

*Saurav Kumar Das*



ADVOCATE

B.A, LL.B

JUDGES' COURT, HOWRAH

**RESIDENCE & CHAMBER:-**

Balitikuri, Bamunpara, P.O. Balitikuri,  
P.S. Dasnagar, Howrah-711113

**Phone No.** 80134-43118 (M)

62906-98512 (M)

**Email:** dassaurav411@gmail.com

**DATE: 28.04.2023**

**NON ENCUMBRANCE SEARCH CERTIFICATE AND DETAILED REPORT ON  
TITLE ALONGWITH SEARCHING REPORT**

To

The Directors,

**W.B. ESTATE DEVELOPERS PRIVATE LIMITED,**

D05/0530, Vivek Pally, P.O.- Ghoshpara,

P.S. -Nischinda,

District - Howrah, Pin 711 227, West Bengal

**Ref :- TOTAL PROPERTY**

**ALL THAT** piece and parcel of the Bastu land measuring about **08 (EIGHT) Cottah 09 (NINE) Chittaks 23 (TWENTY THREE) Square Feet**, be the same a little more or less, with 10 years old one dilapidated R.T. Shed structure having cemented flooring admeasuring about 100 Sq. Ft. standing thereon including right of easement and right to use of 10' feet wide common passage on the northern side of the land lying and situated at Mouza - Bally, J.L No. 14, comprised in R.S Dag No. 7515 corresponding to L.R. Dag No.24267, under R.S. Khatian No. 2086 corresponding to L.R. Khatian No. 63979, Police Station Nischinda, formerly Bally, District Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the District Sub Registration office the Additional District Sub Registration office at Howrah, butted and bounded as follows :-

**ON THE NORTH** : Property of Smt. Sikha Roy;  
**ON THE SOUTH** : Property of Sri Dhirendranath Saha, Sri Khitish Saha and Sri Satish Saha;  
**ON THE EAST** : 14' ft. wide Panchayet Road;  
**ON THE WEST** : Property of R.D. Dag No. 7515 (Part) and 10'ft. wide Panchayet Road;





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**PRESENT OWNERS OF THE PROPERTY:-**

**SRI RATUL ROY**, son of Late Ramesh Chandra Roy, by faith Hindu, by Nationality Indian, by occupation Business, residing at Sapuipara, Napatti, (Barwaritala), Post Office Sapuipara, Police Station Nischinda, District Howrah, Pin Code 711 206.

**DEVELOPER OF THE SAID PROPERTY:-**

**W.B. ESTATE DEVELOPERS PRIVATE LIMITED**, a company incorporated under the Companies Act, 1956 and having its Registered office at D05/0530, Vivek Pally, P.O.- Ghoshpara, P.S. -Nischinda, District - Howrah, Pin 711227 represented by its directors 1) **SRI ACHINTYA KUMAR MONDAL**, son of Sri Kusha Dhawaja Mondal, and 2) **SRI BIJAN KUMAR MONDAL**, son of Kusha Dhawaja Mondal, both by faith - Hindu, by Occupation - Business, both are residing at B.B.D Sarani, P.O. Ghoshpara, P.S. -Nischinda, District - Howrah, Pin- 711227.

**Respected Sir,**

I have caused necessary searches in the office of the Additional District Sub-Registrar and District Sub-Registry Office at Howrah, and R.A. Kolkata for last 14 years i.e. from the year 2009 to 28<sup>th</sup> April, 2023 from records, mutation and all other relevant Documents in respect of the aforesaid Property.

**MY REPORT IS AS FOLLOWS:-**

**WHEREAS** one Gui Mati Dasi was the Original owner as well as occupier in respect of **ALL THAT** piece and parcel of Sali land measuring about 38.5 Shatak, be the same a little more or less, along with other properties, including right of easement and right to use of 10' feet wide common passage on the northern side of the land comprising in R.S Dag No. 7515, under R.S Khatian No. 2086, lying and situated at Mouza Bally, J.L No. 14, Police Station Nischinda, formerly Bally,





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District Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the Additional District Sub Registration office and the District Sub Registration office at Howrah, and seized and possessed the same peacefully and without any interruption from others and mutated her name as the owner and occupier with rayati sthibun interest in the R.S record of right and duly paid rents and taxes before the competent authority/ies under the Government of West Bengal.

**AND WHEREAS** while thus being seized and possessed in the aforesaid manner, due to lawful necessity of money, the said Smt. Gui Mati Dasi sold and transferred in favour of one Rajlaxmi Roy by virtue of a registered Deed of sale dated 22.11.1955 and the said deed was executed by both the parties and registered before the Office of the Sub Registrar at Howrah and recorded therein vide Book No. 1, Being No. 6173 for the year 1955 in respect of **ALL THAT** piece and parcel of Sali land measuring about **38.5 Shatak**, be the same a little more or less, including right of easement and right to use of 10' feet wide common passage on the northern side of the land comprising in R.S Dag No. 7515, under R.S Khatian No. 2086, lying and situated at Mouza Bally, J.L No. 14, Police Station Nischinda, formerly Bally, District Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the Additional District Sub Registration office and the District Sub Registration office at Howrah with the right of title, easements and other interests attached thereto. Thus the said Smt. Rajlaxmi Roy became the lawful absolute owner as well as occupier in respect of the said property and seized and possessed the same peacefully and without any interruption from any corner.





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**AND WHEREAS** while thus being lawfully seized and possessed in the aforesaid manner the said Smt. Rajlaxmi Roy decided to Settle her entire property by a registered Deed of Settlement between her two Sons viz. Sri Ratul Roy and Sri Rahul Roy with a condition to look after her during her lifetime. Accordingly the said Deed of Settlement was duly registered on 22.05.1985 before the Office of the District Sub Registrar at Howrah and recorded therein vide Book No. 1, Volume No. 47, Pages From 366 to 371, Being no.- 2743 for the year 1985 in respect of **ALL THAT** piece and parcel of Sali land measuring about **38.5 Shatak**, be the same a little more or less, including the right of easement and right of common passage comprising in R.S Dag No. 7515, under R.S Khatian No. 2086, lying and situated at Mouza Bally, J.L No. 14, Police Station Nischinda, formerly Bally, District Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the Additional District Sub Registration office and the District Sub Registration office at Howrah with the right of title, easements including the right of easement and right to use of 10' feet wide common passage on the northern side of the land and other interests attached thereto.

**AND WHEREAS** the said Smt. Rajlaxmi Roy being dissatisfied by the behavior of her two sons namely Sri Ratul Roy and Sri Rahul Roy cancelled and/or revoked the settlement by dint of a registered Deed of Revocation of Settlement on 22.07.1996, which was duly registered before the Office of the Additional District Sub Registrar at Howrah and recorded therein vide Book No. 1, Being No.- 2504 for the year 1996 in respect of **ALL THAT** piece and parcel of the Sali land measuring about **38.5 Shatak**, be the same a little more or less, including right of easement and right to use of 10' feet wide common passage on the northern side of the land comprising in R.S Dag No. 7515, under R.S Khatian No. 2086, lying and situated at Mouza Bally, J.L No. 14, Police Station Nischinda, formerly Bally,





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District Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the Additional District Sub Registration office and the District Sub Registration office at Howrah.

**AND WHEREAS** owing to change of family scenario and the treatment both the aforesaid towards their mother the said Smt. Rajlaxmi Roy transferred by a registered Deed of Gift on 12.03.2013 to her own Son Sri Ratul Roy and it was duly registered in the Office of the Additional District Sub Registrar at Howrah and recorded in the said office vide Book No. 1, CD Volume No. 4, Pages from 4699 to 4710, Being No. 1805 for the year 2013, in respect of **ALL THAT** piece and parcel of the Sali land measuring about **04 Cottah 07 Chittak 39 Square Feet**, be the same a little more or less, including right of easement and right to use of 10' feet wide common passage on the northern side of the land, comprised in R.S Dag No. 7515 under R.S. Khatian No. 2086, lying and situated at Mouza Bally, J.L No. 14, Police Station Nischinda, formerly Bally, District - Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the District Sub Registration office and the Additional District Sub Registration office at Howrah, alongwith the right of title, easements and other interests attached thereto.

**AND WHEREAS** the said Smt. Rajlaxmi Roy also transferred by another registered Deed of Gift on 12.03.2013 to her own Son Sri Ratul Roy and it was duly registered in the Office of the Additional District Sub Registrar at Howrah and recorded in the said office vide Book No. 1, CD Volume No. 4, Pages from 4611 to 4628, Being No. 1806 for the year 2013, in respect of **ALL THAT** piece and parcel of the Sali land measuring about **02 Cottah 08 Chittak 37 Square Feet**, be the same a little more or less, including right of easement and right to use of 10' feet





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wide common passage on the northern side of the land, comprised in R.S Dag No. 7515 under R.S. Khatian No. 2086, lying and situated at Mouza Bally, J.L No. 14, Police Station Nischinda, formerly Bally, District - Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the District Sub Registration office and the Additional District Sub Registration office at Howrah alongwith the right of title, easements and other interests attached thereto.

**AND WHEREAS** simultaneously the said Smt. Rajlaxmi Roy also transferred by another registered Deed of Gift on 12.03.2013 to her own Son Sri Ratul Roy and it was duly registered in the Office of the Additional District Sub Registrar at Howrah and recorded in the said office vide Book No. 1, CD Volume No. 4, Pages from 4725 to 4736, Being No. 1846 for the year 2013, in respect of **ALL THAT** piece and parcel of the Sali land measuring about **05 Cottah 10 Chittak 13 Square Feet**, be the same a little more or less, including right of easement and right to use of 10' feet wide common passage on the northern side of the land, comprised in R.S Dag No. 7515 under R.S. Khatian No. 2086, lying and situated at Mouza Bally, J.L No. 14, Police Station Nischinda, formerly Bally, District - Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the District Sub Registration office and the Additional District Sub Registration office at Howrah alongwith the right of title, easements and other interests attached thereto.

**AND WHEREAS** by virtue of the aforesaid 03 (Three) No.s. of Deed of Gift the said Sri Ratul Roy became the absolute owner as well as occupier in respect of **ALL THAT** piece and parcel of the Sali land measuring about **12 Cottah 10 Chittak 44 Square Feet**, be the same a little more or less, including right of easement and





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right to use of 10' feet wide common passage on the northern side of the land, comprised in R.S Dag No. 7515 under R.S. Khatian No. 2086, lying and situated at Mouza Bally, J.L No. 14, Police Station Nischinda, formerly Bally, District - Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the District Sub Registration office and the Additional District Sub Registration office at Howrah alongwith the right of title, easements and other interests attached thereto and seized and possessed peacefully and without interruption from any corner whatsoever.

**AND WHEREAS** while thus being seized and possessed in the aforesaid manner, due to lawful necessity of money, the said Sri Ratul Roy sold and transferred in favour of Sri Sujoy Pallab and Smt. Nabanita Pallab by a registered Deed of Sale dated 08.03.2017 which was duly registered in the Office of the Additional District Sub Registrar at Howrah and recorded in the said office vide Book No. 1, CD Volume No. 0502-2017, Pages from 26791 to 267808, Being no.- 050200952 for the year 2017 in respect of **ALL THAT** piece and parcel of Sali land measuring about **1 Cottah 12 chittak 40 Square Feet**, be the same a little more or less, comprising in R.S Dag No. 7515, under R.S Khatian No. 2086, lying and situated at Mouza - Bally, J.L No. - 14, Police Station - Nischinda, formerly Bally, District - Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the Additional District Sub Registrar and the District Sub Registration office at Howrah, with the right of easements, right to use common passage and other interests attached thereto.

