

10.4.15 6.5.15 6.5.15<sup>198</sup> 18.5.15 19.5.15

ES - 538/15. // 1 //

Non Judicial Stamp -4500/-

Final Decree for Partition

District :- South 24 Parganas

In the 5th Court of Civil Judge(Sr. Dirv. At Alipore.

Title suit No. 165 of 2008.

Smt. Sumitra Paul w/o Sri Haran Chandra Paul of 111, Kumar para Lane, P.S. Kasba, Kolkata - 700042. ... Plaintiff.

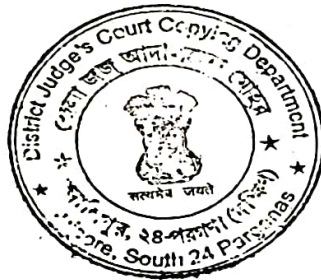
-Versus -

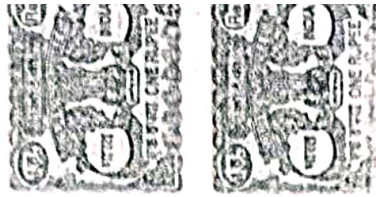
1. Harsanath Paul, s/o Late Kanailal Paul 2. Sri Dilip Kumar Paul s/o Late Kanailal Paul 3. Smt. Jharna Das wife of Meghnath Das daughter of Late Kanailal Paul 4.(a) Smt. Laxmi Paul wife of Late Sudhir Paul (b) Sri Toton Paul(Biswajit Paul) s/o Late Sudhir Kumar Paul (c) Smt. Keya Paul wife of not known d/o Late Sudhir Kumar Paul (d) Smt. Mousumi Paul w/o Not known d/o Late Sudhir Kumar Paul (e) Kumari Soma Paul D/o Late Sudhir Kumar Paul.

No.1 to 4 (e) all are residing at premises no,111, Kumar Para Lane, P.S- Kasba, Kolkata-700042.

5. Smt. Uma Rani Paul, wife of Sri Sunil Kumar Paul, D/o Late

Schedule of cost of the copy	
Application.....	S. 2
Folio and AD Stamp.....	38.00
Authentication Fees.....	68.00
Searching Fees.....	130.00
Tracing Fees.....	
Other, if any.....	2032.00





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Late Kanailal Paul of Z-4/194, Riversid Road, P.S- Metiabruz  
Kolkata- 700044.

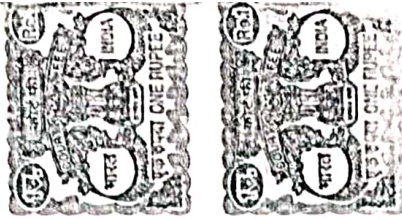
6. Smt. Kamala Rani Paul, Wife of Monoranjan Paul, d/o Late  
Kanailal Paul residing at Village- Ghasiara More, Nutunpally  
P.S. Sonarpur, District- South 24 Parganas, Kolkata-700150  
(near Katgola of Narayan Sharma). .....Defendants.

Suit for partition declaration and injunction, suit  
is valued at Rs. 2,00,200/- (Rs. 2,00,000/- For value  
of the property Rs. 100/- For declaration and Rs.100/-  
injunction.

This suit coming on this day for final disposal before  
present - Sri Ramendra Nath Makhai Civil Judge(Sr. Div  
5th Court Alipore, 24 Parganas(South), in the presence  
of Sri Bholenath Ghosh, Advocate for the plaintiff  
and of Sri Pratip Basu, Advocate for the defendant.

It is ordered that, the suit be and the same is decreed  
in terms of compromise petition.

Let the compromise petition be treated as part and



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and ~~the~~ parcel of the compromise decree. If the parties are desirous to have compromise ~~decreed~~ decreed registered before the registering authority under Indian Registration Act, 1908 the registering authority shall have full right to assess the market value of the suit property to impose it upon the party or parties.

