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30/09/2020

Mr. Saldam. Hussain

Uttam Chhetri

वीर. अर्जुन

अफसरी खातून

Prehlad Jaiswal

Darjeeling Real Estate Agents & Developers

Nisith Karan Aggarwal
Partner

श्रीकेश/1/1/1/1

BEFORE THE LD. EXECUTIVE MAGISTRATE AT SILIGURI

AFFIDAVIT

(FOR AMALGAMATION OF LAND)

30/09/2020.
Executive Magistrate
Siliguri

Contd.....P/2

NON JUDICIAL STAMP

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Sole. Mohammed Hussain Hussain
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Value-Rs.
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S.S.K.
(Sudhanshu Saran Roy)
Govt. Stamp Vendor
L. No. 173/R.M.
Biliguri Court



Md. Saddam Hussain

Uttam Chettri

2

श्री. अहुर

अफसरी खतून

Prahlad Jaiswal

Darjeeling Real Estate Agents & Developers
Nisith Kumar Agarwal
Partners

30/9/2020

We, **(1) MOHAMMED SADDAM HUSSAIN**, Son of Mohammed Sabir Alan, Muslim by religion, business by occupation, resident of Naya Busty, Champasari, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling, **(2) SRI UTTAM CHETTRI**, Son of Sri Punya Deo Chettri, Hindu by faith, Business by occupation, resident of Bhanu Bhakta Road, Robertson, Old club side, P.O. & P.S. Pradhan Nagar, Siliguri, Dist. Darjeeling, **(3) MD. JAHUR**, Son of Late Md. Atiulla, Muslim by religion, business by occupation, resident of Naya Busty, Champasari, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling, **(4) AFSARI KHATUN**, Wife of Md. Jakir Husen, Muslim by religion, business by occupation, resident of Naya Busty, Champasari, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling, **(5) SRI PRAHLAD JAISWAL**, Son of Late Ramabtar Jaiswal, Hindu by faith, Indian by nationality, business by occupation, resident of Sibaji Nagar, opposite Maa Bhawani Marble Shop, Champasari, Ward No. 46 (S.M.C.), P.O. & P.S. Pradhan Nagar, Siliguri, Dist.- Darjeeling, **(6) M/S. DARJEELING REAL ESTATE AGENTS & DEVELOPERS**, a Partnership firm, having its office address at Neelkamal Plaza, Opposite Meghdoot Cinema Hall, Hill Cart Road, Siliguri, within P.O. & P.S. Siliguri, Dist. Darjeeling, in the State of West Bengal, represented by one of its Partners **SRI NISITH KUMAR AGARWAL**, Son of Late Bhimraj Agarwal, Hindu by religion, Indian by nationality, Business by Occupation, resident of Shyama Kunj, Punjabi para, P.O. Haider para, P.S. Bhaktinagar, Dist. Jalpaiguri & **(7) RUKSHANA BEGUM**, Wife of Md. Jahur, Muslim by religion, business by occupation, resident of Naya Busty, Champasari, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling, do hereby solemnly affirm and declare as follows:-

