



# VICTOR MOSES & CO.

Partners :  
A. K. Ghosh  
D. N. Mitra  
Amit Basu  
Ms. D. Ghosh  
Ms. S. Bagchi  
S. Roy

SOLICITORS, ADVOCATES, NOTARY  
AND  
TRADEMARK ATTORNEYS

Temple Chambers  
6, Old Post Office Street  
Ground Floor  
Kolkata - 700 001

DNM/AM/2350

July 14, 2021

Kyal Developers Pvt. Ltd.  
122/1R, Satyendra Nath Majumder Sarani  
Kolkata-700 026.

Dear Sirs,

Re: Premises No. 4, Amalangshu Sen Road,  
P.S. Lake Town, Kolkata-700 048

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Enclosed please find the Due Diligence Report in respect of the above property.

Kindly acknowledge.

Yours faithfully,  
For VICTOR MOSES & CO.

Encl: As above.

  
*for* (D. N. MITTRA)  
PARTNER

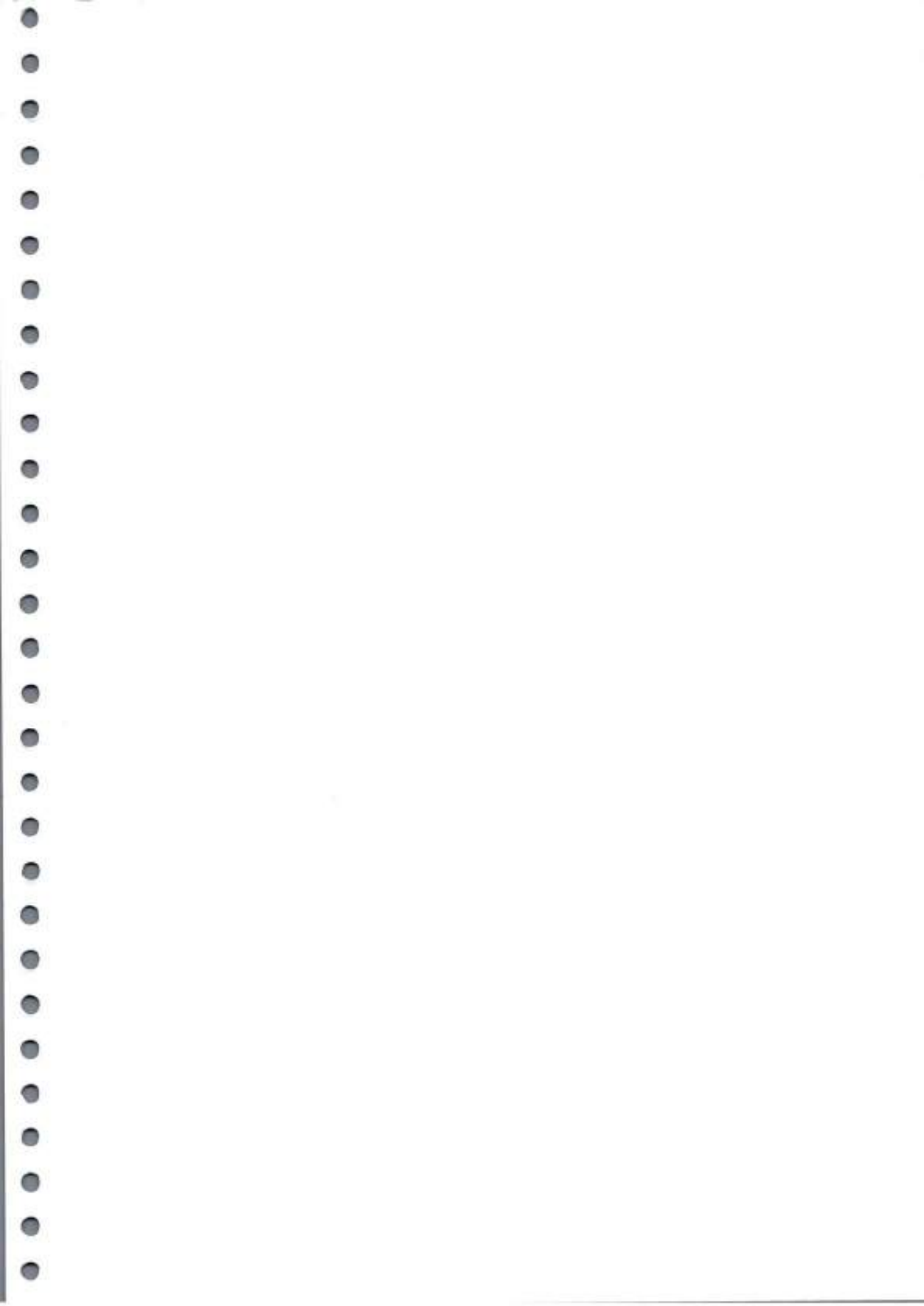
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Telephones : +91 (033) 2248 1296 / 2248 4600 / 2210 2381 / Fax : +91 (033) 2248 2933

E-mail : vmoses@victormoses.in / vmoseskol@gmail.com

Delhi Office : 115, Indraprakash Building, 21, Barakhamba Road, New Delhi - 110 001

E-mail : vmosesdelhi1@gmail.com



**DATED 12<sup>TH</sup> DAY OF JULY, 2021**

**DUE DILIGENCE REPORT**

**Premises No.4, Amlangshu Sen Road,  
Police Station-Lake Town, South  
Dumdum Municipality, Ward No.31,  
Kolkata-700 048.**

**VICTOR MOSES & CO.,  
SOLICITORS & ADVOCATES  
6, OLD POST OFFICE STREET,  
KOLKATA - 700 001**

## DUE DILIGENCE REPORT

Re: Premises No.4, Amlangshu Sen  
Road, Police Station-Lake  
Town, Ward No.31, South  
Dumdum Municipality, Kolkata  
- 700 048.

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6, Old Post Office Street  
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Kolkata - 700 001

## REPORT ON TITLE

**Re: Premises No.4, Amlangshu Sen Road, Police Station-Lake Town, Ward No.31, South Dumdum Municipality, Kolkata-700 048.**

### **I. OWNERS:**

- 1) **BALAJI AWAS NIRMAN PRIVATE LIMITED**, (PAN: AABCB4341H, CIN: U45201WB1990PTC049728),
- 2) **HARRINGTON TOWERS PRIVATE LIMITED**, (PAN: AABCH4013N, CIN: U65922WB1991PTC051673),
- 3) **SAWARIA ENCLAVE LLP** (LLPIN: AAE-4409, PAN: ACVFS9177P),
- 4) **DOMESTIC INFRACON LLP** (LLPIN: AAE-4400, PAN: AALFD4845M),
- 5) **MONTEK REALTORS LLP** (LLPIN: AAE-4406, PAN: ABBFM0816C),
- 6) **GREENSPOT BUILDERS LLP** (LLPIN: AAE-4401, PAN: AA OFG5898A),
- 7) **HARRINGTON REALTORS LLP**, (LLPIN: AAE-4404, PAN: AAIFH7996N),
- 8) **SHYAMLEEN HOUSING DEVELOPERS LLP** (LLPIN: AAE-4399, PAN: ACVF9176N),
- 9) **SWANKA DEVELOPERS LLP** (LLPIN: AAE-4408, PAN: ACVFS9175R),
- 10) **PROTEX DEVELOPERS OPC PRIVATE LIMITED**, (PAN: AAICP2058A, CIN: 70102WB2015OPC07192),
- 11) **CROSS LAND SERVICES PRIVATE LIMITED**, (PAN: AACCC9965H, CIN: U45200WB2007PTC112488),

