

NIKHIL SHAH

(ADVOCATE)

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Civil & Criminal Practitioner.



Residence/Chamber
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Ref. No. P.P./ Nirvana/38/ Zilla Parishad Rd/Slg,

Date 03.04.2024

Sub: Detailed Report on Title in respect of landed property owned and possessed by JAI BALAJI DEVELOPERS, a partnership firm, having its office at Ground Floor, Shivam Villa, Beside Godricke School, Jyotinagar, Siliguri-734001, Dist. Darjeeling, represented by its partners 1) Sri Navin Agarwal, Son of Late Kedarnath Agarwal and 2) Sri Sujit Kumar Agarwal, Son of Late Raj Kumar Agarwal.

Ref: In connection with the project namely “NIRVANA 38”, situated at Zilla Parishad Road, Post Office-Siliguri and Police Station – Bhaktinagar, Pin-734001, Dist. Jalpaiguri, in the state of West Bengal, India.

Sl. No	Points	Advocate Comments
1.	Name and Address of the Title Holder	JAI BALAJI DEVELOPERS, a Partnership Firm, having principal office at Ground Floor, Shivam Villa, Besides Goodricke School, Jyoti Nagar, Siliguri, Post Office – Siliguri, Police Station Bhaktinagar, PIN – 734001, District Jalpaiguri, West Bengal, represented by its partners 1) Sri Navin Agarwal, Son of Late Kedarnath Agarwal and 2) Sri Sujit Kumar Agarwal, Son of Late Raj Kumar Agarwal of Siliguri.
2.	Description of the Property	All that piece or parcel of land measuring 0.6321 Acres more or less, recorded in R.S. Khatian Nos. 682 correspondence to L.R Khatian No. 153 , appertaining to and comprised in part of R.S. Plot Nos. 53, 55, 56 correspondence to L.R Plot Nos. 56, 57, 58 , Situated within Mouza - Dabgram , J.L. No. 02, R.S Sheet No. 04 correspondence to L.R Sheet No. 26 , Pargana Baikunthapur, Under Ward No. 41 of Siliguri Municipal Corporation, Police Station-Bhaktinagar, Pin-734001, Zilla Parishad Road, Dist. Jalpaiguri, in the state of West Bengal, India.
3.	Property Address	Zilla Parishad Road, Post Office-Siliguri and Police Station – Bhaktinagar, Pin-734001, Dist. Jalpaiguri, in the state of West Bengal, India
4.	Dimension Details	North : Land of Smt. Ratna Chakraborty now 13 Feet Wide Private Road, Then 100 Pearls Apartment; South : 16 Feet to 20 Feet Wide Kutcha Private Road; East : Land of M/s. Kanishk Agencies Private Limited Now 100 Pearls Apartment; West : 42 Feet Wide Pucca Zilla Parishad Road
5.	Area of the Property	Land measuring 0.6321 Acres



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6.	Cadastral Survey No.	Not Applicable
7.	Nature of Land	Residential
8.	Declaration	I have perused all the documents forwarded to me by the Owner/Developer and the Owner have acquired a valid rights and interest to the property in question and the borrowers will be entitled to create equitable mortgage in favour of any bank on deposit of their original Title deed with the Bank in the manner required by law.
9.	Declaration of Title Searching for the period of last 13 years :	I have persued and scrutinized the relevant papers and documents available in respect of the landed property owned and possessed by JAI BALAJI DEVELOPERS, a Partnership Firm, represented by its partners 1) Sri Navin Agarwal, Son of Late Kedarnath Agarwal and 2) Sri Sujit Kumar Agarwal, Son of Late Raj Kumar Agarwal of Siliguri. Besides that I have caused necessary searches in the office of the Addl. Dist. Sub Registrar Bhaktinagar, Dist. Jalpaiguri and I have also inspect the settlement record in the office of the B.L & L.R.O at Siliguri and I came to opine that the said property is free from all encumbrances and charges and is marketable.
10.	Encumbrances Certificate by the concern Sub-Registrar Office certifying whether the property is free from encumbrances.	Not Applicable, No such certificate is issued in West Bengal.
11.	Whether there are any tenancy disputes and any compensation claims are/may be payable in respect of the property to be mortgaged.	There are no such tenancy disputes and compensation claims in respect of the property to be mortgaged as disclosed by the owner.
12.	Whether there is any outstanding charges on the immovable property proposed to be mortgaged in case of Limited Companies as per search conducted in the office of the Registrar of Companies	No such office is situated in any District or Sub-Division Town, so it is not possible to search in this area.