1. That the Declarant No.1 i.e. MOHAMMED SADDAM HUSSAIN, Son of Mohammed Sabir Alan, as named herein above became the absolute owner in possession of all that 7.62 Kathas appertaining to and forming part of L.R. Plot No.194 corresponding to R.S. Plot No.71, recorded in Khatian No.448 (New) & 27 (old), within Mouza Baragharia, J.L. No.82, under P.S. Matigara, Dist. Darjeeling by virtue of purchase for valuable consideration from Shelcon Properties (P) Ltd., a private limited company having its registered office at Hill Cart Road, Siliguri, through a Deed of Conveyance being document No.I-8626 for the year 2015 registered at the office of the Addl. Dist. Sub-Registrar, Siliguri-II at Bagdogra. And after purchasing the land as mentioned above he has duly mutated and recorded his name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly a new L.R. Khatian being No.1966 has been opened in his name by the said authority. Thereafter subsequently in the month of July, 2018 the declarant No.1 i.e. Mohammed Saddam Hussain has sold and transferred all that 2.5 Kathas of land out of his above mentioned land for valuable consideration and at present he is in khas possession of his remaining 5.12 Kathas of land which is fully and particularly described in the **Schedule-"A"** below.
2. That the Declarant No.2 i.e. SRI UTTAM CHETTRI, Son of Sri Punya Deo Chettri, as named herein above, became the absolute owner in possession of all that 8.73 Kathas appertaining to and forming part of L.R. Plot Nos.190 & 194 corresponding to R.S. Plot Nos. 68 & 71, recorded in Khatian No.448 (New) & 27 (old), within Mouza Baragharia, J.L. No.82, under P.S. Matigara, Dist. Darjeeling which is fully and particularly described in the **Schedule-"B"** below, by virtue of purchase for valuable consideration from Shelcon Properties (P) Ltd., a private limited company having its registered office at Hill Cart Road, Siliguri, through a Deed of Conveyance being document No.I-1463 for the year 2015 registered at the office of the Addl. Dist. Sub-Registrar, Siliguri-II at Bagdogra. And moreover after purchasing the land as mentioned above, the above named Declarant No.2, has duly mutated and recorded his name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly a new L.R. Khatian being No.1905 has been opened in his name by the said authority.
3. That the Declarant No. 3 i.e. MD. JAHUR, Son of Late Md. Atiulla, as named herein above, became the absolute owner in possession of all that 6 Kathas appertaining to and forming part of L.R. Plot No.190 corresponding to R.S. Plot No.68, recorded in Khatian No.448 (New) & 27 (old), within Mouza Baragharia, J.L. No.82, under P.S. Matigara, Dist.

30/9/2020
Executive Magistrate
Siliguri



Md. Saddam Hussain

Utman Chhetri

3

AFSARI KHATUN

AFSARI KHATUN

Prahlad Jaiswal

Darjeeling Real Estate Agents & Developers
Anish Chatterjee
Partner

21/11/19

Darjeeling which is fully and particularly described in the **Schedule-“C”** below by virtue of purchase for valuable consideration from Shelcon Properties (P) Ltd., a private limited company having its registered office at Hill Cart Road, Siliguri, through a Deed of Conveyance being document No.I-662 for the year 2015 registered at the office of the Addl. Dist. Sub-Registrar, Siliguri-II at Bagdogra. And after purchasing the land as mentioned above the above named Declarant No.3, has duly mutated and recorded his name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly a new L.R. Khatian being No.1967 has been opened in his name by the said authority.