Telephones : +91 (033) 2248 1296 / 2248 4600 / 2210 2381 / Fax : +91 (033) 2248 2933

E-mail : vmoses@victormoses.in / vmoseskol@gmail.com

Delhi Office : 115, Indraprakash Building, 21, Barakhamba Road, New Delhi - 110 001

E-mail : vmosesdelhi1@gmail.com



- 12) **BALASHREE NIRMAN LLP**, (PAN: AAPFB3999L, LLPIN: AAE-5288),
- 13) **DEVMATA INFRASTRUCTURE LLP**, (PAN: AALFD5513A, LLPIN: AAE-5283),
- 14) **DIBYAJYOTI REALCON LLP**, (PAN: AALFD5512B, LLPIN: AAE-5286),
- 15) **EVERENICE BUILDERS LLP**, (PAN: AAFPE3822K, LLPIN: AAE 5248),
- 16) **SHIVYOGI INFRASTRUCTURE LLP**, (PAN: ACWFS3548P, LLPIN: AAE-5285),
- 17) **SWASTIK PROJECTS PRIVATE LIMITED**, (PAN: AADCS7205D, CIN: U70101WB1986PTC038535),
- 18) **SPPL DEVELOPERS LLP**, (PAN: ACVFS6928E, LLPIN: AAE3357),
- 19) **KUNAL HOUSING DEVELOPMENT PRIVATE LIMITED**, (PAN: AABCK1601R, CIN: U70101WB1991PTC051438),
- 20) **NEPTUNE FINANCE (INDIA) LIMITED**, (PAN: AAACN9855H, CIN: U67190WB1994PLC063701),
- 21) **PADMA MARCANTILES PRIVATE LIMITED**, (PAN: AABCP5412H, CIN: U74899DL1987PTC027784),
- 22) **WELLWORTH CAPITAL MARKET LIMITED**, (PAN: AACW2384E, CIN: U67120WB1995PLC067896),
- 23) **HOLYTEX CARPETS PRIVATE LIMITED**, (PAN: AAACH8182K, CIN: U17222WB1995PTC071592),
- 24) **DHANBRIDDHI TRADERS PRIVATE LIMITED**, (PAN: AABCD0935D, CIN: U51109WB1995PTC075229),
- 25) **UNIWORTH REALTOR PRIVATE LIMITED**, (PAN: AABCU1178K, CIN: U45400WB2009PTC138129),
- 26) **DREAM VINIMAY PRIVATE LIMITED**, (PAN: AADCD0928Q, CIN: U51109WB2008PTC123435),





- 27) **SARANYA TEXTILES PRIVATE LIMITED**, (PAN: AAEC7500E, CIN: U17110MH1999PTC119115), **and**
- 28) **SAHARASH REAL ESTATES LLP**, (LLPIN: AAG-2262, PAN: ADBF55380F).

## II. DESCRIPTION OF THE PROPERTY:

All That pieces and parcels of land containing an area of 9 Bighas more or less together with the brick built buildings messuages tenements hereditaments dwelling houses out-houses and premises lying and situate at and being Premises No.4, Amalangshu Sen Road, (Formerly premises No. 30, S.K. Dev Road), originally under Mouza - Dakshin Darhi, J.L. No. 25, R.S. Dag/L.R. Dag Nos.854, 855, 856, 857 and 858, R.S. Khatian Nos.969, 971, 972 and 973, L.R. Khatian Nos.106,158,378, 418, presently within the limits of the South Dum Dum Municipality, Ward No. 31, Police Station : Lake Town, District North 24-Parganas and butted and bounded as follows:

<b>ON THE NORTH</b>	:	By Partly by Amalangshu Road and partly by private houses;
<b>ON THE EAST</b>	:	By Ujjas Housing Complex;
<b>ON THE WEST</b>	:	By Property of Sadhana Aushdhalaya;
<b>ON THE SOUTH</b>	:	By Amlangshu Sen Road.

## III. COPIES OF DOCUMENTS PERUSED:

- a. Indenture of Conveyance dated 14<sup>th</sup> December, 1903 made between one Rajessur Mullick as Vendor therein and one Beharilal Mehta and his brother Hazarilal Mehta as Purchasers therein and registered with the Sub-Registrar, Calcutta in Book No.I, Volume No.60, Pages 220 to 227, Being No.2180 for the year 1903. A Photostat copy thereof is annexed hereto and marked as **Annexure A**.
- b. Calcutta Gazette Notification dated 12<sup>th</sup> November, 1981 of Government of West Bengal, Land and Land Reforms Department. A Photostat copy thereof is annexed hereto and marked as **Annexure B**.
- c. Memo No. 468-LA (II) Dated 14<sup>th</sup> February, 1984 issued by the Assistant Secretary to the Government of West Bengal, Land and Land



Reforms Department, Land Acquisition Branch to the Collector, 24-Parganas (North). A Photostat copy thereof is annexed hereto and marked as **Annexure C**.

d. Draft Cancellation to Notification U/S 4 of the LA Act of 1894 (L.A. Case No. LA 4/5 (N) of 81-82). A Photostat copy thereof is annexed hereto and marked as **Annexure D**.

e. Order dated 12<sup>th</sup> July, 1999 passed by the Competent Authority and S.D.O., Barrackpore, North 24-Parganas in Barrackpore Case No. ULC/BKP/Misc.-8/ Lake of 1997 (Sri Pradeeplal Mehta and 26 others Vs. State of West Bengal). A Photostat copy thereof is annexed hereto and marked as **Annexure E**.

f. Order dated 15<sup>th</sup> September, 2016 passed by the Court of Learned 2<sup>nd</sup> Civil Judge, Senior Division, at Barasat in Title Suit No. 105/2004 (Excel Commercial Private limited and others Vs. Srilal Mehta and others). A Photostat copy thereof is annexed hereto and marked as **Annexure F**.

g. Deed of Conveyance dated the 6<sup>th</sup> day of September, 2017 made between Shrilal Surendralal HUF and others therein jointly referred to as the Vendors of the First Part, Gourilal Mehta and others therein jointly referred to as the Confirming Parties of the Second Part and Balaji Awas Nirman Private Limited and others therein jointly referred to as the Purchasers of the Third Part and registered with the District Sub-Registrar-II, 24 Parganas (N) at Barasat, in Book No. I, Volume No. 1502-2017, Pages from 71773 to 72078, Being No. 150202845 for the year 2017. A Photostat copy thereof is annexed hereto and marked as **Annexure G**.

h. Mutation Certificate dated 22<sup>nd</sup> March, 2018 issued by the South Dum Dum Municipality in respect of Holding No. 4 A. Sen Road (9 Bighas 12 Chittaks) = 2.9876 acres, Mouza Dakshin Dari, J.L. No. 25, C.S. Khatian No. 295, R.S. Khatian No. 969, 971, 972, 973, R.S. Dag No. 854, 855, 856, 857 and 858 in favour of the Owners above named. A Photostat copy thereof is annexed hereto and marked as **Annexure H**.

i. L.R. Record of Rights. Photostat copies thereof are annexed hereto and collectively marked as **Annexure I**.

#### IV. SCOPE OF LIMITATION:

The scope of our report is limited by the following general parameters.