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Ref. No. P.P./ Nirvana 38/Zilla Parishad Rd/11g

Date 03.04.2024

LIST OF DOCUMENTS EXAMINED BY ME:-

- (i) Photocopy of registered Deed of Sale, executed on 11.06.2004 between Sri Shekhar Kundu, Son of Late Shaileswar Kundu and Smt. Kalpana Rani Kundu, Wife of Sri Sunil Kumar Kundu to and in favour of Sri Binod Bajla, Son of Late Chouthmal Bajla and the said document was registered on 01.06.2006 in the office of the Dist. Sub-Registrar Jalpaiguri, recorded in Book No. I, Being No. 445 for the year 2006.
- (ii) Photocopy of registered Deed of Gift, dated 08.01.2020, between Sri Binode Bajla @ Binod Bajla, Son of Late Chouth Mal Bajla to and in favour of Sri Ramesh Bajla, Son of Late Chouth Mal Bajla and the said document was registered in the office of the Addl. Dist. Sub-Registrar Bhaktinagar Dist. Jalpaiguri, recorded in Book No. I, Being No. 138 for the year 2020.
- (iii) Photocopy of registered Deed of Gift, dated 13.07.2022, between Sri Ramesh Bajla, Son of Late Chouth Mal Bajla to and in favour of Sri Ashish Bajla, Son of Sri Ramesh Bajla and the said document was registered in the office of the Addl. Dist. Sub-Registrar Bhaktinagar Dist. Jalpaiguri, recorded in Book No. I, Being No. 6817 for the year 2022
- (iv) Photocopy of registered Deed of Gift, dated 05.09.2022, between Sri Binode Bajla @ Binod Bajla, Son of Late Chouth Mal Bajla to and in favour of Sri Ramesh Bajla, Son of Late Chouth Mal Bajla and the said document was registered in the office of the Addl. Dist. Sub-Registrar Bhaktinagar Dist. Jalpaiguri, recorded in Book No. I, Being No. 8302 for the year 2022.
- (v) Photocopy of registered Deed of Sale, dated 15.09.2022, between Sri Ramesh Bajla, Son of Late Chouth Mal Bajla and Sri Ashish Bajla, Son of Sri Ramesh Bajla to and in favour of JAI BALAJI DEVELOPERS, a Partnership Firm, represented by its partners 1) Sri Navin Agarwal, Son of Late Kedarnath Agarwal and 2) Sri Sujit Kumar Agarwal, Son of Late Raj Kumar Agarwal of Siliguri and the said document was registered in the office of the Addl. Dist. Sub-Registrar Bhaktinagar Dist. Jalpaiguri, recorded in Book No. I, Being No. 8778 for the year 2022.
- (vi) Photocopy of Khatian bearing L.R Khatian No. 153, L.R Plot No. 56,57,58 of Mouza – Dabgram, L.R Sheet No. 26.

(vii) Photocopy of Municipal Holding Tax Receipt paid upto 2023-24, dated 06.05.2023.



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Date 03.04.2024

REPORT OF DEVOLUTION ON TITLE:-

Whereas Sri Binode Bajla @ Binod Bajla, Son of Late Chouth Mal Bajla acquired the ownership of land area measuring 1 Bigha 18 Katha 5 Chhatak or 0.6321 Acres more or less, recorded in R.S Khatian No. 682, comprised in R.S Plot No. 53, 55 and 56, Mouza – Dabgram, R.S Sheet No. 4, Pargana – Baikunthapur, Police Station – Rajganj (presently Bhaktinagar), in the District of Jalpaiguri, Ward No. 41 of Siliguri Municipal Corporation, by virtue of a Deed of Sale, executed by Sri Shekhar Kundu, Son of Late Shaileswar Kundu and Smt. Kalpana Rani Kundu, Wife of Sri Sunil Kumar Kundu, executed on 11.06.2004 and registered on 01.06.2006 in the office of the District Sub-Registrar Jalpaiguri, recorded in Book No. I, Being No. 445 for the year 2006.

Whereas being owner in such possession said Sri Binode Bajla @ Binod Bajla, Son of Late Chouth Mal Bajla gifted a piece of land measuring 0.6071 Acres more or less, out of his aforesaid total land, recorded in R.S Khatian No. 682, comprised in R.S Plot No. 53, 55 and 56, Mouza – Dabgram, R.S Sheet No. 4, Pargana – Baikunthapur, Police Station – Rajganj (presently Bhaktinagar), in the District of Jalpaiguri, Ward No. 41 of Siliguri Municipal Corporation unto and in favour of his brother Sri Ramesh Bajla, Son of Late Chouth Mal Bajla by virtue of a Deed of Gift, dated 08.01.2020 which registered in the office of the Addl. Dist. Sub-Registrar Bhaktinagar Dist. Jalpaiguri, recorded in Book No. I, Being No. 138 for the year 2020.

By virtue of such Gift Deed, Sri Ramesh Bajla, Son of Late Chouth Mal Bajla acquire the ownership of total land area measuring 0.6071 Acres more or less, in his khas, actual and physical possession having all permanent, heritable and transferable right, title and interest therein.

Whereas being owner in such possession said Sri Ramesh Bajla, Son of Late Chouth Mal Bajla gifted a piece of land measuring 18.39 Kathas or 0.3035 Acres more or less, out of his aforesaid total land, recorded in R.S Khatian No. 682, comprised in R.S Plot No. 53, 55 and 56, Mouza – Dabgram, R.S Sheet No. 4, Pargana – Baikunthapur, Police Station – Rajganj (presently Bhaktinagar), in the District of Jalpaiguri, Ward No. 41 of Siliguri Municipal Corporation unto and in favour of his son Sri Ashish Bajla, Son of Sri Ramesh Bajla by virtue of a Deed of Gift, dated 13.07.2022, which registered in the office of the Addl. Dist. Sub-Registrar Bhaktinagar Dist. Jalpaiguri, recorded in Book No. I, Being No. 6817 for the year 2022.