Schedule of the Suit property

All that piece and parcel of Land measuring about 10 cottahs 13 Chittacks 25 Sq. ft. alongwith Structures standing there on being premises No.111, Kumar Para Lane, P.S. Kasba, Kol-Kata- 700042, Under Mouza- Gadsa, ~~Khatian~~ Khatian Nos. 81 and 82 under Dag Nos. 308 and 309, that was marked as "B" and "D" in attached sketch map in ~~part~~ partition deed in the year 1942 under K.M.C. Ward No.91.

Given under my hand and the seal of this court of this 9th March 2015.

Sd/- Sri Ramendra Nath Makhai

Civil Judge (Sr. Division)  
5th Court, Alipore  
South 24 Parganas.

Typed by:- *Sankar Das*  
18.05.2015



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ES:- 538/15.

DISTRICT 24 PARGANAS(SOUTH).

In the Fifth Court of the Civil Judge(Senior Division) at Alipore.

Title Suit No.165 of 2008.

Sm. Sumitra Paul. ....Plaintiff.

versus

Harsanath Paul and Others. ....Defendants.

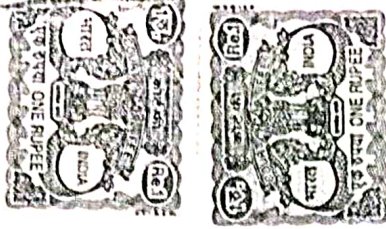
ADDITIONAL COMPROMISE PETITION

The humble petition on behalf of the plaintiff and defendants herein.

Most Respectfully Sheweth :-

1. That on 30.04.2014 the Plaintiff and defendants of the instant suit filed an application under Order XXIII Rule 3 of the Code of Civil Procedure and prayed for decree on compromise in the instant suit.
2. That the parties in the instant suit jointly signed the said compromise petition under Order XXIII Rule 3 of the Code of Civil Procedure and the same was affirmed by Sumitra Paul(Plaintiff) and Soma Paul(Defendant No.4D)

d-c



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herein.

3. Due to some typographical mistake in the prayer portion of the said compromise petition, the paragraph No.1 (a to j) was written instead of paragraph nos.1 to 6. Therefore in prayer portion the paragraph no.1 (a to j) should be deleted and in that place paragraph nos. 1 to 6 should be incorporated.

4. That this petition is made bonafide and for ends of justice.

It is therefore humbly prayed that your Honour would graciously be pleased to accept this Additional Compromised Petition and further be pleased to treat this petition as part of the original comprised petition dated 30.04.2014 and also treat this petition as the part of the decree and pass such order/orders as Your Honour may deem fit and proper.

And your petitioner as in duty bound shall ever pray.

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বিল পাল  
Filed by

Sd/- Illigible  
Adv.

(for the Plaintiff)

part and parcel of Decree  
24.03.2015

Soma Paul

Sd/- Sri Ramendra Nath Makhai

Filed by

Sd/- Prosenjit Saha  
Advocate

Civil Judge (Sr. Divn.)

5th Court, Alipore

South 24 Parganas.

~~XXXX~~  
Sd/-

AFFIDAVIT

I, SRI SUMITRA PAUL, wife of Sri Haran Chandra Paul, residing at 111, Kumar Para Lane, Police Station- Kasba, District- South 24 Parganas, by occupation-~~Wasa~~ Housewife, aged about 53 years, do hereby solemnly affirm and state as follows :-

1. That I am the sole plaintiff in the above suit and am fully conversant with the facts thereof.

This is true to my knowledge.

2. That the statements made in paragraphs 1 to 4 are true to my knowledge and those of the ~~rest~~ rests there of



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of are my respectfully submissions before this Learned Court.

স্বাক্ষরিত জন

Deponent known to me

Drafted and explained by

Received and explained in

me and prepared at my

Bengali

office :

Identified by me

Sd/- Illigible  
Advocate

Sd/- Illigible  
26.11.2014  
Advocate

Solemnly ~~xxx~~ declared and

affirmed at Calcutta on identifi-

cation at A.M/P.M. Under Notaries Act.

