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পশ্চিমবঙ্গ পশ্চিম বঙ্গাল WEST BENGAL

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Addl. District Sub-Registrar
 South 24 Parganas

15 MAY 2023

DECLARATION OF DEVELOPMENT AGREEMENT

THIS DEED OF DECLARATION OF DEVELOPMENT AGREEMENT is made on this the 11th day of May, 2023 (TWO THOUSAND AND TWENTY THREE) BETWEEN **DR. CHITTARANJAN MITRA** (having PAN ADTPM7295F and Aadhaar No 3240 6328 0204), son of Late Kali Das Mitra, by faith Hindu, by Occupation – Medical Practitioner, by nationality Indian, residing at H. C. Sarani, Purba Das Para, Baikunthapur more, P.O and P.S, Sonarpur, District South 24 Parganas, Kolkata -150, presently residing at SRINATH NIKET, 527, Aghore Sarani, Barendra Para, P.O- Rajpur, P.S- Sonarpur Dist- 24 Parganas, Kolkata-700149, hereinafter called and referred to as the **OWNER / FIRST PARTY** (Which expression shall unless otherwise excluded by or repugnant to the context be deemed to mean and include his respective heir / heirs/ executor/ executors/ administrator/ administrators/ legal representative/ legal representatives and assign/ assigns) of the **ONE PART**;

has been resolved unanimously in meeting of the Board of Directors of SPS INFRAREALTY PRIVATE LIMITED. held on 15.10.2019 that one of the Directors Sri Sajal Bhatta authorized to represent and execute all deed and documents on behalf of the company in all respects to the "A"...

AND

1). **SPS INFRAREALTY PRIVATE LIMITED** (having PAN : AAPCS7505Q), a private Limited company incorporate of under the companies Act , 1956, having its registered office at 152, Kanungo Park , Garia , P.S. Patuli , Kolkata 700084, consisting of Three Directors namely 1) **SRI SWAPAN BHATTA** (having PAN NO: AEFPB8007H, AADHAAR No : 219314872321), S/O Late Ramesh Chandra Bhatta , by faith Hindu , by Occupation business, by Nationality Indian . residing at 126, Kanungo Park , Garia , P.S . Patuli , Kolkata – 700084, 2) **SRI PREM CHAND SETHI** (having PAN NO. AKTPS2413E and AADHAAR No. 2952 0568 0285) S/O Late Padam Chand Sethi by faith Hindu , by Nationality Indian by Occupation Business , residing at 26, Shakespeare Sarani , Flat No . 7D, P.S. Shhakespeare Sarani, Kolkata : 700017 and 3) **SRI SAJAL BHATTA** (having PAN NO : AEVPB3414J and AADHAAR No : 553083554646) S/O- Late Ramesh Chandra Bhatta by faith Hindu , by Nationality Indian by Occupation Business , residing at 152 Kanungo Park Garia , P.S. Patuli Kolkata 700084 and for the purpose of execution of agreement **SRI SAJAL BHATTA** (having PAN NO : AEVPB3414J and AADHAAR No : 553083554646) son of Late Ramesh Chandra Bhatta , by faith Hindu, by Occupation Business , by nationality Indian , residing at 152 Kanungo Park , P.O : Garia , P.S: Patuli , Kolkata 700084 , had been duly authorized in it's Board meeting dated 15.10.2019.

2) . **M/S KACHNER INFRATUCTURES PVT LIMITED** (having PAN AADCK7583J) a company incorporated under the companies Act, 1956 having its registered office at 225E, Acharya Jagadish Chandra Bose Road , P.O : Lala Rajput Raj sarani , P.S : Ballygunge, Kolkata 700020, being represented by its Director **SRI AJAY KUMAR JAIN** (having PAN NO: ACQPJ5099Q and AAadhar No : 447564577391) S/O Sri Sumer Mal Jain , by faith Hindu , by Occupation Service , by nationality Indian , residing at 225E , Acharya Jagadish Chandra Bose Road , P.O : Lala Lajpat Rai Sarani , P.S : Ballygunge, Kolkata – 700020 , has been duly authorised in it's Board meeting dated hereinafter called and referred to as the **DEVELOPERS/ SECOND PARTIES** (Which expression shall unless excluded by or repugnant to the context be deemed to mean and include their respective heir heirs / executor / executors/ administrator administrators / legal representative legal representatives and assign/ assigns) of the **OTHER PART**.