**AND WHEREAS** during the occupancy and possession of the rest property in absolute manner, due to further lawful necessity of money, the said Sri Ratul Roy further sold, transferred and conveyed in favour of Sri Barun Sarkar and Smt. Sonali Sarkar by a registered Deed of Sale dated 08.03.2017 which was duly





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registered in the Office of the Additional District Sub Registrar at Howrah and recorded in the said office vide Book No. 1, CD Volume No. 0502-2017, Pages from 33923 to 33940, Being no.- 050200953 for the year 2017 in respect of **ALL THAT** piece and parcel of Sali land measuring about **1 Cottah 11 chittak 26 Square Feet**, be the same a little more or less, comprising in R.S Dag No. 7515, under R.S Khatian No. 2086, lying and situated at Mouza - Bally, J.L No. - 14, Police Station - Nischinda, formerly Bally, District - Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the Additional District Sub Registrar and the District Sub Registration office at Howrah, with the right of easements, right to use common passage and other interests attached thereto.

**AND WHEREAS** after transferring, alienating and/or disposing of the aforesaid property total measuring of 03 Cottah 08 Chittacks 21 Sq. Ft. to the aforesaid two Purchasers by way of aforesaid two different Deeds of Sale, both dated 08.03.2017, said Sri Ratul Roy became the absolute lawful owner as well as occupier in respect of various other property including **ALL THAT** piece and parcel of the Sali land measuring about **08 (Eight) Cottah 09 (Nine) Chittaks 23 (Twenty Three) Square Feet**, be the same a little more or less, alongwith a 10 years old one dilapidated R.T shaded Structure standing thereon, having cemented flooring measuring about 100 sq.ft Tiles Shed, including right of easement and other rights of use of 10' feet wide common passage on the northern side of the land, comprised in R.S Dag No. 7515 under R.S Khatian No. 2086, lying and situated at Mouza - Bally, J.L No. 14, within the Police Station at Nischinda, formerly Bally P.S., in the District of Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the Additional District Sub Registration office and the District Sub Registration office at Howrah,





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free from all encumbrances, charges etc. and also having the right of easements and other rights attached thereto over the said property and seized, possessed peacefully without any interruption from others and enjoyed the same by exercising all sorts of overt acts over the said property not only by paying rents and taxes before the concerned authorities under the Government of West Bengal but also mutated his name in the record of L.R. R.O.R. before the office of the Bally-Jagacha B.L.R. Office and a new **Hal L.R. Khatian No. 63979** has been allotted in his favour appertaining to **L.R. Dag No. 24267**. Thereafter Sri Ratul Roy applied for Conversion of the aforesaid Land from Sali Land to Bastu Land before the office of the Sub-Divisional Land & Land Reforms Officer and the same has been converted by the said office from Sali Land to Bastu Land vide **Memo No. 666/SDLS/LRI/2022 dated 25.04.2022** measuring **14.86 Decimal**.

**AND WHEREAS** thereafter said Sri Ratul Roy, being the absolute owner as well as occupier of the aforesaid property, in order to avoid all the future complications regarding boundary of his abovementioned exclusive property executed and registered one Deed of Boundary Declaration dated 29.09.2022, with a specific demarcated plan annexed thereto, registered before the office of the Additional District Sub-Registrar, Howrah and recorded in the said office vide Book No. 01, Volume No. 0502-2022, pages from 417283 to 417317, Being No. 050211798, for the year 2022.

**AND WHEREAS** the aforesaid Owner i.e. Sri Ratul Roy while seized and possessed of the said property peacefully and uninterruptedly in order to extract maximum benefit and/or more profit from the aforesaid Bastu land property desired to Develop and construct a multi storied Building over the same, but due to lack of experience and paucity of money they were in search of a local well reputed and financially sound developer. Accordingly considering the reputation and goodwill