We have assumed that the copies of the documents provided to us:

- a) bear the genuine signatures, dates, stamps, seals and other markings;
- b) in connection with any particular issue are the only documents available with the Owners relating to such issue;
- c) have not been superseded by any other document not made available to us for whatever reason;
- d) are authentic and the authenticity of all copies of documents/information provided to us and the conformity of such copies or extracts submitted to us with that of the original documents.

To the extent possible, we have relied upon documents and records provided by the representative of the Owners abovenamed and this Report is being prepared solely based on those. Valuation and physical verification of the land are not part of our scope of work as such no physical verification of the said land has been made by us.

We have taken due care for preparation of this report, however, we shall not be responsible or in any way held liable, in the event of any loss and/or damage suffered by any person on account of any statement in this report made relying upon any representation(s) made by the Owners or otherwise;

The decision of proceeding with or consummating any transaction on the basis of this report lies solely with the Client and our findings documented in this Report shall not, in any way, constitute a recommendation as to whether the Client or any other person should or should not consummate any transaction.

This report is addressed to and is solely for the benefit of the Client and no other person shall, except with our consent, rely on this report or any part thereof. We shall not be liable in any manner if a third party relies on this Report with or without our consent.

#### **V. DEVOLUTION OF TITLE:**

A. By an Indenture of Conveyance dated 14<sup>th</sup> December, 1903 made between one Rajessur Mullick as Vendor therein and one Beharilal Mehta and his brother Hazarilal Mehta as Purchasers therein and



registered with the Sub-Registrar, Calcutta in Book No.I, Volume No.60, Pages 220 to 227, Being No.2180 for the year 1903, the said Rajessur Mullick at and for the consideration therein mentioned granted transferred and conveyed unto and in favour of said Beharilal Mehta and Hazarilal Mehta ALL THAT the brick built house buildings messuages tenements hereditaments out-houses and premises together with the pieces and parcels of land thereunto belonging and appertaining thereto containing an area of 09 Bighas more or less situate and lying at Dakshin Dahri Road and being Holding Nos.26, 28, 44 and a portion of Holding No.43, Division II, Dihi Ultadanga, Sub-Division VI, Mouza Nij Dakshin Dahri, Touzi No.1298, Police Station-Dumdum (now Lake Town), the then District 24-Parganas (now North 24-Parganas) (hereinafter referred to as the **said Property**).

B. Said Hazarilal Mehta who during his lifetime was a Hindu governed by the Mitakshara School of Hindu Law, died intestate and issueless in or about the year 1919 leaving him surviving his two brothers said Beharilal Mehta and another brother Kishorilal Mehta as his only heirs, who both upon his death inherited and became entitled to his undivided one-half part or share of and in the said Property absolutely in equal shares therein.

C. Thus said two surviving brothers Beharilal Mehta and Kishorilal Mehta became the absolute owners of the said Property in the ratio of undivided three-fourth ( $3/4^{\text{th}}$ ) share and undivided one-fourth ( $1/4^{\text{th}}$ ) share respectively therein.

D. Said Beharilal Mehta who during his life time was a Hindu governed by the Mitakshara School of Hindu Law, died intestate in or about the year 1921 leaving him surviving his three sons Murarilal Mehta, Manoharlal Mehta and Govindlal Mehta as his only heirs, who all upon his death inherited and became entitled to his undivided three-fourth ( $3/4^{\text{th}}$ ) share of and in the said Property absolutely in equal shares.

E. Subsequently Cadastral Survey was conducted and under the Survey Plan, the said Property was identified and/or earmarked in the following manner:

C.S. Dag Nos.	Recorded Area (acres)
854	0.0337
855	0.1837
856	0.5312



857	2.2187
858	0.0203
Total Area (acres)	2.9876 acres (equivalent to 09 bighas i.e. 180 cottahs)

F. The names of said i) Murarilal Mehta, ii) Manoharlal Mehta, iii) Govindlal Mehta and iv) Kishorilal Mehta were duly recorded as Owners of the said Property in equal one-fourth (1/4<sup>th</sup>) share in the C.S. Record of Rights under C.S. Khatian No.295.

G. Said Kishorilal Mehta who during his life time was a Hindu governed by the Mitakshara School of Hindu Law, died intestate in or about the year 1931 leaving him surviving his two sons Girdharilal Mehta and Harilal Mehta as his only heirs, who both upon his death inherited and became entitled to his undivided one-fourth (1/4<sup>th</sup>) share of and in the said Property absolutely in equal share.

H. The said Property was subsequently inducted into the limits of the South Dum Dum Municipality and assessed and numbered as Holding No.30, S.K. Deb Road and thereafter as Holding No.3, Amalangshu Sen Road, Kolkata-700 048 and is presently numbered as Holding/Premises No.4, Amalangshu Sen Road within Ward No.31 of the said municipality.

I. In or about the year 1950 said i) Murarilal Mehta, ii) Manoharlal Mehta, iii) Govindlal Mehta, iv) Girdharilal Mehta and v) Harilal Mehta, all being co-parceners of the Joint Hindu Family named "Murarilal Girdharilal HUF" threw their respective undivided shares in the said Property into the common stock of their said Joint Hindu Family-Murarilal Girdharilal HUF represented by its Karta the said Murarilal Mehta with the understanding and agreement that each of the five co-parcenary branches would have undivided equal one-fifth (1/5<sup>th</sup>) co-parcenary interest in the said Property and whereupon and accordingly each co-parcenary branch became entitled to undivided 1/5<sup>th</sup> co-parcenary interest in the said Property.

J. Said Murarilal Mehta who during his life time was a Hindu governed by the Mitakshara School of Hindu Law died intestate and as issueless and widower in the year 1963 and upon his death his 1/5<sup>th</sup> (one-fifth) co-parcenary interest in the said Property devolved upon his said two brothers Manoharlal Mehta and Govindlal Mehta in equal one-half shares absolutely. Pushpa Mehta, wife of Murarilal Mehta had predeceased him in the year 1962.



K. Upon the death of Murarilal Mehta, the next eldest male member of the said Murarilal Girdharilal HUF, Girdharilal Mehta became Karta thereof and the surviving four co-parceners thereof namely Manoharlal Mehta, Govindlal Mehta, Girdharilal Mehta and Harilal Mehta became entitled to the said Property in the shares mentioned corresponding to their respective names below:

	<u>Names</u>	<u>Share</u>
(i)	Manoharlal Mehta	3/10 <sup>th</sup>
(ii)	Govindlal Mehta	3/10 <sup>th</sup>
(iii)	Girdharilal Mehta	1/5 <sup>th</sup>
(iv)	Harilal Mehta	1/5 <sup>th</sup>

L. Said Manoharlal Mehta and Govindlal Mehta with the consent of their respective family members decided and agreed that each of the aforesaid surviving four co-parcenary branches of the said Murarilal Girdharilal HUF constituting of i) Manoharlal Mehta, ii) Govindlal Mehta, iii) Girdharilal Mehta and iv) Harilal Mehta would have equal undivided one-fourth (1/4<sup>th</sup>) share of and in the said Property and accordingly Manoharlal Mehta, Govindlal Mehta, Girdharilal Mehta and Harilal Mehta blended and/or adjusted their respective undivided co-parcenary interest in the said Property and whereupon each of the said four co-parcenary branches of the said Murarilal Girdharilal HUF became entitled to undivided equal one-fourth (1/4<sup>th</sup>) co-parcenary interest in the said Property.