By virtue of such Gift Deed, Sri Ashish Bajla, Son of Sri Ramesh Bajla acquire the ownership of total land area measuring 18.39 Kathas or 0.3035 Acres more or less, in his khas, actual and physical possession having all permanent, heritable and transferable right, title and interest therein.

Whereas further said Sri Binode Bajla @ Binod Bajla, Son of Late Chouth Mal Bajla gifted his part of land measuring 2.5 Decimal more or less, recorded in R.S Khatian No. 682, comprised in R.S Plot No. 53, Mouza – Dabgram, R.S Sheet No. 4, Pargana – Baikunthapur,



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Police Station – Rajganj (presently Bhaktinagar), in the District of Jalpaiguri, Ward No. 41 of Siliguri Municipal Corporation unto and in favour of his brother Sri Ramesh Bajla, Son of Late Chouth Mal Bajla by virtue of a Deed of Gift, dated 05.09.2022 which was registered in the office of the Addl. Dist. Sub-Registrar Bhaktinagar Dist. Jalpaiguri, recorded in Book No. I, Being No. 8302 for the year 2022.

By virtue of such Gift Deed and including his own remaining land, Sri Ramesh Bajla, Son of Late Chouth Mal Bajla acquire the ownership of total land area measuring 0.3286 Acres more or less, in his khas, actual and physical possession having all permanent, heritable and transferable right, title and interest therein.

Whereas being owners in such possession said 1) Sri Ramesh Bajla, Son of Late Chouth Mal Bajla and 2) Sri Ashish Bajla, Son of Sri Ramesh Bajla collectively sold and transferred their aforesaid total land area measuring 0.6321 Acres more or less, recorded in R.S Khatian No. 682, comprised in R.S Plot No. 53, 55 and 56, Mouza – Dabgram, R.S Sheet No. 4, Pargana – Baikunthapur, Police Station – Rajganj (presently Bhaktinagar), in the District of Jalpaiguri, Ward No. 41 of Siliguri Municipal Corporation unto and in favour of JAI BALAJI DEVELOPERS, a Partnership Firm, represented by its partners 1) Sri Navin Agarwal, Son of Late Kedarnath Agarwal and 2) Sri Sujit Kumar Agarwal, Son of Late Raj Kumar Agarwal of Siliguri by virtue of a Deed of Sale, dated 15.09.2022 which was registered in the office of the Addl. Dist. Sub-Registrar Bhaktinagar Dist. Jalpaiguri, recorded in Book No. I, Being No. 8778 for the year 2022.

By virtue of such Sale Deed, JAI BALAJI DEVELOPERS, a Partnership Firm, represented by its partners 1) Sri Navin Agarwal, Son of Late Kedarnath Agarwal and 2) Sri Sujit Kumar Agarwal, Son of Late Raj Kumar Agarwal of Siliguri acquire the ownership of total land area measuring 0.6321 Acres more or less more or less, 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 Siliguri and subsequently a spate Khatian has been finally published in its name bearing L.R Khatian No. 153, L.R Plot No. 56,57,58 of Mouza – Dabgram, L.R Sheet No. 26.

Thereafter JAI BALAJI DEVELOPERS, a Partnership Firm, represented by its partners 1) Sri Navin Agarwal, Son of Late Kedarnath Agarwal and 2) Sri Sujit Kumar Agarwal, Son of Late Raj Kumar Agarwal of Siliguri has started construction of a multi storied building on the aforesaid land as per sanctioned building plan duly approved by Siliguri Municipal Corporation.



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Date 03.04.2024

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 0.6321 Acres as mentioned in Clause-2 hereinabove, owned and possessed by JAI BALAJI DEVELOPERS, a Partnership Firm, represented by its partners 1) Sri Navin Agarwal, Son of Late Kedarnath Agarwal and 2) Sri Sujit Kumar Agarwal, Son of Late Raj Kumar Agarwal of Siliguri as mentioned is free from all encumbrances, clear and marketable and enforceable under SARFAESI Act, 2002, 2016 and can be considered as acceptable security by any Bank for sanction of loan.
- (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) It is also certified that the aforesaid land is not affected under any restriction of the Urban Land (Celling and Regulation) Act.
- (iv) It is also certified that the aforesaid land is free from all encumbrances, charges whatsoever.
- (v) It is certified that JAI BALAJI DEVELOPERS, a Partnership Firm, represented by its partners 1) Sri Navin Agarwal, Son of Late Kedarnath Agarwal and 2) Sri Sujit Kumar Agarwal, Son of Late Raj Kumar Agarwal of Siliguri have got saleable and marketable right, title and interest over the aforesaid property as mentioned in Cluase-2 hereinabove and the said property is fit to create equitable mortgage U/S 58 (f) of the Transfer of Property Act, 1886.

Yours faithfully



(Nikhil Shah)
Advocate, Siliguri