



Lex Astute

Date 03.07.2023

NON ENCUMBRANCE CERTIFICATE

Re : Title Opinion on the property situated at All that land measuring 37 Cottah 13 Chittack more or less in LR Dag No. 108 and 109 in LR Khatian No. 2846 in Mouza Talbanda, JL No. 28 in Mouza Talbanda, JL No. 28, under Bilkanda 1 Nos GP, PS Ghola Kolkata 700110.

With reference to your instruction I, on the basis of the documents as mentioned hereinafter forwarded to me pertaining to the said immovable property and the other information submitted by you have conducted a detailed search and investigation and submit my report as under :-

1. Name s and Address(es) Title holder :

MERCSTONE INTERNATIONAL PRIVATE LIMITED having CIN **U51909WB2020PTC238739** AND (PAN : **AANCM6652N**), a Private Limited Company within the meaning of Companies Act, 2013, having its registered Office at **FIRST FLOOR, EP-Y-6 SECTOR -V, SALT LAKE KOLKATA Parganas North WB 700091** **HEREINAFTER CALLED AND REFERRED TO AS THE OWNER.**

2. Title Deeds/documents in original/photocopy seen by me :

Sl No.	Date/Year	Name of the Documents	Original/Photocopy
1.	11.01.2023	General Diary to Baguihati PS in respect of lost Deed.	Original
2.	28.11.2011	Deed of sale Being No. 14565 of 2011.	Certified Photocopy
3.	21.12.2012	Deed of Sale being 15796 of 2012.	Certified Photocopy
4.	17.08.2013	Deed of Declaration being 11826 of 2013.	Certified Photocopy
5.	28.11.2011	Deed of sale Being No. 14565 of 2011.	Certified Photocopy
6.	24.01.2023	New Paper publication in respect of Missing Deeds.	Original
07.	27.07.1998	Deed of Sale being 5212 of 1998	Certified Photocopy
08.	27.07.1998	Deed of Sale being 5213 of 1998	Certified Photocopy

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09.	01.06.2023	Deed of Sale being 3937 of 2023.	Original
11.	01.06.2023	Deed of Sale being 3938 of 2023	Original
12.	24.03.2017	Conversion Certificate from Danga to Housing Complex.	Original
13.	01.06.2023	Khajna Dakhila.	Original
14.	08.02.2023	Panchayet tax receipt.	Original
15.	05.07.2018	Deed of Sale being 4679 of 2018	Original
16.	05.07.2018	Deed of Sale being 4680 of 2018	Original
17.	22.12.2021	POA Deed No. 2801 of 2021.	Original
18.	31.08.2018	Sanction Plan by Zilla Parishad.	Original

3. Description of immovable property:

All that land measuring **37 Cottah 13 Chittack** more or less in **LR Dag No. 108 and 109** in **LR Khatian No. 2846** in **Mouza Talbanda, JL No. 28** in **Mouza Talbanda, JL No. 28,** under **Bilkanda 1 Nos GP, PS Ghola Kolkata 700110.**

Survey No.	Extent Areas (in acres hectares)	Location	Boundaries
LR Dag No. 108 and 109 in LR Khatian No. 2846 in Mouza Talbanda, JL No. 28.	All that land measuring 37 Cottah 13 Chittack more or less near Masunda Boys High School and APC College and a Housing Project is under construction in 5 Nos Blocks in G+4 building with lift and other facilities as per physical inspection and as per sanction plan	Under Bilkanda 1 Nos GP, PS Ghola Kolkata 700110.	On the North: 18 Foot wide Panchayet Road Dag No. 108. On the South: By Others land. On the East: 18 Foot wide Panchayet Road Dag No. 108. On the West: Dag No. 105.

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	dated 31.08.2018 approved by the Zilla Parishad.		
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4. Search in Sub-Registrar's Office : Online copies and manual searching slips from ARA Kolkata from 1992 to 2023, ARA IV from 2015 to 2023, ARA- II from 2002 to 2023, ARA- III from 2019 to 2023, DSR-I Barasat from 2003 to 2023 online searching slips and Court Search report from Barasat Court from 2012 to 2023, CERSAI Searches are enclosed with this report.

i) Location of property/ies : All that land measuring **37 Cottah 13 Chittack more or less in LR Dag No. 108 and 109 in LR Khatian No. 2846 in Mouza Talbanda, JL No. 28 in Mouza Talbanda, JL No. 28, under Bilkanda 1 Nos GP, PS Ghola Kolkata 700110.**

ii) Investigation, flow/tracing of Title and Search :

