

Bipul Datta

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TITLE OPINION

On perusal of Photocopy of registered Deed of Sale No. 2478 dated 20/09/1950, Photocopy of Death Certificate of Phagu Chandra Rajak @ Phagu Chowdhury, Photocopy of Death Certificate of Sudha Chowdhury, Photocopy of Death Certificate of Binoy Kumar Chowdhury, Photocopy of Death Certificate of Jayanti Chowdhury, Photocopy of L.R. Records of Rights being L.R.R.R.O.R. No. 144, 490, 5136, 5137 in the name of Anupam Chowdhury, Kalpana Chowdhury, Alpana Bhuti and Archana Mukharjee, Photocopy of Registered Development Agreement bearing Deed No. 6832 Dated 26/04/2022, Photocopy of Registered Power of Attorney bearing Deed No. 6873 dated 27/04/2022 and 30 years carefully searched made by me in the Sadar Registry office.

It appears from the above document that the property of Mouza - Kutubpur Phulbari, J.L. No. 64, P.S.- English Bazar, measuring 8.45 decimal of land of Plot No. R.S. 1193, L.R. 1591 previously belongs to Phagu Chandra Rajak @ Phagu Chowdhury, which he acquired right, title and interest on the strength of Registered Deed of Sale bearing Deed No. 2478 dated 20/09/1950, registered at D.S.R. Malda.

During possession of the property, Phagu Chandra Rajak @ Phagu Chowdhury died on 15/12/1991, leaving behind his wife namely Sudha Chowdhury, two sons namely 1) Bijoy Kumar Chowdhury, 2) Anupam Chowdhury and four daughters namely 1) Jayanti Chowdhury, 2) Kalpana Chowdhury, 3) Archana Mukharjee and 4) Alpana Bhuti as his legal heirs and they inherited the property left by Late Phagu Chandra Rajak @ Phagu Chowdhury.

Thereafter Sudha Chowdhury, wife of Late Phagu Chandra Rajak @ Phagu Chowdhury also died on 18/10/2003 leaving her two sons namely 1) Bijoy Kumar Chowdhury, 2) Anupam Chowdhury and four daughters namely 1) Jayanti Chowdhury, 2) Kalpana Chowdhury, 3) Archana Mukharjee and 4) Alpana Bhuti as her legal heirs and they inherited the property left by Late Sudha Chowdhury.

Subsequently Jayanti Chowdhury, one of the daughter of Late Phagu Chandra Rajak @ Phagu Chowdhury also died on 25/01/2016 in unmarried condition, leaving behind her two brothers 1) Bijoy Kumar Chowdhury, 2) Anupam Chowdhury and three sisters namely 1) Kalpana Chowdhury, 2) Archana Mukharjee and 3) Alpana Bhuti as her legal heirs and they inherited the property left by Late Jayanti Chowdhury.

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Thereafter Bijoy Kumar Chowdhury, one of the son of Late Phagu Chandra Rajak @ Phagu Chowdhury also died on 27/07/2020, leaving behind his brother Anupam Chowdhury and three sisters namely 1) Kalpana Chowdhury, 2) Archana Mukharjee and 3) Alpana Bhuti as his legal heirs and they inherited the property left by Late Binoy Kumar Chowdhury.

Since the Date of Inheritance as per Hindu succession Act, Anupam Chowdhury, Kalpana Chowdhury, Archana Mukharjee and Alpana Bhuti, possessing the same, L.R. Record of Rights duly been prepared in their names bearing L.R.RO.R. No. 144, 490, 5136, 5137 and thirty years carefully searched made by me in the Sadar Registry office.

While Anupam Chowdhury, Kalpana Chowdhury, Archana Mukharjee and Alpana Bhuti are in joint possession of the property, they executed a Registered Deed of Development Agreement bearing Deed No. 6832 dated 26/04/2022 registered at D.S.R. Malda in favour of Baba Loknath Construction, a Partnership firm represented by 1) Sudip Chowdhury, son of Sushil Chowdhury, 2) Swapan Kumar Paul, son of Swaraj Paul, 3) Saiyad Kaizar Usman, son of Saiyad Merajuddin, 4) Himanish Nath Sarkar, son of Subal Chandra Sarkar, 5) Dipankar Dey, son of Late Mantu Kumar Dey, 6) Sakti Karmakar, son of Bijay Karmakar and 7) Raj Kumar Rajak, son of Badal Rajak and also executed a Registered Power of Attorney bearing Deed No. 6873 dated 27/04/2022, registered at D.S.R. Malda in favour of Baba Loknath Construction, a Partnership firm represented by 1) Sudip Chowdhury, 2) Swapan Kumar Paul, 3) Saiyad Kaizar Usman, 4) Himanish Nath Sarkar, 5) Dipankar Dey, 6) Sakti Karmakar, and 7) Raj Kumar Rajak and they got Sanctioned Building Plan via Permission No. 02/2022-2023 dated 20/06/2022 to construct a multistoried building (G+4).

I am of opinion that Anupam Chowdhury, son of Late Phagu Chandra Rajak @ Phagu Chowdhury , Kalpana Chowdhury, daughter of Late Phagu Chandra Rajak @ Phagu Chowdhury, Alpana Bhuti, wife of Dakhineswar Bhuti all resident of Phulbari, P.S. English Bazar, P.O. & Dist. Malda and Archana Mukharjee, wife of Gopal Mukharjee, resident of Kutubpur Nayagram, P.S. English Bazar, P.O. & Dist. Malda have good right, title and interest in respect of Scheduled below property and Baba Loknath Construction, a Partnership firm represented by 1) Sudip Chowdhury, son of Sushil Chowdhury, 2) Swapan Kumar Paul, son of Swaraj Paul, 3) Saiyad Kaizar Usman, son of Saiyad Merajuddin, 4) Himanish Nath Sarkar, son of Subal Chandra Sarkar, 5) Dipankar Dey, son of Late Mantu Kumar Dey, 6) Sakti Karmakar, son of Bijay Karmakar and 7) Raj Kumar Rajak, son of Badal Rajak have right to Develop the property on the strength of Registered Development agreement as well as Registered Power of Attorney which have been executed by the land owners namely Anupam Chowdhury, Kalpana Chowdhury, Archana Mukharjee and Alpana Bhuti.

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Schedule of property

Dist. Malda, P.S. English Bazar, Mouza - Kutubpur Phulbari, J.L. No. 64.

<u>Khatian No.</u>	<u>Plot No</u>	<u>Class</u>	<u>Area</u>
R.S. 127	R.S. 1193	Bastu	8.45 decimal
L.R. 144, 490, 5136, 5137	L.R. 1591		

Bounded with :- North - Goutam Das and others, South - Municipal Lane, East - Sukumar Das and others, West - Common Passage.

Bipul Datta
Bipul Datta, Advocate

16/01/24
Bipul Datta
Advocate
MALDA-732101