

Chinmay Sarkar

Advocate

Siliguri Bar Association
Room No.6

Residence Cum Chamber
Beside Rathkhola Math,
Rathkhola, P.O. Rabindra Sarani
P.S. Siliguri-734006
District Darjeeling
98320-63484 (Mob.)
70633-07012 (Mob.)
Mail Id. – csarkar004@gmail.com

Ref:

Date: 12-05-2023

SUB: TITLE INVESTIGATION REPORT.

Re: Search-Cum-Title investigation opinion of all that piece or parcel of land measuring 9 Katha 2 Chhatak 19 Sq. Ft., recorded in R.S. Khatian No. 5035, Corresponding to L.R. Khatian Nos. 11549, 11550 & 11551, appertaining to part of R.S. Plot No. 10474, Corresponding to L.R. L.R. Plot No. 3005, Situated within Mouza Siliguri now Siliguri Purba, J.L. No. 110(88) now 92, Pargana Baikunthapur, Under Siliguri Municipal Corporation Area Ward No. 16, Road Zone Hakimpara, Bearing Holding No. 301/367, Registry office at Additional District Sub-Registrar Siliguri, Police Station Siliguri, District Darjeeling, property belongs to [1] SMT. JAYANTI GHOSH, [PAN NO. CKMPG1932R] [AADHAR NO. 346289745041], Wife of Late Rabindra Nath Ghosh, [2] SRI RANAJEET GHOSH, [PAN NO. BJNPG7191R] [AADHAR NO. 676212043337], [3] SRI RAJDEEP GHOSH, [PAN NO. DEGPG7866K] [AADHAR NO. 263376504663], both are son of Late Rabindra Nath Ghosh, all Hindu by Religion, Indian by Nationality, No. 1 House-wife, No. 2 & 3 Private Service by Occupation respectively, resident of Balai Das Chatterjee Road, Hakimpara, P.O. & P.S. Siliguri, Pin No. 734001, District Darjeeling, Presently resident of Atithi Apartment, 63/A, Rabinda Sarani, Dumdum, P.O. Rabindra Nagar, Pin No. 700065, P.S. Dumdum, Dist. North 24 Parganas.

1. Source of Ownership

WHEREAS one Smt Padma Rani Basu, Wife of Sri Debendra Nath Basu, was the absolute recorded owner of Land measuring 10 Katha more or less together with dwelling house standing thereon, recorded in R.S. Khatian No. 5035, appertaining to part of R.S. Plot No. 10474, recorded in Situated within Mouza Siliguri, J.L. No. 110(88), Under Gajal Singh Jote, Pargana Baikunthapur, Police Station Siliguri, District Darjeeling, and the record was published on 1958 during the Revisional Settlement Survey held by the Government of West Bengal, since then in her khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Being owner in such possession said Smt Padma Rani Basu, Wife of Sri Debendra Nath Basu, intestate leaving behind her Husband Sri Debendra Nath Basu, Son of Late Gaya Nath Basu, and one Daughter Smt. Anjali Ghosh, Wife of Rampada Ghosh, as her only Legal heirs and successors as per provision of Hindu Succession Act, 1956. Accordingly by virtue of inheritance the above named legal heirs became the joint owners of aforesaid Land measuring 10 Katha, since then in their khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Being owner in such possession said Sri Debendra Nath Basu, Son of Late Gaya Nath Basu, transferred his said total Land measuring 10 Katha more or less together with dwelling house standing thereon, recorded in R.S. Khatian No. 5035, appertaining to part of R.S. Plot No. 10474, recorded in Situated within Mouza Siliguri, J.L. No. 110(88), Pargana Baikunthapur, Police Station Siliguri, District Darjeeling, to and in favour of her daughter namely Smt. Anjali

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year 1974 recorded in Book No. I Volume No. 24 Pages from 67 to 69 registered at the office of the then Sub-Registrar Siliguri.

Being owner in such possession said Smt. Anjali Ghosh, Wife of Rampada Ghosh, was enjoying and possessing the land measuring 9 Katha 2 Chhatak 19 Sq. Ft. together with dwelling house standing thereon out of her total Land measuring 10 Katha and therefore she had mutated her name at the office of the B.L.& L.R.O. Siliguri vide Mutation Case No. 845/IX-II/12-13, since then in her khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Being owner in such possession said Smt. Anjali Ghosh, Wife of Late Ramapada Ghosh, transferred her total Land measuring 9 Katha 2 Chhatak 19 Sq. Ft., recorded in R.S. Khatian No. 5035, appertaining to part of R.S. Plot No. 10474, recorded in Situated within Mouza Siliguri, J.L. No. 110(88), Pargana Baikunthapur, Police Station Siliguri, District Darjeeling, to and in favour of Sri Rabindra Nath Ghosh, Son of Late Ram Pada Ghosh, by virtue of a registered Deed of Gift being No. I-00601 for the year 2013 recorded in Book No. I, CD Volume No. 2, Pages from 1732 to 1743, registered at Additional Registrar of Assurance – III at Kolkata.

Being owner in such possession said Sri Rabindra Nath Ghosh, Son of Late Ram Pada Ghosh, desirous to construct a Multi-storied Commercial/Residential Building upon his said plot of Land measuring 9 Katha 2 Chhatak 19 Sq. Ft. therefore he had entered into a registered Development Agreement being No. I-2626 for the year of 2017 recorded in Book No. I Volume No. 402 Pages from 66085 to 66130 and the same was registered at the office of the Additional District Sub-Registrar Siliguri, with "M/S. A.P. CONSTRUCTION" [PAN NO. ABJFA9452A] a Partnership Firm, represented its partners, to develop the aforesaid land under some terms and conditions mentioned in the aforesaid Development Agreement.

Whereas said Sri Rabindra Nath Ghosh, Son of Late Ram Pada Ghosh, also executed a registered General Power of Attorney after registered Development Agreement being No. I-2777 for the year of 2017 recorded in Book No. I Volume No. 402 Pages from 71026 to 71053 and the same was registered at the office of the Additional District Sub-Registrar Siliguri, to and in favour of the present attorney cum the said developers namely M/S. A.P. CONSTRUCTION, a Partnership Firm, in respect of the said Development Agreement being No. I-2626 for the year of 2017.

Being owner in such possession said Rabindra Nath Ghosh, Son of Late Ram Pada Ghosh, died on 19.06.2020 intestate leaving behind the present executants cum his wife namely (1) **Smt. Jayanti Ghosh**, Wife of Late Rabindra Nath Ghosh, and two son namely (2) **Sri Ranajeet Ghosh**, (3) **Sri Rajdeep Ghosh**, both are son of Late Rabindra Nath Ghosh, as his only Legal heirs and successors as per provision of Hindu Succession Act, 1956. Accordingly by virtue of inheritance the above named legal heirs became the joint owners of 1/3rd share of

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physical possession having permanent, heritable and transferable right, title and interest therein.

Whereas the present executants namely (1) **Smt. Jayanti Ghosh**, Wife of Late Rabindra Nath Ghosh, (2) **Sri Ranajeet Ghosh**, (3) **Sri Rajdeep Ghosh**, both are Son of Late Rabindra Nath Ghosh, became the absolute owner of Land measuring 9 Katha 2 Chhatak 19 Sq. Ft., recorded in R.S. Khatian No. 5035, appertaining to part of R.S. Plot No. 10474, Situated within Mouza Siliguri, J.L. No. 110(88), Pargana Baikunthapur, Under Siliguri Municipal Corporation Area Ward No. 16, Bearing Holding No. 301/367, Registry office at Additional District Sub-Registrar Siliguri, Police Station Siliguri, District Darjeeling, and therefore mutated their name at the office at B.L. & L.R.O. Siliguri, and therefore three New Khatian has been issued in their favour being Khatian Nos. 11549, 11550 & 11551, being L.R. Plot No. 3005, and since the said property in their khas actual physical possession having permanent heritable transferable right therein.

Being owner in such possession said Land Owners/Second Party & Third Party, construct a G (Parking) + 4 storied Building upon their aforesaid land measuring 9 Katha 2 Chhatak 19 Sq. Ft., therefore they had entered into a General Power of Attorney being No. I-315 for the year of 2023, dated on 15.02.2023, recorded in Book No. I, Volume No. 402, Pages from 14141 to 14163, and the same was registered at the office of the Additional District Sub-Registrar Siliguri, with the present developers namely "**M/S. A.P. CONSTRUCTION**" [PAN NO. **ABJFA9452A**] a Partnership Firm, represented its partners namely [1] Sri Liton Nandi, Son of Late Sukumar Nandi @ Sukumar Nandy, [2] Sri Pankaj Poddar, Son of Late Haripada Poddar, [3] Sri Udit Agarwal, Son of Sri Jaiprakash Agarwal.