Sd/- Somnath Ghosh

26.11.2014

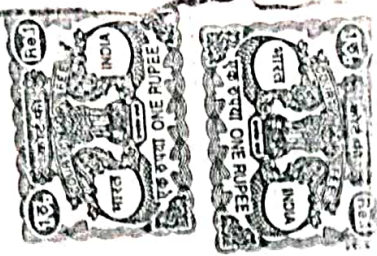
Notary Govt. of West Bengal  
18 of 2000

AFFIDAVIT

I, SCMA PAL, daughter of late Sudhir Kumar Paul, residing at 111, Kumar para Lane, Police Station- Kasba, District- South 24 Parganas, by occupation- Service, aged about 28 years, do here by solemnly affirm and state as follows :

1. That I am the defendant no.4(e) and Tatbirkarak in





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the above suit and am fully conversant with the facts thereof.

This is true to my knowledge.

2. That the statements made in paragraphs 1 to 4 are true to my knowledge and those of the rests thereof are my respectfully submissions before this Learned Court.

Drafted and explained by me

Sd/- Soma Paul

and prepared at my office

Deponent known to me

Prosenjit saha

Identified by me

Advocate

Prosenjit saha

Solemnly declare and affirmed

Advocate

26.11.14

& Calcutta on identification M/

P.M. Under Notaries Act.

Sd/- Somnath Chosh

Notary Govt. of West Bengal

18 of 2000

26 Nov. 2014

~~the~~ Typed by:- Sankar Das

18.05.2015



// 1 //

ES:- 538/15.

DISTRICT 24 PARGANAS(SOUTH).

In the Fifth Court of the Civil Judge(Senior Division) at Alipore.

Title Suit No.165 of 2008.

Sm. Sumitra Paul. ....Plaintiff.

versus

Harsanath Paul and Others. ....Defendants.

ADDITIONAL COMPROMISE PETITION

The humble petition on behalf of the plaintiff and defendants herein.

Most Respectfully sheweth :-

1. That on 30.04.2014 the Plaintiff and defendants of the instant suit filed an application under Order XXIII Rule 3 of the Code of Civil Procedure and prayed for decree on compromise in the instant suit.

2. That the parties in the instant suit jointly signed the said compromise petition under Order XXIII Rule 3 of the Code of Civil Procedure and the same was affirmed by Sumitra Paul(Plaintiff) and Soma Paul(Defendant No.4E)



// 2 //

herein.

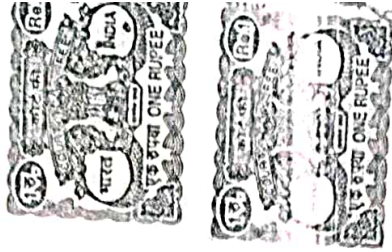
3. Due to some typographical mistake in the prayer portion of the said compromise petition, the paragraph No.1 (a to j) was written instead of paragraph nos.1 to 6. Therefore in prayer portion the paragraph no.1 (a to j) should be deleted and in that place paragraph nos. 1 to 6 should be incorporated.

4. That this petition is made bonafide and for ends of justice.

It is therefore humbly prayed that your Honour would graciously be pleased to accept this Additional Compromised Petition and further be pleased to treat this petition as part of the original comprised petition dated 30.04.2014 and also treat this petition as the part of the decree and pass such order/orders as Your Honour may deem fit and proper.

And your petitioner as in duty bound shall ever pray.

सुप्रियता पाल



// 3 //

Filed by

Sd/- Illigible

Adv.

(for the Plaintiff)

Part and parcel of Decree  
24.03.2015

Soma Paul

Sd/- Sri Ramendra Nath Makhai

Filed by

Sd/- Prosenjit Saha  
Advocate

Civil Judge (Sr. Divn.)

5th Court, Alipore

South 24 Parganas.

Sworn by:-

AFFIDAVIT

I, SMT SUMITRA PAUL, wife of Sri Haran Chandra Paul, residing at 111, Kumar Para Lane, Police Station- Kasba, District- South 24 parganas, by occupation- ~~Kasba~~ Housewife, aged about 53 years, do hereby solemnly affirm and state as follows :-

1. That I am the sole plaintiff in the above suit and am fully conversant with the facts thereof.

This is true to my knowledge.

2. That the statements made in paragraphs 1 to 4 are true to my knowledge and those of the ~~rest~~ rests there of.



// 4 //

of are my respectfully submissions before this Learned  
Court.

