

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No. 98306 38189

Dated: August 7, 2023

APPENDIX -II

**CHECKLIST FOR THE GUIDANCE OF THE ADVOCATES FOR SUBMISSION OF
LEGAL SCRUTINY REPORT**

Sl.No	Particulars	Remarks
1	Nature of title (Ownership / Leasehold/ Occupancy/ Govt. Grant /Allotments etc.)	Free hold Ownership
2	If Leasehold, whether a) Lease deed is duly stamped and registered b) Lessee is permitted to mortgage the Leasehold right. c) Duration of the Lease/ Unexpired period of lease d) If, a sub-lease, check the lease deed in favour of lessee as to whether lease deed permits sub-leasing and mortgage by sub- lessee also.	It is a freehold property.
3	If Govt. grant/allotment /lease cum sale agreement, whether: a) Grant /agreement etc. Provides for alienable rights to the mortgagor with or without conditions,	Not applicable

-: 2 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No. 98306 38189

Dated: August 7, 2023

	b) The mortgagor is competent to create charge of such property.	
4	If, occupancy right, whether a) Such right is heritable and transferable b) Mortgage can be created.	Right is heritable and transferable. Mortgage can be created.
5	a) Whether provisions of urban Land Ceiling Act applicable / permission obtained. b) Whether NOC under income Tax Act is required /obtained. c) Whether records with registrar of Assurances verified (if applicable).	No permission is required under urban Land Ceiling Act Not applicable Yes.
6	Whether there are claims from Minor/s and his/their interest in the properties Specify the share of minor/s with name.	No minor's interest/claim is there
7	In case of Agricultural land, the position regarding creation and enforceability with regard to local laws.	Not applicable. The property is a converted land (Bastu) and enforceable under SARFAESI Act, 2002

-: 3 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No. 98306 38189

Dated: August 7, 2023

8	In case of conversion of Agricultural land for commercial purposes, whether requisite procedure/permission complied with /obtained.	It is a converted Bastu land where construction will take place. The property is enforceable under SARFAESI Act , 2002.
9	a) In case of partition / settlement deeds, whether original deed is available for deposit. If not the modality /procedure to be followed to create a valid mortgage. b) Whether mutation has been effected and the mortgagor is in possession and enjoyment of his share. c) Whether the partition is valid in law	Original Title Deed in respect of the land is available. Yes, Mutation in respect of the said Land is completed in the records of Budge Budge Municipality in the name of present owners and also they are in possession and enjoying the property peacefully. Not applicable.
10	a) In case of partnership firm, whether the property belongs to the firm and registered.	The property is not belonging to any partnership firm. Not applicable.

-: 4 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

	b) Whether the person/s creating the mortgage has/have the authority to execute on behalf of the firm.	
11	In case of Limited companies, verify the Borrowing Power Resolution, authority to create mortgage/ execution of documents, any prior charges with ROC, MOA/AOA, provision for common seal etc.	The borrower will be an Individual.
12	In case of Societies/ Associations, verify requisite resolution , bye laws, powers to borrow, encumbrances etc.	The borrower will be an Individual.
13	In case of POA holder, verify the genuineness of POA and the extent of powers. Whether the POA is properly executed/ stamped/ authenticated /enforceable as per the law of the place.	Not required
14	If the property is a Flat /apartment or residential/ commercial complex, verify	The property is a Land. After development of the said land, a multistoried building consisting several flats will be constructed.

-: 5 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

	<p>a) Promoter's /Land owner's title to the land /building.</p> <p>b) Whether the Flat is/ are developed by the land owner or constructed on joint development basis.</p> <p>c) Development agreement/ POA.</p> <p>d) Extent of Authority of the Developer/ Builder.</p> <p>e) Whether the construction is approved by the competent authority.</p> <p>f) Independent title verification of the land or building in question.</p> <p>g) Agreement of Sale (duly registered).</p>	<p>The owners have the absolute Title on the property.</p> <p>The land will be developed by the developers.</p> <p>Yes. Registered Development and registered POA are</p> <p>The Developer can sell the Flats on Developer allocation only.</p> <p>Yes, The Sanctioned Building Plan for the construction of New Multistoried Building approved by Budge Budge Municipality</p> <p>I have verified the independent Title on the property and found the present owners have the absolute ownership.</p> <p>Agreement for Sale will be executed.</p> <p>It will be first sale</p>
--	--	---

