

PARTHA PRATIM RAY
Advocate
West Bengal Bar Council
Regd. No. WB2516/2010

Chamber :
7, Sadhan Mazumdar Lane
Howrah -711 102
Mobile : 8697330049
Email : partharay63@gmail.com

Ref :

Date : 01.09.2019

**LEGAL OPINION CUM NON ENCUMBRANCE
CERTIFICATE AND LEGAL SCRUTINY REPORT**

I submit my legal opinion cum non-encumbrances certificate and legal scrutiny report as hereunder

1. Name and address of Title Holder :-

Name of the owner, Prantik Construction Pvt. Ltd. represented by director Kanai Lal Das Majumdar, s/o Late Anil, Chandra Das Majumdar residing at P-226, CIT Scheme -VII M, Block-C, Flat No. 1, Kolkata- 700 054.

2. Details/Description of documents

Sl. No.	Date of document	Type of document	Whether original/certified /true copy/ Photostat copy examined	Details of registration with sub registrar
1.		R.S. Record of Plot No. 838, C.S. 496	Photo copy	In the name of Madhusudhan Chakraborty under Kh. No. 1061 of Mouza - Gorabazar.
2.		R.S. Record of Plot No. 893/1100 C.S. 495	Photocopy	In the name of Ardhndu Sekhar Chakraborty and Madhusudan Chakraborty , under Kh. No. 1062 of Mouza - Gorabazar
3.		Sale Deed	Photo copy and original certified copy	This sale deed dated 12.03.1965 is registered at registrar of assurance, Kolkata on 13.03.1965 Book No. 1, vol. No. 59, page No. 123-128 being No. 1701 for the year 1965.
4.		Sale Deed	Photo copy	This sale deed dated 02.11.1983 vide no. 10172 is registered at Sadar Joint sub-registrar, Berhampore on 07.11.1983.

5.		Sale deed	Photo copy	This sale deed dated 02.11.1983 vide No. 10173 is registered at Sadar Joint Sub-Registrar, Berhampore on 07.11.1983, Book No. 1, Vol. No. 276 page no. 187 -196 being no. 10073 for the year 1983.
6.		Sale Deed	Photocopy	This sale deed dated 02.11.1983 vide No. 10103 is registered at Sadar Joint Sub-registrar, Berhampore on 03.11.1983
7.		Sale Deed	Photocopy	This sale deed dated 02.11.1983 vide no. 10102 is registered at Sadar Joint Sub-Registrar, Berhampore on 03.11.1983.
8.		Sale Deed	Photocopy	This sale deed dated 02.11.1983 vide No. 10104 is registered at Sadar Joint Sub-Registrar, Berhampore on 03.11.1983.
9.		Sale Deed	Photocopy	This sale deed dated 02.11.1983 vide No. 10105 is registered at Sadar Joint Sub-Registrar, Berhampore on 03.11.1983 Book No. 1, Vol. No. 274 page No. 224-233 being No. 10105 for the year 1983.
10.		Heba Deed	Photocopy	This Heba deed dated 09.01.1998 vide No. 6095 is registered at ADSR Berhampore on 09.01.1998.
11.		L.R. Record of Kh. No. 2361	Photocopy	In the name of K.M. Nazrul Islam
12.		L.R. record of Kh. No. 1792	Photocopy	In the name of Jamila Bibi
13.		L.R. Record of Kh. No. 1503	Photocopy	In the name of Kazi Golam Kibria

14.	L.R. Record of Kh. No. 1853	Photo Copy	In the name of Syeda Jaibunara Begum
15.	L.R. Record of Kh. No. 2539	Photocopy	In the Name of Nasim Sultana
16.	L.R. Record of Kh. No. 3568	Photocopy	In the name of Begum Sultana
17.	Death Certificate	Photocopy	In the name of Syeda Jebunara Begum
18.	Death Certificate	Photocopy	In the name of Md. Nazrul Islam
19.	Heirship Certificate	Photocopy	On the death of K.M. Nazrul Islam and Syeda Jebunara Begum.
20.	Affidavit before SDEM Bhb	Photocopy	Sworn by Kazi Golam Kibria
21.	Sanction plan	Colour Xerox	Sanction by Vice-Chairman, Berhampore Municipality
22.	Sale deed	Xerox verified with original	This sale deed dated 05.12.2018 vide No. 15319 is registered at ADSR Berhampore on 05.12.2018 Book No. 1, Vol. No. 1203-2018 page No. 281358-281380 being No. 120315319 for the year 2018.
23.	Khatian No. 17833	Xerox verified with original	In the name of Prantik Construction Pvt. Ltd. represented by Director Kanai Lal Das Mazumdar.
24.	Mutation Certificate	Xerox verified with original	In the name of Prantik Construction Pvt. Ltd. represented by Director Kanai Lal Das Mazumdar.

3. Details/description of property/properties (in respect of the information as stated against item No. 2)

Item No.	Khatian No.	Extents of land	location of the land	Boundary
	17833 of Mouza Gorabazar in the name of Prantik Construction Pvt. Ltd.	Plot No. 952 measuring 4 decimal & Plot No. 953 measuring 3 decimal in total 7 decimal	District - Murshidabad, P.S. - Berhampore, Mouza - Gorabazar, under Berhampore Municipality, Holding No. 56, Mahendra Mukherjee Road	North house of Narayan Bhakat South house of Begum Julfikara East Road on the West House of Shyamal Rajak

4a)	Brief history of the property and how the owner/mortgagor has derived title	On perusal of the documents submitted by proposed borrower it is found that the plot being no CS 496 corresponding Old LR, R.S. 838 measuring 4 dec. originally belonged to Madhusudan Chakraborty. His name has correctly been recorded in R.S.R.O.R
b)	List to link Documents	<p>The plot being No. CS 495 Old L.R. 839 measuring 6 dec. originally belonged to Ardhendu Chakraborty and Madhusudan Chakraborty. The old L.R. Plot No. 839 has been divided into two R.S. Plot No. 839 & 839/1100.</p> <p>The names of Ardhendu Chakraborty and Madhusuda Chakraborty have been recorded in Colum -13 of R.S.R.O.R. There was an amicable partition between them and Madhusudan Chakraborty got plot No. R.S. 839/1100 exclusively measuring 3 dec. His name has been recorded in Column 23 of R.S.R.O.R.</p>

		<p>Madhusudan Chakraborty sold 03 dec. from R.S. Plot No. 839 and 04 dec. from Old L.R. R.S. Plot No. 838 to Hiron Goupal Laha by a registered Deed of sale being No. 1701, dated 12.03.1965.</p> <p>In the deed Madhusudan Chakraborty sold the property by mentioning C.S. Plot No. 495 and Old L.R. Plot No. 839 and C.S. Plot No. 496, Old L.R. Plot No. 838.</p> <p>So by such deed Hiron Gopal Laha became the owner of the said property and began to possess the same.</p> <p>Hiron Gopal Laha sold .67 dec. from R.S. Plot No. 838 and .50 dec. from R.S. Plot No. 839/1100 to K.M. Najrul Islam by a registered Deed of sale of No. 10172 dated 02.11.83.</p> <p>Hiron Gopal Laha sold .67 dec. from R.S. Plot No. 838 and .50 dec. from R.S. Plot No. 839/1100 Jamila Bibi by a registered Deed of Sale of No. 10173 dated 02.11.83.</p> <p>Hiron Gopal Laha sold .67 dec. from R.S. Plot No. 838 and .50 dec. from R.S. Plot No. 839/1100 Kazi Golam Kibria by a registered Deed of Sale of No. 10103 dated 02.11.83.</p> <p>Hiron Gopal Laha sold .67 dec. from R.S. Plot No. 838 and .50 dec. from R.S. Plot No. 839/1100 Sayeda Zebunar Begum by a registered Deed of Sale of No.</p>
--	--	--

		<p>10102 dated 02.11.83.</p> <p>Hiran Gopal Laha sold .67 dec. from R.S. Plot No. 838 and .50 dec. from R.S. Plot No. 839/1100 Nasim Sultana by a registered Deed of Sale of No. 10104 dated 02.11.83.</p> <p>Hiran Gopal Laha sold .67 dec. from R.S. Plot No. 838 and .50 dec. from R.S. Plot No. 839/1100 Begum Sultana by a registered Deed of Sale of No. 10105 dated 02.11.83.</p> <p>So K.M. Najrul Islam, Jamila Bibi, Kazi Golam Kibria, Saiada Zebunara Begum, Nassim Sultana, Begum Sultana became the owners of the 03 dec. In plot No. 839/1100 LR 953 adn. 3.99 (04 dec.) in plot No.838 LR 952 exclusively. Their names have accordingly been recorded in L.R. Plot No. 952 & 953 respectively under Kh. No. 1503, 1792, 1853, 2369, 2539 and 3568 of Mouza - Gorabazar.</p> <p>Jamila Bibi gifted her share in the said property to K.M. Najrul Islam by a Registered Deed of Gift (Heba) being No. 6095, dated 09.01.98. So K.M. Narjul Islam got 1/3rd share out of the following schedule plots.</p> <p>Syeda Zebunara Begum died leaving husband K. M. Najrul Islam, three daughters viz. Begum Sultana, Nasim Sultana, Keniz Sultana and son Kazi Golam Kibria and mother Jamila Bibi as her legal heirs. K.M. Najrul Islam</p>
--	--	--

		<p>died leaving abovementioned three daughters one son as his legal heirs.</p> <p>Jamila Bibi died leaving three grand daughters and one grand son, Beside these she left no other legal heirs. She had only daughter Syeda Zevunara Begum.</p> <p>Kazi Golam Kibria and Beguma Sultana and Nasim Sultana Keniz Sultana have sold out the property mentioned above to Prantik Consturction Pvt. Ltd. represented by director Kanai Lal Das Majumder.</p> <p>Rent and Municipal tax has been paid by the present owner. Two storied building stands on the said property which was constructed as per plan approved by Berhampore Municipality</p>
5.	Details of visit to Sub-Registrar / Tehsildar Office/BLLR of inspection of Title Deeds/land records under	1. My senior Advocate Mr. Subhas Saha personally visited the office of ADSR and DSR on 24.05.2019 for inspection of title deed land records. Towards inspection fee I have deposited Rs. 16 + and concerned registry office have issued report no. 22540/12980 dt. 24.05.2019 of ADSR and DSR (Original enclosed) and my finding are as under.....
5.1(a)	The persons who is/are the present owners of the properties	Prantik Construction Pvt. Ltd. represented by director Kanai Lal Das Majumdar
5.1(b)	Whether the property is mutated in the name of the present owner/mortgagor with Municipal/Revenue /Village Authorities? If so whether authenticated Mutation certificate has been produced.	YES

5.1(c)	Whether search has been made in the Municipality/Gram Sabha/Panchayet etc. if so the details thereof should be mentioned	NA
5.1(d)	Whether search with Municipality/Revenue authorities has been made with regard to encumbrances /Taxes and finding thereof. If so search has been made, the reason thereof	YES
5.2	Whether the party has absolute, clear and marketable title over the property.	YES
5.3	1) What is the nature of title of owner? Is tenancy right, full ownership occupancy right, possessor right, minor's right or any type of right? Clarify 2) If the property is tenanted give details of such tenancy, period/terms of tenancy alongwith name of the tenants 3) If the property is having minors right, whether creation of mortgage is possible, the modalities/ procedure to be followed including court permission to be obtained and reason for coming to such conclusion	Full Ownership NA NA
5.4(a)	If the property has been transferred by way of Gift /settlement deed, whether such transfer is valid as per law and transferring absolute right in favour of owner.	Sale Deed
5.4(b)	Whether there is any restriction on the Donor in executing the Gift/settlement Deed in question and restriction on the right of owner.	NA
5.4(c)	Any other aspect affecting the validity of the title passed through the Gift/settlement Deed	NO
5.4(d)	Whether the title documents include any testamentary documentation/wills, if yes whether the will is probated by the competent Court	NO
5.4(e)	Whether the property is subject to any wakf rights or belongs to church/temple or any other religious institutions having any restriction in creation of charge on such property.	NO
5.5	Whether the property is a HUF/joint family property/Trust or subject to the right of any a HUF /Joint family	NO

	property/Trust	
5.5(a)	If so, additional precautions/permissions / requirements for creation of mortgage as per the Central /State /Personal laws applicable to HUF/Joint family property/Trust	NA
5.6	Whether the latest title deed and chain of previous title are available in original	YES
5.6(a)	In case of absence of any original title documents in chain of previous title documents, give details of requirements for creation of a proper, valid and enforceable marketable right for the interest of and safe guard of the proposed buyer.	NA
5.7	Whether building tax/land revenue has been paid upto date (Give details of last payment receipts)	YES
5.7(a)	Whether any dues recoverable as land revenue are outstanding	NO
5.8(a)	As per the latest Revenue records whether the land is earmarked/classified for use as Agriculture/ Residential/Industrial/Commercial	YES Bari (House) (Non agricultural)
5.9	In case the facility is sought for construction purpose, whether the land has been converted under the land revenue/conversion law, rules? If not give reasons	YES
5.10.	Whether the land is affected by any revenue and tenancy registration ? If so, how and to what extent and the remedy if any	NA
5.10(a)	Whether the property is affected by any local laws or other regulations having a bearing on the creation security (viz. Agricultural laws, weaker section.	NA
5.11(a)	Is the property free from all types of encumbrances?	YES
5.12(a)	Whether the property is freehold or/self occupied or tenanted?	Freehold
5.12(b)	Whether the owner is the exclusive owner of the property or there are joint owner?	Exclusive owner
5.13(a)	Whether certified copies of the original/ title deeds proposed to be deposited/ mortgaged to the Bank have been obtained and whether any discrepancies are found?	Verified with register NO

5.13(b)	Whether certified copies so obtained have been compared with the original Title proposed to be Deposited/ Mortgaged to the Bank and whether any discrepancies are found with regard to the details of Serial number on the stamp paper, parties executed the document; Officers signed the documents, office seal & Stamp, date of the presentation of the documents registration number etc.	Yes and NO
5.14	Whether the property has exclusive and independent status	YES
5.14(a)	Whether the property is accessible to road?	YES
5.14(b)	Whether the property can be identified from the schedule of title document	YES
5.14(c)	Whether the property is demarcated and site plan is available	YES
6.	Whether any litigation is pending before any court of law/forum in respect of the property	No till to date no case is pending
7.	Whether non-encumbrance certificate in respect of the property is available from the concerned Registrar of Assurances, if so, the same has been obtained	YES

PARTHA PRATIM RAY
Advocate
West Bengal Bar Council
Regd. No. WB2516/2010

Chamber :
7, Sadhan Mazumdar Lane
Howrah -711 102
Mobile : 8697330049
Email : partharay63@gmail.com

=====

Ref :

Date : 01.09.2019

CERTIFICATE

I have gone through the original title deeds and all other papers/documents submitted before me.

It is certified that I have made a search of Sub-Registrar's book at ADSR Sadar and DSR Murshidabad on 24.05.2019 from the date of first document of the title/15319/18 uptodate in token of my above search I am enclosing the Receipt No. 22540/12980 dated 24.05.2019 of Rs. 16/- issued by Sub-Registrar Sadar Murshidabad it is also certificate that the title deeds under reference were found registered with concerned Sub-Registrar as per details above at Sr. No. 2. My under noted report/search on the above property (ies)/ documents is based on that search. I certify that:-

1. That documents of title referred to above are perfect evidence of title.
2. Chain of title are original, genuine and completed.
3. These title deeds are duly registered with their respective sub-Registrar whose details are already mentioned above.
4. Stamp papers used in all the title deeds are genuine.
5. The certificate copies of the Original Title Deeds have been obtained and compared with original and no discrepancies were found with regard to the details of Registration, number on the stamp paper, parties executed the documents; officers signed the documents, office seal & stamp, dated of the presentation of the documents etc.

6. Owners of the property have not executed any registered power of attorney in favour of anybody in respect of any property.

7. There are no prior mortgages/charges whatsoever as found during my above referred search at Sub Registrar's Office and also could be seen from the encumbrance certificate for the period from 2005 to 2019 pertaining to the immovable property/ies covered by the above said title deeds/land records.

8. There are no prior government loan, co-operative loan has been raised against the land.

I certify that Prantik Construction Pvt. Ltd. represented by director Kanai Lal Das Majumdar, son of late Anil Chandra Das Majumdar residing at P-226, CIT Scheme - VIIM, Block -C, Flat No. 1, Kolkata - - 700 054, is the present sole owner of the said property and he has a valid, clear, unassailable, and marketable title in the property shown above.

Place : *Kolkata*

Date : *01/09/2019.*



Signature of the Advocate

Who scrutinized the title deeds/ documents
Advocate, WB & C
Reg. No. WB2516/2010

Query No Deed No

Deed No	120	15319	Deed Year	2018
Security Code		17763		
Service Count		95,736		

Submit

Deed Details

[0101] Sale, A.D.S.R. I- 1203- 05/12/2018 07/12/2018 1203015331/2018
 Sale BERHAMPUR 120315319/2018 2018
 Document Page
 No:
 281358
 to
 281380

Name & Address of the Party

Kazi Golam Kibria Status: Seller
 Son of Late K M Najrul

District: Murshidabad, PS:
 Baharampur Town,
 Pin: 742101, State: West Bengal,,
 Country: India,

Begum Sultana Status: Seller
 Wife of Ahasan Chaudhury

District: Murshidabad, PS:
 Baharampur Town,
 Pin: 742101, State: West Bengal,,
 Country: India,

Nasim Sultana Status: Seller
 Daughter of K M Najrul

District: Murshidabad, PS:
 Baharampur Town,
 Pin: 742101, State: West Bengal,,
 Country: India,

Keniz Sultana Status: Seller
 Wife of Jainal Abedin

District: Murshidabad, PS:
 Baharampur Town,
 Pin: 742101, State: West Bengal,,
 Country: India,

Partha Pratim Roy
 Advocate, W.B.B.C
 Reg. No. WB2516/2010

**PRANTIK CONSTRUCTION
PRIVATE LIMITED**

Status: Organization (Buyer)

District: Kolkata, PS: Manicktola,
Pin: 700054, State: West Bengal,,
Country: India,

Kanailal Dasmajumdar

Status: Representative
(Buyer)

District: Kolkata, PS: Manicktola,
Pin: 700054, State: West Bengal,,
Country: India,

Details of Property

District: Murshidabad, PS: Baharampur Town, Mouza: Gorabajar, Municipality: BERHAMPORE,, Road: MAHENDRA MUKHERJEE ROAD (WARD-25),	Property Type: Land Plot No: LR-952 Transaction: [0101] Khatian: 1503 Sale, Sale Document	Area of Land: 4.00000000 decimal
District: Murshidabad, PS: Baharampur Town, Mouza: Gorabajar, Municipality: BERHAMPORE,, Road: MAHENDRA MUKHERJEE ROAD (WARD-25),	Property Type: Land Plot No: LR-953 Transaction: [0101] Khatian: 2539 Sale, Sale Document	Area of Land: 3.00000000 decimal

Panthe Pratim Das
Advocate, W.B.B.C
Reg. No. WB2516/2010

(Live Data As On 11/09/2019,21:31:46)

জে.এল নং (J.L No.): 090 থানা (P.S.): বহরমপুর টাউন

খতিয়ান নং (Khatian No) : 17833

স্বত্বের নাম (Owner Name) : প্রান্তিক
কনস্ট্রাকসন

পিতা/স্বামী (Father/Husband): পক্ষে ডাইরেক্টর

ঠিকানা (Address): নিজ

জমির পরিমাণ (TOTAL LAND): 0.07(একর/Acre)

দাগের সংখ্যা (Total Plot): 2

খতিয়ান তৈরীর তারিখ (Khatian
Creation Date): 17/05/2019**অত্রস্থত্বের দাগের বিবরণ ও পরিমাণ:**

Plot No. দাগ নং	Classific: শ্রেণী	Share অংশ	Share Area(Acre) অংশ পরিমাণ(একর)	Remarks মন্তব্য
--------------------	----------------------	--------------	---	--------------------

952	বাড়ী	1.0002	0.0400	Nil
953	বাড়ী	1.0002	0.0300	Nil

Panthe Pralim Roy
Advocate, W.B.B.C
Reg. No. WB2516/2010

Content of this page is near exact replication of land record database collocated at the central server and in case of any factual error(s) in the content, viewer(s) is/are advised to contact the concerned BL&LRO office for authentication.

Get Started[Home](#)[Profile](#)[About Land Reforms](#)[Site Map](#)