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Ref. No. 1322/2014

Dated.

15<sup>th</sup> December 2014

Salarpuria Sattva Realty LLP  
No. 5 Chittaranjan Avenue  
P.S. Bowbazar  
Kolkata 700 072

Kind Attention : Mr. Apurva Salarpuria

Dear Sirs,

Re : Municipal Premises No. 43, 44 and 129 Matheswartola Road, P.S.  
Tangra, Kolkata 700 046 (PROPERTIES)

Sub: REPORT ON TITLE

1. TITLE BACKGROUND

- 1.1 One Hazi Mohammad Siddique Khan (since deceased and hereinafter referred to as the **DECEASED**) during his lifetime was absolutely seized and possessed of and/or otherwise well and sufficiently entitled to ALL THAT the various pieces and parcels of land containing by estimation an area of 9 Bighas (more or less) comprised in C.S. Plot No. 230, 231, 1301, 1302 and 1303 Mouza Tangra Touzi No. 1298/2833 Division IV, Sub Division "L" Holding No. 129 Dihi Panchannagram, C.S. Khaitan No. 409 R.S. Khatian No. 764 R.S. Dag No. 230 P.s. Tiljala (formerly Tollygunge) in the District of 24 Parganas (South) (hereinafter referred to as the ENTIRE PROPERTY).
- 1.2 The said Deceased died intestate leaving him surviving his five sons namely (1) Md. Mahamudul Hashan Khan (M.H. Khan) (2) Md. Shafique Khan (3) Rafique Khan (4) Hafiz Khan and (5) Faruque Khan (hereinafter collectively referred to as the KHAN BROTHERS) as his only heirs and/or legal representatives who upon his death became entitled to the said Entire Property each one of them being entitled to 1 Bigha 16 cottahs of land forming part of the said Entire Property.
- 1.3 The Khan Brothers amongst themselves divided the said Entire Property each one of them being entitled to a divided and demarcated portion of the said Entire Property as recorded in a Deed of Partition dated 29<sup>th</sup> November 1968 registered at the office of the Sub Registrar, Alipore in Book No. I Volume No. 126 pages 227 to 229 Being No. 6976 for the year 1968.

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- 1.4 By a registered Deed of Conveyance dated 5<sup>th</sup> March 1985 and made between Shafique Khan therein referred to as the Vendor of the One Part and Nagindra Ram therein referred to as the Purchaser of the Other Part and and registered at the office of the District Registrar, Alipore in Book No. I Volume No. 49 Pages 134 to 145 Being No. 2934 for the year 1985 the said Shafique Khan for the consideration therein mentioned sold transferred and conveyed unto and in favour of the said Nagindra Ram ALL THAT the piece and parcel of land containing by estimation an area of 1 Bigha 10 cottahs and 8 chittacks (more or less) TOGETHER WITH all structures standing thereon and forming part of the said Entire Property and comprised in Dag No.230 and 1301 ( hereinafter referred to as the PART ONE PROPERTY)
- 1.5 By another Deed of Conveyance dated 10<sup>th</sup> April 1985 and made between Md. Mahamudul Hashan Khan (M.H. Khan) therein referred to as the Vendor of the One Part and Nagindra Ram therein referred to as the Purchaser of the Other Part and and registered at the office of the District Registrar, Alipore in Book No. I Volume No. 80 Pages 335 to 346 Being No. 4735 for the year 1985 the said M.H. Khan for the consideration therein mentioned sold transferred and conveyed unto and in favour of the said Nagindra Ram ALL THAT the piece and parcel of land containing by estimation an area of 1 Bigha 13 cottahs and 11 chittacks (more or less) TOGETHER WITH all structures standing thereon and forming part of the said Entire Property and comprised in Dag No.230 and 1301 ( hereinafter referred to as the PART TWO PROPERTY)
- 1.6 By a registered Deed of Conveyance dated 12<sup>th</sup> December 2008 registered at the office of the District Sub Registrar-III, Alipore in Book No. I Volume No. 13 Pages 4694 to 4714 Being No. 06671 for the year 2008 and made between Nagendra Ram therein referred to as the Vendor of the One Part and Excel Nirman Pvt Ltd (hereinafter referred to as EXCEL NIRMAN) therein referred to as the Purchaser of the Other Part the said Nagendra Ram for the consideration therein mentioned sold transferred and conveyed unto and in favour of the Excel Nirman the said Part One Property
- 1.7 By another registered Deed of Conveyance also dated 12<sup>th</sup> December 2008 registered at the office of the District Sub Registrar-III, Alipore in Book No. I Volume No. 13 Pages 4715 to 4735 Being No. 06672 for the year 2008 and made between Nagendra Ram therein referred to as the Vendor of the One Part and Excel Nirman Pvt Ltd therein referred to as the Purchaser of the Other Part the said Nagendra Ram for the consideration therein mentioned sold transferred and conveyed unto and in favour of the Excel Nirman the said Part Two Property

