

# CHINMAY SARKAR

## ADVOCATE

Siliguri Bar Association

Room No. 6

Residence Cum Chamber  
Red Cross Road,  
Hakimpara, Children Park,  
P.O. & P.S. -Siliguri-734001.  
District Darjeeling  
98320-63484 (Mob.)  
70633-07012 (Mob.)

Ref:

Date: 31.03.2021

### TITLE INVESTIGATION REPORT

**Sub:** Report-on-Title of the property owned by (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal, No. 1 resident of Jagadish Chandra Sarkar Lane, Kumardangi, P.O. & P.S. Raiganj, District Uttar Dinajpur, No. 2 resident of Thana Gali, Ukilpara, P.O. & P.S. Raiganj, District Uttar Dinajpur, No. 3 resident of Bandar Kalibari Road, .O. & P.S. Raiganj, District Uttar Dinajpur, No. 4 resident of Bandar Kalibari Road, .O. & P.S. Raiganj, District Uttar Dinajpur, & No. 5 resident of Shanti Warehouse, 3rd Mile Sevoke Road, Siliguri, P.O. Salugara, P.S. Bhaktinagar, District Jalpaiguri (W.B.).

Please note the followings in connection with the subject mentioned above:

1) **Name of the owner/s:** (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.

2) **Description of the Property:**

#### **SCHEDULE -"A"**

(As per title Deed No. 1 - 6835 of 2019)

All that piece or parcel of Land measuring 0.099 Acres along with Residential Structure measuring 700 Sq. Ft. Standing thereon, appertaining to R.S. Plot No. 319, corresponding to L.R. Plot No. 2864, recorded in R.S. Khatian No. 74, corresponding to L.R. Khatian Nos. 223 & 914, Situated within Mouza Barua, J.L. No. 152, Within the jurisdiction of Raiganj Municipality Ward No. 2, P.S. Raiganj, District Uttar Dinajpur, and the said land is butted and bounded by North : Property of Ramesh Agarwala & Others, by South : Property of Gouri Shankar Agarwala, by East : P.W.D. Road (N.S. Road), by West : Land of Kanai Lal Bazaz & Others.

#### **SCHEDULE -"B"**

(As per title Deed No. 6400 of 2019)

All that piece or parcel of Land measuring 0.4010 Acres, appertaining to R.S. Plot No. 319, corresponding to L.R. Plot No. 2864, recorded in R.S. Khatian No. 74, corresponding to L.R. Khatian Nos. 223 & 914, Situated within Mouza Barua, J.L. No. 152, Within the jurisdiction of Raiganj Municipality Ward No. 2, P.S. Raiganj, District Uttar Dinajpur, and the said land is butted and bounded by North : Property of Ramesh Agarwala & Others, by South : Property of Gouri Shankar Agarwala, by East : Land of Om Prakash Saraf & Others, by West : Property of Gouri Shankar Agarwala.

#### **SCHEDULE -"C"**

(As per title Deed No. 14103 of 2019)

All that piece or parcel of Land measuring 0.2728 Acres, appertaining to R.S. Plot No. 302, corresponding to L.R. Plot No. 2857, recorded in L.R. Khatian No. 4096, Situated within Mouza Barua, J.L. No. 152, Within the jurisdiction of Raiganj Municipality Ward No. 2, P.S. Raiganj, District Uttar Dinajpur, and the said land is butted and bounded by North : Land of Sharmila





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Bhattachar & Gouri Shankar Agarwala, by South : Land of Gouri Shankar Agarwala, by East : Land of Kanai Lal Bazaz & Others, by West : Land of Gouri Shankar Agarwala.