-: 6 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

	<p>h) Whether it is a second/subsequent sale</p> <p>i) Payment of proper stamp duty.</p> <p>j) Conveyance in favour of the society /Condominium concerned.</p> <p>k) Occupancy certificate / allotment letter / letter of possession.</p> <p>l) Membership details in the society Etc.</p> <p>m) Share Certificates.</p> <p>n) NOC from society</p> <p>o) Latest maintenance charges paid receipt from society.</p> <p>p) Whether proportionate share in land is transferred to the mortgagor.</p> <p>q) Documents evidencing possession such as Telephone</p>	<p>Not applicable now</p> <p>Not applicable.</p> <p>The present owners of the Property are in possession of the property.</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>Deed of Conveyance, Mutation Certificate, Tax Bill, etc.</p>
--	--	---

-: 7 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No. 98306 38189

Dated: August 7, 2023

	Bill, Electricity Bill, Tax paid receipt etc. r) Other legal requirements under the local municipal laws with regard to ownership of Flat s / apartments / building regulations, society laws etc.	Current Tax payment receipts.
15	Incase of joint family property and mortgage created for family benefit/legal necessity, verify whether major co-parceners have no objection, joined in execution, rights of female members, Minor's shares etc.	Not Applicable.
16	Geneological tree is to be drawn up wherever the title has been acquired by succession.	Not required.
17	Pending Litigation /court attachments/ injunction /stay orders/ acquisition by the Govt/ Local authorities etc if any.	No pending litigation/ attachment /injunction /stay order/acquisition by the Local Government.
18	Any other matters affecting the proposed creation of mortgage not covered elsewhere.	Nothing.

-: 8 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

Kolkata -700 001

(GAUTAM CHAKRABORTY)

Dated : July 31, 2023

Panel Advocate of CANARA BANK

APPENDIX –III

A. DESCRIPTION OF THE DOCUMENTS SCRUTINISED :

Sl. No.	Date of Document	Name of Document	Whether Original/Certified
1.	25-09-2022	Deed of Gift Being No. 3571 for the year 2022	Original
2.	13-12-1991	Deed of Family Settlement being No. 17053 for the year 1991	Original
3.	01-10-1964	Deed of Conveyance being No. 3776 for the year 1964	Original
4.	26-09-2022	Deed of Development Agreement cum general power of Attorney being No. 3581 for the year 2022	Original
5.	06-2-2023	Khajna Receipts in the name of Arun Kumar Chakraborty and others	Original

-: 9 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

6.	07-02-2023	Property Tax Receipts in the name of Arun Kumar Chakraborty and others	Original
7.	16-06-2022	L.R. Parcha in the name of Arun Kumar Chakraborty and others	Original
8.	13-07-2023	Building Permit issued by Budge Budge Municipality	Original
9.	13-07-2023	Sanctioned Plan approved Budge Budge Municipality	Original

B. DESCRIPTION OF SCHEDULED PROPERTY

ALL THAT a land measuring 12 decimals situated at Mouza- Garbhukta Nandanpur, J.L. No. 8, R.S. No. 33, Touji No. 353, comprised in R.S. Dag No. 392 under RS Khatian No. 484/322, appertaining to L.R. Dag No. 518 under L.R. Khatian No. 6266, 6270, 6267, 6269, 6268, 6271, 6272 and 6273 Premises No. 3/2, Adhar Das Road, Post Office- Budge Budge, Police Station- Budge Budge, District- South 24 Parganas, Kolkata- 700137, within the limit of Budge Budge Municipality under ward No. 13. The Land is butted and bounded by

On the North : By 27 ft 6 inch wide Budge Budge Station Road.

