



পশ্চিমবঙ্গ পশ্চিম বঙ্গাল WEST BENGAL

70AA 339330

MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING executed on 27th day of December Two Thousand and Thirteen (27.12.2013).

BETWEEN:

M/s SOUMITA CONSTRUCTION Pvt. Ltd., a Private Limited company incorporated under the 1956 companies act with its office at Nirala apartment, Gr Floor, Rajarhat Road, Kolkata – 700157; P. S. Rajarhaat, represented by one of the directors, (Hereinafter referred to as “FIRST PARTY” which expression shall, unless repugnant to the meaning or context hereof, be deemed to include its successors and permitted assigns);

SOUMITA CONSTRUCTION PVT. LTD.


Director



172470

Serial No.
Address:
Value: 10/-
- 9 DEC 2013
L.S.V., High Court
Sult Sarkar
High Court, A.G.

VIVEK KUMAR MURARKA
ADVOCATE
HIGH COURT, CALCUTTA

AND:

**Mr.Chirag Parekh, residing at 51/5, Rabindra Sarani
Jatindra Apartment, Flat No – 202, Liluah, Howrah –
711204.** here in after referred to as the “SECOND
PARTY”, which expression shall, wherever the context so
requires or admits, mean and include, their respective heirs,
executors, administrators and assigns),

I. NOW THIS MEMORANDUM OF UNDERSTANDING WITNESSES AS
FOLLOWS:

- a) The Party of the First part Agrees to sell to the Party of the Second part, 950 Sq Ft of super built up area for its new upcoming real estate complex named THE COUNTY, at Doulatpur , Pailan, Joka.
- b) The Basic rate per sq ft decided between both the parties will be Rs.1800/- per sq.ft. for a minimum of 950 sq.ft. Whereas the party of the second part has agreed to pay 60% of the agreed rate to the party of the first part as an advance.
- c) This memorandum would strictly be applicable for residential area in the project and if there is any commercial development in the said project the party of the second part will not lay any claim on it.
- d) The Party of the Second part agrees to an exposure of 60% out of total sales consideration of 950 sq ft amounting Rs. 10,57,703/- (Rupees Ten Lacs Fifty Seven Thousand Seven Hundred and Three Only), inclusive of Service Tax, Paid and signed this Memorandum of Understanding. The party of Second Part agrees to pay the applicable EDC, Parking charges, & Applicable PLCs, Club Membership Charges, and other applicable charges will be charged as per the normal schedule.
- e) Once the new project at the above mentioned address gets its sanction plan, a new sale agreement will be made for 950 sq ft at a basic price of Rs.1800/- per sq ft. by the first party to the second party.
- f) Both the Parties mutually agree not to sell any flat below the launch price (Rs.2600.00) to the end users.
 - a) The entire MOU stands cancelled automatically if the party of the first part does not get the sanction plan with-in 8 months of the date of the signing of this agreement, and the total amount paid is refundable with a penal interest of 18% p.a, And the same is payable within 90 days of the demand raised by the second party.

SOUMITA CONSTRUCTION PVT. LTD.

Director

Chirag Parekh

- g) The party of the second part agrees that he/ she is not able to sell his / her unit before 12 months from the date of launch.
- h) If the party of the second part decides to sell or transfer his/their super built up area of 950 sq.ft at any stage after this M.O.U ,he will have to pay 3% OF THE NEW SALE PRICE to the party of the First part as a transfer fee for 2nd transfer onwards.
- i) The party of the second part shall have a right of choice in selection of flats in the new project "THE COUNTY" from the developer share, If the party of the second part wants to upgrade his unit they have to pay the difference charges at the time of allotment.

IN WITNESS WHEREOF, the PARTIES hereto have executed this MEMORANDUM OF UNDERSTANDING in the presence of the Witnesses attesting hereunder:

WITNESSES:

- Hemant Kumar*
 1) (HEMANT KUMAR SADHUKHAN)
 S/O. LATE. K. C. SADHUKHAN,
 CHAMPATALA, KHERKEE HALI,
 BHANISURAH, HUGHLI (WB)
 PIN - 712101.
- 2) *Indrajit Chatterjee*
 INDRAJIT CHATTERJEE
 C/O ANANDA KUMAR CHATTERJEE
 34 SOUTH BUXARAH 1st BYE LANE
 P.O. - D.S. LANE, DIST- HOWRAH
 WEST BENGAL, PINCODE- 711109

SOUMITA CONSTRUCTION PVT. LTD.

[Signature]
 Director
 FIRST PARTY

SECOND PARTY

[Signature]