

by occupation: Service, by Nationality: Indian, 4(a) to 4(b) both are residing at 153, Kailash Ghosh Road, Post Office: Barisha, Police Station: Haridevpur, Kolkata -700008, District: South 24 Parganas, (5) (a) SRI BABLU BHOWMICK, Pan No.AGUPB5713B, son of Late Anil Baran Bhowmick and Late Chinu Rani Bhowmick, by faith: Hindu, by occupation: Business, by Nationality: Indian, (b) SRI GAUTAM BHOWMICK, Pan No.AHGPPB0850Q, son of Late Anil Baran Bhowmick and Late Chinu Rani Bhowmick, by faith: Hindu, by occupation: Business, by Nationality: Indian (c) SMT. TANDRA DEY, Pan No.CPWPD3748F, daughter of Late Anil Baran Bhowmick and Late Chinu Rani Bhowmick, by faith: Hindu, by occupation: Housewife, by Nationality: Indian, 5(a) to 5(c) all are residing at 26/1/N, Kailash Ghosh Road, Post Office: Barisha, Police Station: Haridevpur, Kolkata-700008, District: South 24 Parganas, (6) N. S. MEDCON PRIVATE LIMITED, Pan No.AADCN3029L, having its registered office at 1/1, Kailash Ghosh Road, Parama Abasan, House No. 79, Police Station: Haridevpur, Kolkata -700008, District: South 24 Parganas, represented by its Director SRI NARAYAN CHANDRA SEN, Pan No.AVEPS4497A, son of Sri Ramendra Mohan Sen, by faith: Hindu, by occupation: Business, by Nationality: Indian, residing at 153, Kailash Ghosh Road, Post Office: Barisha, Police Station: Thakurpukur now Haridevpur, Kolkata-700008, District: South 24 Parganas, (7) (a) SRI ANIRUDDHA MANNA, Pan No.BEIPM0642H, son of Late Nil Kanta Manna and Late Pratima Manna, by faith: Hindu, by occupation: Service, by Nationality: Indian, (b) SMT. NIVEDITA ROY, Pan No.BYEPR9265F, daughter of Late Nil Kanta Manna and Late Pratima Manna, by faith: Hindu, by occupation: Housewife, by Nationality: Indian, 7(a) to 7(b) all are residing at 17, Motilal Gupta Road, Post Office: Barisha, Police Station: Haridevpur, Kolkata-700008, District: South 24 Parganas, West Bengal, hereinafter jointly called and referred to as the

LAND OWNERS (which term or expression shall unless excluded by or repugnant to the context be deemed to mean and include their heirs, executors, administrators, legal representatives and assigns) of the ONE PART;

AND

AZURE CONSTRUCTION PVT. LTD., Pan No.AALCA9359E, having its registered office at 13, Crooked Lane, Post Office: Esplanade, Police Station: Hare street, Kolkata-700069, representative by its Director SRI MEHUL KOTECHA, Pan No.ANSPK7376E, Son of Sri Himanshu Kotecha, by religion : Hindu, by nationality : Indian, by occupation : Business, residing at 13, Crooked Lane, Post Office: Esplanade, Police Station: Hare street, Kolkata-700069, West Bengal, hereinafter referred to as the "DEVELOPER" (which expression shall unless excluded by or repugnant to the subject or context be deemed to mean and include the firm and its heirs, executors, administrators, successors and or successor-in-office, legal representatives and assigns) of the OTHER PART :

