

MANISHA DEBDAS

ADVOCATE

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Place: Kolkata



CHAMBER

Room No.: 710, 7th Floor

Delta House

4, Govt. Place (W), Lal Dighi (N)

Kolkata-700 001
Date - 25.08.2022

Sub: Non-Encumbrances Certificate and Detailed Report on Title

Description of the property:

All that piece and parcel of land admeasuring 10 Cottahs or equivalent to 668.896 Square Metre more or less together with a building having an area admeasuring 12716 Square Feet (Ground floor admeasuring 5724 Square Feet along with 1268 Square Feet asbestos shed and First Floor admeasuring 5724 Square Feet) lying and situated at Premises no. 44, Maniktala Street (old) Ram Dulal Sarkar (new) within the ambit of Kolkata Municipal Corporation, Ward no. 26, Police Station Maniktala (old) Girish Park (new), Kolkata-700006, Assessee no. 11-026-3100-26-8.

The land with structure is butted and bounded as follows:

ON THE NORTH : 45/1, Ram Dulal Sarkar Street;

ON THE SOUTH : Passage, Premises no. 68, Balaram Dey Street, 71, W.C. Banerjee Street;

ON THE EAST : 45/1, Ram Dulal Sarkar Street and Premises no.68, Balaram Dey Street.

ON THE WEST : 41, 43, Ram Dulal Sarkar Street.

Present land owner of the land:

Vanvi Projects Pvt. Ltd.

a company headed by its director namely Sri Shashank Kajaria

Search made from the Offices of the Registrar:

Search for Index II

I have caused necessary online registration searches vide dated 30.08.2022 as per records available with the register of the offices of the **District Sub-Registrar** at Alipore, South 24 Parganas and the Offices of the **Additional District Sub-Registrar** at Sealdah, South 24 Parganas and the Offices of the Additional Registrar of Assurances at Kolkata for the period of 13 years commencing from 2010 to till date of 2022 for Index II and as per records available with those aforesaid offices of the Registrars for the said period for Index II, no adverse entry has been found in the records of Indices from the aforesaid offices during those periods.

The searching copies are annexed herewith.

Title over the lands emerged since the year 1927.

Nature of Title : Lease based.

My report on the title and interest of the property

WHEREAS Keshablal Mallick and Smt. Dashi jointly were the absolute owners of All that piece and parcel of a land admeasuring 10 Cottahs more or less together with partly one storied and partly two storied structure and partly three storied brick built

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structures lying and situated at Premises no. 44, Maniktala Street appertaining to Holding no. 26, Block XIX in the Northern Division of Town of Kolkata.

AND WHEREAS by a Deed of Lease dated 08.04.1927 said Keshablal Mallick and Smt. Dashi jointly perpetually leased, granted, assigned and transferred **All that** piece and parcel of a land admeasuring 10 Cottahs more or less together with partly one storied and partly two storied structure and partly three storied brick built structures lying and situated at Premises no. 44, Maniktala Street appertaining to Holding no. 26, Block XIX in the Northern Division of Town of Kolkata unto and in favour of one Ram Narayan Kshetry for a period of 999 years commencing since 1927 and the same was duly registered with the Office of the District Registrar of Assurances at Kolkata and the same was duly recorded in Book no. I, Volume no. 23, Pages from 281 to 286, being no. 1671 for the year 1927.

AND WHEREAS said Ram Narayan Kshetry died intestate leaving behind him his surviving wife and two sons namely Thakurdevi and Shib Narayan Kshetry and Lakshmi Narayan Kshetry as his only legal heirs, successors and representatives to enjoy and possess his property.

AND WHEREAS said Thakurdevi died intestate leaving behind her surviving two sons namely Shib Narayan Kshetry and Lakshmi Narayan Kshetry as her only legal heirs, successors and representatives to enjoy and possess the said property.

AND WHEREAS said Shib Narayan Kshetry filed a suit for Partition vide Title Suit no. 26 of 1937 before the Ld. 2nd Court of the Sub-ordinate Judge at Howrah against his brother namely Lakshmi Narayan Kshetry along with Pratap Narayan Kshetry, Ajit Narayan Kshetry, Bikram Narayan Kshetry, Chotta Kshetry for the purpose of divide, demarked and alienated their all-inherited properties including **All that** piece and parcel of a land admeasuring 10 Cottahs more or less together with partly one storied and partly two storied structure and partly three storied brick built structures lying and situated at Premises no. 44, Maniktala Street appertaining to Holding no. 26, Block XIX in the Northern Division of Town of Kolkata (perpetual leased based property).

AND WHEREAS pursuing the said Title Suit vide being no. 26 of 1937 the Ld. 2nd Court of the Sub-ordinate Judge at Howrah passed his order dated 26.05.1938 unto and in favour of said Shib Narayan Kshetry whereby and whereunder he became the sole and absolute owner, occupier of **All that** piece and parcel of a land admeasuring 10 Cottahs

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more or less together with partly one storied and partly two storied structure and partly three storied brick-built structures lying and situated at Premises no. 44, Maniktala Street appertaining to Holding no. 26, Block XIX in the Northern Division of Town of Kolkata (perpetual leased based property).

AND WHEREAS said Shib Narayan Kshetry died intestate dated 07.10.1991 leaving behind him his surviving wife and four sons namely Bhupen Kshetry, Ravi Kshetry, Sashi Kshetry and Gautam Kshetry as his only legal heirs, successors and representatives to enjoy and possess his property.

AND WHEREAS being the joint and undivided possessors said Bhupen Kshetry, Sashi Kshetry, Gautam Kshetry executed and appointed his brother namely Ravi Kshetry as their sole constituted attorney to do act on their behalf.

AND WHEREAS said Bhupen Kshetry, Sashi Kshetry, Gautam Kshetry represented by their constituted sole attorney Ravi Kshetry and himself approached to the Tata Capital Ltd. for grant of loan for a sum of Rs. 3,50,00,000/- unto and in favour of said Bhupen Kshetry, Sashi Kshetry, Gautam Kshetry, Ravi Kshetry jointly and the same was completed dated 19.12.2009.

AND WHEREAS by a Deed of Mortgage (without Possession) dated 29.12.2009 said Bhupen Kshetry, Sashi Kshetry, Gautam Kshetry represented by their constituted sole attorney Ravi Kshetry and himself as mortgagor assigned, mortgaged and delegated **All that** piece and parcel of a land admeasuring 10 Cottahs more or less together with partly one storied and partly two storied structure and partly three storied brick-built structures lying and situated at Premises no. 44, Maniktala Street appertaining to Holding no. 26, Block XIX in the Northern Division of Town of Kolkata unto and in favour of Tata Capital Ltd. as mortgagee and the same was duly registered with the Office of the Additional Registrar of Assurances at Kolkata and the same was duly recorded in Book no. I, C.D. Volume no. 29, Pages from 1271 to 1294, being no. 14273, for the year 2009 availing the remaining period of lease.

AND WHEREAS said Bhupen Kshetry, Sashi Kshetry, Gautam Kshetry represented by their constituted sole attorney Ravi Kshetry and himself approached to the Tata Capital Ltd. renamed and known as Tata Capital Financial Services Ltd. for second time grant of loan for a sum of Rs. 2,00,00,000/- unto and in favour of said Bhupen Kshetry, Sashi Kshetry, Gautam Kshetry, Ravi Kshetry jointly and the same was completed dated 29.03.2012.

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AND WHEREAS after prevailing those two loans from the Tata Capital Ltd. renamed and known as Tata Capital Financial Services Ltd. said Bhupen Kshetry died intestate dated 21.04.2012 leaving behind him his surviving wife and two sons and one daughter namely Indira Kshetry and Bhuvan Kshetry, Rishi Kshetry and Ridhi Kapoor as his only legal heirs, successors and representatives to enjoy and possess his property.

AND WHEREAS by way of inheritance said Sashi Kshetry, Gautam Kshetry, Ravi Kshetry and Indira Kshetry, Bhuvan Kshetry, Rishi Kshetry, Ridhi Kapoor jointly become the perpetual leasee of **All that** piece and parcel of a land admeasuring 10 Cottahs more or less together with partly one storied and partly two storied structure and partly three storied brick-built structures lying and situated at Premises no. 44, Maniktala Street (old) Ram Dulal Sarkar Street (new) appertaining to Holding no. 26, Block XIX in the Northern Division of Town, Kolkata-700006, Kolkata Municipal Corporation, Ward no. 26.

