

# Saptarshi Ray

B.Sc., LLB, LLM  
ADVOCATE

9433265452

8981868507

033-6533 1613

RefNo: NC

DATE: 01/02/2019

To,  
The Chairman,  
Usashi Realstates Pvt. Ltd.  
81 Golaghata, VIP Road,  
Flat 1B, Radhakunja Apartment,  
Kolkata - 700048.

Sir,

Sub: Property being all that piece and parcel of land admeasuring about 59.52 Decimals in L.R. Dag No. 3884, 3885, 3880, 3881, 3882 and 3883, laying and situated at Mouza - Bishnupur, J.L. No. 44, Touzi No. 10, R.S. No. 126, within the jurisdiction of Chandpur Gram Panchayet, PO - Lauhati, PS - Rajarhat, Dist: 24 PGS (N).

Belonging to M/s. Excella Realtors Pvt. Ltd.

This is in response to your request for furnishing of non-encumbrance certificate & Title - Cum - Opinion Report about the clear and marketable title to the aforesaid property to be mortgaged for securing the credit facility.

SL. No.	ASPECTS TO BE CONSIDERED	COUNSEL'S STATEMENT
A	PARTICULARS	
1.	Name of the Landowner with address:	M/s. Excella Realtors Pvt. Ltd. 2, Dharmadas Row, Kolkata - 700026
2.	Name of the person in whose favour the ROR/Porcha is recorded:	M/s. Excella Realtors Pvt. Ltd. vide L.R. Khatian No. 8606
3.	Details of the property to be searched: As per title deed. Description & Area of property proposed to be sold/with boundaries (a. Give the specific number and address of plot, house, building, flat, shop etc. b. State specifically whether property is in agricultural, non-agricultural,	All that piece and parcel of land admeasuring about 59.52 Decimals in L.R. Dag No. 3884, 3885, 3880, 3881, 3882 and 3883, laying and situated at Mouza - Bishnupur, J.L. No. 44, Touzi No. 10, R.S. No. 126, within the jurisdiction of Chandpur Gram Panchayet, PO - Lauhati, PS - Rajarhat, Dist: 24 PGS (N).

Empanelled:- Punjab National Bank & Bank of Baroda

Chamber - Residence

Sarat Abasan - 27, Salt Lake City, Tank No. 7, Kolkata - 700091

  
SAPTARSHI RAY  
ADVOCATE  
CALCUTTA HIGH COURT  
Dist Court Alipore/Barasat

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94331068469  
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033-6533 1613

DATE: 01/09/2019

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a.	commercial, residential or industrial (or) other).	Present classification of land as per the Panchet/ROR (details of the Pancha, dt. of issue, office of issue)	Present classification of land is " <b>Housing Complex</b> " (i.e. homestead for the land area, on which the proposed Building/Block/Tower is to be built).
b.	Whether the Landowner/Developer has sufficient title and capacity to contract sale (Not a minor, Lunatic or un-discharged insolvent, etc.).		The Landowner/Developer has sufficient title and capacity to contract sale.  There is no involvement of any minor, Lunatic or un-discharged insolvent etc. in the property under consideration.
c.	Nature of land owner's right or title in the property (Whether leasehold, freehold, co-owner, or joint owner or any other type - state specifically) and how it is derived (whether self-acquired, ancestral / inheritance or by succession or otherwise).		The Landowner at present is the sole and absolute owner of the property.  The right to the title was acquired by way of purchase.
d.	Whether the Landowner is in exclusive possession of property?		The possession has to be verified in person.