On the South :By Land and House of Mr. Buddhanath Das and Mr. Modow Das.

On the East : By 10 ft 9 in wide Municipality covered drain.

-: 10 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

On the West : By Land and House of Mr. Pankaj Ganguly and Mr. Sanath Das.

TRACING OF TITLE :

_ By a Registered Deed Conveyance dated 01-10-1964 one Sri Kamal Krishna Bhanja sold , transferred and Conveyed the land a land measuring 12 decimals situated at Mouza- Garbhukta Nandanpur, J.L. No. 8, R.S. No. 33, Touji No. 353, comprised in R.S. Dag No. 392, under Khatian No. 484/322, Post Office- Budge Budge, Police Station- Budge Budge, District- South 24 Parganas, Kolkata- 700137, within the limit of Budge Budge Municipality under ward No. 13 in favour of Smt Tara Debi which was registered in the District Registrar Office at South 24 Parganas recorded in Book No.1, Volume No. 83, pages 234 to 237, being No. 3776 for the year 1964.

Upon becoming the owner of the aforesaid property , the Said Smt Tara Debi since deceased during her lifetime , applied for and obtained Mutation of her name as owner in the records of the Budge Budge Municipality as well as in the land records maintained in the Office of B.L. & L.R. O Budge Budge and thereafter constructed a pucca brick built residential building on a part of portion of the aforesaid property and started residing thereat with her family members upon making payment of all necessary upto dated land revenues , Building Tax, taxes , Khajna chowkidari tax etc. As was being levied and/or imposed form time to time by the concerned statutory and other authorities pertaining to the aforesaid property being in peaceful possession, occupation and enjoyment of the same , without any obstruction or objection from any one.

-: 11 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No. 98306 38189

Dated: August 7, 2023

After Demise of the Jatindra Nath Chakraborty husband of Smt Tara Devi dated 09-10-1985 his wife and widow Smt Tara Devi and his 6 sons namely Sri Amiya Ranjan Chakraborty , Sri Amal Chakraborty , Sri Ajay Chakraborty, Sri Arun Kumar Chakraborty Sri Arup Chakraborty and Sri Anup Kumar Chakraborty as his joint legal heirs , successors and representatives jointly entitled to the properties left behind by the deceased as per the provisions of the Hindu Succession act 1956.

By a virtue of a Deed Family Settlement dated 13-12-1991 executed by Smt Tara Devi referred to as the settler therein and Sri Amiya Ranjan Chakraborty , Sri Amal Chakraborty , Sri Ajay Chakraborty, Sri Arun Kumar Chakraborty Sri Arup Chakraborty and Sri Anup Kumar Chakraborty jointly referred to as the Beneficiaries , the Settlor on the terms conditions and covenants contained therein settled and demarcated her aforesaid self acquired total property in favour of her aforementioned six sons referred to as Beneficiaries therein , to be effective only after the death of the Settlor Smt Tara Devi . which was registered in the Registrar Assurances Calcutta recorded in Book No. 1, Volume No. 448, pages 291 to 306, being No. 17053 for the year 1991.

After demise of the Sri Amal Chakraborty dated 30-05-1996 his wife Smt Sandhya Chakraborty and two sons namely Sri Adip Chakraborty and Sri Sandeep Chakraborty as his joint legal heirs successors and representatives jointly entitled to the proportionate share or interest in the properties left behind by the deceased as per the provisions of the Hindu Succession Act 1956

After demise of Smt Tara Devi dated 14-04-1999 her five sons Sri Amiya Ranjan Chakraborty , Sri Ajay Chakraborty, Sri Arun Kumar Chakraborty Sri Arup

-: 12 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

Chakraborty and Sri Anup Kumar Chakraborty and one daughter in law Smt Sandhya Chakraborty and two grand sons namely Sri Adip Chakraborty and Sri Sandeep Chakraborty as her jointly legal heirs legal heirs successors and representatives jointly entitled to the proportionate share or interest in the properties left behind by the deceased as per the provisions of the Hindu Succession Act 1956.

