

Arpannama dated 29th March 1945 and registered with the District Registrar at Alipore in Book No. I, volume No. 31 pages.164 – 166 being deed No. 1033 for the year 1945 and is herein represented by three of its existing Trustee Shebaitis (i) **Debapriya Sanyal** (PAN ALPPS1119J & Adhaar No. 935918475171) son of Late Prafulla Sanyal an Indian national, by faith Hindu, by occupation Retired (ii) **Abhijit Sanyal** (PAN ALRPS2725E & Adhaar No. 957743743147) son of Late Prabhat Kumar Sanyal an Indian national, by faith Hindu, by occupation Retired (iii) **Mahua Sanyal** (PAN CQYPS9464E & Adhaar No. 391370222370) wife of Late Arijit Sanyal an Indian national, by faith Hindu, by occupation Housewife all presently residing at No. 13C, Deodar Street, Kolkata 700 019 PO & PS Ballygunge hereinafter referred to as the "**TRUST OWNER**" in favour of **SWASTIC PROJECTS PRIVATE LIMITED** (PAN AADCS5305E) a company within the meaning of the Companies Act, 1956 and presently having its registered office situated at No. 21/2, Ballygunge Place, Kolkata 700 019, PO Ballygunge, PS Gariahat (hereinafter called "**THE ATTORNEY**").

WHEREAS:

- A. The Trust Owner is absolutely seized and possessed of or otherwise well and sufficiently entitled to **ALL THAT** the piece or parcel of land containing by measurement an area of about 09 cottahs 01 chittacks and 14 sq. ft. be the same little more or less together with the four storied building and other structures standing thereon and lying situate at and/or being municipal premises No. 13/C, Deodar Street, Kolkata 700 019 PS Ballygunge in ward No. 69 of the Kolkata Municipal Corporation (morefully and particularly mentioned and described in the **SCHEDULE** hereunder written and is hereinafter for the sake of brevity referred to as the said **PREMISES**).
- B. The said Trustee Shebaitis under the Owner made an application before the Ld. District Judge at Alipore in Misc. Case No. 352 of 2017 inter-alia seeking

permission to develop the said Premises and the Ld. District Judge at Alipore in its order No. 11 dated 28th August 2018 stated and clarified that upon having gone through the said Trust Deed the finding is

“the Trust created by Sm. Padmasana Devi is a private Trust and the case property/ building involved in the Arpannama is a private Debuttar property.

According to Saving Clause of Section I of the Indian Trusts Act, Section 34 of the Indian Trusts Act does not apply to private trust and private Debuttar property.

It is made clear that the petitioners do not need any permission from this court to transfer or develop the building/case property for the overall benefit of the Deity”

C. The Owner is thus desirous of appointing nominating and constituting the Attorney herein as its true and lawful Attorney for and on behalf of the Owner in its name place and stead to severally do the following acts deeds matters and things in respect of the said Premises.

NOW KNOW YE ALL THESE PRESENTS WITNESSETH that **WE**, (i) **DEBAPRIYA SANYAL** (PAN ALPPS1119J & Adhaar No. 9359 1847 5171) son of Late Prafulla Sanyal an Indian national, by faith Hindu, by occupation Retired (ii) **ABHIJIT SANYAL** (PAN ALRPS2725E & Adhaar No. 9577 4374 3147) son of Late Prabhat Kumar Sanyal an Indian national, by faith Hindu, by occupation Retired (iii) **MAHUA SANYAL** (PAN CQYPS9464E & Adhaar No. 3913 7022 2370) wife of Late Arijit Sanyal an Indian national, by faith Hindu, by occupation Housewife all presently residing at No. 13C, Deodar Street, Kolkata 700 019 PO & PS Ballygunge in our capacity as the Trustee Shebait of **SRI SRI ISWAR LAKSHMI MATA THAKURANI** (PAN AABTI1499J) a private Trust formed for the deity revered by Sm. Padmasana

Devi and trust made vide Arpannama dated 29th March 1945 and registered with the District Registrar at Alipore in Book No. 1, volume No. 31 pages 164 – 166 being deed No. 1033 for the year 1945 who being the **OWNER** as aforesaid do hereby nominate appoint and constitute **SWASTIC PROJECTS PRIVATE LIMITED** (PAN AADCS5305E) a company within the meaning of the Companies Act, 1956 and presently having its registered office situate at No. 21/2, Ballygunge Place, Kolkata 700 019, PO Ballygunge, PS Gariahat to be my/our true and lawful attorney for and on my/our behalf and in my/our name place and stead to do the following acts deeds matters and things that is to say: -

1. To manage, hold and possess the said Premises and every part thereof.
2. To apply for and obtain sanction of the building plan from the Kolkata Municipal Corporation and/or any other authorities and to sign and execute any such papers documents instruments that may be required in this regard.
3. To sign and submit all applications maps plans specification and obtain the same thereof upon sanction in respect any new plan and/or any modification or alterations thereafter upon the building plan sanctioned by the Kolkata Municipal Corporation and to sign and execute and submit any plan papers and documents and perform all the formalities and obligations as may be required or necessary from time to time.
4. To pay fees to obtain sanction and other records permission and/or consents from the necessary authorities as be necessary or required for modification, alteration and/or sanction of the plan concerning the said Premises and also to sign other documents as may be required by the authorities from time to time.
5. To appear and represent the Owner before the Kolkata Municipal Corporation, Building Tribunal and other authorities concerned regarding any notice received

or served on the Owner in respect of the said Premises and to make representations, prefer appeals reviews and revisions and for that to sign and submit all papers appeals applications and papers and to appear and make representation for and on my behalf before the authorities concerned.

