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High Court, Calcutta

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Ref:

Dated: 28-06-2018

Title Report/Opinion

Client: GITA ENTERPRISES (PAN: AARFGQ389F), a Partnership Concern having its office at 5A, Narendra Chandra Dutta Sarani, Kolkata-700001

1. **Re:** ALL THAT piece and parcel of land measuring 22 (twenty two) Cotahs 4 (four) Chittacks, 00 square feet, more or less, together with the amenities and facilities, passages and all other easements rights attached thereto, situate and lying at Mouza Shibrapur, J.L No. 18, L.R Khatian No. 2107, 2108, 2109, 2110, L.R Dag No. 102, 103, 102/818 and 103/819, being Municipal Premises No.78, Ho- Chi- Minh Sarani, Police Station Behala, within the jurisdiction of the Kolkata Municipal Corporation, Ward No. 127, Assessee No. 41-127-06-0144-7, Kokata 700061, District 24 Parganas (South) [Premises].

2. **The following document of title are produce me :-**

2.1 Photocopy of Joint Development Agreement.

2.2 Photocopy of Power of Attorney

3. **Background :**

3.1 **Ownership of Prontodel Engineering Systems Private Limited :** said Prontodel Engineering Systems Private Limited, sold, transferred, conveyed and assigned the entire land measuring about 22 Cottahs 4 Chittacks inclusive of common passage, being holding no. 78, 78/1 and 78/2, Ho Chi Minh Sarani, under Assessee No. 41-127-06-0144 -7, 41-127-06-0405-9 and 41-121-06-0406-0 respectively of the Kolkata Municipal Corporation.

3.2 **Sale to Silical Housing Systems Limited, [ii] Anjaneya Constructions Pvt. Ltd. [iii] Consolidated Rayon Ltd. and [iv] Fairland Marketing Pvt. Limited :** By a Deed of Sale dated 1st 2014 registered in the
December

M.S. Roychowdhury

office of the D.S.R, Alipore and recorded in Book No. I, Volume No. 17, Pages from 2344 to 2365 Being No.12715 for the year 2014, said Prontodel Engineering Systems Private Limited, sold, transferred, conveyed and assigned the entire land measuring about 22 Cottahs 4 Chittacks inclusive of common passage, being holding no. 78, 78/1 and 78/2, Ho Chi Minh Sarani, under Assessee No. 41-127-06-0144 -7, 41-127-06-0405-9 and 41-121-06-0406-0 respectively of the Kolkata Municipal Corporation to [i] Silical Housing Systems Limited, [ii] Anjaneya Constructions Pvt. Ltd. [iii] Consolidated Rayon Ltd. and [iv] Fairland Marketing Pvt. Limited who became the joint owners of the same and they got their names muted in the records of the B.L& L.R.O, T.M Block, Behala, converted the character of the land as Bastu and also muted in the record of the Kolkata Municipal Corporation, amalgamating the three premises, being known and numbered as Premises No. 78, Ho-Chi- Minh Sarani, Kolkata 700061, Ward No.127, under Assessee No. 0-41-127-06-0144-7, who were in enjoyment of possession by paying rates and taxes regularly.

- 3.2 **Urban Land [Ceiling and Regulation] Act 1976** : The Seller herein has obtained the ULC clearance certificate from the Competent Authority under the Urban Land [Ceiling and Regulation] Act 1976 vide letter No. 609/ULC/Alip/2016 dated 04.07.2016.
- 3.3 **Development Agreement with M/s M/s Veer Balaji Infrabuild Private Limited]** by [i] Silical Housing Systems Limited, [ii] Anjaneya Constructions Pvt. Ltd. [iii] Consolidated Rayon Ltd. and [iv] Fairland Marketing Pvt. Limited Silical Housing Systems Limited, [ii] Anjaneya Constructions Pvt. Ltd. [iii] Consolidated Rayon Ltd. and [iv] Fairland Marketing Pvt. Limited, the Owners herein entered into a Joint Venture Agreement on 25th August, 2015 registered in the office of D.S.R.-II South 24 Parganas and recorded in Book No. I. Volume No, 1602-2015, page from 101972 to 101998, Being No. 160208962, for the year 2015 with M/s **Veer Balaji Infrabuild Private Limited** for development of the said land measuring about 22 cottahs 4 Chittacks 00 Sq.ft. more or less, together structure standing thereon together with the amenities and facilities, passages and all other easements rights attached thereto, lying and situated in Mouza Shibrampur, J.L. No. 18, L.R. Khatian No. 2107, 2108, 2109, 2110, LR Dag No.102, 103, 102/818 and 103/819 Police Station - Behala, being Premises No. 78, Ho-Chi-Minh Saratu, Kolkata- 700061, within the Jurisdiction of the Kolkata Municipal Corporation, Ward no.127, under Assessee No.41-127-06-0144-7, District 24 Parganas (South), more fully described in the Schedule hereunder written, on the terms and conditions agreed therein.

