

Debdip Dutta

B.Com, LL.B
Advocate

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Residence & Chamber:
Nazrul Sarani (Bye-lane),
Opposite Akash Hospital,
Ashram Para, Siliguri-1,
Dist. Darjeeling.

Ref: DD/TR/02/01/24

Date: 08.01.2024

TO WHOM IT MAY CONCERN

(PART I): DESCRIPTION OF THE PROPERTY

All that piece or parcel of homestead land measuring 0.275 Acre, appertaining to L.R. Plot No. 4912 (0.085 Acres), L.R. Plot No. 4919 (0.07 Acres), L.R. Plot No. 4920 (0.04 Acres), L.R. Plot No. 4921 (0.03 Acres), L.R. Plot No. 4922 (0.02 Acres) and L.R. Plot No. 4918 (0.03 Acres), recorded in L.R.Khatian Nos. 24982, 24986, 24984, 24983, 24981 & 1786, Mouza Sahar Coochbehar, J.L. No. 130, P.S. Kotwali, located at Nipendra Narayan Road (Road Zone- Power House Chowpathy to ACDC Club), in Ward No.VI, under Coochbehar Municipality, Dist: Coochbehar.

(PART-II): List of Documents Submitted Before Me For Scrutiny and Legal Opinion:

1. Photocopy of being document No.5464 for the year 1979 registered at the office of the Sadar Joint Sub-Registrar, Coochbehar;
2. Photocopy R.S. Khatian No. 626 and 628 ;
3. Photocopy of L.R. Khatian No. 1786;
4. Photocopy of Death Certificate of Kali Dasi Saha, and her husband Sri Rabindra Nath Saha;
5. Photocopy of Legal heir Certificate of Kali Dasi Saha, and her husband Sri Rabindra Nath Saha;
6. Photocopy of Death Certificate of Panchanan Saha;
7. Photocopy of Legal heir Certificate of Panchanan Saha;
8. Photocopy of Deed of Development Agreement being No. I- 7894 for the year 2022 registered at the office of the D.S.R. Coochbehar;
9. Photocopy of General Power of Attorney (After execution of Development Agreement) being document No. I- 4923 for the year 2023 registered at the office of the D.S.R. Coochbehar;
10. Photo copy of Khajna Receipt;
11. Photo Copy of Municipality Holding Tax Receipt;



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12. Photo copy of Fire Safety Recommendation letter issued by the Deputy Director, West Bengal Fire and Emergency Services, vide Memo No. FSR/0125186220400078, dated 03.06.2022;
13. Photo copy of the Project vide approved plan, bearing Plan No. TEC/NB/201/22 dated 20.07.2022 issued by the Coochbehar Municipality for Basement, Ground plus Five storied building/s.

(PART III): **FLOW OF TITLE OF PROPERTY-(HISTORY OF TITLE)**

WHEREAS one Smt. Kali Dasi Saha, W/o Sri Rabindra Nath Saha, became the absolute owner in possession of all that 0.05 Acre of land in R.S. Plot No.3819 (area measuring 0.03 Acre) and in R.S. Plot No.3820 (area measuring 0.02 Acre) recorded in R.S. Khatian No.627, within Mouza Sahar Coochbehar, under P.S. & Dist. Coochbehar by virtue of purchase through a Deed of Sale which has been transcribed in Book No. I, Volume No.60, in pages 111 to 116, being document No.5464 for the year 1979 registered at the office of the Sadar Joint Sub-Registrar, Coochbehar.

AND WHEREAS said Smt. Kali Dasi Saha, and her husband Sri Rabindra Nath Saha, S/o Late Ramchandra was also the recorded owner of all that 0.14 Acre of land as recorded in R.S. Khatian No.626, comprising R.S. Plot Nos. 3816 (area measuring 0.03 Acre), 3817 (area measuring 0.07 Acre) and 3818 (area measuring 0.04 Acre) within Mouza Sahar Coochbehar, under P.S. & Dist. Coochbehar.

AND WHEREAS said Smt. Kali Dasi Saha was also the recorded owner of all that 0.09 Acre of land as recorded in R.S. Khatian No.628, comprising R.S. Plot No. 3810, within Mouza Sahar Coochbehar, under P.S. & Dist. Coochbehar.

AND WHEREAS as such by virtue of above, the above named Kali Dasi Saha, and her husband Rabindra Nath Saha became the absolute owner in respect of all that entire **0.28 Acre** of land as mentioned above and subsequently the name of said Smt. Kali Dasi Saha had been recorded in finally published L.R. Khatian No. 1786 comprising L.R. Plot Nos. 4237, 4912, 4918, 4919, 4920, 4921 & 4922, J.L. No.130, within Mouza Sahar Coochbehar, P.S. Kotwali, under Coochbehar Municipality & Dist. Coochbehar.



