

Advocate.

Thana Road
(Rishi Arabindo Sarani)
Opp. Of Lichutala Durga
Mandir,
P.O & P.S. Raiganj
Dt. Uttar Dinajpur.
Pin - 733134.

BASU LODGE

Biplabi Saroj Basu Sarani
Near Jibandeeep Nursing
Home
Uttar Dinajpur.
Mob : 9434052540
7908375044

REPORT OF TITLE**HISTORY OF TITLE IN RESPECT OF SCHEDULE (A) PROPERTY**

After perusing the aforesaid documents mentioned in Para 6 (b) of this T.I.R., it reveals that the R.S. Plot No. 776 total area 2.11 acres of Mouza - Karajora, J.L no - 157, P.S - Raiganj, Dist - Uttar Dinajpur was originally belonged to Gedru Barman and in R.S. R.O.R. No. 301 it was recorded in his name. While possessing the said property Gedru Barman gifted 1.055 acres of land to Biren Chandra Barman vide Regd. Gift Deed No. 5774 for 1983 and also rest 1.055 acres of land to his another son Dharendra Nath Barman vide Regd. Gift Deed No. 5776 for 1983. While possessing the schedule (A) plot, said Dhiren Barman alias Dharendra Nath Barman vide Regd. Gift Deed No. 7371 for 2011 gifted the same to Aloka Barman and Paresh Barman, but the donees did not accepted the said gift. Thereafter to avoid the legal dispute said Paresh Barman gifted his share in the schedule (A) property to Dhiren Barman alias Dharendra Nath Barman vide Regd. Gift Deed No. 17635 for 2022. During L.R settlement R.S. Plot No. 776 converted into two L.R. Plot No. 797 and 798. While possessing the schedule property said Dhiren Barman alias Dharendra Nath Barman gifted 0.10 acres of land in L.R. Plot No. 797 and 0.43 acres of land in L.R. Plot No. 798 to his wife Aloka Barman vide Regd. Gift Deed No. 1065 for 2014. He also gifted 0.10 acres of land in L.R. Plot No. 797 and 0.43 acres of land in L.R. Plot No. 798 to his son Ratan Barman vide Regd. Gift Deed No. 1059 for 2014 and delivered them the possession of the same. Said Aloka Barman and Ratan Barman have accepted the said gift and in L.R. R.O.R. the said property has been recorded in their names. While possessing the schedule (A) property along with others Aloka Barman and Ratan Barman sold the said property to Ayush Agarwal vide two Regd. Sale Deed No. 5400 for 2022 and No. 17177 for 2022 and delivered him the possession of the same. In L.R. R.O.R. No. 3676 the schedule property has duly been recorded in L.R. Plot No. 797 area 0.21 acres of land and in L.R. Plot No. 798 area 0.85 acres of land in the name of Ayush Agarwal. Thereafter said Ayush Agaewal filed a partition suit No. 09/2022 before the Ld. Civil Judge (Senior Division) Raiganj against the Biren Barman and other co-sharer. The said suit was disposed off in terms of compromise after obtaining leave under order 32 rule 7 of C.P Code on behalf of the minor co-sharer Dhiraj Kr Barman. As per solenama and final decree, the schedule (A) property exclusively fell in the share of Ayush Agarwal. Since final decree in partition suit no - 09/2022 P.S. said Ayush Agarwal is possessing the schedule (A) property and paying up-to-date the Govt. Rent. Subsequently said Ayush Agarwal has obtained the permission for conversion of the schedule (A) property in to Commercial Bastu vide Certificate of Conversion Memo No. 6N/286/2022 (Case No. CN/2022/1806/663) dt. 06/06/2022 issued by the S.D.L. & L.R.O., Raiganj and vide Conversion of Land Case No. CN/2023/1806/1096 dt. 26/07/2023, No. CN/2023/1806/1097 dt. 26/07/2023 and No. CN/2023/1806/1098 dt. 26/07/2023 respectively issued by the B.L. & L.R.O. Raiganj. The schedule (A) property has been mutated in the name of Ayush Agarwal and he is also paying govt. rent and possession the schedule (A) property exclusively.