WHEREAS Smt. Bangalakshmi Sen, wife Sri Nibaran Chandra Sen, of 10, Chandi Charan Ghosh Road, Kolkata-700008 purchased ALL THAT the piece and parcel of land measuring land measuring 14(fourteen) cottahs 9(Nine) chittaks more or less together with 50 years old 1550 square feet structure lying and situated of Mouza : Purba Barisha, collectorate Touzi No. 235,237-240 J.L. No. 23, under Khatian No. 1590 and 1847 of Dag No. 990, 993 and 994 present with the limits of the Kolkata Municipal Corporation in ward No. 123, being premises No. 97, Kailash Ghosh Road, under Police Station : Thakurpukur now Haridevpur, Kolkata-700008, in the District-South 24 Parganas, A.D.S.R Office Behala, D.S.R. Office Alipore, Dist-24 Pgs(S), together with all other easement rights, facilities and amenities attached thereto from Srimati Kanak Lata Banerjee, wife of Sri Amrita Lal Banerjee of 2E, Kalachand Sanyal Lane, Police Station: Shyampukur, Kolkata-700004,

by way of deed of Sale, which was executed and registered on 18.11.1959 in the office of the Sub-Registrar, Alipore Sadar, recoded in Book No. 1, Volume No. 166, pages from, 79 to 84, being No. 9243, for the year 1959.

AND WHEREAS during enjoyment upon the said property said Smt. Bangalakshmi Sen died intestate on 22.08.1987 leaving behind her three sons namely (1) Sri Abani Mohan Sen, (2) Sri Ramendra Mohan Sen, (3) Sri Madan Mohan Sen and four daughters namely (1) Smt. Sudha Rani Dutta (2) Smt. Chinu Rani Bhowmick (3) Smt. Anima Sen, (4) Smt. Pratima Manna as her heirs, successors and legal representatives, who jointly inherited the property of Late Bangalakshmi Sen.

AND WHEREAS during enjoyment upon the said property said Abani Mohan Sen died intestate on 27/11/1997 leaving behind his wife Smt. Kanan Probha Sen and one son named Sri Tapas Sen and two daughters namely Gouri Banerjee and Uma Paul as his heirs, successors and legal representatives, who jointly inherited 1/7th property of Late Abani Mohan Sen.

AND WHEREAS during enjoyment upon the said property said Madan Mohan Sen, died intestate on 11/06/2014 leaving behind his wife Smt. Pranati Sen and one daughter namely Subarna Sen as his heirs, successors and legal representatives, who jointly inherited 1/7th property of Late Madan Mohan Sen.

AND WHEREAS during enjoyment upon the said property said Chinu Rani Bhowmick alias Chinu Bhowmick died intestate on 13/11/2015 leaving behind her two sons namely Sri Bablu Bhowmick, and Sri Gautam Bhowmick, and one daughter Smt. Tandra Dey, as her

legal heirs, successors and legal representatives, who jointly inherited 1/7th property of Late Chinu Rani Bhowmick.

AND WHEREAS during enjoyment upon the said property said Pratima Manna died intestate on 26/02/2009 leaving behind her one son namely Sri Anirudha Manna, and one daughter Smt. Nivedita Roy, as her heirs, successors and legal representatives, who jointly inherited 1/7th property of Late Pratima Manna.

AND WHEREAS Anima Sen during her life time sold conveyed her undivided 1/7th share i.e. land measuring 2 cotahs 14 chittaks 9 square feet out of 14 cottahs 9 chittaks lying and situated at premises 180 Kailash Ghosh Road, now renumbered as Premises No. 97, Kailash Ghosh Road as in ward No.123 of Kolkata Municipal Corporation, Police Station, Thakurpukur, unto and in favour of N. S. MEDCON PRIVATE LIMITED, having its registered office at 1/1, Kailash Ghosh Road, Parama Abasan, House No. 79, Police Station: Haridevpur, Kolkata -700008, District: South 24 Parganas, representative by its Director Sri Narayan Chandra Sen, son of Sri Ramendra Mohan Sen of 153, Kailash Ghosh Road, Post office: Barisha, Police Station: Haridevpur, Kolkata-700008, District: South 24 Parganas, the owners No.6 herein, by way of Deed of Conveyance, which was executed and registered on 19.10.2011 in the office of the Additional Registrar of Assurance -I, Kolkata, recorded in book No. 1, CD volume No. 20, pages from 3629 to 3640 being No. 09104 for the year 2011 and thereafter from the said deed it appears that, present renumbered premises No. 97, Kailash Ghosh Road, was not mentioned in the said deed and in its place old premises No.180, Kailash Ghosh was recorded and accordingly one of the legal heirs of said Anima Sen namely Sri Shyama Prasad Sen on 17.01.2017 executed and registered a deed of

declaration to rectify the said mistake of the said deed being No. 09104 for the year 2011, the said deed of declaration was executed and registered in the office of the ADSR-Behala, recorded in book No. 1, volume No.1607-2017, pages from 12491 to 12505, being No. 160700349 for the year 2017.