### SCHEDULE - X

(Total land of these present)

All that piece or parcel of Land measuring 0.7728 Acres along with Residential Structure measuring 700 Sq. Ft. Standing thereon, appertaining to R.S. Plot Nos. 319 & 302, corresponding to L.R. Plot Nos. 2864 & 2857, recorded in R.S. Khatian No. 74, corresponding to L.R. Khatian Nos. 223, 914, 4096 (Old) & 4466, 4467, 4468, 4469, 4479, 4296, 4300, 4297, 4303, 4299, 4305, 4298, 4304, 4306 & 4310 (New), Situated within Mouza Barua, J.L. No. 152, Within the jurisdiction of Raiganj Municipality Ward No. 2, Bearing Holding Nos. 6/5A & 5/5, P.S. Raiganj, District Uttar Dinajpur.

The said total land is butted and bounded as follows :-

North : Property of Ramesh Agarwala & Others,

South : Land of Gouri Shankar Agarwala,

East : P.W.D. Road (N.S. Road),

West : Land of Kanai Lal Bazaz & Others.

### 5. Documents Verified:

i. Original Deed of Sale being No. I-6835 for the year of 2019 recorded in Book No. I Volume No. 1801 Pages from 130056 to 130082 and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur, in the name of (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.

ii. Original Deed of Sale being No. I-6400 for the year of 2019 recorded in Book No. I Volume No. 1801 Pages from 127837 to 127860 and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur, in the name of (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.

iii. Original Deed of Sale being No. I-14103 for the year of 2019 recorded in Book No. I Volume No. 1801 Pages from 1259 to 1289 and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur, in the name of (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.

iv. Original Deed of Sale being No. I-4594 for the year of 1959 recorded in Book No. I Volume No. 53 Pages from 9 to 11 and the same was registered at the office of the then District Sub-Registrar West Dinajpur, in the name of (1) Sri Bajrang Lal Agarwala, (2) Sri Jhabarmal Agarwala, both are son of Late Mahadeb Lal Agarwala, (3) Sri Bal Krishan Agarwala, Son of Late Nagarmal Agarwala.





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v. Original Deed of Sale being No. I-4760 for the year of 1971 recorded in Book No. I Volume No. 48 Pages from 149 to 151 and the same was registered at the office of the then Sub-Registrar Raiganj, in the name of (1) Sri Jugal Kishore Saraf, (2) Sri Om Prakash Saraf, (3) Sri Banwari Lal Saraf, all are sons of Sri Bajrang Lal Saraf.

vi. Original Deed of Sale being No. I-4759 for the year of 1971 recorded in Book No. I Volume No. 48 Pages from 146 to 148 and the same was registered at the office of the then Sub-Registrar Raiganj, in the name of (1) Sri Jugal Kishore Saraf, (2) Sri Om Prakash Saraf, (3) Sri Banwari Lal Saraf, all are sons of Sri Bajrang Lal Saraf.

vii. Original Deed of Gift being No. I-2623 for the year of 2007 recorded in Book No. I and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur, in the name of Sri Banwari Lal Saraf, Son of Late Bajrang Lal Saraf.

viii. Original Deed of Gift being No. I-2624 for the year of 2007 recorded in Book No. I and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur, in the name of Sri Om Prakash Saraf, Son of Late Bajrang Lal Saraf.

ix. Original Deed of Gift being No. I-2507 for the year of 2008 recorded in Book No. I CD Volume No. 7 Pages from 619 to 628 and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur, in the name of Sri Om Prakash Saraf, Son of Late Bajrang Lal Saraf.

x. Original Deed of Gift being No. I-2503 for the year of 2008 recorded in Book No. I CD Volume No. 7 Pages from 563 to 584 and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur, in the name of Sri Om Prakash Saraf, Son of Late Bajrang Lal Saraf.

xi. Original Deed of Gift being No. I-2504 for the year of 2008 recorded in Book No. I CD Volume No. 7 Pages from 585 to 606 and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur, in the name of Sri Banwari Lal Saraf, Son of Late Bajrang Lal Saraf.

xii. Original Deed of Gift being No. I-2526 for the year of 2008 recorded in Book No. I CD Volume No. 7 Pages from 872 to 881 and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur, in the name of Sri Banwari Lal Saraf, Son of Late Bajrang Lal Saraf.

xiii. Original Deed of Gift being No. I-170 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 80 to 85 and the same was registered at the office of the Additional District Sub-Registrar Sadar Raiganj, in the name of Sri Gouri Sankar Agarwala, Son of Late Hazarilal Agarwala.

xiv. Original Deed of Gift being No. I-171 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 86 to 90 and the same was registered at the office of the Additional District Sub-Registrar Sadar Raiganj, in the name of Sri Gouri Sankar Agarwala, Son of Late Hazarilal Agarwala.

xv. Original Deed of Gift being No. I-172 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 91 to 96 and the same was registered at the office of the Additional District Sub-Registrar Sadar Raiganj, in the name of Sri Gouri Sankar Agarwala, Son of Late Hazarilal Agarwala.





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xvi. Original Deed of Gift being No. I-173 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 97 to 101 and the same was registered at the office of the Additional District Sub-Registrar Sadar Raiganj, in the name of Sri Gouri Sankar Agarwala, Son of Late Hazarilall Agarwala.

xvii. Original Deed of Gift being No. I-174 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 102 to 107 and the same was registered at the office of the Additional District Sub-Registrar Sadar Raiganj, in the name of Sri Gouri Sankar Agarwala, Son of Late Hazarilall Agarwala.

xviii. Original Deed of Gift being No. I-175 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 108 to 112 and the same was registered at the office of the Additional District Sub-Registrar Sadar Raiganj, in the name of Sri Gouri Sankar Agarwala, Son of Late Hazarilall Agarwala.

xix. Original Deed of Gift being No. I-221 for the year of 2006 recorded in Book No. I Volume No. 7 Pages from 198 to 203 and the same was registered at the office of the Additional District Sub-Registrar Sadar Raiganj, in the name of Sri Gouri Sankar Agarwala, Son of Late Hazarilall Agarwala.

xx. Photocopy of Partition Suit vide No. 6 of 1969 in the court of Additional Sub-Judge, West Dinajpur.

xxi. Original L.R. Khatian Nos. 4469, 4304 & 4298 in the name of Sri Narayan Kalyani, Son of Dindayal Kalyani.

xxii. Original L.R. Khatian Nos. 4300, 4467 & 4296 in the name of Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz.

xxiii. Original L.R. Khatian Nos. 4466, 4297 & 4303 in the name of Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj.

xxiv. Original L.R. Khatian Nos. 4468, 4299 & 4305 in the name of Sri Krishna Kalyani, Son of Dindayal Kalyani.

xxv. Original L.R. Khatian Nos. 4310, 4479 & 4306, in the name of Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.

xxvi. Original Holding Tax from Raiganj Municipality Receipt vide Nos. 95526 & 95525 in the name of (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.

xxvii. Original Land Khazna Dakhila being Nos. L & LR SBP K 6474151, 6474152 & 6474116, in the name of Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj.

xxviii. Original Land Khazna Dakhila being Nos. L & LR SBP K 6474149, 6474150 & 6474119, in the name of Sri Krishna Kalyani, Son of Dindayal Kalyani.





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xxix. Original Land Khazna Dakhila, in the name of Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.

xxx. Original Land Khazna Dakhila being Nos. L & LR SBP K 6474153, 6474154 & 6474117, in the name of Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz.

xxxi. Original Land Khazna Dakhila, in the name of Sri Narayan Kalyani, Son of Dindayal Kalyani.

xxxii. Photocopy of Fire License vide Memo No. IND/WB/FES/20192020/80216 in the name of (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.

xxxiii. Original Memorandum and Articles of Association of Prm Real Estate Private Limited vide CIN No. U70101WB2007PTC112485.

xxxiv. Original Sanctioned Building vide No. OCT12/N/CB/PWD-II/RM/2020-21, duly approved by appropriate authority, dated 11.12.2020, in the name of (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.

xxxv. Photocopy of ROC of PRM Real Estate Private Limited.

### 6. Source of Ownership

Whereas (1) Sri Bajrang Lal Agarwala, (2) Sri Jhabarmal Agarwala, both are son of Late Mahadeb Lal Agarwala, (3) Sri Bal Krishan Agarwala, Son of Late Nagarmal Agarwala, became the absolute owner of Land measuring 0.5033 Acres, appertaining to R.S. Plot No. 319, recorded in R.S. Khatian No. 74, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, by virtue of a registered Deed of Sale being No. I-4594 for the year of 1959 recorded in Book No. I Volume No. 53 Pages from 9 to 11 and the same was registered at the office of the then District Sub-Registrar West Dinajpur, executed by Sri Netram Agarwal, Son of Late Chunni Lal Agarwala.

Whereas being owner in such undivided possession said (1) Sri Jhabarmal Agarwala, Son of Late Mahadeb Lal Agarwala, (2) Sri Bal Krishan Agarwala, Son of Late Nagarmal Agarwala, sold and transferred their 2/3rd share of Land measuring 0.5033 Acres i.e. 0.3355 Acres, appertaining to R.S. Plot No. 319, recorded in R.S. Khatian No. 74, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, to and in favour of (1) Sri Jugal Kishore Saraf, (2) Sri Om Prakash Saraf, (3) Sri Banwari Lal Saraf, all are sons of Sri Bajrang Lal Saraf, by virtue of two separate registered Deed of Sale being Nos. (i) I-4760 for the year of 1971 recorded in Book No. I Volume No. 48 Pages from 149 to 151, (ii) I-4759 for the year of 1971 recorded in Book No. I Volume No. 48 Pages from 146 to 148 both were registered at the office of the then Sub-Registrar Raiganj.

Whereas being owner in such possession aforesaid Bajrang Lal Agarwala @ Saraf, died intestate leaving behind his three sons namely (1) Sri Jugal Kishore Saraf, (2) Sri Om Prakash Saraf, (3) Sri Banwari Lal Saraf, all are sons of Sri Bajrang Lal Saraf, as his only Legal heirs and





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successors as per provision of Hindu Succession Act, 1956. Accordingly by virtue of inheritance the above named legal heirs became the joint owners of aforesaid 1/3rd share of Land measuring 0.5033 Acres i.e. 0.1677 Acres left by deceased Bajrang Lal Agarwala @ Saraf, and since then in their khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

By virtue of inheritance and two sale deeds said (1) Sri Jugal Kishore Saraf, (2) Sri Om Prakash Saraf, (3) Sri Banwari Lal Saraf, all are sons of Sri Bajrang Lal Saraf, became the absolute owner of total Land measuring 0.5033 Acres, appertaining to R.S. Plot No. 319, recorded in R.S. Khatian No. 74, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, since then in their khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Whereas being owner in such undivided possession said Sri Jugal Kishore Saraf, Son of Sri Bajrang Lal Saraf, transferred his 50% share of 1/3rd share of Land measuring 0.5033 Acres i.e. 0.0833 Acres, appertaining to R.S. Plot No. 319, recorded in R.S. Khatian No. 74, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, to and in favour of Sri Banwari Lal Saraf, Son of Late Bajrang Lal Saraf, by virtue of a registered Deed of Gift being No. I-2623 for the year of 2007 recorded in Book No. I and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur.

And whereas being owner in such undivided possession said Sri Jugal Kishore Saraf, Son of Sri Bajrang Lal Saraf, transferred his 50% share of 1/3rd share of Land measuring 0.5033 Acres i.e. 0.0833 Acres, appertaining to R.S. Plot No. 319, recorded in R.S. Khatian No. 74, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, to and in favour of Sri Om Prakash Saraf, Son of Late Bajrang Lal Saraf, by virtue of a registered Deed of Gift being No. I-2624 for the year of 2007 recorded in Book No. I and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur.

In aforesaid manner said (1) Sri Om Prakash Saraf, (2) Sri Banwari Lal Saraf, both are son of Sri Bajrang Lal Saraf, became the absolute owner of total Land measuring 0.5033 Acres, appertaining to R.S. Plot No. 319, recorded in R.S. Khatian No. 74, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, since then in their khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Thereafter being owner in such possession said Sri Banwari Lal Saraf, Son of Sri Bajrang Lal Saraf, transferred his land measuring 0.16835 Acres out of his total share of 0.25 Acres, appertaining to R.S. Plot No. 319, corresponding to L.R. Plot No. 2864, recorded in R.S. Khatian No. 74, corresponding to L.R. Khatian No. 914, 1262 & 1309, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, to and in favour of his brother namely Sri Om Prakash Saraf, Son of Late Bajrang Lal Saraf, by virtue of two separate registered Deed of Gift being Nos. (i) I-2507 for the year of 2008 recorded in Book No. I CD Volume No. 7 Pages from 619 to 628, (ii) I-2503 for the year of 2008 recorded in Book No. I CD Volume No. 7 Pages from 563 to 584 both were registered at the office of the District Sub-Registrar Uttar Dinajpur.

Whereas being owner in such possession said Sri Om Prakash Saraf, Son of Late Bajrang Lal Saraf, transferred his land measuring 0.16835 Acres out of his total share of 0.25 Acres, appertaining to R.S. Plot No. 319, corresponding to L.R. Plot No. 2864, recorded in R.S. Khatian No. 74, corresponding to L.R. Khatian No. 223, 1262 & 1309, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, to and in favour of Sri Banwari Lal Saraf, Son of





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Sri Bajrang Lal Saraf, by virtue of two separate registered Deed of Gift being Nos. (i) I-2504 for the year of 2008 recorded in Book No. I CD Volume No. 7 Pages from 585 to 606, (ii) I-2526 for the year of 2008 recorded in Book No. I CD Volume No. 7 Pages from 872 to 881 both were registered at the office of the District Sub-Registrar Uttar Dinajpur.

By virtue of aforesaid manner Sri Om Prakash Saraf, Son of Late Bajrang Lal Saraf, became the absolute owner of total Land measuring 0.25 Acres, appertaining to R.S. Plot No. 319, corresponding to L.R. Plot No. 2864, recorded in R.S. Khatian No. 74, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, and since then in his khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

By virtue of aforesaid manner Sri Banwari Lal Saraf, Son of Sri Bajrang Lal Saraf, became the absolute owner of total Land measuring 0.25 Acres, appertaining to R.S. Plot No. 319, corresponding to L.R. Plot No. 2864, recorded in R.S. Khatian No. 74, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, and since then in his khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

And whereas being owner in such possession said (1) Sri Om Prakash Saraf, Son of Late Bajrang Lal Saraf, (2) Sri Banwari Lal Saraf, Son of Sri Bajrang Lal Saraf, jointly sold and transferred their aforesaid total land measuring 0.50 Acres along with Residential Structure measuring 700 Sq. Ft. Standing thereon, appertaining to R.S. Plot No. 319, corresponding to L.R. Plot No. 2864, recorded in R.S. Khatian No. 74, corresponding to L.R. Khatian Nos. 223 & 914, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, to and in favour of (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal, by virtue of two separate registered Deed of Sale being Nos. (i) I-6835 for the year of 2019 recorded in Book No. I Volume No. 1801 Pages from 130056 to 130082, (ii) I-6400 for the year of 2019 recorded in Book No. I Volume No. 1801 Pages from 127837 to 127860 both were registered at the office of the District Sub-Registrar Uttar Dinajpur.

