Licence Stamp Vendor
S. C. Court
City Civil Court, Cal.

14 MAR 1989

100
11.55
7.00
5.00
10.00
15
10
37.80

A. H. Choudhury
6502 A.
21/4/89

A. Ray
27/4/89

Identified by
Ashis Ray
Subodh Ch. Ray
Son/W/D of
of 56/5 Pattak Para Road
P.S. Cal 60
Business

Ashish Ray S/o Subodh Ch Ray
56/5 Pattak para Road
cal-60 Business

the Partitioner of the **THIRD PART** (which expression shall unless excluded by or repugnant to the context shall include his heirs, administrators, representatives and assigns) ;

20-3-89

W H E R E A S One Debabrata Bose son of Dr. Parimal Bose residing at 28, Ripon Street, Calcutta was seized and possessed of or otherwise well and sufficiently entitled to all that piece or parcel of Mourashi Makarari land now Rayati land measuring 1 Bigha 3 cottahs and 10 Chittacks be the same a little more or less situated in Mouza Behala called as Nashkarpur under Police Station Behala, Sub-Registry Office Behala, Pargana Balia, Touzi No.346, J.L.No.2 R.S. No.83 withinthe limits of the then South Suburban Municipality now Calcutta Municipal Corporation, Behala Unit appertaining to R.S.Dag No.91 in R.S.Khatian no. 138.

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AND WHEREAS the said Debabrata Bose purchased the said property in the Benami of Sri Profulla Kumar Chatterjee in Title Execution case No.20 of 1946 in the Court of the 3rd. Sub-judge, Alipore in which execution case Durlav Chandra Das was the Decree-holder and Gobinda Koley and others were Judgement-debtors.

AND WHEREAS the said Debabrata Bose duly took khas possession of the said property mentioned above had since been in exclusive possession of the property and enjoying the right, title and interest of the same without any interruption and eviction.

AND WHEREAS for legal necessities the said Debabrota Bose sold and conveyed the Rayati Bastu land measuring 1 Bigha 3 cottahs and 10 Chittaks be the same a little more or less in Mouza Behala called as Naskarpur appertaining to R.S.Dag No.91 in R.S.Khatian no. 138 in favour of Smt. Santilata Roy, mother of the partitioners by an English Deed of conveyance

Contd..5/n.

dated the 12th. day of March, 1952 which was registered in the office of the Sub-Registrar of Alipore and entered in Book No.I Volume No. 35 Pages 65 to 69 and recorded as Being No. 1568 for the year 1952.

AND WHEREAS in the manner aforesaid the said Smt. Santilata Roy became the absolute owner of the said property and thereafter constructed partly pucca and partly tiled structures on the said Bastu land for accommodation of her family and enjoying the right, title and interest of the same.

AND WHEREAS after revisional Settlement operation the said Smt. Santilata Roy mutated her name in the office of the Collector of 24 Parganas and in the office of the then South Suburban Municipality paying usual rent and taxes.

AND WHEREAS the said Smt. Santilata Roy died intestate on 6.2.71 leaving behind her three sons namely Sarbasree Kashi Nath Roy, Sankar Nath Roy and Shome nath Roy - the Partitioners

Contd..6/p.

and three daughters namely Smt. Laxmi Sen, Smt. Chitra Das Gupta and Smt. Sipra Roy as legal heirs and representatives according to Hindu Succession Act. In the manner aforesaid the three partitioners and their three sisters were the absolute owners of the property cited above and enjoying the right, title and interest of the same without any eviction and interruption in ejmali possession and mutated their names jointly in the Municipal Corporation of Calcutta and in the office of the Collector of South 24 Parganas paying usual taxes and rent.

AND WHEREAS the three sisters of the partitioners (1) Laxmi Sen (2) Smt. Chitra Dasgupta and (3) Sipra Roy out of natural love and affection executed and registered a deed of gift relinquishing their undivided 1/6th. each share in the total property of 1 Bigha 3 Cottahs and 10 Chittacks Bastu land with structures standing thereon appertaining to R.S.Dag no.91 in R.S.Khatian no.138 within Mouza Behala voluntarily for the physical possession of the partitioners. The said Deed of Gift was registered in the office of the District Registrar of South 24 Parganas, Alipore on the 7th day of March 1988 and entered in Book No.I Volume No. X Pages X to X and recorded as Being No. 2611 for the year 1988.