AND WHEREAS during the enjoyment by the owners, after physical survey, it appears that, the land measuring 6 cottahs 8 chittaks 5 square feet within R.S. Dag No. 993 under R.S. Khatian No. 1590 and 1589 and Land measuring 5 cottahs 10 Chittaks 8 square feet within R.S. Dag No. 994 under R.S. Khatian No. 1589 and 1590 and land measuring 2 cottahs 6 chittaks 32 square feet within Dag No. 990/1295, which was arose in the revisional settlement as Bata Dag No. 990/1295 after braking the Dag No 990 under Khatian No.1847.

AND WHEREAS the owners are in possession of the schedule property as absolute owners and enjoying the same without interruption from anybody else by mutating their names before the Kolkata Municipal Corporation, in ward No. 123, recorded as Premises No. 97, Kailash Ghosh Road, Kolkata-700008, thus the One Part herein is the absolute Owners collectively of the said property more fully and particularly described in the **SCHEDULE "A"** hereunder written and hereinafter referred to as the **"SAID PROPERTY"** and while thus seized and possessed of the same intended to develop their property by raising a building thereon and is looking for a prospective builder/developer for the same.

AND WHEREAS the Developer of the other part herein, being experienced in developing the property, has approached the Owners to develop the same by constructing a multistoried building thereon in accordance with the proposed building plan to be sanctioned by The

Kolkata Municipal Corporation, (S. S. Unit) in the name of the land owners under certain terms and conditions appended herein below.

AND WHEREAS the Owners being agreed with the said proposal of the Developer has this day entered into this Agreement for Development under certain terms and conditions as mutually agreed upon.

AND WHEREAS before execution of this Agreement the Owners have represented and assured the Developer as follows:

A. That the said property is free from all encumbrances, charges, liens, attachments, lispendences whatsoever or howsoever and that the same is fully occupied by the Owners in respect of the property mentioned in the SCHEDULE "A"

B. That, excepting the present Owners no one else have any right title interest, claim, demand whatsoever or howsoever into or upon the said property.

C. That, there is no notice of acquisition or requisition received or pending in respect of the said SCHEDULE- "A" below property or any portion thereof.

D. That, the Owners have declared to the Developer that, they have good and marketable title in respect of the said property situated thereon without any claim, right title interest of any person thereof or therein and the Owners have absolute right to enter into this Agreement with the Developer and the Owners hereby undertakes to indemnify and keep the Developer indemnified against any or all third party claims, actions and demands whatsoever with regards to the title and ownership of the Owners.

E. Relying on the aforesaid representations and believing the same to

be true and acting on good faith thereof the Developer is desirous to develop the aforesaid property on the terms and conditions as contained hereinafter appearing:

CHAPTER-I

(Definition)

Unless in this presents it is repugnant to or inconsistent with:

LAND OWNERS: shall mean said (1) **SRI RAMENDRA MOHAN SEN**, Pan No. Pan No. HYRPS8113J, son of Late Nibaran Chandra Sen and Late Banga Lakshmi Sen, by faith: Hindu, by occupation: Retired person, by Nationality: Indian, residing at 153, Kailash Ghosh Road, Adarsha Pally, Post Office: Barisha, Police Station: Haridevpur, Kolkata-700008, District: 24 Parganas (South), (2) **SMT. SUDHA RANI DUTTA**, Pan No.CSBPD4329Q, wife of Late Dilip Dutta daughter of Late Nibaran Chandra Sen and Late Banga Lakshmi Sen, by faith: Hindu, by occupation: Housewife, by Nationality: Indian, residing at 26/20, Ram Kali Mukherjee Lane, Post Office: Sinthi, Police Station: Barahnagar, Kolkata-700050, District: North 24 Parganas, (3) (a) **SMT. KANAN PRABHA SEN**, Pan No.EUNPS1503R, wife of Late Abani Mohan Sen, by faith: Hindu, by occupation: Housewife, by Nationality: Indian, (b) **SRI TAPAS SEN**, Pan No.AKLPS3681E, son of Late Abani Mohan Sen, by faith: Hindu, by occupation: service, by Nationality: Indian, 3(a) to 3(b) both are residing at 153, Kailash Ghosh Road, Post Office: Barisha, Police Station: Haridevpur, Kolkata -700008, District: South 24 Parganas, (c) **SMT. GOURI BANERJEE**, Pan No.ALEPB1996P, wife of Sri Sambhu Banerjee, daughter of Late Abani Mohan Sen, by faith: Hindu, by occupation: Housewife, by Nationality: Indian, residing at 1/3, Prasanta Roy Road, Post Office: Barisha, Police Station: Haridevpur, Kolkata-700008, District: South 24 Parganas, (d) **SMT. UMA PAL**, Pan No.CDKPP3534K, wife of Sri Susanta Kumar Pal, daughter of Late Abani Mohan Sen, by faith: Hindu, by occupation:

Housewife, by Nationality: Indian residing at 34/1, Diamond Harbour Road, Police Station: formerly Behala now Parnasree, Kolkata-700060, District: 24 Parganas (South), (4) (a) **SMT. PRANATI SEN**, Pan No. **IQQPS3433H**, wife of Late Madan Mohan Sen, by faith: Hindu, by occupation: Housewife, by Nationality: Indian residing (b) **SUBARNA SEN**, Pan No. **EVTPS2933C**, daughter of Late Madan Mohan Sen, by faith: Hindu, by occupation: Service, by Nationality: Indian, 4(a) to 4(b) both are residing 153, Kailash Ghosh Road, Post Office: Barisha, Police Station: Haridevpur, Kolkata -700008, District: South 24 Parganas, (5) (a) **SRI BABLU BHOWMICK**, Pan No. **AGUPB5713B**, son of Late Anil Baran Bhowmick and Late Chinu Rani Bhowmick, by faith: Hindu, by occupation: Business, by Nationality: Indian, (b) **SRI GAUTAM BHOWMICK**, Pan No. **AHGPB0850Q**, son of Late Anil Baran Bhowmick and Late Chinu Rani Bhowmick, by faith: Hindu, by occupation: Business, by Nationality: Indian (c) **SMT. TANDRA DEY**, Pan No. **CPWPD3748F**, daughter of Late Anil Baran Bhowmick and Late Chinu Rani Bhowmick, by faith: Hindu, by occupation: Housewife, by Nationality: Indian, 5(a) to 5(c) all are residing 26/1/N, Kailash Ghosh Road, Post Office: Barisha, Police Station: Haridevpur, Kolkata-700008, District: South 24 Parganas, (6) **N. S. MEDCON PRIVATE LIMITED**, Pan No. **AADCN3029L**, having its registered office at 1/1, Kailash Ghosh Road, Parama Abasan, House No. 79, Police Station: Haridevpur, Kolkata -700008, District: South 24 Parganas, represented by its Director **SRI NARAYAN CHANDRA SEN**, Pan No. **AVEPS4497A**, son of Sri Ramendra Mohan Sen, by faith: Hindu, by occupation: Business, by Nationality: Indian, residing at 153, Kailash Ghosh Road, Post Office: Barisha, Police Station: Thakurpukur now Haridevpur, Kolkata-700008, District: South 24 Parganas, (7) (a) **SRI ANIRUDDHA MANNA**, Pan No. **BEIPM0642H**, son of Late Nil Kanta Manna and Late Pratima Manna, by faith: Hindu, by occupation: