

Ref. No.....

Date. 25 APR 2023

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TO WHOM IT MAY CONCERN

SEARCHING REPORT AND NON ENCUMBRANCES CERTIFICATE.

Sub: Detailed Report on Title in respect of landed property owned and possessed by Sri Naresh Kumar Agarwal and Sri Manoj Agarwal, both are sons of Late Motilal Agarwal, residing at Pradhan Nagar, P.O. & P.S. Pradhan Nagar, Dist Darjeeling and M/S OMSJ DEVELOPERS LLP, a partnership firm, represented by Sri Sujit Kumar Agarwal, son of Late Raj Kumar Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal, having its office at Asmi Kunj, Jatin Das Sarani Bye Lane, Ashram Para, P.O. & P.S. Siliguri, Dist. Darjeeling.

I have pursued and scrutinized the relevant papers and documents available in respect of the landed property owned and possessed by Sri Naresh Kumar Agarwal and Sri Manoj Agarwal, both are sons of Late Motilal Agarwal, residing at Pradhan Nagar, P.O. & P.S. Pradhan Nagar, Dist Darjeeling and M/S OMSJ DEVELOPERS LLP, a partnership firm, represented by Sri Sujit Kumar Agarwal, son of Late Raj Kumar Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal, having its office at Asmi Kunj, Jatin Das Sarani Bye Lane, Ashram Para, P.O. & P.S. Siliguri, Dist. Darjeeling. Besides that I have caused necessary searches in the office of the Dist. Sub-Registrar at Jalpaiguri and Addl. Dist. Sub-Registrar at Rajganj & Bhaktinagar for the period of 2010-2023 (Upto-date) and I have also inspect the settlement record in the office of the B.L. & L.R.O. at Rajganj Block also in other concerned offices and I submit my reports on the basis of documents and records available as follows: -

1. DESCRIPTION OF DOCUMENTS EXAMINED BY ME: -

- a) Photocopy of registered Deed of Sale dated 29-03-2018 executed by Sri Shankarlal Agarwal, son of Late Motilal Agarwal to and in favour of M/S OMSJ DEVELOPERS LLP, a partnership firm, represented by Sri Om Prakash Agarwal, son of Late Puran Chand Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal, having its office at Asmi Kunj, Jatin Das Sarani Bye Lane, Ashram Para, P.O. & P.S. Siliguri, Dist. Darjeeling and the same was registered in the office of the Addl. Dist. Sub-Registrar at Bhaktinagar, Jalpaiguri, recorded in Book No. I, Being No. 2261 for the year 2018.

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- b) Photocopy of registered Deed of Sale dated 05-04-2018 executed by Sri Shankarlal Agarwal, son of Late Motilal Agarwal to and in favour of M/S OMSJ DEVELOPERS LLP, a partnership firm, represented by Sri Om Prakash Agarwal, son of Late Puran Chand Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal, having its office at Asmi Kunj, Jatin Das Sarani Bye Lane, Ashram Para, P.O. & P.S. Siliguri, Dist. Darjeeling and the same was registered in the office of the Addl. Dist. Sub-Registrar at Bhaktinagar, Jalpaiguri, recorded in Book No. I, Being No. 2411 for the year 2018.
- c) Photocopy of registered Deed of Gift dated 14-08-2013 executed by Sri Naresh Kumar Agarwal and Sri Manoj Agarwal, both are sons of Late Motilal Agarwal to and in favour of Sri Shankarlal Agarwal, son of Late Motilal Agarwal and the same was registered in the office of the Addl. Dist. Sub-Registrar at Rajganj, Jalpaiguri, recorded in Book No. I, Being No. 7306 for the year 2013
- d) Photocopy of registered Deed of Sale dated 16-02-2000 executed by Smt. Bodhurani Winefred Mary Roy, wife of Late Tushar Kumar Roy, Sri Tridib Kumar Roy, son of Late Tushar Kumar Roy and Smt. Sheila Ann Banerjee, Smt. Nila Spiller and Smt. Rabina Indira Ghosh, all are daughters of Late Tushar Kumar Roy through their constituted attorney Sri Amar Banerjee, son of Late Rai Bahadur Bipul Banerjee to and in favour of Sri Manoj Agarwal, son of Late Motilal Agarwal and the same was registered in the office of the Dist. Sub-Registrar at Jalpaiguri, recorded in Book No. I, Being No. 1302 for the year 2000.
- e) Photocopy of registered Deed of Sale dated 16-02-2000 executed by Smt. Bodhurani Winefred Mary Roy, wife of Late Tushar Kumar Roy, Sri Tridib Kumar Roy, son of Late Tushar Kumar Roy and Smt. Sheila Ann Banerjee, Smt. Nila Spiller and Smt. Rabina Indira Ghosh, all are daughters of Late Tushar Kumar Roy through their constituted attorney Sri Amar Banerjee, son of Late Rai Bahadur Bipul Banerjee to and in favour of Sri Naresh Kumar Agarwal, son of Late Motilal Agarwal and the same was registered in the office of the Dist. Sub-Registrar at Jalpaiguri, recorded in Book No. I, Being No. 1301 for the year 2000.
- f) Photocopy of Khatian bearing Khatian No. 201, 202 & 278, appertaining to Plot No. 261, Sheet No. 14 of Mouza – Dabgram.
- g) Photocopy of Deed of Agreement dated 08-04-2018 executed between Sri Naresh Kumar Agarwal and Sri Manoj Agarwal, both are sons of Late Motilal Agarwal (Owners) and M/S OMSJ DEVELOPERS LLP, a partnership firm, represented by Sri Om Prakash Agarwal, son of Late Puran Chand Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal and the said agreement was registered in the office of the Addl. Dist. Sub-Registrar at Bhaktinagar, Jalpaiguri, recorded in Book No. I, Being No. 2491 for the year 2018.
- h) Photocopy of General Power of Attorney dated 13-04-2018 executed by Sri Naresh Kumar Agarwal and Sri Manoj Agarwal, both are sons of Late Motilal Agarwal in favour of Sri Om Prakash Agarwal, son of Late Puran Chand Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal and the same was registered in the office of the Addl. Dist. Sub-Registrar at Bhaktinagar, Jalpaiguri, recorded in Book No. I, Being No. 2665 for the year 2018.

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2. PARTICULARS OF PROPERTY RELEVANT TO SEARCH: -

All that piece or parcel of land measuring 37 Katha 1 Chhataks or 0.6125 Acres, appertaining to Plot No. 254 & 255 (R.S.), 261 (L.R.), recorded under Khatian No. 176/5(Ka) (R.S.), 201, 202 & 278 (L.R.), situated within Mouza- Dabgram, J.L. No. 2, Sheet No. 7 (R.S.), 14 (L.R.), Pargana-Baikantapur, Ward No. 43 under Siliguri Municipal Corporation, within the jurisdiction of Police Station – Bhaktinagar, in the District of Jalpaiguri.

The aforesaid land is butted and bounded as follows: -

North : Sold Land of Bodhurani Winifred & Others;
South : Land of Anil Kumar Agarwal;
East : Land of Plot No. 373;
West : 24 Feet Wide Road.

3. REPORT OF DEVOLUTION ON TITLE: -

Whereas Sri Tushar Kumar Roy, son of Late Pramada Nath Roy was the absolute recorded owner in possession of the land measuring 9.80 Acres in Plot No. 254, 255 & 258, recorded under Khatian No. 176/5 (Ka) situated within Mouza-Dabgram, J.L. No. 2, Sheet No. 7, Pargana-Baikantapur, under Siliguri Municipal Corporation, within the jurisdiction of Police Station – Bhaktinagar, in the District of Jalpaiguri and he was possessing and enjoying the said plot of land having all permanent, heritable and transferable right, title and interest therein free from all encumbrances and charges whatsoever.

And whereas the above named Tushar Kumar Roy died intestate leaving behind his wife Smt. Bodhurani Winifred Mary Roy and only son namely Sri Tridib Kumar Roy and three daughters namely Smt. Sheila Ann Banerjee, Smt. Nila Spiller and Smt. Rabina Indira Ghosh as his only legal heirs and successors to inherit his aforesaid land measuring 9.80 Acre in equal 1/5th undivided share in their khas, actual and physical possession having all permanent, heritable and transferable right, title and interest therein free from all encumbrances and charges whatsoever.

Being the owner of such joint possession Smt. Bodhurani Winifred Mary Roy, wife of Late Tushar Kumar Roy, Sri Tridib Kumar Roy, son of Late Tushar Kumar Roy and Smt. Sheila Ann Banerjee, Smt. Nila Spiller and Smt. Rabina Indira Ghosh, all are daughters of Late Tushar Kumar Roy sold and transferred their part of inherited land measuring 22 Katha 8 Chhataks out of their aforesaid land through their constituted attorney Sri Amar Banerjee, son of Late Rai Bahadur Bipul Banerjee to and in favour of Sri Naresh Kumar Agarwal, son of Late Motilal Agarwal by virtue of a Deed of Sale, executed on 16-02-2000 and the same was registered in the office of the Dist. Sub-Registrar at Jalpaiguri, recorded in Book No. I, Being No. 1301 for the year 2000.

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By virtue of such Sale Deed Sri Naresh Kumar Agarwal, son of Late Motilal Agarwal acquire the said plot of land measuring 22 Katha 8 Chhataks in his khas, actual and physical possession having all permanent, heritable and transferable right, title and interest therein and his name has duly been recorded in the Record-Of-Right with respect to his aforesaid land in the office of the B.L. & L.R.O. at Rajganj Block and subsequently a separate khatian has been finally published in his name bearing Khatian No. 201, appertaining to Plot No. 261, Sheet No. 14 of Mouza – Dabgram.

Being the owner of such joint possession Smt. Bodhurani Winefred Mary Roy, wife of Late Tushar Kumar Roy, Sri Tridib Kumar Roy, son of Late Tushar Kumar Roy and Smt. Sheila Ann Banerjee, Smt. Nila Spiller and Smt. Rabina Indira Ghosh, all are daughters of Late Tushar Kumar Roy also sold and transferred their another part of inherited land measuring 14 Katha 9 Chhataks out of their remaining land through their constituted attorney Sri Amar Banerjee, son of Late Rai Bahadur Bipul Banerjee to and in favour of Sri Manoj Agarwal, son of Late Motilal Agarwal by virtue of a Deed of Sale, executed on 16-02-2000 and the same was registered in the office of the Dist. Sub-Registrar at Jalpaiguri, recorded in Book No. I, Being No. 1302 for the year 2000.

By virtue of such Sale Deed Sri Manoj Agarwal, son of Late Motilal Agarwal acquire the said plot of land measuring 14 Katha 9 Chhataks in his khas, actual and physical possession having all permanent, heritable and transferable right, title and interest therein and his name has duly been recorded in the Record-Of-Right with respect to his aforesaid land in the office of the B.L. & L.R.O. at Rajganj Block and subsequently a separate khatian has been finally published in his name bearing Khatian No. 202, appertaining to Plot No. 261, Sheet No. 14 of Mouza – Dabgram.

Being the owner of such possession Sri Naresh Kumar Agarwal and Sri Manoj Agarwal, both are sons of Late Motilal Agarwal transferred their part of land measuring 12 Katha 5 Chhataks out of their aforesaid land to and in favour of Sri Shankarlal Agarwal, son of Late Motilal Agarwal by virtue of a Deed of Gift, executed on 14-08-2013 and the same was registered in the office of the Addl. Dist. Sub-Registrar at Rajganj, Jalpaiguri, recorded in Book No. I, Being No. 7306 for the year 2013.

By virtue of such Sale Deed Sri Shankarlal Agarwal, son of Late Motilal Agarwal acquired the land measuring 12 Katha 5 Chhataks in his khas, actual and physical possession having all permanent, heritable and transferable right, title and interest therein

Being the owner of such possession Sri Shankarlal Agarwal, son of Late Motilal Agarwal sold and transferred his aforesaid land measuring 12 Katha 5 Chhataks to and in favour of M/S OMSJ DEVELOPERS LLP, a partnership firm, represented by Sri Om Prakash Agarwal, son of Late Puran Chand Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal, having its office at Asmi Kunj, Jatin Das Sarani Bye Lane, Ashram Para, P.O. & P.S. Siliguri, Dist. Darjeeling by virtue of two separate Deed of Sale, one executed on 29-03-2018 and the same was registered in the office of the Addl. Dist. Sub-Registrar at Bhaktinagar, Jalpaiguri, recorded in Book No. I, Being No. 2261 for the year 2018 and another executed on 05-04-2018 and the same was registered in the office of the Addl. Dist. Sub-Registrar at Bhaktinagar, Jalpaiguri, recorded in Book No. I, Being No. 2411 for the year 2018.

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By virtue of such Two Sale Deed M/S OMSJ DEVELOPERS LLP, a partnership firm, represented by Sri Om Prakash Agarwal, son of Late Puran Chand Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal acquired the land measuring 12 Katha 5 Chhataks in its khas, actual and physical possession having all permanent, heritable and transferable right, title and interest therein and its name has duly been recorded in the Record-Of-Right with respect to its aforesaid land in the office of the B.L. & L.R.O. at Rajganj Block and subsequently a separate khatian has been finally published in its name bearing Khatian No. 278, appertaining to Plot No. 261, Sheet No. 14 of Mouza – Dabgram.

Thus Sri Naresh Kumar Agarwal and Sri Manoj Agarwal, both are sons of Late Motilal Agarwal became the absolute owners of the remaining land measuring 24 Katha 12 Chhataks in their khas, actual and physical possession having all permanent, heritable and transferable right, title and interest therein.