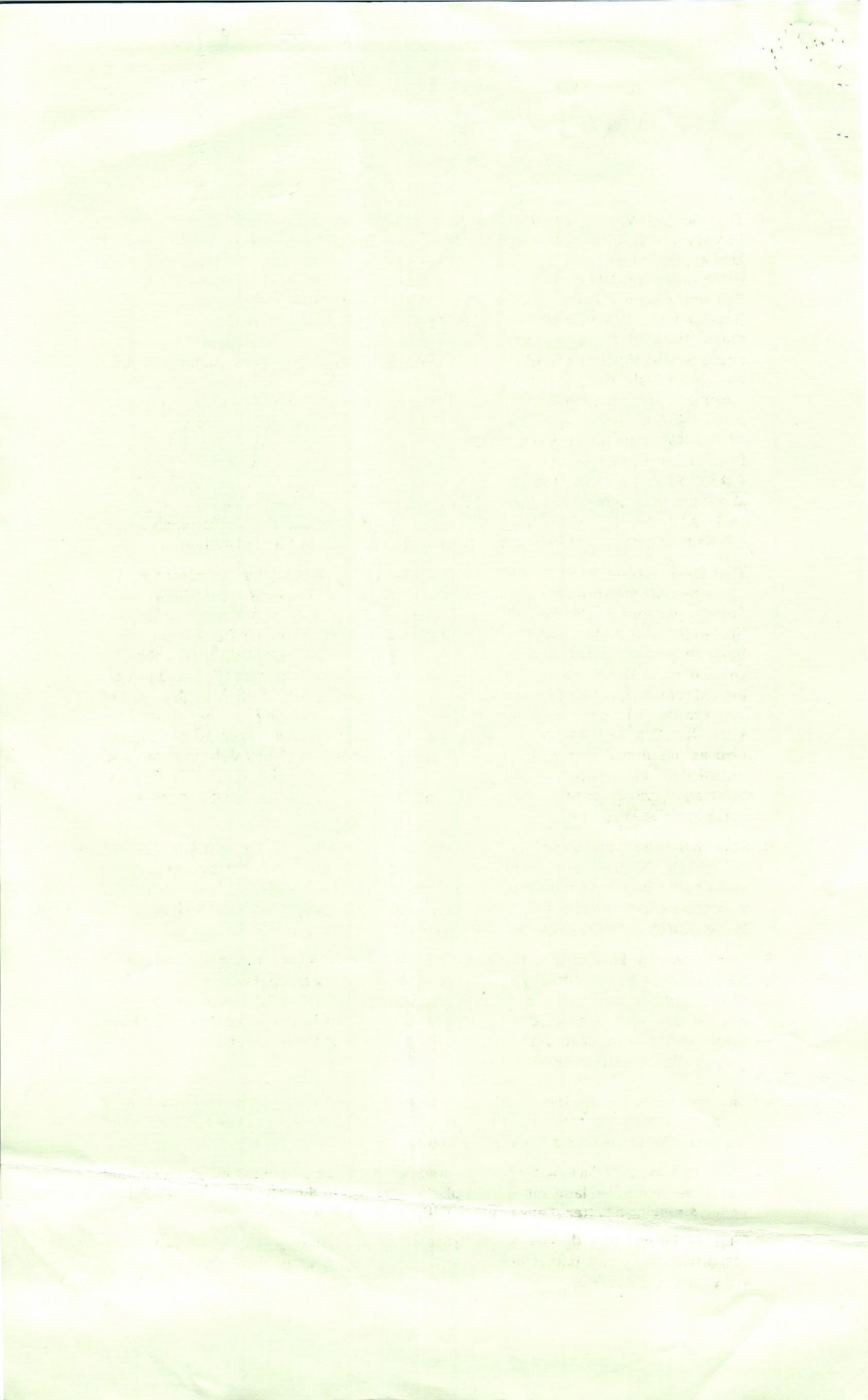
4. That the Declarant No.4 i.e. AFSARI KHATUN, Wife of Md. Jakir Husen, as named herein above became the absolute owner in possession of all that **9 Kathas** appertaining to and forming part of L.R. Plot No.190 corresponding to R.S. Plot No.68, recorded in Khatian No.448 (New) & 27 (old), within Mouza Baragharia, J.L. No.82, under P.S. Matigara, Dist. Darjeeling which is fully and particularly described in the **Schedule-“D”** below, by virtue of purchase for valuable consideration from Shelcon Properties (P) Ltd., a private limited company having its registered office at Hill Cart Road, Siliguri, through a Deed of Conveyance being document No.I-680 for the year 2015 registered at the office of the Addl. Dist. Sub-Registrar, Siliguri-II at Bagdogra. And moreover after purchasing the land as mentioned above the above named Declarant No.4 has duly mutated and recorded her name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly a new L.R. Khatian being No.1934 has been opened in her name by the said authority.

5. That the Declarant No.5 i.e. SRI PRAHLAD JAISWAL, Son of Late Ramabtar Jaiswal and his wife SMT. BHARATI JAISWAL (since deceased) had jointly became the absolute owners in possession of all that 8.37 Kathas appertaining to and forming part of L.R. Plot No.190 & 194 corresponding to R.S. Plot No.68 & 71, recorded in Khatian No.448 (New) & 27 (old), within Mouza Baragharia, J.L. No.82, under P.S. Matigara, Dist. Darjeeling by virtue of purchase for valuable consideration from Shelcon Properties (P) Ltd., a private limited company having its registered office at Hill Cart Road, Siliguri, through a Deed of Conveyance being document No.I-682 for the year 2015 registered at the office of the Addl. Dist. Sub-Registrar, Siliguri-II at Bagdogra. And moreover after purchasing the land as mentioned above the above named Declarant No.5 and his wife had duly mutated and recorded their names in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly new L.R. Khatian being No.1821 & 1822 had been opened in their name by the said authority.