AND WHEREAS being the joint and undivided possessors said Sashi Kshetry, Gautam Kshetry, Indira Kshetry, Bhuvan Kshetry, Rishi Kshetry, Ridhi Kapoor jointly executed and appointed said Ravi Kshetry as their sole constituted attorney to do act on their behalf.

AND WHEREAS said Sashi Kshetry, Gautam Kshetry, Indira Kshetry, Bhuvan Kshetry, Rishi Kshetry, Ridhi Kapoor jointly represented by sole constituted attorney namely Ravi Kshetry and said Ravi Kshetry himself formed and set up a company in the name and style of Taurus Flexibles Pvt. Ltd.

AND WHEREAS by a Deed of Mortgage dated 21.01.2013 said Sashi Kshetry, Gautam Kshetry, Indira Kshetry, Bhuvan Kshetry, Rishi Kshetry, Ridhi Kapoor jointly represented by their constituted sole attorney Ravi Kshetry and himself further approached and extended the previous mortgage (without possession) unto and in favour of Tata Capital Ltd. renamed and known as Tata Capital Financial Services Ltd. and the same was duly registered with the Office of the Additional Registrar of Assurances -II at Kolkata and the same was duly recorded in Book no. I, C.D. Volume no. 03, Pages from 5571 to 5592, being no. 00872 for the year 2013.

AND WHEREAS after prevailing those loans from the Tata Capital Ltd. renamed and known as Tata Capital Financial Services Ltd. said Gautam Kshetry died intestate dated 25.02.2014 leaving behind him his surviving wife and one son namely Madhu Kshetry

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and Gaurav Kshetry as his only legal heirs, successors and representatives to enjoy and possess his property.

AND WHEREAS said Sashi Kshetry, Madhu Kshetry, Gaurav Kshetry, Indira Kshetry, Bhuvan Kshetry, Rishi Kshetry, Ridhi Kapoor jointly represented by their constituted sole attorney Ravi Kshetry and himself collectively known as borrower failed to repay the loan amount within stipulated period dated 13.12.2016 unto and in favour of the Tata Capital Financial Services Ltd.

And whereas by a Demand notice dated 14.12.2016 said Tata Capital Financial Services Ltd. issued a notice under section 13(2) of the SARFAESI ACT, 2002 for recovery of sum of Rs. 1,30,90,644/- from Taurus Flexibles Pvt. Ltd. along with Sashi Kshetry, Madhu Kshetry, Gaurav Kshetry, Indira Kshetry, Bhuvan Kshetry, Rishi Kshetry, Ridhi Kapoor jointly represented by their constituted sole attorney Ravi Kshetry and Ravi Kshetry himself.

AND WHEREAS said Tata Capital Financial Services Ltd. filed a Misc case vide Reg. Miscs no. 139 of 2017 along with the Application no. 46 of 2017 for grant of permission to take physical possession of **All that** piece and parcel of a land admeasuring 10 Cottahs more or less together with partly one storied and partly two storied structure and partly three storied brick-built structures lying and situated at Premises no. 44, Maniktala Street (old) Ram Dulal Sarkar Street (new) appertaining to Holding no. 26, Block XIX in the Northern Division of Town, Kolkata-700006, Kolkata Municipal Corporation, Ward no. 26 before the Ld. Chief Metropolitan Magistrate at Calcutta against Taurus Flexibles Pvt. Ltd. along with Sashi Kshetry, Madhu Kshetry, Gaurav Kshetry, Indira Kshetry, Bhuvan Kshetry, Rishi Kshetry, Ridhi Kapoor jointly represented by their constituted sole attorney Ravi Kshetry and Ravi Kshetry himself and the same was ordered dated 06.04.2018 unto and in favour of said the authorised officer of the Tata Capital Financial Services Ltd.

AND WHEREAS said authorised Officer of the Tata Capital Financial Services Ltd. took the physical possession of the above referred perpetual leased based property dated 20.12.2018.