স্মিথ পাল

Deponent known to me

Drafted and explained by  
me and prepared at my  
office :

Received and explained in  
Bengali

Identified by me

Sd/- Illigible  
Advocate

Sd/- Illigible  
26.11.2014  
Advocate

Solemnly ~~aff~~ declared and  
affirmed at Calcutta on identifi-  
cation at A.M/P.M. Under Notaries Act.

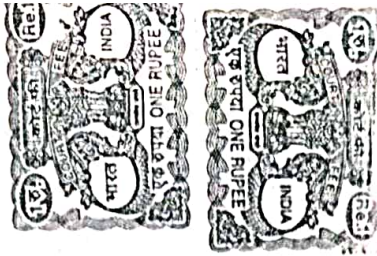
Sd/- Somnath Ghosh

26.11.2014  
Notary Govt. of West Bengal  
18 of 2000

AFFIDAVIT

I, SCMA PAL, daughter of late Sudhir Kumar Paul, residing  
at 111, Kumar para Lane, Police Station- Kasba, District-  
south 24 Parganas, by occupation- Service, aged about 28  
years, do here by solemnly affirm and state as follows :

1. That I am the defendant no.4(e) and Tatbirkarak in



// 5 //

the above suit and am fully conversant with the facts thereof.

This is true to my knowledge.

2. That the statements made in paragraphs 1 to 4 are true to my knowledge and those of the rests thereof are my respectfully submissions before this Learned Court.

Drafted and explained by me  
and prepared at my office  
Prosenjit saha  
Advocate

Sd/- Soma Paul  
Deponent known to me  
Identified by me  
Prosenjit saha

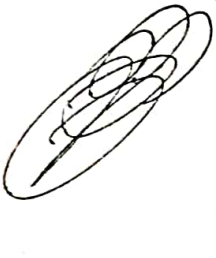
Advocate  
26.11.14

Solemnly declare and affirmed  
& Calcutta on identification AM/

P.M. Under Notaries Act.

Sd/- Somnath Ghosh  
Notary Govt. of West Bengal  
18 of 2000  
26 Nov. 2014

Typed by:- Sankar Das  
18.05.2015





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District 24 Parganas(South).

In the Fifth Court of the Civil Judge (Senior Division) at Alipore.

Title Suit No. 165 of 2008

Sm. Sumitra Paul.....Plaintiff

-vs-

Harasenath paul and Another.....Defendants.

In the matter of an application for recording compromise in the said suit.

and

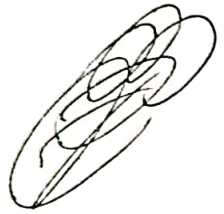
In the matter of Order 23 rule 3 of the Code of Civil Procedure.

The humble petition of the plaintiff and defendants above named.

Most respectfully Sheweth:-

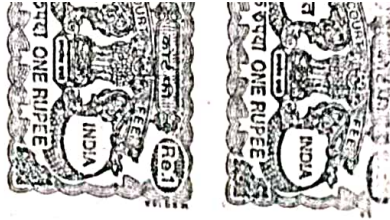
1. That the suit property originally belonged to Gopal Chandra Paul, since deceased and his wife Charu Bala Dasi, since deceased being the predecessor in interest of Kanai Lal Paul, since deceased, the parties herein.

2. That at present after physical verification the actual



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actual measurement of the property stands to 10 cottahs 3 chittaks 35 square feet more or less together with structures standing thereon which includes 2 cottahs of land belonged to Charubala Dasi, wife of Gopal Chandra Paul since deceased and the parties here in have been seized and possessed of the entire property.

3. The existing passage, shown in red colour which originates from Kumar Para Lane is at present, after physical measurement it stand to 1 cottah 5 chittaks 16 square feet more or less.

4. That through the intervention of mutual friends and relations and to establish permanent peace and amity of the parties herein have compromised the said suit on following terms :-

a) The plaintiff has been in possession of 1(one) cottah 11(eleven) chittaks 12(twelve) square feet more or less of land along with tile shed structure measuring about 230 square feet more or less standing thereon located on the South East side at the suit ~~xxx~~ property as delineated in the plan





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Plan here to annexed and coloured therein in YELLOW and marked as 'Lot- A' and valued at Rs. 2,00,000/- (Rupees Two Lakhs) only.