M. Said Girdharilal Mehta during his life time constituted a separate Joint Hindu Family of his branch by the name of "Shrilal Surendralal HUF" constituting of himself and his sons Shrilal Mehta and Surendralal Mehta as its coparceners and in due course during his life time he made his elder son Shrilal Mehta the Karta of the said Shrilal Surendralal HUF.

N. Said Manoharlal Mehta during his life time constituted a separate Hindu Undivided Family of his branch by the name of "Madhavlal Pradeeplal HUF" constituting of himself and his son Madhavlal Mehta as its coparceners and in due course during his lifetime made his son Madhavlal Mehta the Karta of the said Madhavlal Pradeeplal HUF.

O.1 Said Govindlal Mehta during his life time also constituted a separate Joint Hindu Family of his branch by the name of "Gourilal Damodaral HUF" constituting of himself and his sons Gourilal Mehta and Damodaral Mehta as its coparceners.



O.2 Said Govindlal Mehta who during his life time was a Hindu governed by the Mitakshara School of Hindu Law, died intestate on 08<sup>th</sup> January 1970 and upon his death his coparcenary interest in the said Gourilal Damodaral HUF devolved absolutely upon his two sons Gourilal Mehta and Damodaral Mehta and wife Annapurna Mehta.

O.3 Said Annapurna Mehta died on 04<sup>th</sup> March 1989.

O.4 Upon the death of Govindlal Mehta, the said Joint Hindu Family by the said name of Gourilal Damodaral HUF continued and his elder son Gourilal Mehta became its karta.

P. The said Harilal Mehta also during his life time also constituted a separate Joint Hindu Family of his branch by the name of "Shankarlal Keshavlal HUF" constituting of himself and his sons Shankarlal Mehta and Keshavlal Mehta as its coparceners and in due course during his life time he made his elder son Shankarlal Mehta the karta of said Shankarlal Keshavlal HUF.

Q.1 By and under a Memorandum dated 14<sup>th</sup> May 1974 made between (i) said Girdharilal Mehta as Karta of the said Bigger Joint HUF by name of Murarilal Girdharilal HUF therein referred to as the Party of the First Part, (ii) said Shrilal Mehta as Karta of the said Shrilal Surendralal HUF therein referred to as the Party of the Second Part, (iii) said Madhavlal Mehta as Karta of the said Madhavlal Pradeeplal HUF therein referred to as the Party of the Third Part, (iv) said Gourilal Mehta as Karta of the said Gourilal Damodaral HUF therein referred to as the Party of the Fourth Part and (v) said Shankarlal Mehta as the Karta of the said Shankarlal Keshavlal HUF therein referred to as the Party of the Fifth Part, the Parties thereto of the Second, Third, Fourth and Fifth Parts, being the only constituents of the said Murarilal Girdharilal HUF, with the consent of its Karta Girdharilal Mehta (being the Party thereto of the First Part) dissolved the said Murarilal Girdharilal HUF.

Q.2 Upon such dissolution the said Property was allotted to the four constituents of the said Bigger Joint HUF namely Murarilal Girdharilal HUF, being the Parties of the Second, Third, Fourth and Fifth Parts to the said Memorandum dated 14<sup>th</sup> May 1974, namely (i) Shrilal Surendralal HUF represented by its Karta Shrilal Mehta, (ii) Madhavlal Pradeeplal HUF represented by its Karta Madhavlal Mehta, (iii) Gourilal Damodaral HUF represented by its Karta Gourilal Mehta and (iv) Shankarlal Keshavlal HUF represented by its Karta Shankarlal Mehta respectively in equal undivided one-fourth(1/4<sup>th</sup>) shares absolutely and severally in the following manner:



1.	Shrilal Surendralal HUF represented by its karta Shrilal Mehta	1/4 <sup>th</sup> share
2.	Madhavlal Pradeeplal HUF represented by its karta Madhavlal Mehta	1/4 <sup>th</sup> share
3.	Gourilal Damodaral HUF represented by its karta Gourilal Mehta	1/4 <sup>th</sup> share
4.	Shankarlal Keshavlal HUF represented by its karta Shankarlal Mehta	1/4 <sup>th</sup> share

R. Said Shrilal Surendralal HUF, a Joint Hindu Family represented by its Karta Shrilal Mehta became the absolute owner of undivided one fourth (1/4<sup>th</sup>) share of and in the said Property in the following manner:

- (i) As aforesaid, said Girdharilal Mehta during his lifetime constituted a separate Joint Hindu Family of his branch by the name of Shrilal Surendralal HUF constituting of himself and his sons Shrilal Mehta and Surendralal Mehta as its coparceners and made his elder son Shrilal Mehta the karta of Shrilal Surendralal HUF.
- (ii) Girdharilal Mehta died, intestate, on 07<sup>th</sup> April 1998 and upon his death, the said Joint Hindu Family by the name of Shrilal Surendralal HUF continued and his elder son Shrilal Mehta continued to hold office of the Karta of Shrilal Surendralal HUF and his co-parcenary interest in the undivided one-fourth (1/4<sup>th</sup>) share of and in the said Property succeeded to and/or devolved upon his two sons Serilal Mehta and Surendralal Mehta absolutely, Wife of Girdharilal Mehta namely Jawahar Kaur Mehta had predeceased him on 04<sup>th</sup> June, 1968.
- (iii) Thus the said Shrilal Surendralal HUF, a Joint Hindu Family, represented by its Karta Shrilal Mehta and constituting of himself and his brother Surendra Lal Mehta as its coparceners became and is the absolute owner of the undivided one-fourth (1/4<sup>th</sup>) share of and in the said Property.

S. Said Madhavlal Pradeeplal HUF, a Joint Hindu Family represented by its Karta Pradeeplal Mehta became the absolute owner of undivided one-fourth (1/4<sup>th</sup>) share of and in the said Property in the following manner:

- (i) As aforesaid, said Manoharlal Mehta during his lifetime constituted a Joint Hindu Family of his branch by the name





of Madhavlal Pradeeplal HUF comprising of himself and his son Madhavlal Mehta as its coparceners and made his son Madhavlal Mehta the Karta of the said Madhavlal Pradeeplal HUF.

- (ii) Said Manoharlal Mehta died intestate on 14<sup>th</sup> October 1993 and upon his death, said hindu undivided family by the name of Madhavlal Pradeeplal HUF continued and his son Madhavlal Mehta continued to hold the office of the Karta of the said Madhavlal Pradeeplal HUF and his co-parcenary interest in the undivided one fourth (1/4<sup>th</sup>) share of and in the said Property succeeded to and/or devolved upon his son Madhavlal Mehta and wife Kusuma Mehta absolutely.
- (iii) Said Madhavlal Mehta, a Hindu governed by the Mitakshara School of Hindu Law, died intestate on 10<sup>th</sup> May 1996 and upon his death, said hindu undivided family by the name of Madhavlal Pradeeplal HUF Continued and his elder son Pradeeplal Mehta became and continued to hold the office of Karta of Madhavlal Pradeeplal HUF and his co-parcenary interest in the undivided one fourth (1/4<sup>th</sup>) share of and in the said Property was succeeded to and/or devolved upon his mother Kusuma Mehta, wife Kanta Mehta and two sons Pradeeplal Mehta and Sudeeplal Mehta absolutely.
- (iv) Said Smt. Kusuma Mehta, a Hindu governed by the Mitakshara School of Hindu law, died intestate on 21<sup>st</sup> May 2002 and upon her death all her interest in the said Property devolved upon her two grandsons Pradeeplal Mehta and Sudeeplal Mehta absolutely.
- (v) Thus the said Madhavlal Pradeeplal HUF, a Joint Hindu Family represente byits Karta Pradeeplal Mehta and constituting of himself, his brother Sudeeplal Mehta and their mother Kanta Mehta as its coparceners and/or members became and is the absolute owner of undivided one-fourth (1/4<sup>th</sup>) share of and in the said Property.