By virtue of the events recited herein before, the Beneficiaries duly applied for and obtained Mutation of their names as Owners of their respective demarcated portion in the aforesaid properties in the records of the B.L.& L.R. O Budge Budge south 24 Parganas, and accordingly their names have been recorded in the L.R. Parcha upon connection of the previous records vide L.R Dag No. 518 as well as in the records of the Budge Budge Municipality and the property premises has been numbered as Municipal Premises No. 3/2, Adhar Das Road, Post Office and Police Station Budge Budge Kolkata- 700137, District- South 24 Parganas within the limit of Budge Budge Municipality under ward No. 13. together with structure standing thereon .

Sri Amiya Ranjan Chakraborty one of the owners thus became entitled to as absolute owner of the demarcated piece and parcel of Bastu Land measuring 2 Decimals together with his earmarked share or interest in the open roof situated on the 2nd floor measuring 728 Sq.ft. situated at Mouza- Garbhukta Nandanpur, J.L. No. 8, R.S. No. 33, Touji No. 353, comprised in R.S. Dag No. 392, L.R. Dag No. 518 under Khatian No. 484/322, L.R. Khatian No. 6266, Police Station- Budge Budge, District- South 24 Parganas, Kolkata- 700137, within the limit of Budge Budge Municipality under ward No. 13

-: 13 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

Sri Amiya Ranjan Chakraborty one of the owners thus became entitled to as absolute owner of the demarcated piece and parcel of Bastu Land measuring 2 Decimals together with his earmarked share or interest in the open roof situated on the 2nd floor measuring 728 Sq.ft. situated at Mouza- Garbhukta Nandanpur, J.L. No. 8, R.S. No. 33, Touji No. 353, comprised in R.S. Dag No. 392, L.R. Dag No. 518 under Khatian No. 484/322, L.R. Khatian No. 6266, Police Station- Budge Budge, District- South 24 Parganas, Kolkata- 700137, within the limit of Budge Budge Municipality under ward No. 13

Sri Ajoy Chakraborty one of the owners thus became entitled to as absolute owner of the demarcated piece and parcel of Bastu Land measuring 2 Decimals together with his earmarked share or interest in the open roof situated on the 2nd floor measuring 728 Sq.ft. situated at Mouza- Garbhukta Nandanpur, J.L. No. 8, R.S. No. 33, Touji No. 353, comprised in R.S. Dag No. 392, L.R. Dag No. 518 under Khatian No. 484/322, L.R. Khatian No. 6266, Police Station- Budge Budge, District- South 24 Parganas, Kolkata- 700137, within the limit of Budge Budge Municipality under ward No. 13.

By a Registered Deed of Gift dated 25-09-2022 said Sri Amiya Ranjan Chakraborty and Sri Ajoy Chakraborty gifted their portion in the said property measuring 4 decimals or 2 Cottahs 6 chsittacks and 30 Sq.ft. along with total construction area 2434 Sq.ft. situated at Mouza- Garbhukta Nandanpur, J.L. No. 8, R.S. No. 33, Touji No. 353, comprised in R.S. Dag No. 392, L.R. Dag No. 518 under Khatian No. 484/322, L.R. Khatian No. 6266, Police Station- Budge Budge, District- South 24 Parganas, Kolkata- 700137, within the limit of Budge Budge Municipality under ward No. 13 in favour of, Sri Arun Kumar Chakraborty Sri Arup Chakraborty and Sri Anup Kumar Chakraborty,

-: 14 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No. 98306 38189

Dated: August 7, 2023

Smt Sandhya Chakraborty , Sri Adip Chakraborty and Sri Sandeep Chakraborty which was registered in the Additional District Sub Registrar Office at South 24 Parganas recorded in Book No. 1, Volume NO. 1610-2022, pages 79859 to 79889, being No. 161003571 for the year 2022.