B) The Plaintiff shall be exclusive owner of the said land together with tiled shed structure standing thereon and the defendants shall have no claim in respect there of.

c) The access to the said portion i.e. 'Lot-A' hereby allotted to the plaintiff shall be through existing passage measuring about 1 cottah 5 Chittaks 16 square feet more or less shown in RED colour and the plaintiff shall enjoy the existing passage which originates from Kumarpara Lane and as delineated in the Plan hereto annexed and bordered there in RED.

d) The residue land measuring 8 cottahs 8 chittaks and 23 square feet more or less together with tiled shed structure measuring about 550 square feet more or less standing thereon as delineated in the plan hereto marked and bordered therein GREEN and marked as 'Lot-B' is hereby allotted to the defendants, valued at Rs. 5,00,000/- (Rupees Five Lakhs) only.

e) The defendants shall exclusively enjoy their entrance



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entrance which originates from Kumar Para Lane towards to 'Lot-B'.

f) That the plaintiff shall erect/construct brick built boundary wall for demarcation of the respective portions within 15(fifteen) days from the date of signing of this compromise petition at the cost of defendants and the defendants undertake to render all co-operation to the plaintiffs in this regard.

g) The defendants shall pay the sum of Rs. 2,30,000/- by account payee cheque to the plaintiff as owelty money after ~~comp~~ compilation of the boundary wall and upon final hearing of this compromise petition.

h) That both the parties herein shall have liberty to mutate their names in respect of their allotted portion in the records of Kolkata Municipal Corporation.

i) That at present the common toilet and latrines are situated on the plaintiff's portions, for that reason the defendants herein shall create and/or establish separate toilet and latrines in their respective portions within a



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a period of one month and till then the defendant shall be entitled to use the common toilet and latrines.

j) That the defendants shall have the right to create new electricity connection/meter, separate water line and sewerage connection for their respective portions.

k) That the plaintiffs shall erect/construct brick-built boundary wall for demarcation of the respective portions within 15 (~~or~~ fifteen) days from the date of execution of this compromise petition at the cost of defendants and the defendants undertake to render all co-operation to the plaintiffs in this regard.