AND WHEREAS by virtue of the deed of gift the partitioners acquired the 1/6th. undivided shares in the said property of their sisters and have thus become the joint absolute owners of Rayati Bastu land measuring more or less 1 Bigha 3 cottahs 10 Chittaks in Mouza Behala called as Naskarpur under P.S. and S.R.Office Behala appertaining to R.S.Dag no. 91 in R.S.Khatian

Contd..7/n.

Khatian No. 138 within the limits of Calcutta Municipal Corporation, Behala unit being Holding No.229, Upen Banerjee Road in Ward No.132.

AND WHEREAS the partitioners are experiencing great difficulties in respect to ejmali/joint possession of the said property.

AND WHEREAS to eradicate all future objections, complications, disputes and differences amongst the partitioners and to establish parpetual peace and harmony, all the partitioners are willing to partition their ejmali/joint property metes and bounds by mutual consent with the help of relatives and well wishers for mutual benefit and better enjoyment of the said property smoothly.

NOW THIS INDENTURE WITNESSETH the pursuance of the said mutual consent and to affectuate the said desire of all the three parties of these presents, the partitioners of the first, second and third parts mutually agreed to divide their joint/ejmali property mentioned in the schedules hereunder written on the following terms and conditions :-

1) The Partitioner of the First Part Sri Kashi Nath Roy is allotted to enjoy the right, title and interest of Bastu land measuring more or less 4306 square feet equivalent to 5 cottahs 12 chittacks and 11 square feet out of 1 Bigha 3 Cottahs and 10 Chittacks in Mouza Behala called as Naskarpara under P.S. and S.R.Office Behala in the District of South 24 Parganas appertainging to R.S.Dag No.91 in Khatian no. 138 within the jurisdiction of the Calcutta Municipal Corporation being

Contd..8/n.

Holding No. 229, Upen Banerjee Road in Ward No.132, as fully described in the map or plan annexed herewith and therein coloured "RED" and marked as Plot No. "A" with structures standing thereon morefully described in the Schedule hereunder written.

And the Partitioner of the First Part his heirs, executors, administrators, representatives and assigns shall and may at all times hereafter peaceably and quietly possess and enjoy the said land with structure standing thereon and receives the rent, rates, issues and profits thereof without any lawful eviction, interruption, claim or demand whatsoever by the partitioners of the Second and Third Part or any person/ persons lawfully or equitably claiming from, under or in trust for the second and third part or from or under any of its predecessors-in-title together with the previleges, liberties, easements, appendages and appurtenances whatsoever to the said plot of Bastu land with structures standing thereon.

2) That the Partitioner of the Second Part Sri Shankar Nath Roy is allotted to enjoy the right, title and interest of Bastu land measuring 5 cottahs 12 chittacks and 11 square feet be the same a little more or less out of 1 Bigha 3 cottahs and 10 chittacks in Mouza Behala called as Naskarpara under P.S. and S.R.Office Behala in the District of South 24 Parganas appertaining to R.S.Dag no. 91 in Khatian no. 138 within the jurisdiction of the Calcutta Municipal Corporation being Holding No. 229 Upen Banerjee Road in Ward No.132 as fully delineated in the map or plan annexed herewith and therein coloured "YELLOW" and marked as plot no. "B" with two storied pucca building standing thereon more fully described in the Schedule hereunder written.

Contd.../9/-

thereon and receive the rent, rates, issues and profits thereof without any lawful eviction , interruption, claim, or demand whatsoever by the partitioners of the First and Second Part or any person or persons lawfully or equitably claiming from under or in trust for the first and Second Parties or from or under any of its predecessors-in-title together with the previleges liberties, easements, appendages and appurtenances whatsoever to the said plot of land with structures standing thereon.

4) That henceforth the partitioner of the First Part shall not claim or demand any right, title and interest of plot of land with structures standing thereon allotted to the Second and Third party and the Second Party shall not claim or demand any right, title and interest of the plot of land with structures standing thereon allotted to the first and Third party and the partitioner ofthe Third Part shall not claim or demand any right, title and interest of plot of land with structures standing thereon allotted to the First and Second ~~Third~~ party respectively.

5) That in case of any dispute and differences which may likely to be developed in future shall be compromised mutually.