T. In course of time the title of said Gourilal Damodaral HUF to the undivided one-fourth (1/4<sup>th</sup>) share of and in the said Property devolved upon following HUFs viz.

- (i) Manoj Mehta HUF, a HinduUndivided Family represented by its Karta Manoj Mehta;



(ii) Madhup Mehta HUF, a Hindu Undivided Family represented by its Karta Madhup Mehta;

(iii) Damodarlal Mehta HUF, a Hindu Undivided Family represented by its karta Basant Mehta;

in the following manner:

- (a) On or about 1<sup>st</sup> April 2005, the said Gourilal Damodarlal HUF was dissolved with the consent of its Karta Gourilal Mehta and the undivided 1/4<sup>th</sup> share of Gourilal Damodarlal HUF in the said Property was allotted to its following co-parceners absolutely and severally in the shares mentioned below:-
- (i) Manoj Mehta son of Sri Gourilal Mehta was allotted undivided 1/16<sup>th</sup> share of and in the said Property who threw the same into the common stock of his hindu undivided family by the name of Manoj Mehta HUF represented by himself as Karta;
- (ii) Madhup Mehta son of Sri Gourilal Mehta was allotted undivided 1/16<sup>th</sup> share of and in the said Property who threw the same into the common stock of his hindu undivided family by the name of Madhup Mehta HUF represented by himself as its Karta;
- (iii) Damodari Mehta son of said late Govindlal Mehta was allotted undivided 1/8<sup>th</sup> site of and in the said Property who threw into the common stock of his hindu undivided family by the name of Damodarlal Mehta HUF represented by himself as its Karta;
- (b) At the time of dissolution of the said Gourilal Damodarlal HUF, Gourilal Mehta and his wife Suman Mehta released relinquished renounced and disclaimed all their respective shares rights title and interest in the undivided one fourth (1/4<sup>th</sup>) share of the said Gaurilal Damodarlal HUF in the said Property in favour of their sons said Manoj Mehta and Madhup Mehta absolutely in equal shares. Wife of Gourilal Mehta, Smt. Suman Mehta since died intestate an 14<sup>th</sup> January 2012.
- (c) Said Damodarlal Mehta, a Hindu governed by the Mitakshara School of Hindu Law, died intestate on 19<sup>th</sup> July 2009 and upon his death his co-parcenary interest in



Damodaral Mehta HUF's undivided one-eighth share in the said Property was succeeded to and/or devolved upon his son Basant Mehta and wife Veena Mehta absolutely.

- (d) Upon the death of Damodaral Mehta, his hindu undivided family by the name of Damodaral Mehta HUF continued and his son Basant Mehta became and continues to hold the office of Karta of said Damodaral Mehta HUF.
- (e) In the premises aforesaid-
- (i) Manoj Mehta HUF, represented by its Karta Manoj Mehta and constitution of himself, wife Hema Mehta and two daughters Aishwarya Mehta and Urvashi Mehta as its coparceners and/or members became the absolute owner of undivided one-sixteenth (1/16<sup>th</sup>) share of and in the said Property;
  - (ii) Madhup Mehta HUF, represented by its Karta Madhup Mehta and constituting of himself, wife Amita Mehta and son Yash Mehta as its coparceners and/or members became the absolute owner of one-sixteenth (1/16<sup>th</sup>) undivided share of and in the said Property;
  - (iii) Damodaral Mehta HUF, represented by its Karta Basant Mehta and constituting of himself, mother Veena Mehta, wife Smt. Jayshree Mehta and two daughters Miss Avani Mehta and Miss Tanya Mehta as its co-parceners and/or members became the absolute owner of one-eighth (1/8<sup>th</sup>) undivided share of and in the said Property.

U. In course of time the title of Shankarlal Keshavlal HUF to the undivided one-fourth (1/4<sup>th</sup>) share of and in the said Property devolved upon following HUF's viz.

- (i) Shankarlal Mehta HUF represented by its Karta Shankarlal Mehta;
- (ii) Keshavlal Mehta HUF represented by its Karta Keshavlal Mehta;

in the following manner :

- (a) As aforesaid, said Hiralal Mehta during his life time constituted a separate Joint Hindu Family of his branch by the name of Shankarlal Keshavlal HUF constituting of himself, wife



Laxmi Mehta and two sons namely Shankarlal Mehta and Keshavlal Mehta as its coparceners and/or members and made his elder son Shankarlal Mehta as the Karta of Shankarlal Keshavlal HUF.

(b) Harilal Mehta died intestate on 17<sup>th</sup> April 2002 and upon his death, the joint hindu family to the name of Shankarlal Keshavlal HUF continued and his son Shankarlal Mehta continued to hold the office of the Karta of the Shankarlal Keshavlal HUF and the coparcenary interest of Harilal Mehta in Shankarlal Keshavlal Mehta HUF's undivided 1/4<sup>th</sup> share in the said Property succeeded to and/or devolved upon his two sons, Shankarlal Mehta and Keshavlal Mehta and wife Laxmi Mehta as its co-parceners and/or members;

(c) On or about 1<sup>st</sup> April 2006, the said joint hindu family by the name of Shankarlal Keshavlal HUF was dissolved with the consent of its Karta Shankarlal Mehta and the undivided 1/4<sup>th</sup> share of Shankarlal Keshavlal HUF in the said Property was allotted to it following two co-parcener absolutely and in severalty in equal shares;

(i) Shankarlal Mehta was allotted undivided 1/8<sup>th</sup> share in the said Property who threw and/or blended the same into the common stock of his hindu undivided family by the name of Shankarlal Mehta HUF;

(ii) Keshavlal Mehta was allotted undivided 1/8<sup>th</sup> share in the said Property who also threw and/or blended into the common stock of his hindu undivided family by the name of Keshavlal Mehta HUF;

(d) At the time of dissolution and/or disruption of said Shankarlal Keshavlal HUF, said Smt. Laxmi Mehta released relinquished renounced and disclaimed her share right title and interest in Shankarlal Keshavlal HUF's undivided 1/4<sup>th</sup> share in the said Property in favour of her two sons Shankarlal Mehta and Keshavlal Mehta absolutely in equal shares.

(e) In the premises,

(i) said Shankarlal Mehta HUF, represented by its Karta Shankarlal Mehta and constituting of himself, wife Rajni Mehta, son Shashank Mehta and two daughters Smita Mehta and Swati Mehta as its coparceners and/or members



is the absolute owner of undivided 1/8<sup>th</sup> share of and in the said Property;

(ii) said Keshavlal Mehta HUF, represented by its Karta Keshavlal Mehta and constituting of himself, wife Bharti Mehta, son Tejas Mehta and daughter Medha Sethi as its coparceners and/or members is the absolute owner of undivided 1/8<sup>th</sup> share of and in the said Property.