## B. INVESTIGATIONS

1.	Details of the title deeds/documents (including Link Deeds/Parent deeds) examined (with full particulars regarding nature of document, date of execution and details of registration)				
Sl. No.	Type/Nature of Document	Date of execution	No. & date of Registration/Lien in revenue/builder's/society's records	Parties	
a.	Deed of Conveyance	26/07/2012	Being No. 09715/2012 of ADSR Bidhannagar, recorded in Book No. 1, CD Vol. No. 13, Pg. No. 14813 - 14828	Anowara Bibi (Vendor) & M/s. Excella Realtors Pvt. Ltd. (Purchaser)	
b.	Deed of Conveyance	01/11/2012	Being No. 13614/2012 of ADSR Bidhannagar, recorded in Book No. 1, CD Vol. No. 19, Pg. No.	M/s. New Town Projects Pvt. Ltd. (Vendor), Jamal Uddin Molla (Confirming Party) and M/s. Excella	

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Dist Court Alipore/Barasat

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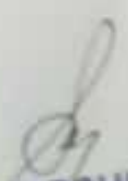
Ref No: NC

DATE: 01/02/2019

		5252 - 5269	Realtors Pvt. Ltd. (Purchaser)
c. Deed of Conveyance	26/07/2012	Being No. 09690/2012 of ADSR Bidhannagar, recorded in Book No. I, CD Vol. No. 13, Pg. No. 14497 - 14512	Fatema Bibi & Khatijan Bibi (Vendor) & M/s. Excella Realtors Pvt. Ltd. (Purchaser)
d. Deed of Conveyance	08/08/2012	Being No. 10323/2012 of ADSR Bidhannagar, recorded in Book No. I, CD Vol. No. 14, Pg. No. 12387 - 12402	Khas Mohammad Molla (Vendor) & M/s. Excella Realtors Pvt. Ltd. (Purchaser)
e. Deed of Conveyance	08/08/2012	Being No. 10324/2012 of ADSR Bidhannagar, recorded in Book No. I, CD Vol. No. 14, Pg. No. 12403 - 12418	Khas Mohammad Molla (Vendor) & M/s. Excella Realtors Pvt. Ltd. (Purchaser)
f. Deed of Conveyance	23/12/2011	Being No. 14554/2011 of ADSR Bidhannagar, recorded in Book No. I	Rashid Middy (Vendor) & M/s. Excella Realtors Pvt. Ltd. (Purchaser)
g. Pucha	20/08/2014	Memo No. 1507044, Khatian No. 8606	Issued by the concerned BL & LRO in favour of M/s. Excella Realtors Pvt. Ltd.
h. BL & LRO Property Tax Receipt	16/11/2017	Receipt No. 7374232	Issued by the concerned BL & LRO in favour of M/s. Excella Realtors Pvt. Ltd.
i. Permission for Conversion	24/08/2015	Memo No. 05/14/1954/1(S)/SDL/BST/2015	Issued by SDL & LRO, Barasat in favour of M/s. Excella Realtors Pvt. Ltd.
j. Sanctioned Building Plan	26/10/2016	Approval No. 94/NZP	Issued by Zilla Parishad
k. Development Agreement	03/08/2018	Being No. 08832/2018 of ADSR Rajarhat, recorded in Book No. I, CD Vol. No. 1523 - 2018,	M/s. Excella Realtors Pvt. Ltd. (Landowner) and M/s. Evanie Infrastructure Pvt. Ltd.

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			Pg. No. 293275 - 293322	(Developer)
1.	Development of Power of Attorney	03/08/2018	Being No. 09422/2018 of ADSR Rajarhat, recorded in Book No. 1, CD Vol. No. 1523 - 2018, Pg. No. 311982 - 312007	M/s. Excella Realtors Pvt. Ltd. (Principal) and M/s. Evanie Infrastructure Pvt. Ltd. (Attorney)
m.	Boundary Declaration	31/01/2019	Notarised on 31/01/2019 by J. Alam	Declarant M/s. Excella Realtors Pvt. Ltd.

2.	Whether the registration particulars number & date and page particulars as given in the title deed shown to the counsel tally with the particulars as stated in the records of the registrar's office?	The registration particulars i.e. Deed No/ Being No, Book No, Vol. No, Pg. No, date and Query No. are matched with the entries found in the registry office.		
3.	Whether the property has been mutated in the name of the person offering the property? If not in whose name the property stands?	The land property; on which the proposed building is scheduled to be built; stands mutated with the concerned BL & LRO in the name of M/s. Excella Realtors Pvt. Ltd.		
4.	Tracing of title & chain of title in favour of Landowner. The nature of document/Deed conveying the title should be mentioned along with the type of right it creates, together with names and descriptions of parties to the document.			