Said Sri Arun Kumar Chakraborty Sri Arup Chakraborty and Sri Anup Kumar Chakraborty, Smt Sandhya Chakraborty , Sri Adip Chakraborty and Sri Sandeep Chakraborty mutated their names in the record of BL & LRO, Budge Budge, South 24 Paraganas Mouza- Garbhukta Nandanpur, J.L. No. 8, in L.R. Dag No. 518 under LR Khatian No. 484/322, L.R. Khatian No. 6266, 6270, 6267, 6269, 6268, 6271, 6272 and 6273.

They also mutated their names in the record of Budge Budge Municipality in respect of the said land and old building under Premises No. 3/2, Adhar Das Road.

With a view to develop the said land and to construct a multi storied residential building thereon said owners namely Sri Arun Kumar Chakraborty Sri Arup Chakraborty and Sri Anup Kumar Chakraborty, Smt Sandhya Chakraborty , Sri Adip Chakraborty and Sri Sandeep Chakraborty jointly decided to develop the said property at Premises No. 3/2, Adhar Das Road for residential purpose and entered into a registered Development Agreement cum General Power of Attorney 1 dated on 26-09-2022 with the Developer " BRIJSHYAM INFRATECH PRIVATE LIMITED", dully registered in the office of the Additional District Sub Registrar Office at Budge Budge , South 24 Parganas and recorded in being no. 3581 for the year 2022 .

-: 15 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

Said Developer namely BRIJSHYAM INFRATECH PRIVATE LIMITED”, obtained the sanctioned Building plan being SWS-OBPAS/2022/2023/0010 dated 13-07-2023 for the construction of the Multi storied Buildings in the said land situated at Premises No. 3/2, Adhar Das Road.

The Developer namely started the construction on the said plot of land measuring 12 Decimals situated at Premises No. 3/2, Adhar Das Road , Post Office- Budge Budge, Police Station- Budge Budge, District- South 24 Parganas, Kolkata- 700137, within the limit of Budge Budge Municipality under ward No. 13.

D. CERTIFICATE OF ENCUMBRANCE :

Record in Registry offices.

I have caused searches to be in the available records maintained by the office of the Additional Registrar of Assurance at Kolkata, District Sub-Registrar at Alipore, South 24 Paraganas and Additional District Sub-Registrar at Budge Budge, South 24 Paraganas for the years from 1989 - 2023 and have not come across any entry adversely effecting the marketable right, title and interest of erstwhile Land owner and present land owners namely Sri Anup Kumar Chakraborty and others in the said property.

Record of Budge Budge Municipality:

I have caused searches in the records available in the office of Budge Budge Municipality in respect of the said property and found that the said property is mutated

-: 16 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No. 98306 38189

Dated: August 7, 2023

in the name of Sri Anup Kumar Chakraborty and others under Premises No. 3/2, Adhar Das Road and they have been paying taxes regularly.

Genuineness of Title Deed

I have collected the certified copy of the Deed of Gift Being No. 3571 for the year 2022 in respect of the land from the website i.e. edistrict.wb.gov.in and tallied with the original Deed Being No. 3571 for the year 2022 from the custody of the Developer and found the said Deed of Being No. 3571 for the year 2022 is **genuine**.

I have seen the original Deed of Family Settlement being No. 17053 for the year 1991 in the custody of the Developer. I have caused searches in the concerned Registry office of ADSR and found the entries of the said Deed.

Record of BL and LRO, Budge Budge-1, south 24 Parganas

I have caused searches in the records available in the office of B.L. and L.R.O. Budge Budge-1 in respect of the said property and found that the said property is mutated in the name of Sri Anup Kumar Chakraborty and others in Mouza- Garbhukta Nandanpur, J.L. No. 8, in L.R. Dag No. 518 under L.R. Khatian No. 6267, 6269, 6268, 6271, 6272 and 6273. The character of the land is Bastu. They are paying Khajna regularly.

Records in Civil Court at Alipore, South 24 Paraganas

I have caused searches to be in the available records in the local court namely Civil Court at Alipore, South 24 Paraganas for the year 2011 to 2023 and found no suit,

-: 17 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

decree, warrant, attachment, injunction or any mandatory order pending and/or passed against the erstwhile owner and present owners namely Sri Anup Kumar Chakraborty and others in connection with the said property under reference.