Thereafter said developer namely "**M/S. A.P. CONSTRUCTION**" [PAN NO. **ABJFA9452A**] a Partnership Firm, represented its partners namely [1] Sri Liton Nandi, Son of Late Sukumar Nandi @ Sukumar Nandy, [2] Sri Pankaj Poddar, Son of Late Haripada Poddar, [3] Sri Udit Agarwal, Son of Sri Jaiprakash Agarwal, have started to construct the said G (Parking) + 4 storied Building upon the said land measuring 9 Katha 4 Chhatak 19 Sq. Ft., as per Sanctioned Building Plan vide Permit No. SWS-OBPAS/0104/2023/0250, duly approved by Siliguri Municipal Corporation dated on 21.04.2023.

Being owners in such possession said (1) **Smt. Jayanti Ghosh**, Wife of Late Rabindra Nath Ghosh, (2) **Sri Ranajeet Ghosh**, (3) **Sri Rajdeep Ghosh**, both are Son of Late Rabindra Nath Ghosh, (Land Owners) represented through their constituted attorney [1] Sri Liton Nandi, Son of Late Sukumar Nandi @ Sukumar Nandy, [2] Sri Pankaj Poddar, Son of Late Haripada Poddar, [3] Sri Udit Agarwal, Son of Sri Jaiprakash Agarwal, along with Developer named "**M/S. A.P. CONSTRUCTION**" [PAN NO. **ABJFA9452A**] a Partnership Firm, represented its partners namely [1] Sri Liton Nandi, Son of Late Sukumar Nandi @ Sukumar Nandy, [2] Sri Pankaj Poddar, Son of Late Haripada Poddar, [3] Sri Udit Agarwal, Son of Sri Jaiprakash Agarwal, desirous to transfer one Flat/Unit, being No., situated at Floor, measuring aboutSq. Ft., (including super built-up area), and one Car Parking Space measuring Sq. Ft. at the Ground Floor of the Building.

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Sq. Ft., recorded in R.S. Khatian No. 5035, Corresponding to L.R. Khatian Nos. 11549, 11550 & 11551, appertaining to part of R.S. Plot No. 10474, Corresponding to L.R. L.R. Plot No. 3005, Situated within Mouza Siliguri now Siliguri Purba, J.L. No. 110(88) now 92, Pargana Baikunthapur, Under Siliguri Municipal Corporation Area Ward No. 16, Road Zone Hakimpara, Bearing Holding No. 301/367, Registry office at Additional District Sub-Registrar Siliguri, Police Station Siliguri, District Darjeeling, to and in favour of intending purchaser's.

A : LIST OF DOCUMENTS STUDIED :-

- 1) Photocopy Deed of Gift being No. I-1532 for the year 1974 recorded in Book No. I Volume No. 24 Pages from 67 to 69 registered at the office of the then Sub-Registrar Siliguri, in favour of Smt. Anjali Ghosh, Wife of Rampada Ghosh.
- 2) Photocopy of Deed of Gift being No. I-00601 for the year 2013 recorded in Book No. I, CD Volume No. 2, Pages from 1732 to 1743, registered at Additional Registrar of Assurance – III at Kolkata, to and in favour of Sri Rabindra Nath Ghosh, Son of Late Ram Pada Ghosh.
- 3) Photocopy of Development Agreement being No. I-2626 for the year of 2017 recorded in Book No. I Volume No. 402 Pages from 66085 to 66130 and the same was registered at the office of the Additional District Sub-Registrar Siliguri.
- 4) Photocopy of General Power of Attorney after registered Development Agreement being No. I-2777 for the year of 2017 recorded in Book No. I Volume No. 402 Pages from 71026 to 71053 and the same was registered at the office of the Additional District Sub-Registrar Siliguri.
- 5) Photocopy of General Power of Attorney being No. I-315 for the year of 2023, dated on 15.02.2023, recorded in Book No. I, Volume No. 402, Pages from 14141 to 14163, and the same was registered at the office of the Additional District Sub-Registrar Siliguri, with the present developers namely "M/S. A.P. CONSTRUCTION" [PAN NO. ABJFA9452A] a Partnership Firm, represented its partners namely [1] Sri Liton Nandi, Son of Late Sukumar Nandi @ Sukumar Nandy, [2] Sri Pankaj Poddar, Son of Late Haripada Poddar, [3] Sri Udit Agarwal, Son of Sri Jaiprakash Agarwal.
- 6) Photocopy of L.R. Khatian being Nos. 11549, 11550 & 11551, in the name of [1] SMT. JAYANTI GHOSH, Wife of Late Rabindra Nath Ghosh, [2] SRI RANAJEET GHOSH, [3] SRI RAJDEEP GHOSH, both are Son of Late Rabindra Nath Ghosh.