Subsequently on 10.03.2019 above named Bharati Jaiswal, W/o Sri Prahlad Jaiswal, died intestate leaving behind her husband i.e. said Sri Prahlad Jaiswal and her two minor sons namely Master Priyanshu Jaiswal and Master Anish Jaiswal as her sole legal heirs and successors who accordingly jointly inherited the undivided 50% share in said 8.37 Kathas or about 0.1381 Acre of land which is measuring about 4.185 Katha or 0.06905 Acre, as per the provisions of the Hindu Succession Act, 1956. It is stated here that Sri Prahlad Jaiswal has been appointed as the Guardian of the person and property of said two minor sons namely Master Priyanshu Jaiswal and Master Anish Jaiswal by the Court of the Ld. District Judge, Darjeeling in reference to Act VIII Case No.10/2019 vide order dated 11.11.2019 within the purview of U/Sec 10 of Guardian and Wards Act, 1890.

That by virtue of Purchase as well as by virtue of inheritance from the share of his above named wife, the Declarant No.5 hereof has acquired the absolute ownership of all that **5.58 Katha** of land out of aforesaid 8.37 Katha of land as described in the **Schedule-“E”** below. And moreover the above named Declarant No.5 has further duly mutated and recorded his name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly new L.R. Khatian being No.3210 has been opened in his name by the said authority along with the existing L.R. Khatian being 1821.

3/11/2020
Executive Magistrate
Siliguri





Md. Saddam Hussain

Uttam Chatterjee

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श्री. गिरी

अध्यायक

Prahlad Jaiswal

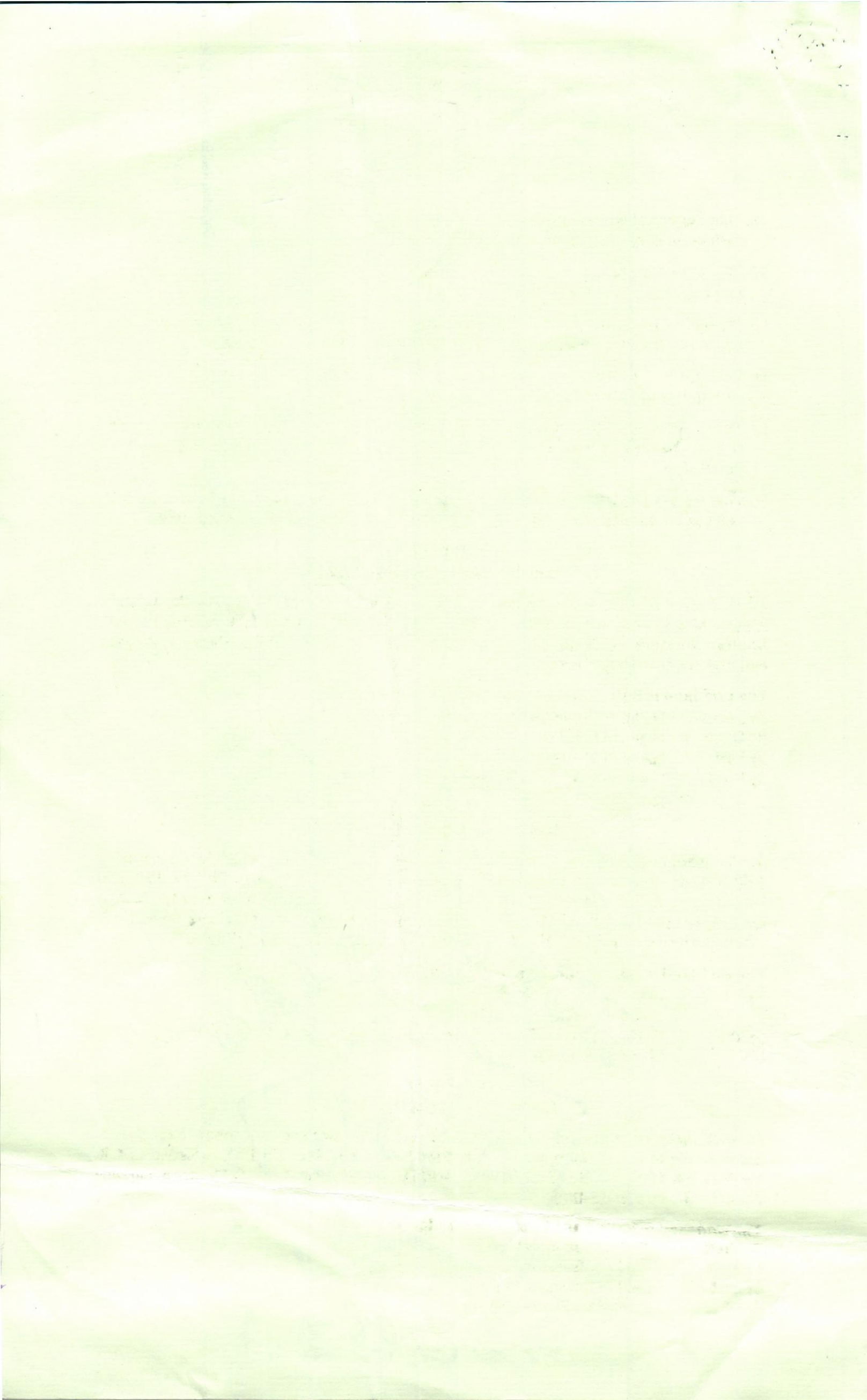
Darjeeling Real Estate Agents & Developers