AND WHEREAS by an E-Auction Sale Notice dated 28.02.2019 said authorised Officer of the Tata Capital Financial Services Ltd. expressed, published and declared in the daily news papers namely The Telegraph and Aajkal to sell **All that** piece and parcel of a land admeasuring 10 Cottahs more or less together with partly one storied and partly two storied structure and partly three storied brick-built structures lying and situated at

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Premises no. 44, Maniktala Street (old) Ram Dulal Sarkar Street (new) appertaining to Holding no. 26, Block XIX in the Northern Division of Town, Kolkata-700006, Kolkata Municipal Corporation, Ward no. 26 and by the said declaration the process of Sale was conducted dated 30.03.2019 by repaying all the dues retained by the mortgagors till that time.

AND WHEREAS by a Sale Certificate dated 07.05.2019 said authorised Officer of the Tata Capital Financial Services Ltd. handed over, delivered the exclusive right, title and interest of the afore said properties unto and in favour of **Vanvi Projects Pvt. Ltd.**, a company headed by its director namely Shashank Kajaria.

AND WHEREAS by a Deed of Sale, Certificate of Sale dated 07.05.2019 said Tata Capital Financial Services Ltd. represented by its authorised officer namely Tanuka Banerjee delegated, assigned and transferred the residue rights of **All that** piece and parcel of land admeasuring **10 Cottahs** more or less together with a building having an area admeasuring 12716 Square Feet (Ground floor admeasuring 5724 Square Feet along with 1268 Square Feet asbestos shed and First Floor admeasuring 5724 Square Feet) lying and situated at Premises no. 44, Maniktala Street (old) Ram Dulal Sarkar (new) within the ambit of Kolkata Municipal Corporation, Ward no. 26, Police Station Maniktala (old) Girish Park (new), Kolkata-700006, Assessee no. 11-026-3100-26-8 unto and in favour of **Vanvi Projects Pvt. Ltd.**, a company headed by its director namely Shashank Kajaria and the same was duly registered with the office of the Additional Registrar of Assurances -III at Kolkata and the same was duly recorded in Book no. I, Volume no. 1903-2019, pages from 82569 to 82612, being no. 190302071 for the year 2019.

AND WHEREAS by a Deed of Declaration dated 18.07.2019 said **Vanvi Projects Pvt. Ltd.**, a company headed by its director namely Shashank Kajaria declared and confirmed the boundary details of said **All that** piece and parcel of land admeasuring **10 Cottahs** more or less together with a building having an area admeasuring 12716 Square Feet (Ground floor admeasuring 5724 Square Feet along with 1268 Square Feet asbestos shed and First Floor admeasuring 5724 Square Feet) lying and situated at Premises no. 44, Maniktala Street (old) Ram Dulal Sarkar (new) within the ambit of Kolkata Municipal Corporation, Ward no. 26, Police Station Maniktala (old) Girish Park (new), Kolkata-700006, Assessee no. 11-026-3100-26-8 and the same was duly registered with the office of the Additional Registrar of Assurances -II at Kolkata and the same was duly recorded in Book no. I, Volume no. 1903-2019, pages from 131629 to 131643, being no. 190303469 for the year 2019.

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Other observations:

The property is entirely free from any type of vested interest of any minor and the title has not been originated and emanated from any HUF. **Perpetual lease** or grant is present over the same.

Certificate:

I do hereby certify that **All that** piece and parcel of land admeasuring **10 Cottahs** or equivalent to **668.896 Square Metre** more or less together with a building having an area admeasuring 12716 Square Feet (Ground floor admeasuring 5724 Square Feet along with 1268 Square Feet asbestos shed and First Floor admeasuring 5724 Square Feet) lying and situated at Premises no. 44, Maniktala Street (old) Ram Dulal Sarkar (new) within the ambit of Kolkata Municipal Corporation, Ward no. 26, Police Station Maniktala (old) Girish Park (new), Kolkata-700006, Assessee no. 11-026-3100-26-8 presently own by **Vanvi Projects Pvt. Ltd.**, a company headed by its director namely Shashank Kajaria appear to be free from all sorts of encumbrances, charges, acquisitions, liabilities, lien, lispens and attachment on any kind and / or like from any corner whatsoever and the title is absolutely valid, free, clear and marketable and certifying this property after going through the photocopies of documents provided by the present owners of the property.

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F/1711/1649/2016