V. Thus the said Shrilal Surendralal HUF, Madhavlal Pradeeplal HUF, Manoj Mehta HUF, Madhup Mehta HUF, Damodarlal Mehta HUF, Shankarlal Mehta HUF and Keshavlal Mehta HUF respectively became the absolute owners of the said Property in the proportion mentioned below corresponding to their respective names:

i)	Shrilal Surendralal HUF	-	1/4 <sup>th</sup>
ii)	Madhavlal Pradeeplal HUF	-	1/4 <sup>th</sup>
iii)	Majon Mehta HUF	-	1/16 <sup>th</sup>
iv)	Madhup Mehta HUF	-	1/16 <sup>th</sup>
v)	Damodarlal Mehta HUF	-	1/8 <sup>th</sup>
vi)	Shankarlal Mehta HUF	-	1/8 <sup>th</sup>
vii)	Keshavlal Mehta HUF	-	1/8 <sup>th</sup>

W. By an Agreement for Sale dated 2<sup>nd</sup> February 1995, said Shrilal Surendralal HUF, Madhavlal Pradeeplal HUF, Gourilal Damodarlal HUF and Shankarlal Keshavlal HUF (hereinafter referred to as the Original Four HUFs) agreed to sell and Balaji Awas Nirman Private Limited and Harrington Towers Private Limited, agreed to purchase the said Property in the names of themselves and/or their nominees at and for the consideration and on the and conditions contained therein.

X. Pursuant to and in terms of the said Agreement for Sale dated 22<sup>nd</sup> February 1995, the said Balaji Awas Nirman Private Limited and Harrington Towers Private Limited from time to time paid to each of the Original Four HUFs in part payment of the total consideration.

Y. Due to defaults and/or laches on the part of the said Original Four HUFs or their successors in complying with their obligations under the said Agreement for Sale dated 22<sup>nd</sup> February 1995, the transaction for sale of the said Property could not be completed.



Z. Excel Commercial Private Limited, Hastings Commercial Private Limited, Sunbeam Trading Company Private Limited, Bahety Commercial Private Limited and Bhaskar Trading Company Private Limited (all such five Companies for brevity's sake hereinafter referred to as the said Five Companies) filed a Suit numbered as Title Suit No.105 of 2004 in the Court of 2<sup>nd</sup> Civil Judge (Senior Division) at Barasat against the Original Four HUFs seeking specific performance of the contract for sale of the said Property by the Original Four HUFs (hereinafter referred to as the said Title Suit).

AA. Consequently, several disputes and differences arose by and between the salad Balaji Awas Nirman Private Limited and Harrington Towers Private Limited on the one hand and the said Original Four HUFs and their successors as recited hereinabove on the other hand vis-a-vis the said Five Companies and serious threats of litigations were held out by each of them against the other.

AB. Due to intervention of common friends and well-wishers, to avoid un-ending litigations and man power and costs involved there for the said Balaji Awas Nirman Private Limited and Harrington Towers Private Limited, the said Original Four HUFs and/or their successors and the said Five Companies agreed to settle as their disputes and differences with the understanding that the owner of the said Property would sell convey and transfer the said Property to the said Balaji Awas Nirman Private Limited, Herrington Towers Private Limited and the said Five Companies and/or their or their respective nominees at and for an enhanced consideration as agreed upon and the parties to the said Title Suit, being the said Five Companies as plaintiffs and the said Original Four HUFs as defendants would file necessary compromise petition in consonance with the settlement arrived at between the parties aforesaid.

AC. Pursuant to the aforesaid settlement, the said Five Companies being the plaintiffs to the said Title Suit and the said Original Four HUFs being the defendant thereto filed a joint compromise petition in the said Title Suit agreeing thereby and thereunder that the salad Original Four HUFs would sell convey and transfer the said Property to twenty-eight (28) companies and limited liability partnerships named therein, in the proportion at and for the said settled agreed consideration and by Order and Decree dated 15<sup>th</sup> September 2016, the Learned Court passed a Decree in terms of the Compromise Petition filed therein by the parties thereto and made the Compromise Petition a part of the Decree and thus disposed of the said suit.

AD By a Deed of Conveyance dated 6<sup>th</sup> September 2017 made between Srilal Surendralal HUF, Madavlal Pradeeplal HUF, Manoj Mehta HUF, Madhup Mehta HUF, Damodarlal Mehta HUF, Shankarlal Mehta HUF



and Keshavlal Mehta HUF therein jointly referred to as the Vendors of the One Part and the Owners herein therein jointly referred to as the Purchasers of the Other Part and registered with District Sub-Registrar-II, North 24 Paraganas, West Bengal in Book No. I, Volume No. 1502-2017, Pages from 71773 to 72078, Being No.150202845 for the year 2017, the Owners herein became jointly seized and possessed of and/or otherwise well and sufficiently entitled to ALL THAT the said Property.

AE. The Owners abovenamed have mutated their names in the municipal assessment records of the South Dum Dum Municipality. The Owners have also recorded their names as Rayats in respect of the said Property in the L.R. Record of Rights.

#### **VI. SEARCHES MADE:**

**a)i.** Index - II searches was made in respect of the above mentioned R.S. Dag Nos. 854 to 858, Mouza - Dakshin Darhi, J.L. No. 25, at the offices of the following Registering Authorities:-

1. Registrar of Assurances, Kolkata - From 1953 to 2019;
2. District Registrar, Barasat - From 1953 to 2019;
3. Sub-Registrar, Dum Dum - From 1953 to 1984;
4. Sub-Registrar, Bidhannagar - From 1984 to 2019;

**a)ii.** Index-II searches were made in respect of premises No.4, Amalengshu Sen Road at the office of the following Registering Authorities:-

1. Registrar of Assurances, Kolkata- From 2007 to 2019;
2. District Registrar, Barasat - From 2007 to 2019;
3. Sub-Registrar, Bidhannagar - From 2007 to 2019;

**a)iii.** Index-II searches were made in respect of premises No. 30, S.K. Dev Road at the office of the following Registering Authorities:-

1. Registrar of Assurances, Kolkata- From 2007 to 2019;
2. District Registrar, Barasat - From 2007 to 2019;
3. Sub-Registrar, Bidhannagar - From 2007 to 2019;

**b)** Searches made in the Court of the Learned Civil Judge, Junior Division at Bidhannagar and Court of the Learned 2<sup>nd</sup> Civil Judge, Senior



Division at Barasat against the following names during the following mentioned period:

Sl. No.	Names	Period of Search
1.	Shrilal Sundarlal HUF	2006 to 2017
2.	Mr. Shrilal Mehta, S/o Late Girdharilal Mehta	2006 to 2017
3.	Madhavlal Pradeeplal HUF	2006 to 2017
4.	Mr. Pradeeplal Mehta S/o Late Madhavlal Mehta	2006 to 2017
5.	Manoj Mehta, HUF	2006 to 2017
6.	Mr. Manoj Mehta S/o Mr. Gourilal Mehta	2006 to 2017
7.	Madup Mehta HUF	2006 to 2017
8.	Mr. Madhup Mehta S/o Mr. Gourilal Mehta	2006 to 2017
9.	Damodarilal Mehta HUF	2006 to 2017
10.	Mr. Basant Mehta S/o Late Damodarilal Mehta	2006 to 2017
11.	Sankarlal Mehta HUF	2006 to 2017
12.	Sankarlal Mehta S/o Late Harilal Mehta	2006 to 2017
13.	Keshavlal Mehta HUF	2006 to 2017
14.	Mr. Keshavlal Mehta S/o Late Harilal Mehta	2006 to 2017
15.	Mr. Gourilal Mehta S/o Late Govindlal Mehta	2006 to 2017
16.	Ms. Laxmi Mehta Widow of Late Harilal Mehta	2006 to 2017
17.	Balaji Awas Nirman Pvt. Ltd.	2017-7 <sup>th</sup> Jan., 2019
18.	Harrington Towers Pvt. Ltd.	2017-7 <sup>th</sup> Jan., 2019
19.	Sawaria Enclave LLP	2017-7 <sup>th</sup> Jan., 2019
20.	Domestic Infracon LLP	2017-7 <sup>th</sup> Jan., 2019
21.	Montec Realtors LLP	2017-7 <sup>th</sup> Jan., 2019
22.	Greenspon Builders LLP	2017-7 <sup>th</sup> Jan., 2019
23.	Harrington Realtors LLP	2017-7 <sup>th</sup> Jan., 2019
24.	Shyamben Housing Developers LLP	2017-7 <sup>th</sup> Jan., 2019
25.	Sawanka Developers LLP	2017-7 <sup>th</sup> Jan., 2019