## DAG No. 3884

- One Sum Mohammad was the recorded owner of all that piece and parcel of land admeasuring about 2.92 Decimals in R.S. & L.R. Dag No. 3884 in Mouza - Bishnupur under L.R. Khatian No. 3195.
- Thereafter the said Sum Mohammad died intestate leaving behind his daughter Anowara Bibi as his legal heir, who thereafter became the absolute owner of the aforesaid property.
- Thereafter the said Anowara Bibi by virtue of a registered Deed of Conveyance dated 26/07/2012 having Being No. 09715/2012 of ADSR Bidhannagar, sold the 2.92 Decimals of land property onto and in favour of M/s. Excella Realtors Pvt. Ltd.
- One Khas Mohammad was the recorded owner of all that piece and parcel of land admeasuring about 17 Decimals in R.S. & L.R. Dag No. 3884 in Mouza - Bishnupur

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- under L.R. Khatian No. 2297.
- Thereafter the said Khas Mohammad by virtue of a registered Deed of Conveyance having Being No. 06144/2008 of DSR - II Barasat, sold 17 Decimals of land property onto and in favour of one Jamal Uddin Molla, who thereafter became the absolute owner of the aforesaid property.
  - Thereafter the said Jamal Uddin Molla by virtue of a registered Deed of Conveyance having Being No. 08451/2009 of ADSR Bidhannagar, sold the aforesaid 17 Decimals of land property onto and in favour of M/s. New Town Projects Pvt. Ltd., who thereafter became the absolute owner of the aforesaid property.
  - Thereafter the said M/s. New Town Projects Pvt. Ltd. as Vendor along with the said Jamal Uddin Molla as Confirming Party, sold the 17 Decimals of land property by virtue of a Deed of Conveyance dated 01/11/2012 having Being No. 13614/2012 of ADSR Bidhannagar, onto and in favour of M/s. Excella Realtors Pvt. Ltd.

## DAG No. 3885

- One Imam Box Mondal was the recorded owner of all that piece and parcel of land admeasuring about 6 Decimals in R.S. & L.R. Dag No. 3885 in Mouza - Bishnupur under L.R. Khatian No. 536.
- Thereafter the said Imam Box Mondal died intestate leaving behind his daughters namely Fatema Bibi and Khatujan Bibi as his legal heirs, who thereafter became the absolute joint owners of the aforesaid property.
- Thereafter the said Fatema Bibi and Khatujan Bibi by virtue of a registered Deed of Conveyance dated 26/07/2012 having Being No. 09699/2012 of ADSR Bidhannagar, sold the 6 Decimals of land property onto and in favour of M/s. Excella Realtors Pvt. Ltd.
- One Khas Mohammad Molla was the recorded owner of all that piece and parcel of land admeasuring about 25 Decimals in R.S. & L.R. Dag No. 3885 in Mouza - Bishnupur under L.R. Khatian No. 2297.
- Thereafter the said Khas Mohammad Molla by virtue of a registered Deed of Conveyance dated 08/08/2012 having Being No. 10323/2012 of ADSR Bidhannagar, sold 12.5 Decimals of land (out of 25 Decimals) onto and in favour of M/s. Excella Realtors Pvt. Ltd.
- Thereafter the said Khas Mohammad Molla by virtue of another registered Deed of Conveyance dated 08/08/2012 having Being No. 10324/2012 of ADSR Bidhannagar, sold the remaining 12.5 Decimals of land onto and in favour of the said M/s. Excella

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Excelsior Pvt. Ltd.

DAG No. 3880, 3881, 3882 & 3883

- One Rashid Mirdha was the recorded owner of the land property under consideration.
- Thereafter the said Rashid Mirdha by virtue of a registered Deed of Conveyance dated 23/12/2011 having Being No. 14554/2011 of ADSR Bidhanagar, sold the property under consideration onto and in favour of M/s. Excelsior Realtors Pvt. Ltd.
- Thereafter the said M/s. Excelsior Realtors Pvt. Ltd. became the absolute owner of the land property under consideration.