6) That violation of any of the terms and conditions fully described in this deed of partition by any of the partitioners, will be dealt with according to law and the defaulting party will be liable for all costs and consequences.

7) That all the partitioners shall enjoy the benefit of easement right of Municipal Road situated on the Southern

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and are eligible to take Electric connection, Tap water, Gas Telephone lines etc.

8) That the original document shall be in the custody of the First Sri Nashi Nath Roy party provided that he will be bound to show or hand over the same to the other Party/Parties with proper Receipt in case of any exigency arises.

9) That the three partitioners shall mutate their names in the Calcutta Municipal Corporation S.S.Unit and in the office of the Collector of 24 Parganas paying requisite taxes and rents.

10) That the arrears and current corporation taxes whatever payable by the partitioners shall be paid by each of the three partitioners without any objection until and unless the mutation is not done.

11) That incase of any exigency, if any of the partitioners willing to sale/transfer his divided and demarcated share, a notice to that effect alleging the sale of the property shall be communicated upon the other parties under registered letter with acknowledgement due, on receipt of which if the other parties are unwilling to purchase the same then he shall inform the Seller by a registered A/d.Letter, stating his unwillingness to purchase the same and in that case he may dispose of, sell or transfer the same to other outsider party/parties without any objection or interruption by the others.

The partitioners hereby declare that the partitioners have no mortgaged, pledged, sell or dispose of part or portion

Contd..12/p.

of their property to anybody and the entire property is free from all encumbrances.

The partitioners further declare that if any mistake/ error is found in the document, the partitioners shall be bound to execute and register any supplementary or any other document in question in the proper registration office without any objection.

12) The value of the share of the property of the First Part is Rs.50,000/- Second Part is Rs.1,00,000/- and Third Part is Rs.50,000/-

Schedule of Property "A" allotted to Sri Kashi Nath Roy, Partitioner of the First Part.

ALL THAT piece or parcel of Bastu land measuring 4306 sq.ft. equivalent to 5 (five) cottahs 12 (twelve) Chittaks and 11 (eleven) sq.ft. be the same a little more or less out of 1 Bigha 3 Cottahs and 10 Chittacks in Mouza Behalacalled as Nashkarpara under P.S. and S.R.Office Behala in the District of South 24 Tauzi No 346 J.L. No 2 Parganas appertaining to R.S. Dag No. 91 in Khatian No. 138 within the jurisdiction of the Calcutta Municipal Corporation S. S. Unit being holding No. 229 Formerly 229 Bana mali Nashkar Road Upen Banerjee Road in Ward No 122 as delineated in the plan annexed herewith and therein coloured "RED" and marked as Plot No. "A" with structures, fittings and fixtures standing thereon together with all easement right, butted and bounded as follows :-

On the North :- Banamali Nashkar Road ;

On the South :- Municipal Road ;

On the East :- Banamali Nashkar Road &

On the West :- Land of Sri Paresh Manna & Building of Shri Shankar Nath Roy.

Valued - Rs.50,000/- (Rupees fifty thousand) only.

Contd..13/p.

Schedule of property "B" allotted to Sri Shankar Nath Roy.Partitioner of the Second Part.

ALL THAT piece or parcel of Bastu land measuring 5 cottahs 12 chittacks and 11 square feet be the same a little more or less out of 1 Bigha 3 cottah and 10 chittacks in Mouza Behala called as Nashkarpara under P.S. and S.R.Office Behala in the District of South 24 Parganas appertaining to R.S.Dag No.91 in Khatian no.138 within the jurisdiction of the Calcutta Municipal Corporation S.S.Unit being ~~Holding No. 229~~ Upen Banerjee Road in Ward No. 132 For mally 229 Bana mali Nasker Road as delineated in the map or plan annexed herewith and therein coloured **"YELLOW"** and marked as plot no.'B' with a pucca two storied building standing thereon together Tauzi No 346 J.L. No 2 with all easement rights whatsoever, butted and bounded as follows :-

On the North :- Land of Sri Paresh Manna ;

On the South :- Municipal Road ;

On the East :- Land & structure of Sri Kashinath Roy ;

On the West :- Land and structure of Sri Somenath Roy.

Value - Rs. 1,00,000/-

(Rupees one lac only).

