DSP LAW ASSOCIATES



Advocates

4D Nicco House, 18 & 2 Hare Street, Kolkata-700001 Phone & Fax: +91 33 22624714/15/16, Email: info@dsplaw.in Deepak Choudhury Samar Chakraborty Pratik Bagaria

Client: SADGATI PROPERTIES PRIVATE LIMITED, of No. 11/1 Sunny Park, 1st Floor, Kolkata 700019.

Re: Property at Premises No. 43, Sri Aurobindo Sarani, (formerly known as 107, Grey Street), Kolkata – 700005 under Police Station Shyampukur within Ward No. 10 of the Kolkata Municipal Corporation.

SEARCH REPORT & CHAIN ON TITLE

I. SECTION 'A' - Definitions: The term or expression used in our this Report, unless there be something contrary or repugnant to the subject or context, shall have the meaning assigned to them as follows:

- (1) "Subject Property/ Said Premises" shall mean ALL THAT Municipal Premises No. 43, Sri Aurobindo Sarani, (formerly known as 107, Grey Street), Kolkata 700005, Police Station Shyampukur within Ward No. 10 of the Kolkata Municipal Corporation containing a land area of 13 Cottahs 11 Chittacks 7 Square feet.
- (2) "Owner" shall mean Neelkamal Commodities Private Limited, a Company incorporated under the Companies Act, 1956, having its registered office at 11A, Abinash Chandra Banerjee Lane, Beliaghata, Kolkata-700010.
- (3) "Development Agreement" shall mean the Development Agreement dated 15th January 2014 made between the Owner herein therein also as the Owner and the Client herein therein as the Developer and registered with Additional Registrar of Assurances-II, Kolkata in Book I CD Volume No. 3 Pages 3978 to 4017 Being No. 00710 for the year 2014.

H. SECTION 'B' - Search Report: Under instructions from the client, abovenamed we had from time to time, during the months of December 2013 to January 2014 caused to be made necessary searches at the Registration Offices, Government Offices and Courts specified hereinafter in respect of the Subject Property and our findings from the searches so caused to be made are as follows:

1. Registration Offices:

- 1.1 We have caused to be made searches of the relevant Index II and wherever necessary, Index I at the offices of the Registrar of Assurances, Calcutta and Additional Registrar of Assurances-II, Kolkata, during the years 1983 onwards till the date of searches. Xerox copy each of the Receipts issued by the concerned Registration Offices from time to time and the Reports of such Searches received from the searchers from time to time are annexed hereto and marked 'A1 to A28'.
- 1.2 While causing to be made searches of the relevant Index- II at the registration offices, the following entries were found.
 - 1.2.1 Deed of Declaration dated 19th December 2005 and registered with the Additional Registrar of Assurances-II, Kolkata in Book I Volume No. 1 Pages 1 to 7 Being No. 7491 for the year 2005 executed by Pradip Kumar Chatterjee, Adhip Chatterjee, Proteep Kumar Chatterjee, Kousttav Chatterjee, (Smt.) Atrayee Chakraborty, (Smt.) Gopa Chatterjee and (Smt.) Namita Roy (Refer to Clause I (a) of Section III below and Annexures A-2 and B-1).
 - 1.2.2 Sale Deed dated 23rd September 2009 and registered with the Additional Registrar of Assurances-II, Kolkata in Book I CD Volume No. 22 Pages 2492 to 2515 Being No. 10624 for the year 2009, executed by Pradip Kumar Chatterjee, Kousttav Chatterjee, (Smt.) Atrayee Chakraborty and (Smt.) Namita Roy in favour of the Owner (Refer to Clause F of Section III below and Annexures A-6 and B-2).
 - 1.2.3 Sale Deed dated 23rd September 2009 and registered with the Additional Registrar of Assurances-II, Kolkata in Book I CD Volume No. 23 Pages 1324 to 1344 Being No. 10650 for the year 2009, executed by Adhip Chatterjee and Gopa Chatterjee in favour of the Owner (Refer to Clause G of Section III below and Annexures A-6 and B-3).
 - 1.2.4 Sale Decd dated 23rd September 2009 and registered with the Additional Registrar of Assurances-II, Kolkata in Book I CD Volume No. 24 Pages 2161 to 2180 Being No. 10651 for the year 2009, executed by Proteep Kumar Chatterjee in favour of the Owner (Refer to Clause H of Section III below and Annexures A-6 and B-4).
 - 1.2.5 Deed of Undertaking for Tenants dated 6th September 2011 and registered with the Additional Registrar of Assurances-II, Kolkata in Book I Volume No. 42 pages 3384 to 3391 Being No. 11477 for the year 2011 executed by one Shreeram Soni as one of the Directors of the Owner (Refer to Clause I(b) of Section III below and Annexures A-2(a) and B-5).