26.	Protex Developers OPC Private Limited	2017-7 <sup>th</sup> Jan.,2019
27.	Crossland Services Private Limited.	2017-7 <sup>th</sup> Jan.,2019
28.	Shivyogi Infrastructure LLP	2017-7 <sup>th</sup> Jan.,2019
29.	Swastics Projects Private Limited	2017-7 <sup>th</sup> Jan.,2019
30.	Kunal Housing Development Private Limited	2017-7 <sup>th</sup> Jan.,2019
31.	Neptune Finance (India) Limited	2017-7 <sup>th</sup> Jan.,2019
32.	Padma Mercantile Private Limited	2017-7 <sup>th</sup> Jan.,2019
33.	Welcorth Capital Market Ltd.	2017-7 <sup>th</sup> Jan.,2019
34.	Holytex Carpets Private Limited	2017-7 <sup>th</sup> Jan.,2019
35.	Bridhi Traders Private Limited	2017-7 <sup>th</sup> Jan.,2019
36.	Uniworth Realtors Private Limited	2017-7 <sup>th</sup> Jan.,2019
37.	Dream Vinimay Private Limited	2017-7 <sup>th</sup> Jan.,2019
38.	Saranya Textiles Private Limited	2017-7 <sup>th</sup> Jan.,2019
39.	Balashree Nirman LLP	2017-7 <sup>th</sup> Jan.,2019
40.	Devmata Infrastructure LLP	2017-7 <sup>th</sup> Jan.,2019
41.	Dibyajyoti Realcon LLP	2017-7 <sup>th</sup> Jan.,2019
42.	Evernice Builders LLP	2017-7 <sup>th</sup> Jan.,2019
43.	SPPL Developers LLP	2017-7 <sup>th</sup> Jan.,2019
44.	Saharsha Real Estates LLP	2017-7 <sup>th</sup> Jan.,2019

- c) At the office of the Land Acquisition Collector, Barasat;
- d) At the office of the South Dumdum Municipality;
- e) Registrar of Companies, West Bengal;



- f) At the office of the Competent Authority, Urban Land(Ceiling & Regulation) Act, 1976.

## VII. RESULT OF SEARCHES:

### a) Registration Offices:

i) It transpires from the Index II searches made in respect of the above mentioned R.S. Dag Nos. 854 to 858, Mouza - Dakshin Darhi, J.L. No. 25, at the office of the Registrar of Assurances, Kolkata during the aforementioned period that the transfer volumes for the years 1953, 1957, 1973, 1984, 1986, 1988 - 1992 were not available; pages for the years 1955, 1956, 1960 -1964, 1971, 1974, 1982, 1985, 1993, 1994, 2000 and 2001 were torn and or partly torn; Books for the years 1965, 1966, 1967, 1969, 1970, 1972, 1975, 1977, 1979, 1980 were not available.

Furthermore, due to computer system error at the office of the Registrar of Assurances, Kolkata, searches of Index II was not possible during the period from 2002-2008.

Therefore, the searches were made on the basis of the available records. However, no adverse entry was found from available records.

ii) It transpires from the Index II searches made in respect of the above mentioned R.S. Dag Nos. 854 to 858, Mouza - Dakshin Darhi, J.L. No.25, at the office of the District Registrar, Barasat during the aforementioned period, that the pages from the years 1953-1968, 1970-1982, 1984-1990, 1992-1997, 2000-2002 were torn and/or partly torn; volume for the years 1969, 1983, 1991 were found to be damaged, transfer volume for the year 1998 and 1999 were not available.

Furthermore, due to computer system error at the office of the District Registrar, Barasat, searches of Index II was not possible during the period from 2002-2008.

Therefore, the searches were made on the basis of the available records. However, no adverse entry was found from available records.

iii) It transpires from the Index II searches made in respect of the above mentioned R.S. Dag Nos. 854 to 858, Mouza - Dakshin Darhi, J.L. No.25, at the office of the Sub-Registrar, Dum Dum during the aforementioned period, that the pages for the years 1953-1965, 1967-1984 were found to be torn and or partly torn.



Therefore, the searches were made on the basis of the available records. However, no adverse entry was found from available records.

iv) It transpires from the Index II searches made in respect of the above mentioned R.S. Dag Nos. 854 to 858, Mouza - Dakshin Darhi, J.L. No. 25, at the office of the Sub-Registrar, Bidhannagar during the aforementioned period, that the pages for the years 1984-2000 were found to be torn and or partly torn.

Therefore, the searches were made on the basis of the available records. However, no adverse entry was found from available records.

v) From the Index II searches made in respect of Premises No.4, Amalengshu Sen Road at the offices of the Registrar of Assurance, Kolakta, District Registrar, Barasat and Sub-Registrar, Bidhannagar during the above mentioned period, no adverse entry in respect of the above mentioned premises appeared.

vi) From the Index-II searches made in respect of Premises No.30, S.K. Dev Road at the offices of the Registrar of Assurance, Kolkata, District Registrar, Barasat and Sub-Registrar, Bidhannagar, no adverse entry in respect of the above mentioned premises appeared.

**Our conclusion:** The said Property does not appear to be affected by any adverse entry at the time of searching being carried out at the offices of the aforesaid registering authorities.

**b) COURTS:**

From the searches made in the above mentioned courts against the abovementioned names during the abovementioned period it transpires that no money suit, money execution case, title suit and title execution case has been filed in the abovementioned courts during the aforementioned period, save and except the following one as mentioned here under.

By an order dated 15<sup>th</sup> September, 2016 passed by the Court of Learned 2<sup>nd</sup> Civil Judge, Senior Division, at Barasat in Title Suit No. 105/2004 (Costly Commercial Private limited and others Vs. Srilal Mehta and others) it was ordered and described that the suit is disposed of in terms of the compromise petition filed by the parties.

**Our conclusion:** The said Property does not appear to be affected by any pending litigation at the time of searching being carried out at the aforesaid courts.



**c) LAND ACQUISITION COLLECTOR, BARASAT:**

A Memo being No. 468-LA (II) Dated 14<sup>TH</sup> February, 1984 was issued by the Assistant Secretary to the Government of West Bengal, Land and Land Reforms Department, Land Acquisition Branch to the Collector, 24-Prganas (North), whereby it was expressly mentioned that the Government had taken decision to drop the Land Acquisition proceeding in respect of L.A. Case No. LA 4/5 (N) of 81-82/I/1643. And accordingly, the Collector, 24 Parganas (North) was requested to furnish immediately a draft cancellation notification for taking further necessary action.