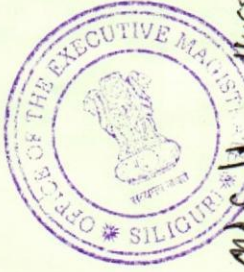
Alexith Banerjee
Partne

27/11/20

6. That the Declarant No. 6, i.e. M/S. DARJEELING REAL ESTATE AGENTS & DEVELOPERS, became the absolute owner in possession of all that **2.79 Kathas or 0.046 Acres** of land appertaining to and forming part of L.R. Plot No. L.R. Plot Nos.190 (area measuring 0.006 Acre) and 194 (area measuring 0.04 Acre), corresponding to its respective R.S. Plot Nos. 68 and 71, recorded in L.R. Khatian No.1822, within Mouza Baragharia, J.L. No.82, under P.S. Matigara, Dist. Darjeeling which is fully and particularly described in the **SCHEDULE-"F"** below, by virtue of purchase for valuable consideration from the above named Master Priyanshu Jaiswal and Master Anish Jaiswal through their father namely Sri Prahlad Jaiswal (*duly appointed as the Guardian of the person and property of minor sons -Master Priyanshu Jaiswal and Master Anish Jaiswal by the Court of the Ld. District Judge, Darjeeling in reference to Act VIII Case No.10/2019 vide order dated 11.11.2019 within the purview of U/Sec 10 of Guardian and Wards Act, 1890*), through a Deed of Conveyance being document No. I-1204 of 2020 registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. And moreover after purchasing the land as mentioned above the above named firm has duly mutated and recorded their name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly a new L.R. Khatian being No.3179 has been opened in their name by the said authority.
7. That the Declarant No. 7 i.e. RUKSHANA BEGUM, Wife of Md. Jahur, as named herein above became the absolute owner in possession of all that **5 Kathas** appertaining to and forming part of L.R. Plot No.190 corresponding to R.S. Plot No.68, recorded in Khatian No.448 (New) & 27 (old), within Mouza Baragharia, J.L. No.82, under P.S. Matigara, Dist. Darjeeling which is fully and particularly described in the **SCHEDULE-"G"** below by virtue of purchase for valuable consideration from Shelcon Properties (P) Ltd., a private limited company having its registered office at Hill Cart Road, Siliguri, through a Deed of Conveyance being document No.I-661 for the year 2015 registered at the office of the Addl. Dist. Sub-Registrar, Siliguri-II at Bagdogra. And moreover after purchasing the land as mentioned above, the above named Declarant No. 7 has duly mutated and recorded her name in respect of the said land at the office of the B.L. & L.R.O. Matigara at Shivmandir and accordingly a new L.R. Khatian being No.1968 has been opened in her name by the said authority.
8. That all the above mentioned piece or parcels of land as mentioned in Schedule- "A", "B", "C", "D", "E", "F" & "G" are adjacent to each other and to give a better shape to the land and also for better utilization of the said land the respective owners have decided to amalgamate those plots of land to make the same in a single piece of land with an intent to construct building/s jointly upon the same for their common interest.
9. That in order to facilitate and to save unnecessary expenses for the said construction of the building, we have mutually agreed and decided to joint and put our respective plots of land as described in the Schedule- "A", "B", "C", "D", "E", "F" & "G", below together and to treat the same as a single piece of land as described in the Schedule - "X" herein below as the amalgamated land, for better utilization of the lands and to keep better shape to the building to be constructed.
10. That we hereby declare that we have no objection if the building plan be sanctioned by the appropriate concerned authority by covering all the plots of land as a single plot of land to facilitate the construction of the said building.
11. That we hereby declare that we have agreed to construct a building by amalgamating our above mentioned land, more particularly described in the schedule - X given herein under, for giving a better shape to the building to be constructed.\
12. That we hereby also declare that neither of us has any objection to narrating our respective piece and parcel of land into a single plot of land for the purpose of construction of building.