HISTORY OF TITLE IN RESPECT OF SCHEDULE (B) PROPERTY

After perusing the aforesaid documents mentioned in Para 6 (b) of this T.I.R., it reveals that the schedule (B) property along with others originally belonged to Choimuddin alias Chiharu Md. Said Choimuddin alias Chiharu Md. while possessing the schedule property along with others sold 0.2250 acres of land to Nihar Kona Mazumder vide Regd. Sale Deed No. 9150 for 1964 and 0.1650 acres of land to Moni Mohan Ghosh vide Regd. Sale Deed No. 9151 for 1964 and delivered them the possession of the same. Said Moni Mohan Ghosh and Nihar Kona Mazumder sold 0.34875 acres of land to Chameli Dey and Ranadhir Dey vide Regd. Sale Deed No. 6641 for 1984 and delivered them the possession of the same. Said R.S. Plot No. 777 converted into L.R. Plot No. 799. Chameli Dey gifted 0.1700 acres of land to her husband Ranadhir Dey vide Regd. Gift Deed No. 7950 for 2008 and delivered him the possession of the same. Said Ranadhir Dey gifted 34

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03/08/2023
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decimal of land to Ranabir Dey and Minati Dey Das vide Regd. Gift Deed No. 7952 for 2008 and delivered them the possession of the same. Said Ranabir Dey and Minati Dey Das alias Minati Das sold the schedule (B) property of vide two Regd. Sale Deed No. 5453 for 2022 and No. 5237 for 2022 to Ayush Agarwal and delivered him the possession of the same. In L.R. R.O.R. No. 3676 the schedule property has duly been recorded in L.R. Plot No. 799 with an area 17 decimal of land i.e. schedule (B) property in the name of Ayush Agarwal. Since purchase said Ayush Agarwal is possessing the schedule (B) property and paying up-to-date the Govt. Rent. Said Ayush Agarwal has obtained the permission for conversion of 17 decimal of land in the schedule property in to Commercial Bastu vide Certificate of Conversion Memo No. Con/287/2022 (Case No. CN/2022/1806/662) dt. 06/06/2022 issued by the S.D.L.& L.R.O.

CONCLUSION

That I have made necessary searches in respect of the schedule (A) and (B) properties and found that the said properties have not been transferred, charged, leased, kept lien by any person and authority concern except the transfers mentioned above. The schedule property has not been acquired by any authority and concern and there is no proposal for acquisition of the same.

After perusing the above mention document and the affidavit sward by Ayush Agarwal and necessary searching conducted by me, I am of opinion that Ayush Agarwal acquired good valid marketable title in schedule (A) property by virtue of his purchase vide Regd. Sale deed no - 5400 for 2022 of D.S.R Uttar Dinajpur and sale deed no - 17177 for 2022 of A.D.S.R Raiganj both are executed by Aloka Barman and Ratan Barman and also acquired good valid marketable title in schedule (B) property by virtue of his purchase vide Regd. Sale deed no - 5453 for 2022 of D.S.R Uttar Dinajpur and 5237 for 2022 of A.D.S.R Raiganj both are executed by Ranabir Dey and Minati Das @ Minati Dey Das. The schedule (A) and (B) properties are non-agricultural commercial bastu in nature. The schedule (A) and (B) properties are free from all encumbrances and fit for equitable mortgage.

Date:

Place: Raiganj

Siddhartha Kr. Basu
03/08/2023

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Raiganj, Uttar Dinajpur.

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Annexure-C

Certificate of title

I have examined the Original Title Deeds intended to be deposited relating to the schedule property/(ies) and offered as security by way of Equitable Mortgage and that the documents of title referred to in the Opinion are valid evidence of Right, title and Interest and that if the said Equitable Mortgage is created, it will satisfy the requirements of creation of Equitable Mortgage and I further certify that:

2. I have examined the Documents in detail, taking into account all the Guidelines in the check list vide Annexure-B and the other relevant factors.

3. I confirm having made a search in the Land/ Revenue records. I also confirm having verified and checked the records of the relevant Government Offices,/Sub- Registrar(s) Office(s), Revenue Records, Municipal/ Panchayat Office, Land Acquisition Office. I do not find anything adverse which would prevent the Title Holders from creating a valid Mortgage. I am liable /responsible, if any loss is caused to the Bank due to negligence on my part or by my agent in making search.

4. Following scrutiny of Land Records/ Revenue Records, relative Title Deeds, certified copies of such title deeds obtained from the concerned registrar office and encumbrance certificate (EC), I hereby certify the genuineness of the Title Deeds. Suspicious/ Doubt, if any, has been clarified by making necessary enquiries.