- Thereafter the said M/s. Excelsior Realtors Pvt. Ltd. became the absolute owner of the land property under consideration and mutated it's name in the ROR of the concerned BL & LRO and was assigned L.R. Ebanon No. 8606.

- Thereafter the said M/s. Excelsior Realtors Pvt. Ltd. applied and obtained Permission for Conversion of Land Classification from "Salt" to "Housing Complex" vide Memo No. 05/14/1954/1(S)/SDL/BST/2015 on 24/08/2015 from the office of SDL & LRO, Barasat and have been paying taxes regularly.

- Thereafter M/s. Excelsior Realtors Pvt. Ltd. applied and obtained Sanctioned Building Plan having Approval No. 94/NZP from Zilla Parishad, 24 PGS (N) on 26/10/2016 and thereafter entered into a registered Development Agreement having Being No. 08832/2016 of ADSR Rajarhat with M/s. Exotic Infrastructure Pvt. Ltd. for the purpose of development and subsequently executed and registered a Development Power of Attorney having Being No. 09422/2016 of ADSR Rajarhat in favour of M/s. Exotic Infrastructure Pvt. Ltd. for carrying out the developmental work on the land property under consideration.

5.	Whether the property is ancestral/ or under joint ownership or the minor is having interest in the property? If so, its effect thereof.	The property under consideration is owned and possessed by M/s. Excelsior Realtors Pvt. Ltd. There is no involvement of any minor in the property.
6.	Whether there is any bar under any local law for creation of the mortgage of the property to be purchased/ sold?	There is no bar under any local law for creation of the mortgage of the property under consideration.
	Are there any legal restrictions on	There are no legal restrictions on creation

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	creation of the mortgage of property?  Is the property being used for non-agricultural purposes?	of the mortgage of property.  The land property; on which the proposed building is to be built; is recorded to be used for non-agricultural/residential purposes.
7.	Whether there is any bar/ restriction for creation of equitable mortgage under any Act, state law or rule/notification (like Ceiling Act, Land Acquisition Act, State Co-operative Societies Act, Societies Registration Act or Apartments/ Flat Ownership Act or Income Tax Act).	There is no bar/restriction for creation of equitable mortgage under SARFAESI ACT.
8.	Whether title is clear and property is free from any encumbrance (enclose relevant receipts of search).  No. of years (30 years normally) for which search made at Sub registrar's/Registrar's office.  If name is shown in Revenue/Land records.	Yes, the title is clear and property is free from any encumbrance.  Yes, 30 years of search was made at the ADSR Rajarhat, DR Barasat & ARA Kolkata.  The property stands recorded with the concerned BL & LRO in the name of M/s. Excella Realtors Pvt. Ltd.
9.	Whether title to property is marketable and property is saleable.	The title to property is marketable and saleable. The land property of the proposed building is mortgageable for securing Housing Loan.
10.	Whether any permission/consent/no objection is required and if so, it is obtained (State the letter no. and the Authority/Statutory Body/Court concerned).	No permission/consent/NOC is required.
11.	Whether the property to be purchased has been acquired under Land Acquisition Act, 1894?	No, the property under consideration has not been acquired under Land Acquisition Act, 1894.
12.	Whether Urban Land Ceiling Act is applicable in the State where the	No, the Urban Ceiling Act is not applicable.

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	property is located?	
13.	In case of leasehold property, whether permission/ NOC from the lessor is required for creation of mortgage? Whether permission of the lessor/NOC is obtained?	The property under consideration is of free hold nature.
14.	What is the rate of sharing of unearned income with lessor, in the event of sale of the property?	Nil since the property is of free hold nature.
15.	Whether copy of title deed favouring lessor (other than Govt.) is made available to examine the validity of the lease?	Not Applicable since the property is of free hold nature.
16.	Whether terms & conditions given in the lease deed have been complied with? If any condition is violated, effect thereof.	Not Applicable since the property is of free hold nature.
17.	Whether any permission of Income Tax Authorities/Assessing Officer is required under the provisions of Income Tax Act for creation of mortgage or any certificate is to be submitted to the Bank to show that no dues are outstanding to the Income Tax Department?	Not Applicable since the property is of free hold nature.
18.	In respect of agriculture land, whether land is declared surplus or under consolidation of holdings?	No, land is not declared surplus or under consolidation of holdings.
19.	Additional documents required /formalities to be complied with by the proposed mortgagor (State specifically in case of flats/properties in co-operative societies whether allotment letter, possession letter, share certificate, affidavit, power of attorney etc. is required).	NIL
20.	Whether all original deeds are available and scrutinized and are duly executed/stamped and Registered. There	Yes, all original deeds are available and scrutinized and are duly executed/stamped and registered. There is no doubt/suspicion