1. WHEREAS Naresh Kumar Rohra, Kailash Chandra Rohra, Jitendra Kumar Rohra, Vandana Rohra, Rashim Rohra, Arati Malhotra and Neelam Bansal, had been jointly seized and possessed and/or well sufficiently entitled to an area of **69 Decimals of land by way of 2 separate Deeds of Conveyance dated 27.07.1998 registered in the office of ADSR Barasat in Book No. 1, Vol No. 104, Pages from 219 to 228 being no. 5212 of 1998 and another on 27.07.1998 registered in the office of ADSR Barasat in Book No. 1, Vol No. 104, Pages from 229 to 239 being no. 5213 of 1998 in R.S. & L.R. Dag No. 108 along with other land under Khatian No. 2186, 2188, 2191, 2192, 2193, 2194, 2195 lying and situated at Mouza Talbanda, J.L. No. 28, Re.Sa. No. 105, Touzi No. 1158, under Bilkanda No. I Gram Panchayet, office of the A.D.S.R. at Barrackpore, P.S. Khardah at present Ghola, in the Dist. of North 24 Parganas as recorded tenant and they mutated their name in L.R. operation under aforesaid Khatian and had been jointly enjoying and possessing without any interruption from any corner as absolute owners thereof.**

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2. AND WHEREAS said Naresh Kumar Rohra, Kailash Chandra Rohra, Jitendra Kumar Rohra, Vandana Rohra, Rashim Rohra, Arati Malhotra and Neelam Bansal had been jointly sold transferred and conveyed **06 Cottahs** of land out of the aforesaid 69 Decimals of land to Himangini Housing Private Limited an existing Company Incorporated within the meaning of the companies Act. 1956 represented by its Director Sujit Ghosh present vendor herein by dint of a Deed of sale Being No. ARA II. Kolkata, and delivered khas possession in 15796 presented on 18.12.2012 and registered on 21.12.2012 entered in Book No. 1, CD Volume No. 63 Pages 1035 to 1056 registered in the office of the ARA II Kolkata and delivered the khas possession of the land in favour of the said Company represented by its Director Sujit Ghosh present vendor herein. Thereafter the Director has been enjoying and possessing on behalf of said company as absolute owner thereof.
3. AND WHEREAS one Tulsidas Rohra was seized and possessed and or well sufficiently entitled to an area of 76 Decimals of land in R.S. & L.R. Dag No. 110 under R.S. Khatian No. 314 and an area of 32 Decimals of land out of 32 Decimals of land in R.S. Dag No. 109 under R.S. Khatian No. 312 alongwith other land lying and situated at Mouza Talbanda, J.L. No. 28, Re.Su. No. 105 Touri No. 192, P.S. Khardah at present Ghola, Dist North 24 Parganas under the Jurisdiction of A.D.S.R.O. Barrackpur and within the limits of Bilkanda-1 Gram Panchayet acquired by way of purchase from Kuran Bagui Ghosh by dint of a deed of sale Being 1849 dated 18.04.1958 entered in Book No. 1, Volume No. 18. pages 293 to 296 registered in the office of the S.R. Barrackpur and said Tulsidas Rohra mutated his name in L.R. operation under Khatian No. 154 and had been enjoying and possessing as absolute owner thereof. Thereafter said Tulsidas Rohra died leaving behind his three sons namely Khubchand Rohra, Chatur Das Rohra and Dewan Das Rohra as his legal heirs and successors. Thereafter said Khubchand Rohra, Chatur Das Rohra and Dewan Das Rohra have been jointly enjoying and possessing the aforesaid land in equal share acquired by of inheritance and said Khubchand Rohra Mutated his name in L.R. operation under Khatian No. 2180 and said Chatur Das Rohra Mutated his name in L.R. operation under Khatian No. 2179 and Dewan Das Rohra mutated his name in L.R. operation under Khatian No. 163 and have been jointly enjoying and possessing as absolute owners thereof.

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4. AND WHEREAS said Dewan Das Rohra died leaving behind his five sons namely Mahesh Rohra, Dipak Rohra, Rakesh Rohra, Anil Rohra and Paresh Rohra as his legal heirs and successors. Thereafter said Mahesh Rohra, Dipak Rohra, Rakesh Rohra, Anil Rohra and Paresh Rohra acquired 1/3rd share of aforesaid land and have been mutated their name in L.R. operation under Khatian No. 2181, 2182, 2183, 2184, and 2185 and have been jointly enjoying and possessing the aforesaid land acquired by way of inheritance as absolute owners thereof.
5. AND WHEREAS said Khubchand Rohra, sold transferred and conveyed his 1/3, share of the aforesaid land to Kailash Chandra Rohra by dint of a Deed of sale Being No. 14565 dated 28.11.2011 entered in Book No. I, CD Volume No. 57, pages 10 to 25 registered in the office of the A.R.A. 11, Kolkata and delivered khas possession in favour of said Kailash Chandra Rohra present vendor No. 2 herein. Thereafter said Kailash Chandra Rohra, had been enjoying and possessing his purchase land out of the aforesaid land acquired without any interruption from any corner as absolute owner thereof.
6. AND WHEREAS said Naresh Kumar Rohra, Kailash Chandra Rohra, Jitendra Kumar Rohra, Vandana Rohra, Rashim Rohra, Arati Malhotra, Neelam Bansal, Chatur Das Rohra, Mahesh Rohra, Dipak Rohra, Rakesh Rohra, Anil Rohra and Paresh Rohra had been jointly sold transferred and conveyed **35 Cottahs 13 Chittacks** of land out of the aforesaid to Himangini Developers India Limited, Himangini Tours and travels India Limited, Himangini Infracon India Limited, Himangini Water Project Limited, Himangini Properties Private Limited and Himangini Realcon Private Limited a group of existing Company Incorporated within the meaning of the companies Act. 1956 represented by its Directors Phani Bhuson Samaddar and Sujit Ghosh present owners herein by dint of a Deed of sale Being No. 15797 presented on 18.12.2012 and registered on 21.12.2012 entered in Book No. I, CD Volume No. 63 Pages 1057 to 1083 registered in the office of the A.R.A.-II, Kolkata, and delivered khas possession in favour of said Company represented by its Directors Phani Bhuson Samaddar and Sujit Ghosh present vendor herein. Thereafter the Directors

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has been enjoying and possessing on behalf of said company as absolute owner thereof.

7. AND WHEREAS the said vendors namely Himangini Developers India Limited, Himangini Tours and travels India Limited, Himangini Infracon India Limited, Himangini Water Project Limited, Himangini Properties Private Limited and Himangini Realcon Private Limited decided to sell the **larger property being 41 Cottah 13 Chittacks in RS and LR Dag No. 108 in RS & LR Khatian No. 2188, 2186, 2195, 2191, 2192, 2193, 2194 in Mouza Talbanda, under Bilkanda 1 Nos GP, PS Gholia** to one Poorav Infrastructure Limited by way of a Deed of Sale registered on 16th July, 2013 in the office of ARA – II Kolkata in Book No. 1, Vol No. 30 Pages from 6138 to 6160 being no. 10175 of 2013.
8. After the aforesaid purchase, Poorav Infrastructure Limited became the owner of ALL that piece and parcel of land measuring **41 Cottah 13 Chittacks in RS and LR Dag No. 108 in RS & LR Khatian No. 2188, 2186, 2195, 2191, 2192, 2193, 2194 in Mouza Talbanda, under Bilkanda 1 Nos GP, PS Gholia.**
9. Thereafter, by a Deed of Declaration dated 17th August, 2013 a Deed of Declaration was executed by and between the Himangini Group of companies and Poorav, they have rectified certain mistakes which was cropped up in the Original Deed being 10175 of 2013 and the same was registered in the office of ARA- II, in Book No. 1, Vol No. 35, Pages from 3762 to 3775 being no. 11826 of 2013.
10. The said Poorav Infrastructure Limited got the land converted from Danga to Housing Complex by an order of conversion of SD&LRO on 24.03.2017 in Dag No. 108 and 109 in Khatian No. 2399.
11. That In order to dispose of the said larger property being **41 Cottah 13 Chittacks in RS and LR Dag No. 108 in RS & LR Khatian No. 2188, 2186, 2195, 2191, 2192, 2193, 2194 in Mouza Talbanda, under Bilkanda 1 Nos GP, PS Gholia**, the said Poorav Infrastructure Limited decided to sell the land measuring **37 Cottah 13 Chittacks more or less in two parts such as 19 Cottah 6 Chittacks more or less and 18 Cottah 7 Chittacks more or less** and sold the same to M/s Chandrali

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Builders and Developers Private Limited on 5th July, 2018 and the same was registered in the office of DSR-I North 24 Parganas and registered in Book No. 1, Vol No. 1501, Pages from 127881 to 127913 being Deed No. 4680 of 2018 in connection with **land measuring 19 Cottah 6 Chittacks more or less** in Dag No. 109 and on 5th July, 2018 and the same was registered in the office of DSR-I North 24 Parganas and registered in Book No. 1, Vol No. 1501, Pages from 128528 to 128560 being Deed No. 4679 of 2018 in connection with **land measuring 18 Cottah 7 Chittacks more or less** in Dag No. 108.