5. There are no prior Mortgage/ Charges/ encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from 1992 to 21/07/2023 S pertaining to the Immovable Property/(ies) covered by above said Title Deeds. The property is free from all Encumbrances.

~~6. In case of second/subsequent charge in favour of the Bank, there are no other mortgages/charges other than already stated in the Loan documents and agreed to by the Mortgagor and the Bank (Delete, whichever is inapplicable).~~

~~7. Minor/(s) and his/ their interest in the property/(ies) is to the extent of _____ (Specify the share of the Minor with Name). (Strike out if not applicable).~~

8. The Mortgage if created, will be available to the Bank for the Liability of the Intending Borrower, Ayush Agarwal.

9. I certify that Ayush Agarwal has an absolute, clear and Marketable title over the Schedule property/ (ies). I further certify that the above title deeds are genuine and a valid mortgage can be created and the said Mortgage would be enforceable.

10. In case of creation of Mortgage by Deposit of title deeds, we certify that the deposit of following title deeds/ documents would create a valid and enforceable mortgage:

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1.	R.S. R.O.R. No. 301 of Mouza - Karnajora, J.L.No.- 157, P.S. - Raiganj, Dist. - Uttar Dinajpur.	C/C
2	L.R. R.O.R. No. 3676 of Mouza - Karnajora, J.L.No.- 157, P.S. - Raiganj, Dist. - Uttar Dinajpur.	C/C & online copy
3.	R.S. to L.R. Plot information.	Online copy.
4.	Regd. Gift Deed No. 5774 for 1983 executed by Gedru Barman in favour of Biren Chandra Barman registered in Book No. I, Volume No. 75, Page from 275 to 278 before the S.R. Raiganj.	C/C
5.	Regd. Gift Deed No. 5776 for 1983 executed by Gedru Barman in favour of Dharendra Nath Barman registered in Book No. I, Volume No. 75, Page from 283 to 286 before the S.R. Raiganj.	C/C
6.	Regd. Gift Deed No. 7371 for 2011 executed by Dhiren Barman alias Dharendra Nath Barman in favour of Aloka Barman and Paresch Barman registered in Book No. I, CD Volume No. 21, Page from 3212 to 3221 before the D.S.R. Uttar Dinajpur.	C/C
7.	Regd. Gift Deed No. 1065 for 2014 executed by Dhiren Barman alias Dharendra Nath Barman in favour of Aloka Barman registered in Book No. I, CD Volume No. 4, Page from 626 to 640 before the D.S.R. Uttar Dinajpur.	C/C
8.	Regd. Gift Deed No. 1059 for 2014 executed by Dhiren Barman alias Dharendra Nath Barman in favour of Ratan Barman registered in Book No. I, CD Volume No. 4, Page from 515 to 537 before the D.S.R. Uttar Dinajpur.	C/C
9.	Regd. Sale Deed No. 5400 for 2022 executed by Aloka Barman and Ratan Barman in favour of Ayush Agarwal registered in Book No. I, Volume No. 1801 - 2022, Page from 117148 to 117164 before the D.S.R. Uttar Dinajpur.	Original
10.	Regd. Gift Deed No. 17635 for 2022 executed by Paresch Barman in favour of Dhiren Barman alias Dharendra Nath Barman registered in Book No. I, Volume No. 1801 - 2022, Page from 334940 to 334952 before the D.S.R. Uttar Dinajpur.	C/C
11.	Regd. Sale Deed No. 17177 for 2022 executed by Aloka Barman and Ratan Barman in favour of Ayush Agarwal registered in Book No. I, Volume No. 1804 - 2022, Page from 321395 to 321414 before the A.D.S.R. Raiganj.	Original
12.	Certified copy of compromise decree in final form in case no - 09/2022 P.S in the court of Civil Judge Sr, Division at Raiganj.	C/C
13.	Certificate of Conversion of Land vide Memo No. Con/286/2022 dt. 06/06/2022 issued by the S.D.L. & L.R.O., Raiganj, Uttar Dinajpur.	Original