3/3/2020
Executive Magistrate
Siliguri





Md Saddam Hussain
Uttam Chhetri

श्री. ज्योति
अफसरी खतुन

Prahlad Jaiswal

Darjeeling Real Estate Agents & Developers
Partner
Mishik Kaur

20/11/20

13. That neither of us has any objection to get a single building plan treating and covering their respective piece of land as a single plot of land.
14. That after construction of the building we shall have impartible and proportionate right in the land on which the building will stand.
15. That if any portion of the building constructed is to be transferred in favour of any other party then we shall have to collectively execute the transfer documents.
16. That further our respective ownership of land shall not be affected in anyway whatsoever by this declaration of Amalgamation.
17. That all of us shall be entitled to produce this affidavit before the appropriate authority (e.g. at the time of approval of the building plan) as and when required at any time hereinafter.
18. That we are swearing this affidavit for the purpose of amalgamation of our respective lands as mentioned above and also for the declaration of the facts as stated above.

SCHEDULE-"A"

(Land owned by Declarant No.1)

All that piece or parcel of vacant land measuring **5.12 Kathas**, in **Mouza Baragharia**, appertaining to and forming part of **R.S. Plot No. 71, L.R. Plot No. 194**, recorded in **L.R. Khatian No.1966**, J.L. No.82, Sheet No.1, within the jurisdiction of P.S. Matigara, Pargana Patharghata, Dist. Darjeeling.

The said land is butted and bounded as follows:

- By North : Land of Uttam Chhetri & Prahlad Jaiswal;
- By South : Land in L.R. Plot No. 194;
- By East : Land of Gyan Jyoti College;
- By West : Land of Sandeep Arora.

SCHEDULE-"B"

(Land owned by Declarant No.2)

All that piece or parcel of vacant land measuring **8.73 Kathas** out of which land measuring **1.80 Kathas** appertaining to and forming part of **R.S. Plot No.68, L.R. Plot No.190**, and land measuring **6.93 Kathas** appertaining to and forming part of **R.S. Plot No.71, L.R. Plot No.194**, recorded in **L.R. Khatian No. 1905**, in **Mouza Baragharia**, J.L. No.82, Sheet No.1, within the jurisdiction of P.S. Matigara, Pargana Patharghata, Dist. Darjeeling.

The said land is butted and bounded as follows:

- By North : Land of Afsari Khatun;
- By South : Land of Md. Saddam Hussain;
- By East : Land of Prahlad Jaiswal & Darjeeling Real Estate Agents & Developers
- By West : Land of Sandeep Arora.

SCHEDULE-"C"