5. That the aforesaid partition plan is annexed herewith and be treated as the part of this compromise petition.

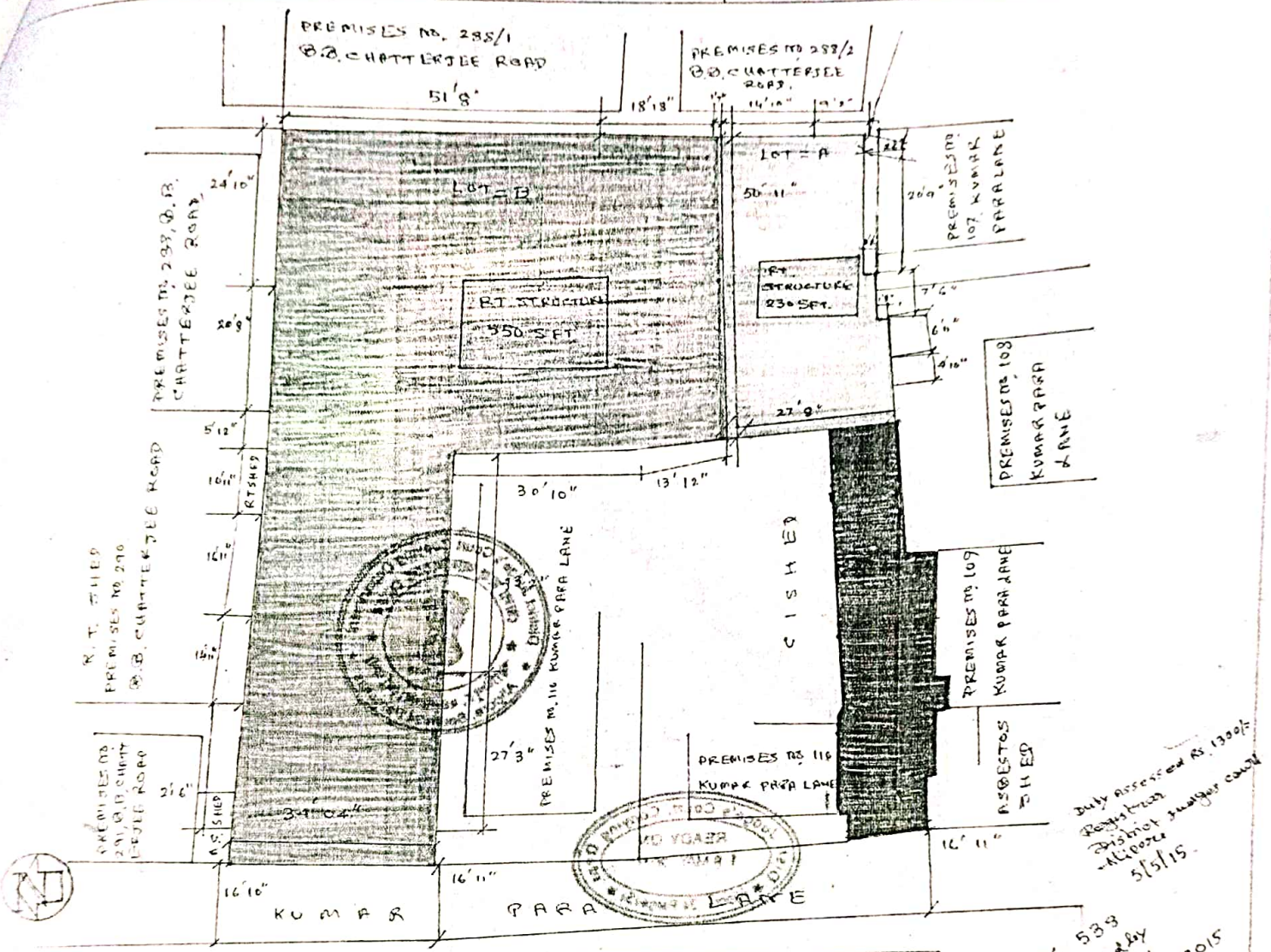
6. That the parties having thus compromised the disputes in this suit by a lawful compromise as herein before stated it is necessary that the same should be recorded and a decree in final form be passed in terms thereof ~~and~~ treating the application as a part of the decree as otherwise your

THE 5TH COURT OF THE LD. CIVIL JUDGE (SR. DIVISION) AT ALI PORE  
 TITLE : SUIT NO. 165 OF 2008

SUMITRA PAUL VS HARSANATH PAUL & OTHERS.

A - PLAINTIFF'S LAND - 1K 11CH. 12SFT, SHOWN IN YELLOW COLOUR  
 B - DEFENDANT'S LAND - 8K 8CH. 23SFT, SHOWN IN GREEN COLOUR  
 EXISTING PASSAGE - 1K 5CH. 16SFT, SHOWN IN RED COLOUR

PREMISES NO. - 111  
 KUMAR PARA LANE  
 WARD NO. - 91  
 ASSESSEE NO. 210911001421  
 P.S - KASBA, KOLKATA - 700 042  
 DIST - 24 PARGANAS



July Assessed As 1300/-  
 Registered  
 District Juggur court  
 5/5/15

ES. 533  
 Traced by  
 K. Roy  
 18-5-2015

PLAINTIFFS		DEFENDANTS	
NAME	Signature	NAME	SIGN
SUMITRA PAUL	[Signature]	A) TOTOH PAUL	[Signature]
		B) KISWAZIT PAUL	[Signature]
		A) KEYA PAUL	[Signature]
		A) MOUSUMI PAUL	[Signature]
HARSANATH PAUL	[Signature]	A) KUMARI SOMA PAUL	[Signature]
SILIP KUMAR PAUL	[Signature]	B) UMA RAKI PAUL	[Signature]
THARNA DAS	[Signature]	C) KARALA RAKI PAUL	[Signature]
PAVANI PAUL	[Signature]		

NOTE :-  
 1) ALL DIMENSIONS ARE IN FT. INCH.  
 2) PROPERTY LINE AS SHOWN BY THE PARTY SHOWN THOS