Pursuant to such direction a Draft Cancellation of Notification was prepared on or about 16<sup>th</sup> July, 1984 in connection to the Notification being no. 12487LA(II)/4B-42/81 dated 05.11.81 which was issued for acquisition of CS/RS Plot Nos. 854 to 858 of Mouza Dakshindari, J.L. No. 25.

Application was made under the Right to Information Act, 2005 for the official information before the appropriate authority regarding the above mentioned property.

S.P.I.O. and Special Land Acquisition Officer, North 24-Parganas, Barasat, by its memo No. 197-LA(N)/BST/ RTI/G.Misc.948 (19) dated 15<sup>th</sup> January 2020 informed that as per the report based on available records of the office submitted by Sri Paritosh Bhandari Head Surveyor, Sri Amit Ghosh, Assistant LAO, and Sri Bishnupada Nath, O.C, RTI Cell, the information as sought for in respect of C.S/R.S. Plot Nos. 854, 855 and 856 of Mouza - Dakshin Dari, J.L. no. 28 under P.S. Lake Town were not readily available. By the said letter it was further intimated that the information was subject to change, if any information relating to the matter becomes detected in future.

S.P.I.O. and Special Land Acquisition Officer, North 24-Parganas, Barasat, by its memo No. 198-LA(N)/BST/ RTI/G.Misc.949 (19) dated 15<sup>th</sup> January 2020 informed that as per the report based on available records of the office submitted by Sri Paritosh Bhandari Head Surveyor, Sri Amit Ghosh, Assistant LAO, and Sri Bishnupada Nath, O.C, RTI Cell, the information as sought for in respect of C.S/R.S. Plot Nos. 857 and 858 of Mouza - Dakshin Dari, J.L. no. 28 under P.S. Lake Town were not readily available. By the said letter it was further intimated that the information was subject to change, if any information relating to the matter becomes detected in future.

By Memo No. 2599-LA(N)/BST/RTI/G. Misc. 54 (2020) dated 21.12.2020, the SPIO & Special Land Acquisition Officer, North-24-



Paraganas, Barasat, it has been informed that as per the reports based on available records in that office, on verification of the L.A. Case No. L.A.4/5(N) of 81-82 it appeared that a Notification being no. 12487LA(II)/4B-42/81 dated 05.11.81 was issued for acquisition of CS/RS Plot Nos. 854 to 858 of Mouza Dakshindari, J.L. No. 25. But subsequently there was a draft Cancellation notice to the said Notification was prepared. It has been further stated that however, on the following period, (the period after that) no document regarding the finalization of the Cancellation notice of the Notification was found (in their record) involving the said LA Case.

It was, however, further mentioned that such information was subject to change if any information relating to the matter is detected in future.

Photostat copies of the said letters/Memos are annexed hereto and collectively marked as **Annexure "J"**.

**Our conclusion:** The Notification was issued in the year 1981. It is clear from the records Special Land Acquisition Officer, North 24-Paraganas, Barasat that the said acquisition proceeding was not completed. Furthermore, no declaration under sec. 6 of the Land Acquisition Act, 1894 was issued within the statutory period from the date of issue of notification under sec. 4(1) of the said Act. Hence, the said proceeding shall be deemed to have come to an end, be there any Final Cancellation notice or not. Thus it has to be concluded that there is no acquisition proceeding pending in respect of the said land.

**d) SOUTH DUMDUM MUNICIPALITY:**

It appears from the unpaid property tax bill of South Dum Dum Municipality that Balaji Awas Nirman Private Limited and others are recorded as the joint owners of the said property (Assessee No. 12-029-015-2857-3) and as on August, 27, 2019 an amount of Rs. 18,834/- was due and payable by the said owners on account of outstanding municipal tax. A Photostat copy thereof is annexed hereto and marked as **Annexure "K"**.

Mutation Certificate dated 22<sup>nd</sup> March, 2018 has been issued by the South Dum Dum Municipality in respect of holding No. 4 A.Sen Road (9 Bighas 12 Chittaks) = 2.9876 acres, Mouza Dakshin Dari, J.L. No. 25, C.S. Khatian No. 295, R.S. Khatian No.969, 971, 972, 973, R.S. Dag Nos.854, 855, 856, 857 and 858 in favour of -

1. Balaji Awas Nirman Private Ltd.



2. Harrington Towers Private Ltd.
3. Sawaria Enclave LLP
4. Domestic Infracon LLP
5. Montek Realtors LLP
6. Greenspot Builders LLP
7. Harrington Realtors LLP
8. Shyamleen Housing Developers LLP
9. Sawanka Developers LLP
10. Protex Developers OPC Private Ltd.
11. Cross Land Services Private Ltd.
12. Balashree Nirman LLP
13. Devmata Infrastructure LLP
14. Dibyajyoti Realcon LLP
15. Evernice Builders LLP
16. Shivyogi Infrastructure Ltd.
17. Swastik Projects Private Ltd.
18. SPPL Developers LLP.
19. Kunal Housing Development Private Ltd.
20. Neptune Finance (India) Ltd.
21. Padma Mercantiles Private Ltd.
22. Welworth Capital Market Ltd.
23. Holytex Carpets Private Ltd.
24. Dhanbridhi Traders Private Ltd.
25. Uniworth Realtor Private Ltd.
26. Dream Vinimay Private Ltd.
27. Saranya Textiles Private Ltd.
28. Saharsh Real Estates LLP

**Our conclusion:** The said Property stands mutated in the name of the above mentioned Owners in the municipal assessment records.

**e) REGISTRAR OF COMPANIES, W.B. (MCA):**

It appears from the searches made in the names of the Owners above named that no charge has been made by any of the companies or LLPs in respect of and over the above mentioned Property.

**Our conclusion:** The said Property does not appear to be affected by any charge at the time of searching being carried out.

**f) THE COMPETENT AUTHORITY(ULC), BARASAT:**

Application has been made under the Right to Information Act, 2005 for the official information before the appropriate authority regarding the above mentioned property. We are yet to receive any reply in response thereto.



However, the Owners have relied upon the Order dated 12<sup>th</sup> July, 1999 passed by the C.O. and S.D.O., Barrackpore, North 24-Parganas in Barrackpore Case No. ULC/BKP/Misc.-8/ Lake of 1997 (Sri Pradeeplal Mehta and 26 others Vs. State of West Bengal).

It appears that from the said Order dated 12<sup>th</sup> July, 1999 passed by the C.O. and S.D.O., Barrackpore, North 24-Parganas in Barrackpore Case No. ULC/BKP/Misc.-8/ Lake of 1997 (Sri Pradeeplal Mehta and 26 others Vs. State of West Bengal) it was inter alia held that the petitioner as well as the other 26 co-sharers held no excess vacant land within the ceiling limit prescribed under the provisions of Urban Land (Ceiling and Regulations) Act, 1976 and there was no objection from ULC point of view as the proceeding stood dropped.

**Our conclusion:** The said Property does not appear to be affected by any provision of the Urban Land (Ceiling and Regulations) Act, 1976.

#### VIII. CERTIFICATION:

We have perused and considered the abovementioned documents, orders, replies to the RTI applications, memos and findings of searches.

In the aforesaid circumstances and our conclusions above, we are of the view that presently the Owners above named have marketable title to the above mentioned Property.

Dated this 12<sup>th</sup> day of July, 2021.

**For VICTOR MOSES & CO.,  
SOLICITORS & ADVOCATES**

  
**(D.N. MITTRA)  
PARTNER**