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14.	Conversion of Land Memo No. 1399/CONV/BL&LRO- Rai/2023 dt. 26/07/2023, Memo no 1400/CONV/BL&LRO- Rai/2023 dt. 26/07/2023 and No. 1401/CONV/BL&LRO- Rai/2023 dt. 26/07/2023 issued by the B.L. & L.R.O. Raiganj.	Original
15.	Govt. Rent Receipt No. REVREC2023180606347 dt. 03/08/2023.	System generated Revenue Receipt Copy.
16.	Regd. Sale Deed No. 9150 for 1964 executed by Choimuddin alias Chiharu Md. in favour of Nihar Kona Mazumder registered in Book No. I, Volume No. 91, Page from 227 to 228 before the S.R. Raiganj.	
17.	Regd. Sale Deed No. 9151 for 1964 executed by Choimuddin alias Chiharu Md. in favour of Moni Mohan Ghosh registered in Book No. I, Volume No. 84, Page from 292 to 293 before the S.R. Raiganj.	C/C
18.	Regd. Sale Deed No. 6641 for 1984 executed by Moni Mohan Ghosh and Nihar Kona Mazumder in favour of Chameli Dey and Ranadhir Dey registered in Book No. I, Volume No. 88, Page from 35 to 40 before the S.R. Raiganj.	C/C
19.	Regd. Gift Deed No. 7950 for 2008 executed by Chameli Dey in favour of Ranadhir Dey registered in Book No. I, CD Volume No. 31, Page from 5386 to 5401 before the A.D.S.R. Raiganj.	C/C
20.	Regd. Gift Deed No. 7952 for 2008 executed by Ranadhir Dey in favour of Ranabir Dey and Minati Dey Das registered in Book No. I, CD Volume No. 31, Page from 5402 to 5419 before the A.D.S.R. Raiganj.	C/C
21.	Regd. Sale Deed No. 5453 for 2022 executed by Ranabir Dey and Minati Das alias Minati Dey Das in favour of Ayush Agarwal registered in Book No. I, Volume No. 1801 - 2022, Page from 117131 to 117131 before the D.S.R. Uttar Dinajpur.	Original
22.	Regd. Sale Deed No. 5237 for 2022 executed by Ranabir Dey and Minati Das alias Minati Dey Das in favour of Ayush Agarwal registered in Book No. I, Volume No. 1804 - 2022, Page from 118673 to 118689 before the A.D.S.R. Raiganj.	Original
23.	Certificate of Conversion of Land vide Memo No. Con/287/2022 (Case No. CN/2022/1806/662) dt. 06/06/2022 issued by the S.D.L.& L.R.O., Raiganj, Uttar Dinajpur.	Original
24.	Affidavit Sl. No. 34 dated 31/07/2023 sworn by Shri Ayush Agarwal before the Notary Public, Raiganj.	C/C

11. There are no legal impediments for creation of the Mortgage under any applicable Law/ Rules in force.

12. It is certified that the property is SARFAESI compliant.

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03/08/2023

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SCHEDULE (A) PROPERTY

Dist. - Uttar Dinajpur, P.S. - Raiganj, Mouza - Karnajora, J.L.No. - 157

<u>Khatian No.</u>	<u>Plot No.</u>	<u>Area of Land</u>	<u>Classification</u>
R.S. - 301	R.S. - 776	1.060 Acres	Commercial Bastu.
L.R. - 3676	L.R. - 798		

BOUNDARY OF SCHEDULE (A) PROPERTY
(according to the final decree awarded on case No. 9/2023 by the Court of Civil Judge (Sr. Divn.) at Raiganj) :- North - Paresh Barman and others , South - Dhiraj Barman, Santosh Barman and Biren Barman, East- Ayush Agarwal i.e schedule (B) property, West - Saugata Dutta and others.

SCHEDULE (B) PROPERTY

Dist. - Uttar Dinajpur, P.S. - Raiganj, Mouza - Karnajora, J.L.No. - 157

<u>Khatian No.</u>	<u>Plot No.</u>	<u>Area of Land</u>	<u>Classification</u>
R.S. - 57	R.S. - 777	0.17 Acres	Commercial Bastu.
L.R. - 3676	L.R. - 799		

BOUNDARY OF SCHEDULE (B) PROPERTY

North - Ratan Barman and others , South - Minati Dey Das, East - No - 10 State Highway, West - L.R Plot no - 798 i.e. Schedule (A) property.

Date -
Place: Raiganj

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