Physical verification of the property

On 1-06-2023, I have made the physical verification of the said Land situated at Mouza-Garbhukta Nandanpur, Premises No. 3/2, Adhar Das Road , Post Office- Budge Budge, Police Station- Budge Budge, District- South 24 Parganas, Kolkata-700137, within the limit of Budge Budge Municipality under ward No. 13 and found as follows :

- a) The property is a vacant land now after demolition of old building.
- b) The said property is under the possession of the Developer .

Opinion

Considering all the points and on those scores, I am of view that Bank can take the Flats (to be purchased) as a security after registration of Deed of Conveyance in the name of intending purchasers/borrowers and subject to the documents mentioned elsewhere in this report.

E. EVIDENCE OF POSSESSION :

-: 18 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

Deed of Conveyances, L.R. Parcha , Municipal Tax Receipts ,Khazna Payment Receipts in the name of present owners are evidencing that the property is in the possession in favour of present owners. On physical verification dated 25-07-2023 and local inspection, it is also known that said Sri Anup Kumar Chakraborty and others, the present owners of the property have been possessing the said property during last 30 years . Now for the construction purpose, the property is under possession of the Developer.

F. THE DOCUMENTS TO BE DEPOSITED (ORIGINAL /CERTIFIED) FOR CREATION OF VALID AND ENFORCEABLE MORTGAGE

1. Original Title Deed in the name of Intending Purchaser/s (after registration of Deed of Conveyance in the name of intending purchasers/borrowers in respect of the Flat to be purchased)
2. Letter intending to create mortgage to be issued by Intending Purchaser (after registration of Deed of Conveyance in the name of intending purchasers/borrowers in respect of the Flat to be purchased).
3. Possession letter issued by the Developer in favour of the intending Purchaser/s (after registration of Deed of Conveyance in the name of intending purchasers/borrowers in respect of the Flat to be purchased)
4. Copies of the LR Parcha issued by BL & LRO, Budge Budge in the name of present owners namely Sri Anup Kumar Chakraborty and others.
5. Copies of the Current Municipal Tax receipt in the name of present owners namely Sri Anup Kumar Chakraborty and others.

-: 19 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

6. Copies of the Current Khazna receipts in the name of present owners namely Sri Anup Kumar Chakraborty and others.
7. Copy of the Sanctioned Building Plan issued by the concern authority.
8. Tripartite Agreement between the Bank, intending borrowers and the Developer (since the construction is going on).

G. Whether any mortgage /charge was created against the Property under Central Registry of Securitisation Asset Reconstruction and Security Interest of India (CERSAI).(Yes/No).

- No. (Searching Result is annexed herewith)

H. CERTIFICATE OF TITLE :

I have gone through the originals of the abovementioned documents including the original Title Deed of Family Settlement being No. 17053 for the year 1991 and Deed of Gift Being No. 3571 for the year 2022, are under custody in the name of present owners namely Sri Anup Kumar Chakraborty and others The Deed of Sale in the name of intending purchaser/purchasers 0relating to the property offered as security by way of equitable mortgage has not yet been completed. The other documents of the title referred to above are perfect evidence of title. If the original Title Deed (after registration) in favour of intending purchaser and those copy of the documents are deposited for creation of equitable mortgage in the manner required by law it will satisfy the requirements of creation of mortgage.

-: 20 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

I certify that :-

1. I have made a search in the land/revenue records and do not find any adverse features, which would prevent the titleholders from creating a valid mortgage.
2. I have visited the Additional Registrar of Assurance at Kolkata, District Sub-Registrar at Alipore, South 24 Paraganas and Additional District Sub-Registrar at Budge Budge, South 24 Paraganas and verified records/details of the property belonging to Sri Anup Kumar Chakraborty and others.
3. There is no prior mortgage /charges whatsoever as could be seen from the encumbrance certificate for the period from 1989 to 2023 pertaining to the immovable property/ies covered by the above said title deeds.
4. There is no prior mortgage /charges to the extent ..which is liable to cleared or satisfied by complying with NA
5. There are no claims from minor/s
6. The undivided share of the minor's is Nil as no Minor's interest is there
7. The property is free from all encumbrances.
8. Provisions of Urban Land Ceiling Act are not applicable/ permission obtained.
9. Holding/ Acquisition is in accordance with the provision of the Land Reforms Act,
10. The mortgage if created (after registration of Deed of Conveyance in the name of intending purchasers/borrowers in respect of the Flat to be purchased) will be available to the Bank for the liability of the intending borrower.