It has been resolved unanimously in meeting of the Board of Directors of SPS INFRAREALTY PRIVATE LIMITED . held on 15.10.2019 that one of the Directors Sri Sajal Bhatta authorized to represent and execute all deed and documents on behalf of the company in all respect relating to the "A" Schedule property which is subject matter of these presents. It has also been resolved unanimously in the meeting of the Board of Directors of M/S KACHNER INFRATUCTURES

PVT LIMITED (having PAN AADCK7583J) held on. 31.12.2021 that one of the Directors **SRI AJAY KUMAR JAIN** authorized to represent and execute all deed and documents on behalf of the company in all respect relating to the "A" schedule property which is subject matter of these presents.

That by and under a Deed of Development Agreement dated 18.05.2022, was executed in between **DR. CHITTARANJAN MITRA** (having PAN ADTPM7295F and Aadhaar No. 3240 6328 0204), son of Late Kali Das Mitra, by faith Hindu, by Occupation-Medical Practitioner, by nationality Indian, residing at Baikunthapur, P.O. and P.S. Sonarpur, District South 24-Parganas and **SPS INFRAREALTY PRIVATE LIMITED** (having PAN AAPCS7505Q), a Private Limited company incorporate of under the companies Act, 1956, having its registered office at 152, Kanungo Park, Garia, P.S. Patuli, Kolkata 700084, being represented by one its Directors **SRI SAJAL BHATTA**(having PAN AEVPB3414J and Aadhaar No. 5530 8355 4646) son of Late Ramesh Chandra Bhatta, by faith Hindu, by occupation Business, by nationality Indian, residing at 152, Kanungo Park, P.O. Garia, P.S. Patuli, Kolkata 700084, (2). **M/S KACHNER INFRASTRUCTURES PVT. LIMITED** (having PAN AADCK7583J) a company incorporated under the Companies Act, 1956 having its Registered Office at 225E, Acharya Jagadish Chandra Bose Road, P.O. Lala Lajpat Rai Sarani, P.S. Ballygunge, Kolkata 700020, being represented by its Director **SRI. AJAY KUMAR JAIN** (having PAN ACQPJ5099Q and Aadhaar No. 4475 6457 7391) S/o. Late Sumer Mal Jain, by faith Hindu, by occupation Service, by nationality Indian, residing at 225E, Acharya Jagadish Chandra Bose Road, P.O. Lala Lajpat Rai Sarani, P.S. Ballygunge, Kolkata 700020 , duly registered in the office of the Additional District Sub Registrar, Sonarpur and recorded in Book No. I, Volume No. 1608-2022, Pages 103780 to 103811, Being No. 160804035 for the year 2022, in respect of ALL THAT piece and parcel of land measuring 66 decimals, be the same a little more or less, lying and situated at Mouza-Sonarpur, J.L. No. 39, R.S. Khatian No. 225, 302, 599, L.R. Khatian No. 4962, C.S. Dag Nos. 217,216 215, 206, 207, 213/ 1256, 213, 205, R.S. Dag Nos. 245 Shali 5 Decimals, R.S. Dag Nos. 257 Shali 5 Decimals, R.S. Dag Nos. 258 Shali 10 Decimals, R.S. dag Nos. 246 Vita 5¼ Decimals, R.S. Dag Nos. 256 Bagan 10 Decimals, R.S. Dag Nos., 253 Pukur Par 7¼ Decimals, R.s. Dag Nos. 254 Pukur 18½ Decimals, L.R. Dag No. 245 (Bastu Vide Conversion Case No. 358/17 Being Memo No. 41/1255/BL-SNP/17 dated 19.06.2017) 5 Decimals, L.R. Dag No. 246 Vita 5¼ Decimals, L.R. Dag No. 247(Bastu Vide Conversion Case No. 143/17 Being Memo No. 41/1143/BL-SNP/17 dated 06.06.2017) 5 Decimals, L.R. Dar No. 253 (Bastu Vide Conversion Case No. 454/2017 Being Memo No. 60(c)/454/2411/P/17 dated 09.04.2018) 7¼ Decimals, L.R. Dag 254 Pukur 18½ Decimals, L.R. Dag No. 256(Bastu Vide Conversion Case No. 360/17 Being Memo No. 41/2017/BL-SNP/17 dated 10.07.2017) 10 Decimals, L.R. Dag No. 257 (Bastu Vide Conversion Case No. 356/17 Being Memo No. 41/2497/BL-SNP/17 dated 05.04.17) 5 Decimals. L.R. Dag No. 258 (Bastu Vide Conversion Case No. 142/17 Being Memo No. 41/933/RL-SNP/17 dated 15.05.17) 10 Decimals under Rajpur Sonarpur Municipality, P.S.