- 1.3 We would, however, like to specifically mention as regards the said searches as follows:-
- 1.3.1 The following documents were found in the recital to the chain deeds but were not found in the searches. However the documents were found in the relevant volumes and certified copies were obtained.
 - (a) Deed of Gift dated 28th June 1988 and registered with the Registrar of Assurances, Calcutta in Book No. I Volume No. 232 Pages – 102 to 109 Being No. 10381 for the year 1988, executed by the said Namita Roy in favour of Proteep Kumar Chatterjee, Archana Chatterjee and Gopa Chatterjee(Refer to Clause C of Section III below and Annexure B-6).
 - (b) Deed of Lease dated 18th January 2007 and registered with the Additional Registrar of Assurances-II, Kolkata in Book I Volume No. 1 pages 1 to 20 Being No. 862 for the year 2007 executed by the said Pradip Kumar Chatterjee, Adhip Chatterjee, Proteep Kumar Chatterjee, Kousttav Chatterjee, (Smt.) Atrayee Chakraborty, (Smt.) Gopa Chatterjee and (Smt.) Namita Roy in favour of United Bank of India (Refer to Clause J of Section III below and Annexure B-7).
- 1.3.2 Both relevant Index-II and Index-I, for several years were found either fully or partly torn or incomplete or damaged or not indexed either fully or partly and searches for those years could not, as such, be carried out.
- 1.3.3 At time of causing searches in respect of the computerized records at the registration offices, they did not maintain any Indices for public inspection and the clerk sitting on the computer gave oral details to the searcher in respect of the concerned property only.
- 1.3.4 Since the introduction of Section 47A of Indian Stamp Act as applicable to West Bengal, pending documents or any document which has been presented for registration, but registration whereof is kept in abeyance for want of assessment of market value by the registering authority, do not reflect in the searches and get recorded in Indices only upon payment of deficit stamp duty and registration fee applicable thereon although they take effect from the date of their execution.
- 1.3.5 A receipt for search done during the year 2013 was misplaced and hence a fresh receipt has been obtained being Annexure A-3.

2. Kolkata Municipal Corporation:

2.1. We have been provided by Client a copy of the Assessment Book issued on 05.01.2010 by the Kolkata Municipal Corporation and marked as Annexure 'C1' and from such Assessment Book the following details appear:

- جَب
- a) The subject property is having Assessee No.110104300443
- b) Name of the Owner is Messrs. Neelkamal Commodities Private Limited
- c) The Annual Value is Rs.111970/- w.e.f from 1st Quarter 2004
- 2.2. We have downloaded a No Outstanding Certificate dated 07.01.2014 from the website http://kmcgov.in stating that there are no outstanding dues in respect of Assessee No.110104300443. A copy of the NOC is marked as Annexure **'C2'**
- 2.3 As per Letter dated 14.12.2013 issued by the Law Department of the Kolkata Municipal Corporation, it would appear that no case is pending in respect of the said premises. A xerox copy of the said letter issued by said office is annexed hereto and marked as annexure "C3".