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of the Developer the Land Owners offered to **W.B. ESTATE DEVELOPERS PRIVATE LIMITED**, a company incorporated under the Companies Act, 1956, having its Registered office at D05/0530, Vivek Pally, Post Office Ghoshpara, Police Station Nischinda, District- Howrah, Pin 711 227 represented by its directors 1) **SRI ACHINTYA KUMAR MONDAL**, Son of Sri Kusha Dhawaja Mondal, and 2) **SRI BIJAN KUMAR MONDAL**, Son of Sri Kusha Dhawaja Mondal, both residing at B.B.D Sarani, Post Office Ghoshpara, Police Station Nischinda, District Howrah, Pin Code 711 227 who accepted the proposal of the aforesaid land owner to undertake the Development and Construction Work over the Said Property i.e. **ALL THAT** piece and parcel of the Bastu land measuring about **08 (EIGHT) Cottah 09 (NINE) Chittaks 23 (TWENTY THREE) Square Feet**, be the same a little more or less, with 10 years old dilapidated R.T Structure having cemented flooring admeasuring about 100 sq.ft. with Tiles Shed standing thereon, including right easement and right to use of 10' feet wide common passage on the northern side of the land, comprised in R.S Dag No. 7515 corresponding to L.R. Dag No. 24267 under R.S Khatian No. 2086 corresponding to Hal L.R. Khatian No. 63979, lying and situated at Mouza - Bally, J.L No. 14, within the Police Station at Nischinda, formerly Bally P.S., in the District of Howrah, within the ambit of Sapuipara Basukati Gram Panchayet, within the jurisdiction of the Additional District Sub Registration office and the District Sub Registration office at Howrah, free from all encumbrances, charges etc. and also having the right of easements and other rights attached thereto.

**AND WHEREAS** the Parties after having been agreed to perform their respective acts, under certain **TERMS AND CONDITIONS** to give a good shape to the Construction/Development of the said property, entered into a **DEVELOPMENT AGREEMENT** under certain **TERMS AND CONDITIONS**, as embodied therein, and a **DEVELOPMENT POWER OF ATTORNEY**. Accordingly a **Registered Development Agreement** was executed by and between both the parties and





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registered on 21.02.2022 before the office of the **Additional District Sub-Registrar at Howrah** and recorded in the said office vide **Book No. I, Volume No. 0502-2022, Pages from 117835 to 117886, Being No. 050202498** for the year 2022 and a registered **Development Power of Attorney** was also executed and registered on 05.08.2021 before the office of the **Additional District Sub-Registrar at Howrah** and recorded in the said office vide **Book No. I, Volume No. 0502-2021, Pages from 117887 to 117920, Being No. 050202499** for the year 2022.

**AND WHEREAS** thereafter the aforesaid Developer applied before the Howrah Zilla Parishad for Sanction of a **G+4 (Five) Storied Building** and on the basis of the said application the Howrah Zilla Parishad, sanctioned a **G+4 (Five) Storied Building vide Memo No. 297/032/HZP/PS dated 27.12.2022** over the said property. Thereafter on the basis of the aforesaid Sanction Plan the developer have started construction work of the multi-storied building over the schedule mentioned property as per the abovementioned House Building Plan and the said project is going on.

I hereby certify that the abovementioned property is **free from all sorts of encumbrances, charges and liabilities, liens, lispendence and attachment of any kind whatsoever** and **No Suit** is pending in any court in respect of the said property.

It is also hereby certified that the abovementioned Property is not affected by any restriction of Urban Land (Ceiling and Regulations) Act, 1976 and the same is not under any claim of KMDA and HIT (previously CMDA and CIT) and it is **fit for Equitable Mortgage**. That I have verified the xerox copy of Title Deeds in the name of Sri Ratul Roy from the Registrar's Office about the genuineness of





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the Title Deed and the said Deed is genuine, not duplicate or fake, properly stamped and registered before the Additional District Sub-Registrar at Howrah.

The receipts of the relevant searchers are enclosed herewith and I am issuing this report as per search reports supplied by the concerned offices and registered searchers.

Please take a note that all the documents are supplied to me were in Xerox form so it is instructed that the original documents need to be verified.

*Saurav Kumar Das*  
(Signature of the Advocate)

SAURAV KUMAR DAS

Advocate

Enrollment No.- WB/1819/2010

**LIST OF DOCUMENTS**

1. Original Registry Office searching Reports of A.D.S.R. Howrah, D.S.R. Howrah and R.A. Kolkata.
2. Photocopy of Building Plan.
3. Photocopy of Tax Receipt paid by the present owners.
4. Photocopy of Mutation Certificate in the name of the present owner.