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AND WHEREAS subsequently both the above named Kali Dasi Saha, and her husband Rabindra Nath Saha died intestate leaving behind them their one daughter namely SMT. LILA BANIK @ LILA RANI BANIK SAHA, W/o Dulal Prasad Banik and one son namely PANCHANAN SAHA (since deceased). And accordingly as per the provisions of the Hindu Succession Act, 1956 said Smt. Lila Banik @ Lila Rani Banik Saha and Panchanan Saha (since deceased) jointly became the absolute owner of the said landed property in equal share. And after demise of said Panchanan Saha, his wife namely SMT. MANJU RANI SAHA, two sons namely SRI MITHUN SAHA and SRI MRITYUNJOY SAHA and one daughter namely SMT. MOUSUMI SAHA jointly inherited the said 50% undivided share in the said entire landed property and as such the above named SMT. LILA BANIK @ LILA RANI BANIK SAHA, SMT. MANJU RANI SAHA, SRI MITHUN SAHA, SRI MRITYUNJOY SAHA and SMT. MOUSUMI SAHA are jointly holding and occupying the said landed property as the absolute owners of the same as on this today and the said land has been already recorded in their respective names in L.R. Khatian Nos. 24986, 24981, 24983, 24982, 24984 & 1786.

AND WHEREAS thereafter the above named Smt. Lila Banik @ Lila Rani Banik Saha, Smt. Manju Rani Saha, Sri Mithun Saha, Sri Mrityunjoy Saha and Smt. Mousumi Saha have unanimously decided to raise a multi storeyed residential cum commercial building upon all that aforesaid 0.275 Acre of land as particularly described in the Schedule herein below and in the process they have already obtained a building plan duly sanctioned by Coochbehar Municipality vide Building Plan No. TEC/NB/201/22 dated 20.07.2022 for a Basement, Ground plus Five storied building/s.

AND WHEREAS being the absolute co-owners of the afore mentioned land the above named Smt. Lila Banik @ Lila Rani Banik Saha, Smt. Manju Rani Saha, Sri Mithun Saha, Sri Mrityunjoy Saha and Smt. Mousumi Saha on 23.08.2022 have entered into development agreement with one Promoter/Developer i.e. M/S. BALAJEE REAL ESTATE, [I.T. PAN : AAUFB6623Q] a partnership firm, having its office address at "Shyama Kunj", Pranami School Road Last, Punjabi para, P.O. Haider para, P.S. Bhaktinagar, Dist. Jalpaiguri, with intent to raise a Basement, Ground plus Five storied building/s there upon the said land vide document No. I- 7894 for the year 2022 registered at the office of the D.S.R. Coochbehar and subsequently they also jointly executed a General Power of Attorney (After Development Agreement) in this regard vide document No. I- 4923 for the year 2023 registered at the office of the D.S.R. Coochbehar and in

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furtherance of the said development agreements the Promoter/Developer has also initiated development works upon the below Scheduled land after obtaining Fire Safety Certificate issued by Deputy Director, West Bengal Fire and Emergency Services, vide Memo No. FSR/0125186220400078, dated 03.06.2022.

The said Land is earmarked for the purpose of a Basement, Ground plus Five storied building and the said project shall be known as "**AUREATE PLAZA**".

(PART IV): EVIDENCE OF TITLE RIGHT OF THE PROPERTY

The right, title and interest of said Smt. Lila Banik @ Lila Rani Banik Saha, Smt. Manju Rani Saha, Sri Mithun Saha, Sri Mrityunjoy Saha and Smt. Mousumi Saha over all that altogether land measuring 0.275 Acre of land is evident from title documents in the name of their predecessor-in-interest and the legal heir certificate in their names as well as from L.R. Khatian Nos. 24982, 24986, 24984, 24983, 24981 & 1786 as stated above.

Note: The Validity and Geniuses of the concerned building plan should be verified by any competent engineer.

(PART VI): CERTIFICATE

In view of the foregoing, I hereby certify that the present land owners have derived a valid, clear, marketable and unencumbered title in the below Scheduled property as stated above.

SCHEDULE OF LAND

(DESCRIPTION OF THE LAND AS REFERRED TO ABOVE)

All that piece or parcel of homestead land measuring 0.275 Acre, appertaining to L.R. Plot No. 4912 (0.085 Acres), L.R. Plot No. 4919 (0.07 Acres), L.R. Plot No. 4920 (0.04 Acres), L.R. Plot No. 4921 (0.03 Acres), L.R. Plot No. 4922 (0.02 Acres) and L.R. Plot No. 4918 (0.03 Acres), recorded in L.R. Khatian Nos. 24982, 24986, 24984, 24983, 24981 & 1786, Mouza Sahar Coochbehar, J.L. No. 130, P.S. Kotwali, located at Nipendra Narayan Road (Road Zone- Power House Chowpathy to ACDC Club), in Ward No. VI, under Coochbehar Municipality, Dist: Coochbehar.



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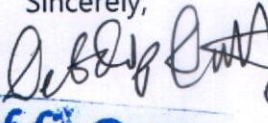
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The said land is butted and bounded as follows:

BY NORTH : Land of Kalachand Saha;
BY SOUTH : 18.25 Mtrs Wide Road;
BY EAST : Land of Bhabani Bidi Factory;
BY WEST : Land of Saotal Dighi.

Sincerely,

 08/01/24

Debdip Dutta

Advocate, Siliguri

DEBDIP DUTTA

Advocate, Siliguri