Being the owner of such possession Sri Naresh Kumar Agarwal and Sri Manoj Agarwal, both are sons of Late Motilal Agarwal desirous to construct multi storied on by amalgamating their aforesaid land measuring 24 Katha 12 Chhataks with the land of M/S OMSJ DEVELOPERS LLP measuring 37 Katha 1 Chhataks or 0.6125 Acre and entered into an agreement with M/S OMSJ DEVELOPERS LLP, a partnership firm, represented by Sri Om Prakash Agarwal, son of Late Puran Chand Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal, having its office at Asmi Kunj, Jatin Das Sarani Bye Lane, Ashram Para, P.O. & P.S. Siliguri, Dist. Darjeeling on 08-04-2018 and the said agreement was registered in the office of the Addl. Dist. Sub-Registrar at Bhaktinagar, Jalpaiguri, recorded in Book No. I, Being No. 2491 for the year 2018 and they also executed a General Power of Attorney in favour of Sri Om Prakash Agarwal, son of Late Puran Chand Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal, both are the partners of the said firm on 13-04-2018 and the same was registered in the office of the Addl. Dist. Sub-Registrar at Bhaktinagar, Jalpaiguri, recorded in Book No. I, Being No. 2665 for the year 2018 and in pursuance of the aforesaid agreement the said firm has started the construction of a multi storied building on the aforesaid land as per sanctioned building plan duly approved by the Siliguri Municipal Corporation.

This is to be mentioned here that Sri Om Prakash Agarwal, son of Late Puran Chand Agarwal retired from the partnership business namely M/S OMSJ DEVELOPERS LLP on 21-07-2022 and Sri Sujit Kumar Agarwal, son of Late Raj Kumar Agarwal included as a new partner of the said firm.

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OPINION: -

- (i) On perusal the documents and records available and conducting searching in the concern offices, it may be certified that the title of the aforesaid land measuring 37 Katha 1 Chhataks or 0.6125 Acre as mentioned in Clause-2 hereinabove, owned and possessed by Sri Naresh Kumar Agarwal and Sri Manoj Agarwal, both are sons of Late Motilal Agarwal and M/S OMSJ DEVELOPERS LLP, a partnership firm, represented by Sri Sujit Kumar Agarwal, son of Late Raj Kumar Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal as mentioned is free from all encumbrances, clear and marketable.
- (ii) It is certified that neither any acquisition or requisition has been made by the Govt. authority over the aforesaid land nor the same is affected by any scheme of alignment.
- (iii) That there is no such minor's interest is involved over the said property as mentioned in clause - 2 hereinabove.
- (iv) It is certified that the property is SARFAESI compliant.
- (v) It is also certified that the aforesaid land is not affected under any restriction of the Urban Land (Celling and Regulation) Act.
- (vi) It is further certified Sri Naresh Kumar Agarwal and Sri Manoj Agarwal, both are sons of Late Motilal Agarwal and M/S OMSJ DEVELOPERS LLP, a partnership firm, represented by Sri Sujit Kumar Agarwal, son of Late Raj Kumar Agarwal and Smt. Meenakshi Agarwal, wife of Sri Sujit Kumar Agarwal has got saleable and marketable right, title and interest over the aforesaid property as mentioned in Clause-2 hereinabove and the said property is fit to create equitable mortgage U/S 58(f) of the Transfer of Property Act, 1882.

Yours faithfully

Tapash Nandi
(Tapash Nandi)
Advocate/Siliguri

Tapash Nandi
Advocate/Siliguri

- Encl: -
Search receipt

Government of West Bengal
Office of the JALPAIGURI (D.S.R.)
Receipt for fees deposited for Search
Form - 1556



Date of Application: 20-04-2023

Serial No of Application	0702007856/2023	Search No	0702007856/2023
Search for the Years	From 2010 To 2023	Record Available	From 27/02/2008 onwards
Name of Person to be Searched	First Name : OMSJ DEVELOPER Last Name : LLP		
From whom Received	TAPASH NANDI		
Fees Paid under Articles	F1(i) 2 /-	F1(ii) 13 /-	
Search Result:	No Record Found		


Record Keeper
C/o The District Registrar
Jalpaiguri

(Mr Ananta Kumar Sarkar)
D.S.R. JALPAIGURI
OFFICE OF THE D.S.R. JALPAIGURI

Government of West Bengal
Office of the BHAKTINAGAR (A.D.S.R)
Receipt for fees deposited for Search
Form - 1556



Date of Application: 20-04-2023

Serial No of Application 0711001440/2023

Search No

0711001440/2023

Search for the Years From 2015 To 2023

Record Available

From 10/12/2015 onwards

Name of Person to be Searched First Name : Omsj Developers L P Last Name :

From whom Received Mr Tapash Nandi Adv.

Fees Paid under Articles F1(i) 2/- F1(ii) 8/-

Search Result: No Record Found

(Mr Biswarup Goswami)

A.D.S.R. BHAKTINAGAR

OFFICE OF THE A.D.S.R. BHAKTINAGAR

Addl. Dist. Sub-Registrar
Bhakti Nagar, Dist-Jalpaiguri