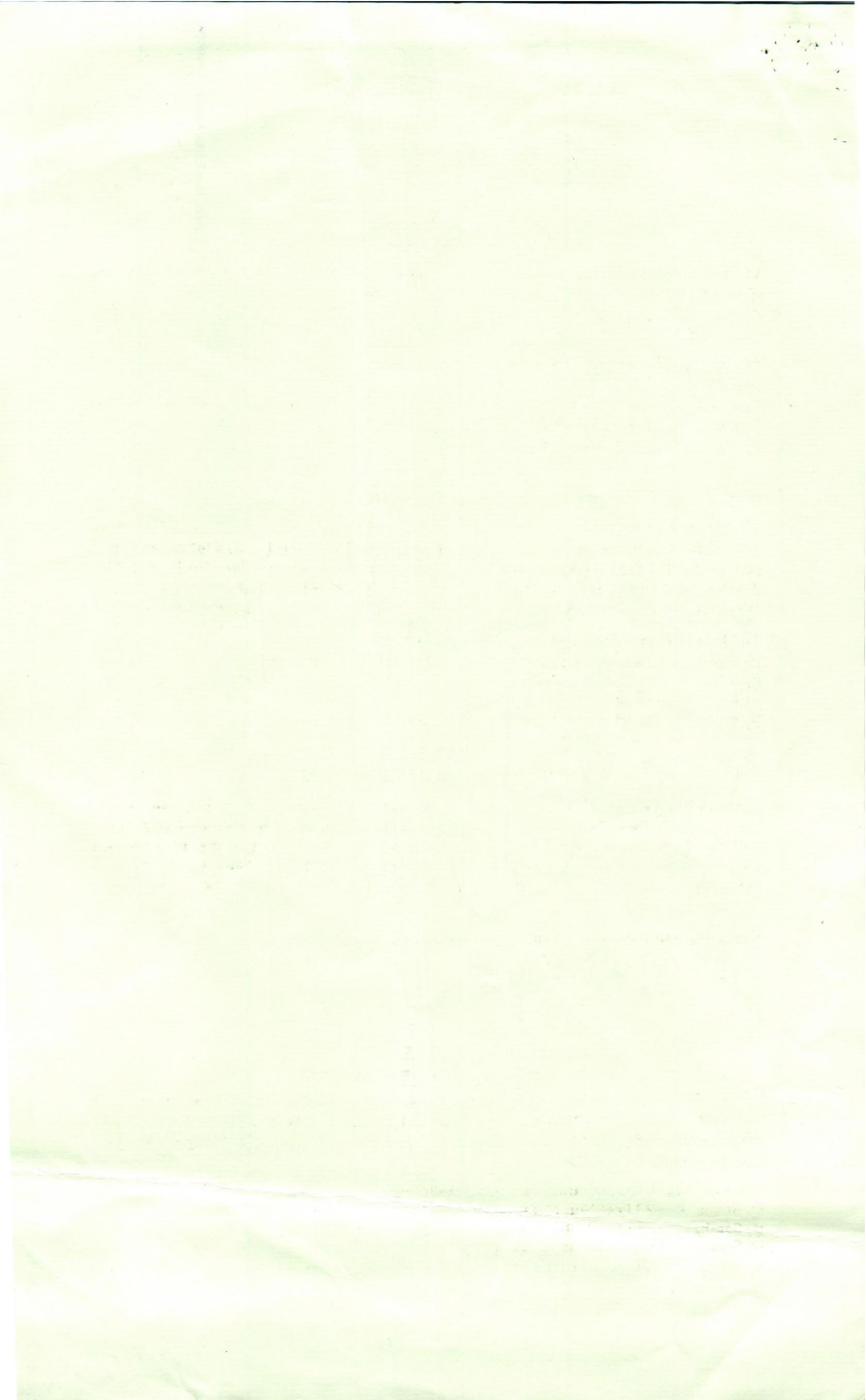
(Land owned by Declarant No.3)

All that piece or parcel of vacant land measuring **6 Kathas**, in **Mouza Baragharia**, appertaining to and forming part of **R.S. Plot No.68, L.R. Plot No.190**, recorded in **L.R. Khatian No. 1967**, J.L. No.82, Sheet No.1, within the jurisdiction of P.S. Matigara, Pargana Patharghata, Dist. Darjeeling.

The said land is butted and bounded as follows:

- By North : 23 Feet Non-Metal Road;
- By South : Land of Afsari Khatun;
- By East : Land of Rukshana Begum.;
- By West : Land of Sri Sandeep Arora.

20/11/2020
Executive Magistrate
Siliguri



Md. Saddam Hussain

Uttam Chhetri

श्री. ज्योति

अफसरी खतून

Prahlad Jaiswal



Darjeeling Real Estate Agents & Developers

Shivith Gnan Agnew
Partner

3/9/2020

SCHEDULE-"D"

(Land owned by Declarant No.4)

All that piece or parcel of vacant land measuring **9 Kathas**, in **Mouza Baragharia**, appertaining to and forming part of **R.S. Plot No.68, L.R. Plot No.190**, recorded in **L.R. Khatian No. 1934**, J.L. No.82, Sheet No.1, within the jurisdiction of P.S. Matigara, Pargana Patharghata, Dist. Darjeeling.