-: 21 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

I certify that said Sri Anup Kumar Chakraborty and others are the present owners of the property mentioned above Sri Anup Kumar Chakraborty and others have a valid and marketable right, Title and interest on the property shown above.

Kolkata -700 001
Dated : August 7, 2023

(GAUTAM CHAKRABORTY)
Panel Advocate of CANARA BANK

APPENDIX- IV
CERTIFICATE

Inspection /verification of Records in respect of the vacant land in the office of Additional Registrar of Assurance at Kolkata, District Sub-Registrar at Alipore, South 24 Paraganas and Additional District Sub-Registrar at Budge Budge, South 24 Paraganas.

To
The Divisional Manager,
Canara Bank,
Retail Asset HUB-III
Anadapur
Kolkata- 700001.

-: 22 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

Dear Sir,

Sub: Verification of records of landed property at Additional Registrar of Assurance at Kolkata, District Sub-Registrar at Alipore, South 24 Paraganas and Additional District Sub-Registrar at Budge Budge, South 24 Paraganas

This is to confirm that on 1-08-2023, I have visited the Additional Registrar of Assurance at Kolkata, on 2-08-2023 District Sub-Registrar at Alipore, South 24 Paraganas and Additional District Sub-Registrar at Budge Budge 24 Paraganas and verified the details of the property standing in the name of Sri Anup Kumar Chakraborty and others. The property details are as under:

ALL THAT a land measuring 12 decimals equivalent to 7 Cottahs situated at Mouza-Garbhukta Nandanpur, J.L. No. 8, R.S. No. 33, Touji No. 353, comprised in R.S. Dag No. 392, L.R. Dag No. 518 under Khatian No. 484/322, L.R. Khatian No. 6267, 6269, 6268, 6271, 6272 and 6273 Premises No. 3/2, Adhar Das Road, Post Office- Budge Budge, Police Station- Budge Budge, District- South 24 Parganas, Kolkata-700137, within the limit of Budge Budge Municipality under ward No. 13 The Land is butted and bounded by

On the North : By 27 ft 6 inch wide Budge Budge Station Road

On the South :By Land and House of Mr. Buddhanath Das and Mr. Modow Das

On the East : By 10 ft 9 in wide Municipality covered drain,

On the West : By Land and House of Mr. Pankaj Ganguly and Mr. Sanath Das

-: 23 :-

GAUTAM CHAKRABORTY
ADVOCATE
CALCUTTA HIGH COURT

Office:
8, Old Post Office Street
Ground Floor
Kolkata-700001
Phone No. 2262 5459
Mobile No.98306 38189

Dated: August 7, 2023

Further, I certify as under:

a) I have collected the certified copy of the Deed of Gift Being No. 3571 for the year 2022 in respect of the land from the website i.e. edistrict.wb.gov.in and tallied with the original Deed Being No. 3571 for the year 2022 from the custody of the Developer and found the said Deed of Being No. 3571 for the year 2022 is **genuine.**

I have seen the original Deed of Family Settlement being No. 17053 for the year 1991 in the custody of the Develoepr. I have caused searches in the concerned Registry office of ADSR and found the entries of the said Deed.

b) That there is no prior charges over the said property.

c) Sri Anup Kumar Chakraborty and others are the joint owners of the above said property as per the records available in the Budge Budge Municipality and in the office of Registrar/ Sub-Registrar's Office verified by me.

Kolkata -700 001
Dated : August 7, 2023

(GAUTAM CHAKRABORTY)
Panel Advocate of CANARA BANK