3. <u>City Civil Courts and The Sheriff, Calcutta High Court</u>:

- 3.1 We have caused to be made necessary searches as to whether any Title Suit or Title Execution Case or Money Suit or Money Execution Case were filed at the Court of the 10th Bench of the City Civil Court at Calcutta by or against the persons named in the table in clause 3.3 below during the years mentioned therein. From the information received by us it would appear that no such Suits or Cases were filed upto the respective date of issuance of the search information slips. Xerox copies of the said Information slips issued by the Court of the 10th Bench of the City Civil Court at Calcutta are annexed hereto and marked as annexure "D1" to "D32".
- 3.2 We also in or about January 2015 caused to be inspected by our clerk, the Property and Miscellaneous Registers in the Office of the Sheriff, Calcutta High Court, for any attachment against the persons named in the table in clause 3.3 below during the years mentioned therein and no entry of any such attachment was found therein upto the respective date of issuance of the respective receipts. Xerox copies of each of the applications and receipts issued by the said department are annexed hereto and marked as annexure "E1" to "E16".

3.3 Table:

SI. No.	Name	Period
1.	Pradip Kumar Chatterjee son of Kanai Chand Chatterjee	2002 - 2009
2.	Adhip Chatterjee son of Kanai Chand Chatterjee	2002 - 2009
3.	Proteep Kumar Chatterjee son of Kanai Chand Chatterjee	2002 - 2009



4.	Kousttav Chatterjee son of Pradip Kumar Chatterjee	2002 - 2009
5.	Atrayee Chakraborty wife of Kaushik Chakraborty	2002 - 2009
6.	Gopa Chatterjee wife of Adhip Chatterjee	2002 - 2009
7.	Namita Roy wife of Alok Roy	2002 - 2009
8.	Neelkamal Commodities Private Limited	2009 - Till the date of Searches

4. **ACQUISITION, REQUISITION AND ALIGNMENT SEARCHES:**

4.1 KOLKATA IMPROVEMENT TRUST:

The Subject Property or portion thereof does not appear to be affected by any scheme or alignment of the Kolkata Improvement Trust. Please note that our report is based on oral enquiry made in the department by our representative and no written report from the said office has been received.

4.2. LAND ACQUISITION COLLECTOR:

The Subject Property or portion thereof does not appear to be affected by any acquisition or requisition proceeding of the Land Acquisition Collector, Calcutta. Please note that our report is based on oral enquiry made in the department by our representative and written report from the said office has not yet been received.

5. <u>DEBTS RECOVERY TIBUNAL</u>

5.1 From the report given by Mrs. Aruna Ghosh, Advocate no entry/proceeding has been found by her in the names of the Owner and Pradip Kumar Chatterjee. Xerox copy of reports are annexed hereto and marked as annexure "F1-F2".

6. REGISTRAR OF COMPANIES:

As per the searches caused to be made at the website of Registrar of Companies, being "http://mca.gov.in" on 23.12.2013 in the name of Neelkamal Commodities Private Limited, it appear that no charges existed in their records in respect of such name.