Schedule of property "C" allotted to Sri Some Nath Roy. Partitioner of the Third Part.

ALL THAT piece or parcel of Rayati Bastu land measuring 8235 sq.ft. equivalent to 11 cottahs 7 chittacks be the same a little more or less with structures standing thereon out of 1 Bigha 3 cottahs and 10 chittacks in Mouza Behala called as Nashkarpara under Police Station and Sub-Registry Office Behala in the District of South 24 Parganas Tauzi no 346 J.L. No 2 appertaining to R.S.Dag No. 91 (ninetyone) in R.S.Khatian no. 138 (one hundred thirty eight) within the jurisdiction of the Calcutta Municipal Corporation S.S.Unit being holding no. 229 Upen Banerjee Road in Ward No.132 For mally 229 Bana mali Nasker Road as

Contd..14/p.

Sl no 4556 (5). Sold to Vashi nath Roy & ors
of 229 upen Banerjee Rd cal 60 Rs 2000/-
date 15-3-89 stamp clerk so Illegible 15-3-89
Ali pur-nearby South 24 Parganas 4556 (5) 2000/-
2000/- 3.50 3.50 3.00 // 4010/- Sl no 4556 (5)
Sold to Vashi nath Roy & ors of 229 upen
Banerjee Rd cal-60 Rs 2000/- date 15-3-89
stamp clerk so Illegible Ali pur-nearby South 24
Parganas Sl no 4556 (5) Sold to Vashi nath
Roy & ors of 229 upen Banerjee Rd cal 60
Rs 3.50 date 15-3-89 stamp clerk so Illegible
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Sl no 4556 (5) Sold to Vashi nath Roy & ors
of 229 upen Banerjee Rd cal 60 Rs 3.50.
date 15-3-89 stamp clerk so Illegible 15-3-89
Ali pur South 24 Parganas Sl no 4556 (5)
Sold to Vashi nath Roy & ors of 229 upen
Banerjee Rd cal 60 Rs 3/- date 15-3-89
stamp clerk so Illegible ali pur-nearby South
24 Parganas

Copied & Read
Sri Chatterjee
27-4-89

Comp & Read
Lipika Bir
27-4-89

This document No 3617
has not yet been Recorded
in the Registrar book
year the year 1989

Certified to be a true copy

Addl District Sub-Registrar
Alipore (Records) 24-Parganas South

THIS THE TH. DAY OF MARCH, 1989.

THIS INDENTURE OF PARTITION

MADE AMONGST

(1) SRI KASHI NATH ROY - FIRST PART

(2) SRI SHANKAR NATH ROY - SECOND PART

(3) SRI SHOME NATH ROY - THIRD PART

Typed by -

Advocate.

Typed by -
S.K.Mondal,
Alipore Judges' Court
at Alipore Alipore.

And that the partitioner of the Second Part his heirs, executors, administrators, representatives and assigns shall and may at all times hereafter peaceably and quietly possess and enjoy the said plot with structures standing thereon and receive the rent, rates issues and profits thereof without any lawful eviction, interruption, claim or demand whatsoever by the partitioners of the First and Third part or any person or persons lawfully or equitably claiming from under or trust for the first and third part or from or under any of its predecessors-in-title together with the previleges, liberties, easements, appendages and appurtenances whatsoever to the said plot of land with pucca structures standing thereon.

3) That the partitioner of the Third part Sri Somenath Roy is allotted to enjoy the right, title and interest of 8235 sq. ft. equivalent to 11 cottahs, 7 chittacks Bastu Rayati land with structures standing thereon be the same a little more or less out of 1 Bigha 3 cottahs and 10 chittacks in mouza Behala called as Nashkarpara under Police Station and Sub - Registry office Behala in the district of South 24 Parganas appertaining to R.S.Dag No. 91 in R.S.Khatian no. 138 within the jurisdiction of the Calcutta Municipal Corporation, S. S. Unit being Holding No.229 Upen Banerjee Road, in Ward no. 132 as fully delineated in the map or plan annexed herewith and therein coloured "GREEN" and marked as plot no. "C" morefully described in the schedule hereunder written.

And the partitioner of the Third Part Sri Some Nath Roy his heirs, executors, administrators, representatives and assigns shall and may at all times hereafter peaceably and quietly possess and enjoy the said plot with structures standing

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