Sonarpur, District South 24 Parganas and the land is now known as 74, H.C. Sarani, and the land is within the jurisdiction of Rajpur Sonarpur Municipality, Ward No. 13. That due to inadvertence and some typographical mistakes were found in the said Development Agreement Being No. 160804035 for the year 2022.

(i) The name of one of the Developer i.e M/S KACHNER INFRASTRUCTURES PVT. LIMITED was wrongfully written as M/S KACHNER INFRATRUCTURES PVT. LIMITED.

M/S KACHNER INFRATRUCTURES PVT. LIMITED. is changed as M/S KACHNER INFRASTRUCTURES PVT. LIMITED.

And (ii) in the previous Development Agreement Being No. 160804035 for the year 2022 the That presently it was revealed that inadvertently some typographical mistake was found in the said Deed vide Deed No. 160804035 for the year 2022 regarding the Owner's Allocation. In the previous deed vide Deed No. 160804035 for the year 2022 the Owner's Allocation was written as follows:

OWNER'S ALLOCATION: Shall mean 42.5% share in residential and commercial portion of the building and 42.5% share in parking spaces of the building, as per sanctioned plan sanctioned by the Rajpur Sonarpur Municipality in respect of the proposed ground plus seven stories building, besides these, the Developer would pay sum of Rs 71,00,000/- (Rupees Seventy One Lakh only) to the owner during the period of construction on phase by phase . The Developer already paid of Rs 59,00,000/- (Fifty Nine Lakh only) to the owner on different occasion out of which Rs 55,00,000/- (Fifty Five Lakh only) is refundable and Rs 400,000/- (Four Lakh only) is non- refundable. The rest amount i.e: Rs 12,00,000/- (Twelve Lakh only)shall be paid at the time of execution of this agreement after deduction of TDS as per the prevailing condition of the Income Tax and it will also be regarded as non refundable which will be paid by the Developers to the owners by Bank draft/ NEFT/RTGS. The owner shall get 42.5% share in residential and commercial portion of the building area as follows :

FIRST FLOOR :

Flat No :	Area (sq. Ft)
G	842
J	891
L	1173
Total	2906

SECOND FLOOR

FLAT NO	Area(Sq.Ft)
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A	1246
B	1213
I	1235
E	748
H	915

Total =====
5357
=====

THIRD FLOOR :

FLAT NO	Area (Sq.Ft)
E	748
H	915
K	872
F	943
L	1173

Total =====
4651
=====

FOURTH FLOOR

FLAT NO	Area (Sq.Ft.)
H	915
D	885
F	943
J	891
K	872

Total =====
4506
=====

FIFTH FLOOR

FLAT NO	Area (Sq. Ft.)
C	832
D	885
G	842
E	748
J	891
H	915

Total =====
5113
=====

SIXTH FLOOR :

FLAT No	Area (Sq.Ft.)
A	1246
B	1213
C	832
D	885
F	943

Total 5119

SEVENTH FLOOR :

Flat No :	Area (Sq.Ft.)
A	1246
E	748
G	842
H	915
J	891
K	872

Total 5514

Owner shall get 42.5% commercial portion of the said building as per sanction .