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- 1.8** The said Part One Property has since been numbered as Municipal Premises No. 43 Matheswartolla Road, P.S. Pragati Maidan, Kolkata 700 046 and the said Part Two Property has since been numbered as Municipal Premises No. 44 Matheswartolla Road, Kolkata 700 046 P.S. Pragati Maidan
- 1.9** By an indenture of Conveyance dated 25<sup>th</sup> November 2011 and registered at the office of the Additional District Sub Registrar, Sealdah in Book No. I CD Volume No.8 Pages 9874 to 9894 Being No.3840 for the year 2011 (1) Lily Chaudhuri (2) Prabir Choudhury (3) Prasanta Chaudhuri and Minati Kar therein collectively referred to as the Vendors with the consent and concurrence of Md. Rafique Khan and Md. Siddique Khan for the consideration therein mentioned sold transferred and conveyed in favour of the Excel Nirman ALL THAT the piece and parcel of land containing by estimation an area of 1 bigha 14.5 cottahs (more or less) together with the structures standing thereon which has since been numbered as Municipal Premises No.129 Matheswartolla Road, Kolkata 700 046 (hereinafter referred to as the said PART THREE PROPERTY)
- 1.10** The said Part One Property, Part Two Property and Part Three Property are collectively referred to as the said PROPERTIES
- 1.11** In the events as recited hereinabove the Excel Nirman (P) Ltd is thus absolutely seized and possessed of and/or otherwise well and sufficiently entitled to the said PROPERTIES
- 2. SEARCHES**
- 2.1** Searches in respect of the aforesaid properties were carried out by Mr. Phalguni Bag, Advocate, High Court, Calcutta. Mr. Bag carried out searches at the offices of the Registrar of Assurances, Kolkata, District Registry Office, Alipore, Additional District Sub Registry Office, Sealdah as well as in the offices of the Block Land & Land Reforms Office ATM at Kasba, Office of the Land Acquisition Collector, 24 Parganas (South) and in the office of the Assessment Department of Kolkata Municipal Corporation. In addition thereto Mr. Bag also carried out searches at the office of the Civil Judge (Senior Division) at Sealdah as well as at the office of the 2<sup>nd</sup> Civil Judge (Junior Division) at Sealdah and the details of searches so carried out are as follows:
- i) Registrar of Assurances, Kolkata – Searches were carried out at this office from the year 1984 till date in its index II and verbal information was obtained from the 'Computer Records' section. However, no entry has been found.
  - ii) However, during the course of searches in the records of Index-I in the name of Nagerndra Ram and Rajendra Kumar Vidhawan representatives of Excel Nirman Pvt Ltd from the period 2002 till date only one entry has been found that is a Sale Deed which has been recorded in Book No. I being Deed No.6044 for the year 2013.

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- iii) Please note that the records of index II are partly torn and tattered condition
- 2.2 District Registry Office, Alipore – Searches were carried out from the year 1984 till date in its Index II and computer records. It appears that two sale deeds were registered in the year 2013 both in Book No. I being Nos. 6671 and 6672 respectively.
- 2.3 In the year 2008 two deeds were registered in the name of Nagendra Ram both in Book Nos. I being Deed Nos. 6671 and 6672
- 2.4 In the year 2011 seven deeds have been registered in the name of Rajendra Kumar Vidhawan being the representative of Excel Nirman Pvt Ltd. All these deeds have been recorded in Book No. I being Deed Nos. 6671, 6672, 2288, 2285, 2487, 2486 and 2482.
- 2.5 Please note that the records of index II are partly torn and tattered condition
- 3. Addl. District Sub Registry Office, Sealdah**
- 3.1 Searches were carried out from the year 1984 till date in its index II and computer records. It appears a sale deed was registered in the year 2013 in Book No. I Volume No. 8 pages 9874 to 9894.
- 3.2 Searches were also carried out in Index I in the name of Nagendra Ram and Rajendra Kumar Vidhawan representatives of Excel Nirman Pvt Ltd from the period 2002 till date and no entry has been found
- 3.3 However, in the year 2009 a deed was registered in Book No. I Being Deed No. 514 and in the year 2010 another deed was registered in Book No. 1 being Deed No. 3379 and both these have been registered in the name of Nagendra Ram.
- 3.4 In the year 2011 the following deeds were registered in the name of Rajendra Kumar Vidhawan representative of Excel Nirman – all these deeds have been registered in Book No.s details whereof are as follows:
- i) Deed Nos. 3840 and 593 of 2011
  - ii) Deed Nos. 3340, 3335, 3339 all of 2011
  - iii) Deed NMo. 2006 of 2009
  - iv) Deed No. 2498 of 2013
  - v) Deed No. 101 of 2012
- 4. Block Land & Land Reforms Office, ATM, Kasba**
- 4.1 Applications were made for the purpose of obtaining the names of the records owners of the undermentioned Dag Numbers and it has been ascertained that the following persons are the recorded owners of the undermentioned Dag:



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Dag No.	Name of the Owner	Area of Land
231	Mohammad Siddik Khan	27 decimals
230	"	354 Decimals
230/1301	Haragobinda Chowdhury and Hem Chandra Chowdhury both on behalf of Hindustan Tannery	43 Decimsl
230/1302	Mohammad Siddik Khan	27 decimals
230/1303	Haragobinda Chowdhury and Hem Chandra Chowdhury both on behalf of Hindustan Tannery	42 decimals

5. **Office of Land Acquisition Collector – 24 Parganas (S)**
- 5.1 In pursuance of an application filed under the RTI act to obtain information as to whether the aforesaid properties are subject to any acquisition by any government and/or semi government authority no reply has still been received but the concerned person of the above office verbally informed Mr. Bag that the said properties are not subject to any notice of Acquisition by any government and/or semi government authority
6. **Office of Assessment Department of Kolkata Municipal Corporation**
- 6.1 Mr. Bag produced the tax bill in respect of the aforesaid properties which had been made available to him and it appears that Excel Nirman Pvt Ltd is the recorded owner of Premises No.43 and 44 Matheswartolla Road under Assessee No. 110590701164 & 1105090701176 and that Prabir Chaudhuri, Prasanta Chaudhuri, Lily Chaudhuri and Smt. Minati Kar are the recorded owner of Premises No.129 Matheswartolla Road under Assessee No.210661004757. Mr. Bag was informed that there is no outstanding taxes and other impositions in respect of the aforesaid assessee numbers.
7. **Office of the Civil Judge (Senior Division) at Sealdah**
- 7.1 Applications were made in the above office in the name of Prabir Chowdhury, Nagendra Ram and Excel Nirman to obtain whether any title suit was filed in respect of the aforesaid properties within the period 2003 to 2007 . It appears that there is no title suit which has been filed against Prabir Chowdhury, Nagendra Ram and Excel Nirman

**R. L. GAGGAR** B. A. (Hons) LL.B.  
Solicitor & Advocate

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8. **Office of the 2<sup>nd</sup> Civil Judge (Junior Division) at Sealdah**

8.1 Applications were made in the above office in the name of Prabir Chowdhury, Nagendra Ram and Excel Nirman to obtain whether any title suit was filed in respect of the aforesaid properties within the period 2003 to 2007 . It appears that there is no title suit which has been filed against Prabir Chowdhury, Nagendra Ram and Excel Nirman

**CERTIFICATION**

Having perused the documents which have been made available to me and based on the searches carried out by Mr. Bag I am firmly of the view that Excel Nirman Pvt Ltd has a marketable title in respect of the said Properties and that the said Properties are free from all encumbrances and charges.

**R.L. GAGGAR**

*Handwritten signature/initials in blue ink.*