The said land is butted and bounded as follows:

- By North : Land of Md. Jahur & Rukshana Begum;
- By South : Land of Uttam Chhetri & Darjeeling Real Estate Agents & Developers;
- By East : Land of Gyan Jyoti College;
- By West : Land of Sandeep Arora.

SCHEDULE-"E"

(Land owned by Declarant No.5)

All that piece or parcel of vacant land measuring **5.58 Kathas** out of which land measuring **1.18 Kathas** appertaining to and forming part of **R.S. Plot No.68, L.R. Plot No.190**, and land measuring **4.40 Kathas** appertaining to and forming part of **R.S. Plot No.71, L.R. Plot No.194**, recorded in **L.R. Khatian Nos. 1821 & 3210**, in **Mouza Baragharia**, J.L. No.82, Sheet No.1, within the jurisdiction of P.S. Matigara, Pargana Patharghata, Dist. Darjeeling.

The said land is butted and bounded as follows:

- By North : Land of Darjeeling Real Estate Agents & Developers;
- By South : Land of Md. Saddam Hussain;
- By East : Land of Gyan Jyoti College;
- By West : Land of Uttam Chhetri.

SCHEDULE-"F"

(Land owned by Declarant No.6)

ALL THAT PIECE OR PARCEL of vacant land measuring **2.79 Katha or about 0.046 Acre** of land, appertaining to and forming part of **L.R. Plot Nos.190 (area measuring 0.006 Acre) and 194 (area measuring 0.04 Acre)**, corresponding to its respective **R.S. Plot Nos. 68 and 71**, recorded in **L.R. Khatian No. 3179**, within **Mouza Baragharia**, Pargana Patharghata, J.L. No.82, under P.S. Matigara, within Patharghata Gram Panchayat area, District- Darjeeling.

The aforesaid entire land is butted and bounded as follows:

- By North : Land of Afsari Khatun;
- By South : Land of Prahlad Jaiswal;
- By East : Land of Gyan Jyoti College;
- By West : Land of Uttam Chhetri.

SCHEDULE-"G"

(Land owned by Declarant No.7)

All that piece or parcel of vacant land measuring **5 Kathas**, in **Mouza Baragharia**, appertaining to and forming part of **R.S. Plot No.68, L.R. Plot No.190**, recorded in **L.R. Khatian No. 1968**, J.L. No.82, Sheet No.1, within the jurisdiction of P.S. Matigara, Pargana Patharghata, Dist. Darjeeling.

The said land is butted and bounded as follows:

- By North : 23 Feet Non-Metal Road;
- By South : Land of Afsari Khatun;
- By East : Land of Gyan Jyoti College;
- By West : Land of Md. Jahur.

3/9/2020
Executive Magistrate
Siliguri



SCHEDULE-"X"
(The Amalgamated Land)

All that piece or parcel of land measuring 42.22 Kathas out of which land measuring 23.35 Kathas appertaining to and forming part of R.S. Plot No.68, L.R. Plot No.190, and land measuring 18.87 Kathas appertaining to and forming part of R.S. Plot No.71, L.R. Plot No.194, recorded in L.R. Khatian Nos. 1966, 1905, 1967, 1934, 1821, 3210, 3179 & 1968, in Mouza Baragharia, J.L. No.82, Sheet No.1, within the jurisdiction of P.S. Matigara, Pargana Patharghata, Dist. Darjeeling.

The said land is butted and bounded as follows:

By North : 23 Feet Non-Metal Road;
By South : Land in L.R. Plot No.194;
By East : Land of Gyan Jyoti College;
By West : Land of Sandeep Arora

That the statements and averments made herein above are true to the best of our knowledge and belief and we sign this affidavit on the 21st September, 2020, at Siliguri.

1. Md. Saddam. Hussain

2. Uttam Chhetri

3. श्री. जे. टी.

4. अफसरी खातून

5. Pralad Jaiswal

Darjeeling Real Estate Agents & Developers

6. Anisith Kumar
Partner

7. श्री. म. न.

DECLARANTS

Identified by me:

Sandeep Arora

Advocate, Siliguri.