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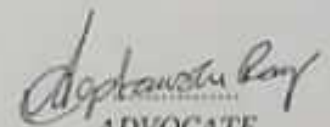
	is no doubt/suspicion as to their genuineness or existence.	as to their genuineness or existence.
21.	Inspection of Court records disclosed:-	
	Details of Suit pending, Decrees, Attachment before Judgment Injunction, Appointment of Receiver, Appointment of Liquidator	No Title Suit was found pending in the name of the present Landowner. Search was conducted by the name of the present Landowner.
22.	The Final Certificate/Opinion of Advocate confirming that the title of the property to mortgage is examined by him and the same is/are clear and marketable.	
	A search in respect of the property under investigation was conducted in the office of ADSR Rajarhat, DSR Barasat & ARA Kolkata for the last thirty years i.e. from 1990 to 2019.	
	Entries in the index at the office of ADSR Rajarhat and ADSR Bidhannagar authenticate the transaction of the property in favour of M/s. Excella Realtors Pvt. Ltd.	
	Search was conducted by "Dag Number".	
	On perusal of the documents referred above and search conducted it can be concluded that the property is free from encumbrances and the present Landowner has a clear, good and valid title over the aforesaid land property and the property under consideration can be mortgaged with any Bank or Financial Institutions by way of equitable mortgage for creation charge in the loan account of the borrower for repayment of dues and the property is enforceable under SARFAESI ACT and in creating such mortgage permission under Urban Land Ceiling & Regulation Act is not necessary.	

DATE: 01/02/2019

PLACE: Kolkata

## ENCLOSURE:-

- Money Receipt for Search. (Original)
- Information of the Court Search. (Original)
- Xerox of the documents perused.

  
ADVOCATE

**SAPTARSHI RAY**  
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CALCUTTA HIGH COURT  
Dist Court Alipore/Barasat

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Sarat Abasan - 27, Salt Lake City, Tank No. 7, Kolkata - 700091

**HIGH COURT FORM NO. (M) 55 Civil / (H) 30 Criminal**  
APPLICATION FOR INFORMATION

Serial No. & date	Name and residence of the applicant	Nature of information required	Date on which information is to be ready	Signature of Officer receiving the application	Remarks
1	2	3	4	5	6
3392/2 31/1/19	Saptarshi Ray Advocate	Is any title suit laying pending before the Ld. Court at Barasat / Alipore / against M/s. Excella Realtors Pvt. Ltd. during the period 2008 - 2019.  If so the Title Suit No. and what is the status of the suit.  Schedule:- Land:- 31 Decimals, Mouza:- Bishnupur, J.L. No:- 44, Dag No. 3885, Khatlan No. 8606, PS - Rajarhat, Dist:- 24 PGS (N).	31/1/19		T.S. case against H/s. Excella Realtors (P) Ltd. filed during the period 2008 - 2019 bid. Check in hand 31/1/19

**HIGH COURT FORM NO. (M) 55 Civil / (H) 30 Criminal**

APPLICATION FOR INFORMATION


Serial No. & date	Name and residence of the applicant	Nature of information required	Date on which information is to be ready	Signature of Officer receiving the application	Remarks
1 3/3/19 3/11/19	Saptarshi Ray Advocate	Is any title suit laying pending before the Id. Court at Barasat / Alipore / against M/s. Excella Realtors Pvt. Ltd. during the period 2008 - 2019. If so the Title Suit No. and what is the status of the suit. Schedule:- Land:- 9.52 Decimals, Mouza:- Bishnupur, J.L. No.:- 44, Dag No. 3880, 3881, 3882, 3883, Khatian No. 2595, PS - Rajarhat, Dist:- 24 PGS (N).	3/11/19		T.S. has been pending against M/s. Excella Realtors (P) Ltd. in the year 2008 to 2019 till date. 3/11/19