- III. <u>SECTION 'C' CHAIN ON TITLE:</u> From the recitals and particulars contained in the documents provided and/or obtained by us by way of certified copies of deeds, the chain of title since 1983 in respect of the subject property appears to be as follows:-
- A. One Nilima Devi (Chatterjee), Pradip Kumar Chatterjee, Adhip Chatterjee and Proteep Kumar Chatterjee were the owners of the Subject Property, in equal shares.
- B. The said Nilima Chatterjee, a Hindu died intestate on 6th July 1986 leaving her surviving her husband Kanai Chand Chatterjee, three sons namely the said Pradip Kumar Chatterjee, Adhip Chatterjee and Proteep Kumar Chatterjee and his daughter namely Namita Roy (nee Chatterjee) as her heirs and legal representatives.
- C. By a Deed of Gift dated 28th June 1988 as per particulars given in serial no. 1.3.1(a) hereto, the said Namita Roy in consideration of her love and affection conveyed and transferred by way of gift to the said Proteep Kumar Chatterjee, Archana Chatterjee (since deceased) and one Gopa Chatterjee her undivided one-twentieth share in the said Property.
- D. The said Kanai Chand Chatterjee, a Hindu died intestate on 3rd August, 1996 leaving him surviving his three sons namely the said Pradip Kumar Chatterjee, Adhip Chatterjee and Proteep Kumar Chatterjee and his daughter the said Namita Roy (nee Chatterjee) as his heirs and legal representatives.
- E. The said Archana Chatterjee, a Hindu died intestate on 16th May, 1999 leaving her surviving her husband the said Pradip Kumar Chatterjee, one son namely Kousttav Chatterjee and one daughter namely (Smt.) Atrayee Chakraborty as his heirs and legal representatives.
- F. By a sale deed dated 23rd September 2009 as per particulars given in serial no. 1.2.2 hereto, the said Pradip Kumar Chatterjee, Kousttav Chatterjee, (Smt.) Atrayee Chakraborty and (Smt.) Namita Roy sold and transferred to the Owner, undivided 34.17% share in the said Property and one Vikson Limited concurred and confirmed such sale.
- G. By a sale deed dated 23rd September 2009 as per particulars given in serial no. 1.2.3 hereto, the said Adhip Chatterjee and Gopa Chatterjee sold and transferred to the owner, undivided 32.918% share in the said Property and the said Vikson Limited concurred and confirmed such sale.
- H. By a sale deed dated 23rd September 2009 as per particulars given in serial no. 1.2.4 hereto, the said Proteep Kumar Chatterjee sold and transferred to the owner, undivided 32.917% share in the said Property and one Vikson Limited concurred and confirmed such sale.

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- I. During searches two documents which are usually done in connection with the sanction of plans were found to be registered:
 - a) A Deed of Declaration dated 19th December 2005 as per particulars given in serial no. 1.2.1 hereto inter alia making declarations pertaining to dealing with tenancies in relation to the proposed submission of building plans.
 - b) A Deed of Undertaking for Tenants dated 6th September 2011 as per particulars given in serial no. 1.2.5 hereto inter alia containing undertaking in respect of tenancies and construction pertaining to submission of application of the sanction plan by the Owner.
- J. Prior to the purchase by the Owner, a registered Deed of Lease dated 18th January 2007 was provided to us by Client as per particulars given in serial no. 1.3 (b) hereto whereby the said Pradip Kumar Chatterjee & Ors. appear to have leased out to United Bank of India a covered space containing an area of 1600 square feet on the Southern Part of the front portion on the First Floor as morefully contained therein. Client has entered into the said Development Agreement in connection with the development of the subject property and at the time such development the said United Bank of India was continuing to be in occupation of the said demised space but we have instructions that the said Bank has since vacated the same. Copy of the letter dated 22.08.2016 sent by the client evidencing such vacating is marked as Annexure "G"

IV. SECTION 'D' - STAEMENTS AND COMMENTS:

Besides our statements and comments made at different places of this report, we would also like to mention the following:

- (i) The report on searches is on the basis of the records available as on the date of such searches caused to be done;
- (ii) The searches undertaken by us do not relate to any encumbrance or charge created by operation of law like statutory charges on default of payment of Income Tax, Sales Tax and other Government dues or by any authority besides those specifically mentioned above but relates to encumbrance created by those act of parties which requires, under law, a corresponding record to be maintained for the public in general at the offices at which we have caused to be made the searches as aforesaid.
- (iii) This Search Report is meant for the understanding of abovenamed Client alone and shall not be for use and reliance for any other person.

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Under the circumstances as above and save and subject to what has been stated hereinabove and also in the enclosures hereto, our searches when made did not disclose encumbrance affecting the Subject Property.