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- 7) Photocopy of Online Portal of L.R. Khatian being Nos. 11549, 11550 & 11551, in the name of [1] SMT. JAYANTI GHOSH, Wife of Late Rabindra Nath Ghosh, [2] SRI RANAJEET GHOSH, [3] SRI RAJDEEP GHOSH, both are Son of Late Rabindra Nath Ghosh.
- 8) Photocopy of Plot Information of R.S. Khatian being No. 5035, in the name of Smt Padma Rani Basu, Wife of Sri Debendra Nath Basu.
- 9) Photocopy of Holding Tax being receipt No. 20967, in the name of [1] SMT. JAYANTI GHOSH, Wife of Late Rabindra Nath Ghosh, [2] SRI RANAJEET GHOSH, [3] SRI RAJDEEP GHOSH, both are Son of Late Rabindra Nath Ghosh.
- 10) Photocopy of Land Khazna Dakhila online payment receipt being No. L & LR SBP 8490223, in the name of Rabindra Nath Ghosh.
- 11) Photocopy of Legal Heirs Affidavit of Late Rabindra Nath Ghosh, Son of Late Ram Pada Ghosh, from LD. Executive Magistrate at Siliguri, dated on 01.08.2022.
- 12) Photocopy of Death Certificate of Late Rabindra Nath Ghosh, Son of Late Ram Pada Ghosh.
- 13) Photocopy of L.U.C.C. being Memo No. 10471SJDA, dated on 04.01.2023, in the name of [1] SMT. JAYANTI GHOSH, Wife of Late Rabindra Nath Ghosh, [2] SRI RANAJEET GHOSH, [3] SRI RAJDEEP GHOSH, both are Son of Late Rabindra Nath Ghosh.
- 14) Photocopy of Sanctioned Building Plan vide Permit No. SWS-OBPAS/0104/2023/0250, duly approved by Siliguri Municipal Corporation dated on 21.04.2023, in the name of [1] SMT. JAYANTI GHOSH, Wife of Late Rabindra Nath Ghosh, [2] SRI RANAJEET GHOSH, [3] SRI RAJDEEP GHOSH, both are Son of Late Rabindra Nath Ghosh.

I certify that [1] SMT. JAYANTI GHOSH, [PAN NO. CKMPG1932R] [AADHAR NO. 346289745041], Wife of Late Rabindra Nath Ghosh, [2] SRI RANAJEET GHOSH, [PAN NO. BJNPG7191R] [AADHAR NO. 676212043337], [3] SRI RAJDEEP GHOSH, [PAN NO. DEPG7866K] [AADHAR NO. 263376504663], both are son of Late Rabindra Nath Ghosh, all Hindu by Religion, Indian by Nationality, No. 1 House-wife, No. 2 & 3 Private Service by Occupation respectively, resident of Balai Das Chatterjee Road, Hakimpara, P.O. & P.S. Siliguri, Pin No. 734001, District Darjeeling, Presently resident of Atithi Apartment, 63/A, P.O. Rabindra Sarani, P.O. Rabindra Nagar, Pin No. 700065, P.S. Dumdum, Dist. North

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further certify that the above title deed/s is / are genuine, the property is free from all encumbrances.

This opinion is being given relying upon the contents of the documents submitted to me and after causing the searches as aforesaid and i certified that the property is SARFAESI complaint & clear and marketable.

(CHINMAY SARKAR)
Advocate, Siliguri.
Enrolment No. WB/523/2003.