# HIGH COURT FORM NO. (M) 55 CIVIL / (H) 30 Criminal

## APPLICATION FOR INFORMATION

Serial No. & date	Name and residence of the applicant	Nature of information required	Date on which information is to be ready	Signature of Officer receiving the application	Remarks
1	<p>3392 5/1/19 Saptarshi Ray Advocate</p>	<p>Is any title suit laying pending before the Ld. Court at Barasat / Allipore / against M/s. Excella Realtors Pvt. Ltd. during the period 2008 - 2019.  If so the Title Suit No. and what is the status of the suit.  Schedule:- Land:- 19.92 Decimals, Mouza:- Bishnupur, J.L. No.:- 44, Dag No. 388A, Khatian No. 8606, PS - Rajarhat, Dist:- 24 PGS (N).</p>	31/1/19		<p>T.S. have been pending against M/s. Excella Realtors (P) Ltd. during the period 2008-2019. Td 2019td Clerk incharge 31/1/19</p>



No. REGN AA 381021

Receipt for Fees Deposited for Search or Inspection

- 1. Serial Number of application ..... 6332
- 2. Date of application ..... 29-1-19.
- 3. Search for the year(s) ..... 1990-2019.
- 4. Name of office to which the record to be searched or inspected relates ..... DR + Bhatnagar.
- 5. Name of person or property to be searched ..... M. Bishnupur
- 6. Nature of document ..... Dag. 3884, 3885.
- 7. Particulars of record to be inspected (year, number, book, volume and page in the case of registered document)..... U.
- 8. From whom received ..... S. Roy (ADY)
- 9. Fees paid under Article —
  - F (1) (i) ..... 60/-
  - F (1) (ii)
  - F (2)

..... Registrar of .....

130186 11 1981

Department of Revenue



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ISSUED

DR/DSP (A.D.S.R.)  
Please allow the applicant to search  
the documents for the

For A.D.S.R. (Records)  
North 24 Parganas



# No. REGN AA 381022

## Receipt for Fees Deposited for Search or Inspection

1. Serial Number of application ..... 6333.
2. Date of application ..... 29-1-19.
3. Search for the year(s) ..... 1990-2019.
4. Name of office to which the record to be searched or inspected relates .....  
DR + Patnagar.
5. Name of person or property to be searched ..... M. Bishrupur
6. Nature of document ..... Day 3880, 3881
7. Particulars of record to be inspected (year, number, book, volume and page in the case of registered document).....  
II
8. From whom received ..... S. Roy. (ADr)
9. Fees paid under Article —  
F (1) (i)  
F (1) (ii)  
F (2)  
60/-

..... Registrar of .....



ISSUED

DR/DSR/ADSR .....  
Please allow the applicant to search  
the documents for 12 year.....

.....

For  
For A.D.S.R. (Records)  
North 24 Parganas

No. REGN AA 381023

Receipt for Fees Deposited for Search or Inspection

- 1. Serial Number of application ..... 6334
- 2. Date of application ..... 29-1-19
- 3. Search for the year(s) ..... 1990-2019.
- 4. Name of office to which the record to be searched or inspected relates ..... DR + Binagar.
- 5. Name of person or property to be searched ..... M. Bishnurapur
- 6. Nature of document ..... Pag - 3882, 3883
- 7. Particulars of record to be inspected (year, number, book, volume and page in the case of registered document)..... (u) ,
- 8. From whom received ..... S. Roy (ADR)
- 9. Fees paid under Article —
  - F (1) (i) 60₹.
  - F (1) (ii)
  - F (2)

..... Registrar of .....





ISSUED

DR/DSE/ADSR.....  
Please allow the applicant to search  
the documents for the year.....  
O.....

*Tanvir*  
For A.D.S.R (Records)  
North 24-Parganas