6. To enter into any agreement, settlement and/or any other manner and/or document that maybe necessary or be required in respect of any person and/or entity claiming to be an occupier and/or tenant and/or trespasser in any part and/or portion of the said Premises.
7. To appear and represent the Owner before the necessary authorities including the Kolkata Municipal Corporation, Kolkata Improvement Trust, Kolkata Metropolitan Development Authority, Fire Services Dept. West Bengal, Kolkata Police in connection with the sanction modification or alteration of the plans and to sign all papers and documents in connection therewith.
8. To apply for electricity, water, drainage, lift, gas connection or for any other utility in the said Premises and/or to make alterations in the existing connection and to have disconnected the same and for that to sign answer execute and submit all papers, applications, documents and plans and to do all other acts deeds and things as may be deemed fit and proper by the Attorney.
9. To apply for and obtain licenses and permissions that maybe necessary or be required for the purpose of installation and running of lift, generator for auxiliary power supply or for the purpose of having the drain of the said Premises to be disconnected and/or connected to the municipal drain and for all or any of the purposes above mentioned to sign and execute all necessary papers.
10. To sign, execute and register all declarations, undertakings, affidavits, instruments and others that are required and/or may be necessary for sanction of the plan and the development of the said Premises.

11. To enter into agreement for sale, transfer or otherwise in respect of the Developer's Allocation in the said Premises.
12. To sign and execute any deed of conveyance and/or transfer and/or tenancy and/or sub-tenancy as may be necessary or be required from time to time in respect of the Developer's Allocation in the said Premises.
13. To appear and represent us before any Notary Public, Registrar of Assurances, District Registrar Sub-Registrar of Assurances or any other officer or officers having jurisdiction and to present for registration and have registered and performed all deeds, agreements, documents, and instruments executed and signed by the said Attorney in any manner concerning the Developer's Allocation in the said Premises.
14. To cause any Deed of Conveyance or document or instrument in respect of the Developer's Allocation in the said Premises to be registered and for the said purposes to sign execute and submit all declarations statements applications and affirm affidavits as may be necessary or required from time to time.
15. To commence prosecute enforce defend answer and oppose all actions and proceedings concerning in anyway the said Premises or any part thereof including those relating to acquisition and/or requisition in which the Owner is now or may hereafter be interested or concerned and if thought fit and compromise settle refer to arbitration abandon become non-suited submit to judgment in any action or proceedings as aforesaid before any Court, Civil or Criminal or Revenue.
16. To appoint any retainers, solicitors, advocate and other legal agents and to revoke such appointments and others as occasion shall require.

17. To sign affirm and verify plaint, petition, written statements, tabular statements, Review, Revisions, Affidavit, Declarations, Memorandum of Appeal or any other paper or pleadings including applications under Article 226 of the Constitution of India in any suit action or proceedings relating to the said Premises or any part thereof.

AND GENERALLY, to do all acts deeds matters and things concerning the powers hereby conferred in respect of the said Premises which the Owner could have done lawfully under her own hands if present personally. AND I the said Owner doth hereby ratify and confirm and agree at all times to ratify and confirm all and whatsoever and the said Attorney shall lawfully do and/or cause to do in accordance herewith.

THE SCHEDULE ABOVE REFERRED TO
(PREMISES)

ALL THAT the piece or parcel of land containing by ad-measurement an area of about 09 cottahs 01 chittacks and 14 sq. ft. be the same little more or less together with the four storied building and other structures standing thereon and lying situate at and/or being municipal premises No. 13/C, Deodar Street, Kolkata 700 019 PS Ballygunge in ward No. 69 of the Kolkata Municipal Corporation Sub Registry Office Sealdah and is butted and bounded in the manner as follows: -

ON THE NORTH: Partly by municipal premises No. 11C, Deodar Street & partly by 11D, Deodar Street;

ON THE EAST: Partly by municipal premises No. 13A, Deodar Street & partly by 13D, Deodar Street;

ON THE WEST: Partly by municipal premises No. 15A, Deodar Street & partly by 15/1, Deodar Street;

ON THE SOUTH: By KMC Road;

OR HOWSOEVER OTHERWISE the same are is was or were heretofore-butted bounded called known numbered described or distinguished.

IN WITNESS WHEREOF we the said Shebaitis have set and subscribed our respective hands to these presents on the day month and year first above written.

SIGNED SEALED AND DELIVERED

by the above mentioned **SHEBAITS**

at **Kolkata** in the presence of:

Mukesh Mahato
13/K Deobari Street
KOL-19.

Debasanjan
11E Seldar Street
KOL-19.

Debasanjan Sanyal

Debasanjan Sanyal
Left
Debasanjan Sanyal
Right



Abhijit Sanyal

Abhijit Sanyal
Left
Abhijit Sanyal
Right



Mahua Sanyal

Mahua Sanyal
Left
Mahua Sanyal
Right



Drafted by
Ratanav. Bhatia
Advocate
WB/277/83
Alipour Criminal Court
Kolkata - 27