

# SANTANU ADHIKARY

Advocate  
Judges' Court, Alipore,  
Kolkata : 700027

RESIDENCE & CHAMBER:-  
44/1/4, Narayan Roy Road,  
(Udayan Pally)  
Kolkata : 700008  
Mobile : 98313-12425

Date : 15.07.2020

Ref. : .....

## -: DEVOLUTION OF TITLE :-

As per documents supplied to me, the devolution of title comes in the manner as follows :-

1. **THAT** originally one Jatindra Krishna Ghosh had purchased in his name **ALL THAT** piece and parcel of land measuring more or less 14 (Fourteen) Sataks, situate and lying at Mouza : Purba Barisha, J.L. No.23, R.S. No.43, Touzi Nos.1-6, 8-10 & 12-16, under C.S. & R.S. Khatian No.936, appertaining to Dag No.1505, under Police Station : previously Behala at present Thakurpukur, District : previously 24 Parganas at present 24 Parganas (South) together with the part of Doba from the then Owner Tarangini Dasi by virtue of a registered Deed of Conveyance for the valuable consideration mentioned therein. The aforesaid Deed was duly registered on 12<sup>th</sup> August, 1915 in the Office of the Sub-Registrar at Behala and recorded in Book No.1, Volume No.31, Pages 20 to 23, Being No.2931 for the year 1915.
2. **THAT** after such purchase, the name of said Jatindra Krishna Ghosh duly recorded in the Record of Right and she used to pay khajnas to the concerned Authority.
3. **THAT** thereafter said Jatindra Krishna Ghosh had also purchased in the name of his wife Smt. Panchu Bala Ghosh **ALL THAT** piece and parcel of

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land measuring more or less 22 (Twenty-Two) Sataks, situate and lying at Mouza : Purba Barisha, J.L. No.23, R.S. No.43, Touzi Nos.1-6, 8-10 & 12-16, under C.S. & R.S. Khatian No.217, appertaining to Dag No.1504, under Police Station : previously Behala at present Thakurpukur, District : previously 24 Parganas at present 24 Parganas (South) from the then Owner Bibhuti Bhusan Dutta Chowdhury by virtue of a registered Deed of Conveyance for the valuable consideration mentioned therein. The aforesaid Deed was duly registered on 20<sup>th</sup> January, 1922 in the Office of the Sub-Registrar at Behala and recorded in Book No.I, Volume No.8, Pages 38 to 40, Being No.217 for the year 1922.

4. **THAT** after such purchase, the name of said Smt. Panchu Bala Ghosh duly recorded in the Record of Right and he used to pay khajnas to the concerned Authority.
5. **THAT** while absolutely seized and possessed the aforesaid properties, said Jatindra Krishna Ghosh sold, transferred and conveyed some portions of his aforesaid purchased property and thereafter constructed structure upon a portion of his remaining property and absolutely seized and possessed the same as Owner thereof.
6. **THAT** while absolutely seized and possessed the aforesaid property as Owner thereof, said Jatindra Krishna Ghosh died intestate prior to

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inception of Hindu Succession Act, 1956, leaving behind him surviving his wife Smt. Panchu Bala Ghosh and three sons viz. Nanda Dulal Ghosh, Mrinal Kanti Ghosh and Tushar Kanti Ghosh, as his only legal heirs and successors.

7. **THAT** the said Smt. Panchu Bala Ghosh executed and registered one Nadabi Patra in favour of her aforesaid three sons in respect of the property purchased by said Jatindra Krishna Ghosh in her name. The aforesaid Deed was duly registered on 13<sup>th</sup> December, 1967 in the Office of the Sub-Registrar at Behala and recorded in Book No.I, Being No.7113 for the year 1967.
8. **THAT** thereafter while absolutely seized and possessed the aforesaid property jointly, the said Smt. Panchu Bala Ghosh also executed and registered one Deed of Settlement in respect of her share in the aforesaid property in favour of her aforesaid three sons viz. Nanda Dulal Ghosh, Mrinal Kanti Ghosh and Tushar Kanti Ghosh subject to her life interest in the aforesaid property. The said Deed was duly registered on 21<sup>st</sup> April, 1974 in the Office of the Sub-Registrar at Alipore and recorded in Book No.I, Being No.3770 for the year 1974.
9. **THAT** after passage of time, the said Smt. Panchu Bala Ghosh passed away and after her demise as per terms of the said Deed of Settlement

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dated 21<sup>st</sup> April, 1974, her aforesaid three sons viz. Nanda Dulal Ghosh, Mrinal Kanti Ghosh and Tushar Kanti Ghosh became the joint Owners of the aforesaid property containing land measuring more or less 14 (Fourteen) Cottahs 9 (Nine) Chittacks 21 (Twenty-One) Square Feet and seized and possessed the same as joint Owners thereof.