Owner shall also get 42.5% car parking space i.e: 18 numbers of car parking spaces out of 40 members of car parking spaces being number 7,8,21,22,31,32,37,38,39,40, (13,25), (35-36), (43,44), (45,46) as per sanction plan .

The modified/ altered Owner's Allocation is as follows:

OWNER'S ALLOCATION: Shall mean 42.5% share in residential and commercial portion of the building and 42.5% share in parking spaces of the building, as per sanctioned plan sanctioned by the Rajpur Sonarpur Municipality in respect of the proposed ground plus seven stories building, besides these, the Developer would pay sum of Rs 71,00,000/- (Rupees Seventy One Lakh only) to the owner during the period of construction on phase by phase . The Developer already paid of Rs 59,00,000/- (Fifty Nine Lakh only) to the owner on different occasion out of

which Rs 55,00,000/- (Fifty Five Lakh only) is refundable and Rs 400,000/- (Four Lakh only) is non-refundable. The rest amount i.e. Rs 12,00,000/- (Twelve Lakh only) shall be paid at the time of execution of this agreement after deduction of TDS as per the prevailing condition of the Income Tax and it will also be regarded as non-refundable which will be paid by the Developers to the owners by Bank draft/ NEFT/RTGS. The owner shall get 42.5% share in residential and commercial portion of the building area as follows :

FIRST FLOOR :

Flat No :	Area (sq. Ft)
G	833
K	894
M	1182
Total	2909

SECOND FLOOR

FLAT NO	Area(Sq.Ft)
A	1246
B	1207
J	1243
E	751
H	923
Total	5370

THIRD FLOOR :

FLAT NO	Area (Sq.Ft)
E	751
H	923
L	878
F	941
M	1182
Total	4675

FOURTH FLOOR

FLAT NO	Area (Sq.Ft.)
H	923
D	889

F	941
K	894
L	878
<hr/> <hr/>	
Total	4525
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FIFTH FLOOR

FLAT NO	Area (Sq. Ft.)
C	790
D	889
G	833
E	751
K	894
H	923
<hr/> <hr/>	
Total	5080
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SIXTH FLOOR :

FLAT No	Area (Sq.Ft.)
A	1246
B	1207
C	790
D	889
F	941
<hr/> <hr/>	
Total	5073
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SEVENTH FLOOR :

<u>Flat No :</u>	<u>Area (Sq.Ft.)</u>
A	1246
E	751
G	833
H	923
K	894
L	878
<hr/>	
Total	5525

Owner shall get 42.5% commercial portion of the said building as per sanction .

Owner shall also get 42.5% car parking space i.e: 18 numbers of car parking spaces out of 40 members of car parking spaces being number 7,8,21,22,31,32,37,38,39,40, (13,25), (35-36) ,(43,44) ,(45,46) as per sanction plan .

The other part of the said deed are written correctly.

That there is/are no other errors and/or omission crept with the said Deed of Development Agreement relating to the said property save and except as mentioned herein before.

That this deed of declaration will be treated as a part and parcel of the said original deed, Being No. 160804035 for the year 2022.

IN WITNESS WHEREOF both the parties herein have put their respective hands and signature on the day month and year first above written.

SIGNED SEALED AT KOLKATA

IN THE PRESENCE OF

WITNESSES ;

1. *Bhaskar Maitra*
SPO - Late - Chemical Maitra
Rajpur Baranbrajpara -
Kolkata - 700149

Chittaranjan Mitra

SIGNATURE OF THE OWNER

2. *Nilesh Mitra*
527 Aghore Sarani
Rajpur Baranbrajpara
Kolkata - 700149

For Kachner Infrastructures Pvt. Ltd.

Ajay Kumar Jain

Director
For SPS INFREAREALTY PVT. LTD.

Director

Sajal Bhalla (Bhalla)

Director
For SPS INFREAREALTY PVT. LTD.

SIGNATURE OF THE DEVELOPER

Drafted by Me :-

Prabin Kumar Roy
Advocate. W.P. 828/81
Alipore Criminal Court.
No. - 27.