12. It is pertinent to mention herein that Poorav Infrastructure Limited already sold 4 Cottah of land to M/s Chandrali Builders and Developers Private Limited and M/s Chandrali Builders and Developers Private Limited sold the same to one Mr, Tathagata Mukherjee who has also availed financial facility from this Branch in respect of the said land measuring 4 Cottah.
13. After the aforesaid purchase as mentioned in Clause no. 11, the said Chandrali Builders and Developers Private Limited became the owners of All that land measuring **37 Cottah 13 Chittacks more or less in two parts such as 19 Cottah 6 Chittacks more or less and 18 Cottah 7 Chittacks more or less** in RS and LR Dag No. 108 and 109 in LR Khatian No. 2399 in **Mouza Talbanda, under Bilkanda 1 Nos GP, PS Gholia, Kolkata 700110.**
14. It is pertinent to mention herein that the said Chandrali Builders and Developers Private Limited mutated its name in the records of BL&LRO Sodepur it has been allotted a new Khatian Number being 2846 and has been paying taxes regularly.
15. The said Chandrali Builders and Developers Private Limited decided to sell the land measuring **37 Cottah 13 Chittacks more or less in two parts such as 19 Cottah 6 Chittacks more or less and 18 Cottah 7 Chittacks more or less** in RS and LR Dag No. 108 and 109 in LR Khatian No. 2846 in **Mouza Talbanda, under Bilkanda 1 Nos GP, PS Gholia, Kolkata 700110** and executed a **Power of Attorney** in favour of **M/s International Signs represented by Shri. Debducta Mukherjee** sole proprietor on 22.12.2021 registered in the office of DSR-I North 24 Pgs and registered in Book No. 1, Volume No. 1501, Pages from 454325 to 454328 being

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Deed No. 2801 of 2021 in respect of land measuring **37 Cottah 13 Chittacks more or less.**

16. After knowing the intension of the said Chandrali Builders and Developers Private Limited the intended mortgagor approached them purchased the land from the said Chandrali Builders and Developers Private Limited through the said POA Holder namely **M/s International Signs represented by Shri. Debdutta Mukherjee** sole proprietor in two parts one was on **01.06.2023** in the office of DSR-I, North 24 Pgs copied in Book No. 1, Vol No. 1501 and Pages from 97170 to 97198 being Deed of No. 3938 of 2023 in respect of land measuring 19 Cottah 06 Chittack in RS/LR Dag No. 109 and another one was on **01.06.2023** in the office of DSR-I, North 24 Pgs copied in Book No. 1, Vol No. 1501 and Pages from 99903 to 99933 being Deed of No. 3937 of 2023 in respect of land measuring 18 Cottah 7 Chittacks more or less in Dag No. 108.
17. After the aforesaid purchase, the said **MERCSTONE INTERNATIONAL PRIVATE LIMITED** became the owner of the said land measuring **37 Cottah 13 Chittacks more or less in two parts such as 19 Cottah 6 Chittacks more or less and 18 Cottah 7 Chittacks more or less** in RS and LR Dag No. 108 and 109 in LR Khatian No. 2846 in Mouza Talbanda, under Bilkanda 1 Nos GP, PS Ghola, Kolkata 700110.
18. It is also pertinent to mention herein that Housing Project is under construction in 5 Nos Blocks in G+4 building with lift and other facilities as per physical inspection and as per sanction plan dated 31.08.2018 approved by the Zilla Parishad.
19. The land is yet to be mutated in the LR records in the name of the **MERCSTONE INTERNATIONAL PRIVATE LIMITED** although the same does not affect the title since in plethora of judgments, the Hon'ble Supreme Court of India says that mutation records does not create right title interest.
20. It is pertinent to mention herein that since Deed No. 10175 of 2013, 15796 of 2012, 11826 of 2013, 14565 of 2011, 5212 of 1998 and 5213 of 1998 have been lost from the custody of the owner herein although formalities regarding lost Deed

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have been complied such as General Diary has been lodged on 11.01.2023 and News Paper Publication also done on 24.01.2023.

CERTIFICATE

I certify that **MERCSTONE INTERNATIONAL PRIVATE LIMITED** has got a valid freehold title and interest which is clear and marketable in respect to the subject land and building and it will be a valuable and marketable asset and free from any encumbrances, charge or claims.

Submitted by

**Arnab Dutta
Advocate**

03.07.2023