DATED THIS 19 DAY OF JULY 2017

for DSP LAW ASSOCIATES

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Receipt for Fees Deposited for Search or Inspection

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[New Rule Form No. 19 (Appendix-I)]

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[New Rule Form No. 19 (Appendix-I)]

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[New Rule Form No. 19 (Appendix-t)]

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[New Rule Form No. 19 (Appendix-I)]

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Registration Office: R. F. KOLKETTA

Name for Scarching: Koustav Chatterijee.

90 Roadip Kuman Chatterijee.

Period:

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Year	Report	Space for further instructions of Advocate, if any	Space for remarks, if any of Advocate
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[New Rule Form No. 19 (Appendix-I)]

No. REGN U 228011

Receipt for Fees Deposited for Search or Inspection

1.	Serial Number of application	129611
2.	• •	27-12-13
3.	Search for the year(s)	1953-94
4.	Name of office to which the reco	ord to be searched or inspected relates $\mathcal{N} : \mathcal{A} \subset \mathcal{L}$
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5.	Name of person or property to	he searched. I
6.	Nature of document	Sale
7.		ected (year, number, book, volume and page in the case of ai Chand Chatterine
	From whom received	M. Das
	ees paid under Article—	
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Registration Office:

Q A. ROLKATA

Index-II/Index-I

Name for Searching:

Kanai Chand Chatterijee

Period:

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Receipt for Fees Deposited for Search or Inspection

1.	. Serial Number of application	1296/8
2.	Date of application	27 /2-/3
3	Council for the county	1987 - 01
4.	Name of office to which the record to	be searched or inspected relates $\mathcal{R} \cdot \mathcal{H} \cdot \mathcal{C}$
5. 6. 7	Name of person or property to be sea Nature of document	rched I Sall (year, number, book, volume and page in the case of
	registered document). Nomi-	Roy
8.		M. Dus
9.	. Fees paid under Article—	101
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ı		Registrar of

¹.P., Calcutta-700 015.

N.P. N 4-22 A-22

Index-II/Index-1

Registration Office: P. H. KULKT THE

Name for Searching: Novila (hallenge)

W. D. Flek P. C. J.

Period:

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West Bengai Form No. 1556

[New Rule Form No. 19 (Appendix-I)]

No. REGN U 228017

Receipt for Fees Deposited for Search or Inspection

1.	Serial Number of application 129617
2.	Date of application. 27-/2-/3
3.	Search for the year(s). 1987 - 01
4.	Name of office to which the record to be searched or inspected relates. N. A. Ce.
5.	Name of person or property to be scarched.
6.	Nature of document.
7	Particulars of record to be inspected (year, number, book, volume and page in the case of registered document). Name to Roy Wer A. Roy From whom received. M. DoS
	W (# /7 VO)
8.	From whom received M. Das
9.	Fees paid under Article—
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Registration Office:	R. A. KOLKATA	Index-[]/Index-[
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wo Hlok	100	Period:

Year	Report	Space for further instructions of Advocate, if any	Space for remarks, if any of Advocate
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Receipt for Fees Deposited for Search or Inspection

l.	Serial Number of application 129614
2.	Date of application. $\frac{27-12-13}{127-3}$
3.	Search for the year(s)
4.	Name of office to which the record to be searched or inspected relates. A. A.C.S.
5.	Name of person or property to be searched.
6.	Nature of document.
7.	Particulars of record to be inspected (year, number, book, volume and page in the case of registered document). Pro teep nv. Chatteroeu 510 11. C. Chatteroeu
8.	From whom received M. DaS
9.	Fees paid under Article—
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Registration Office:

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Name for Searching:

Period:

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Receipt for Fees Deposited for Search or Inspection

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3.	Search for the year(s).	- 01
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7.	Particulars of record to be inspected (year, number, book, volume and page in t	he case of
	registered document) Pradi P ur Chatterfee	*************
8.	From whom received. $M \cdot D \omega S$	/
9.	Fees paid under Article	
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A-28 A.R.A. II

Registration Office:

2. A. KOLKATA

Index-II/Index-I

Name for Searching: , 8/0, Kamau

Bradif Kumer Chatter

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