M. S. Kapshankar

- 3.4 **Cancellation of the said Joint Venture Agreement dated 25th August, 2015 with M/s Veer Balaji Infrabuild Private Limited** due to paucity of fund and some other unavoidable circumstances the Developer was unable to execute the said project as per the said Agreement and therefore both the parties therein cancelled the said Development Agreement by a Cancellation Agreement dated 26.05.2017, and registered on 13.9.17 duly registered in the office of D.S.R II, Alipore, South 24 Parganas, vide Book No. I, Deed No. 08520/17 and the said [i] Silical Housing Systems Limited, [ii] Anjaneya Constrictions Pvt. Ltd. [iii] Consolidated Rayon Ltd. and [iv] Fairland Marketing Pvt. Limited, the Owners herein took back possession of the said property from the Developer therein.
- 3.5 **Looking Out for a New Developer by the Owners :** Since the Owners felt it difficult to construct the new project by themselves, they were in the lookout for a new Developer for the same.
- 3.6 **Offer by Gita Enterprise to develop the Said Property and Acceptance by the Owners herein :** Having come to know the desire of the Owners M/s Gita Enterprises, a Partnership Concern, having its office at 5A, Narendra Chandra Dutta Sarani, Kolkata 700001, approached the Owners to develop the said property by constructing multistoried building /buildings on the said land which was accepted by the Owners.
- 3.7 **Development Agreement with Gita Enterprise, the Developer herein :** By a Development Agreement dated 26th May 2017, registered in the office of the District sub Registrar II at Alipore, recorded in Book No.1, Volume No. 1602-2017, Pages from 247848to 247883 ,Being No 160208521 for the year 2017, Silical Housing Systems Limited, [ii] Anjaneya Constrictions Pvt. Ltd. [iii] Consolidated Rayon Ltd. and [iv] Fairland Marketing Pvt. Limited, the Owners herein appointed Gita Enterprises a Partnership Concern, having its office at 5A, Narendra Chandra Dutta Sarani, Kolkata 700001 as the Developer to develop the said land by constructing and completing the complex in all respect and to enter into contract on behalf of the Owners with the prospective allottees/purchasers/lessees/transferees for the purpose of sale/transfer/ lease and /or for otherwise dealing with the units / spaces n the buildings comprised in the project under the terms and conditions recorded therein.

M.S. Jayachandhuri

- 3.8 Power Of Attorney to M/s Gita Enterprises by [i] Silical Housing Systems Limited, [ii] Anjaneya Constrictions Pvt. Ltd. [iii] Consolidated Rayon Ltd. and [iv] Fairland Marketing Pvt. Limited : By a registered Power of Attorney dated 21st September, 2017 registered in the office of the District Sub Registrar, II, South 24 Parganas, recorded i in Book No. I. Volume Number 1602-2017, Pages from 254506 to 254526, being No. 160208716 for the year 2017 the Owners namely Silical Housing Systems Limited, [ii] Anjaneya Constrictions Pvt. Ltd. [iii] Consolidated Rayon Ltd. and [iv] Fairland Marketing Pvt. Limited granted all requisite powers to M/s Gita Enterprises to develop the said land by constructing and completing the complex in all respect and to enter into contract on behalf of the Owners with the intending purchasers/ buyers/lessees/transferees for the purpose of sale/transfer/ lease and/or for otherwise dealing with the units spaces in the buildings comprised in the project and to do all the needful for the same.

4. OFFICES WHERE SEARCHES HAVE BEEN CONDUCTED:

4.1 REGISTRATION OFFICES:

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From 2002 to 2018 for ALL THAT piece and parcel of land measuring 22 (twenty two) Cotahs 4 (four) Chittacks, 00 square feet, more or less, together with the amenities and facilities, passages and all other easements rights attached thereto, situate and lying at Mouza Shibrampur, J.L No. 18, L.R Khatian No. 2107, 2108, 2109, 2110, L.R Dag No. 102, 103, 102/818 and 103/ 819, being Municipal Premises No.78, Ho- Chi- Minh Sarani, Police Station Behala, within the jurisdiction of the Kolkata Municipal Corporation, Ward No. 127, Assessee No. 41-127- 06- 0144-7, Kokata 700061, District 24 Parganas (South) [Premises], described in below, West Bengal, District South 24, Parganas.

- 4.1.1 Registrar of Assurances, Kolkata
- 4.1.2 District Registrar, Alipore.
- 4.1.3 Additional District Sub- Registrar, Behala

For results/analysis of searches conducted in the above offices, please refer to details of ATTACHMENT "A".

M.S. Raychowdhary

**SCHEDULE:
(Said Premises)**

ALL THAT piece and parcel of land measuring 22 (twenty two) Cotahs 4 (four) Chittacks, 00 square feet, more or less, together with the amenities and facilities, passages and all other easements rights attached thereto, situate and lying at Mouza Shibrapur, J.L No. 18, L.R Khatian No. 2107, 2108,2109, 2110 , L.R Dag No. 102, 103 , 102/818 and 103/ 819, being Municipal Premises No.78, Ho- Chi- Minh Sarani, Police Station Behala, within the jurisdiction of the Kolkata Municipal Corporation, Ward No. 127, Assessee No. 41-127- 06- 0144-7, Kokata 700061, District 24 Parganas (South) [Premises].

ATTACHMENT "A".

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ALL THAT piece and parcel of land measuring 22 (twenty two) Cotahs 4 (four) Chittacks, 00 square feet, more or less, Together with the amenities and facilities, passages and all other easements rights attached thereto, situate and lying at Mouza Shibrapur, J.L No. 18, L.R Khatian No. 2107, 2108,2109, 2110 , L.R Dag No. 102, 103 , 102/818 and 103/ 819, being Municipal Premises No.78, Ho- Chi- Minh Sarani, Police Station Behala, within the jurisdiction of the Kolkata Municipal Corporation, Ward No. 127, Assessee No. 41-127- 06- 0144-7, Kokata 700061, District 24 Parganas (South) [Premises].

Offices Searched	Period	Docs. found/produced (Refer to Annex.'A')	Remarks
Registrar of Assurances, Kolkata.	2002-2018	None	NIL
District Registrar, Alipore	2002-2018	None	Nil
Additional District Sub-Registrar, Behala	2002-2018	None	Nil

Original Receipt attached herewith

M.S. Koychadhary

Conclusion/Opinion

Based upon the document so produced before me it transpires that parties referred in the above document and verifies, the owner acquired Good and free from all encumbrances in respect of the above documents.

M. Sankarajayachandran

Dated 22th day of June 2018