10. **THAT** while absolutely seized and possessed the aforesaid property jointly, the aforesaid three brothers felt difficulties to enjoy and possess their aforesaid property jointly and/or ejmali and for that they have duly partitioned their aforesaid property by metes and bounds amongst by way of execution and registration of a Deed of Partition, which was duly registered on 30<sup>th</sup> April, 1974 in the Office of the Additional District Sub-Registrar at Behala and recorded in Book No.I, Volume No.68, Pages 12 to 22, Being No.3771 for the year 1974.
11. **THAT** in terms of the said Deed of Partition, the said Tushar Kanti Ghosh being the Third Party absolutely got and allotted **ALL THAT** piece and parcel of land measuring about 8 (Eight) Cottahs 4 (Four) Chittacks 24 (Twenty-Four) Square Feet more or less, morefully and particularly described in the **SCHEDULE - "GHA"**, marked as **LOC : "C"** delineated with **"GREEN"** Border in the **MAP** or **PLAN** annexed to the said Deed of Partition.

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12. **THAT** in the manner stated above, the said Tushar Kanti Ghosh, became the sole and absolute Owner of the aforesaid property i.e. **ALL THAT** piece and parcel of land measuring about 8 (Eight) Cottahs 4 (Four) Chittacks 24 (Twenty-Four) Square Feet more or less, situate and lying at Mouza : Purba Barisha, J.L. No.23, R.S. No.43, Touzi Nos.1-6, 8-10 & 12-16, under C.S. & R.S. Khatian Nos.217 & 936, appertaining to C.S. & R.S. Dag Nos.1504 & 1505 and duly mutated his name with the Office of the Kolkata Municipal Corporation and the property known and numbered as Municipal Premises No.3, Chandi Charan Ghosh Road (mailing address 4, Chandi Charan Ghosh Road), Police Station : Thakurpukur, Kolkata : 700008, under Ward No.124, Additional District Sub-Registry Office at Behala, District : 24 Parganas (South).
13. **THAT** thereafter said Tushar Kanti Ghosh constructed pucca structure having an area of 500 (Five Hundred) Square Feet upon the aforesaid property and started living therein with the members of his family.
14. **THAT** thereafter Tushar Kanti Ghosh entered into a registered Development Agreement with the Developer viz. "**M/S. MAJUMDER CONSTRUCTION**", having its registered Office at 79, State Bank Park, Police Station : Thakurpukur, Kolkata : 700063, represented by its sole Proprietor **SRI SANJOY MAJUMDAR** for development of the aforesaid

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- property as per terms and conditions as set forth therein, which was duly registered on 15<sup>th</sup> March, 2018 in the Office of the Additional District Sub-Registrar at Behala and registered in Book No.I, Volume No.1607-2018, Pages from 820-82154, Being No.160702490 for the year 2018.
15. **THAT** in terms of the aforesaid Development Agreement, the said Tushar Kanti Ghosh also executed one Development Power of Attorney in favour of the said Developer and empowered it to do all acts, deeds and things regarding development of the aforesaid property and also doing all other allied jobs relating to the aforesaid property, which was duly registered on 11<sup>th</sup> November, 2019 in the Office of the Additional District Sub-Registrar at Behala and registered in Book No.I, Volume No.1607-2019, Pages from 367925-367966, Being No.160711474 for the year 2019.
16. **THAT** thereafter the said Developer mutated the name of said Tushar Kanti Ghosh with the Office of the B.L. & L.R.O. and clear all the khajnas and accordingly the name of the aforesaid Owner has been recorded in L.R. Khatian No.10097 under L.R. Dag No.1504.
17. **THAT** thereafter the said Developer made conversation of the aforesaid land from danga to bastu with the Office of the B.L. & L.R.O. as per Memo No.1/80/TM Behala dated 22<sup>nd</sup> January, 2020.

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18. **THAT** for the sake of sanction of the Building Plan, the aforesaid Owner registered a Deed of Gift in respect of a front strip, which was registered in the Office of the Additional District Sub-Registrar at Behala vide Deed No.160700039 for the year 2020.
19. **THAT** as per physical measurement, the total area of land comes to 484.323 Square Metre.
20. **THAT** the aforesaid Owner registered a Boundary Declaration to that effect, which was registered in the Office of the Additional District Sub-Registrar at Behala vide Deed No.160700038 for the year 2020.
21. **THAT** thereafter the said Developer in the name of said Tushar Kanti Ghosh got a Building Plan sanctioned from the Kolkata Municipal Corporation (South Suburban Unit) for construction of a G+III storied Building upon the aforesaid property bearing B.P. No.2020160024 dated 12<sup>th</sup> June, 2020.

Santanu Adhikary  
Advocate  
WB/489/89