Whereas on the other hand one Sri Sankar Agarwala, Son of Late Hazarilall Agarwala, became the absolute owner of land measuring 3.02 Acre, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, by virtue of a Compromise Decree in Partition Suit No. 6 of 1969 O/C (Partition) in the Court of Additional Sub-Judge, West Dinajpur at Balurghat, and since then in his khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Whereas being owner in such possession said Sri Sankar Agarwala, Son of Late Hazarilall Agarwala, transferred his land measuring 54.09 Kathas, appertaining to R.S. Plot No. 302, corresponding to L.R. Plot No. 2857, recorded in R.S. Khatian No. 49, corresponding to L.R. Khatian No. 2094, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, to and in favour of Sri Gouri Sankar Agarwala, Son of Late Hazarilall Agarwala, by virtue of seven separate registered Deed of Gift being Nos. (i) I-170 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 80 to 85, (ii) I-171 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 86 to 90, (iii) I-172 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 91 to 96, (iv) I-173 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 97 to 101, (v) I-174 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 102 to 107, (vi) I-175 for the year of 2006 recorded in Book No. I Volume No. 6 Pages from 108 to 112, (vii) I-221 for the year of 2006





# CHINMAY SARKAR

## ADVOCATE

Siliguri Bar Association

Room No.6

Residence Cum Chamber  
Red Cross Road,  
Hakimpara, Children Park,  
P.O. & P.S. -Siliguri-734001.  
District Darjeeling  
98320-63484 (Mob.)  
70633-07012 (Mob.)

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Date: 31.03.2021

recorded in Book No. I Volume No. 7 Pages from 198 to 203 all were registered at the office of the Additional District Sub-Registrar Sadar Raiganj.

And whereas being owner in such possession said Sri Gouri Sankar Agarwala, Son of Late Hazarilall Agarwala, had mutated his name at the office of the B.L. & L.R.O. Raiganj in respect of his said landed property and therefore a new Khatian has been issued in his favour vide L.R. Khatian No. 4096, bearing L.R. Plot No. 2857, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, and since then in his khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Whereas being owner in such possession said Sri Gouri Sankar Agarwala, Son of Late Hazarilall Agarwala, sold and transferred his land measuring 0.2728 Acres out of his total land measuring 54.09 Kathas, appertaining to L.R. Plot No. 2857, recorded in L.R. Khatian No. 4096, Situated within Mouza Barua, J.L. No. 152, Within the jurisdiction of Raiganj Municipality Ward No. 2, P.S. Raiganj, District Uttar Dinajpur, to and in favour of (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal, by virtue of a registered Deed of Sale being No. I-14103 for the year of 2019 recorded in Book No. I Volume No. 1801 Pages from 1259 to 1289 and the same was registered at the office of the District Sub-Registrar Uttar Dinajpur.

By virtue of three separate sale deed said (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal, became the absolute owner of total Land measuring 0.7728 Acres and therefore they had mutated their names at the office of the B.L. & L.R.O. Raiganj in respect of their respective shares of aforesaid landed property and therefore fifteen separate new Khatian have been issued in their favour vide L.R. Khatian Nos. 4466, 4467, 4468, 4469, 4479, 4296, 4300, 4297, 4303, 4299, 4305, 4298, 4304, 4306 & 4310, Bearing L.R. Plot No. 2857 & 2864, Situated within Mouza Barua, J.L. No. 152, P.S. Raiganj, District Uttar Dinajpur, and since then in their khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Whereas being owner in such possession said (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal, jointly desirous to construct a Architectural (L.G.+E+G+4) Storied Commercial Building upon their aforesaid Land measuring 0.7728 Acres and therefore they had prepared a Sanctioned Building vide No. OCT12/N/CB/PWD-II/RM/2020-21, duly approved by appropriate authority, dated 11.12.2020.

7. Tax / Land revenue receipt : Yes.

8. Observations

I have given my opinion on perusal of the copies of the documents and the representations made therein.

9. Investigation

Searches were caused through, I have caused necessary searches in the office of the Addl. District Sub-Registrar Raiganj for the period of 2008-2021 (Upto-date) and I have





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also inspect the settlement record in the office of the B.L. & L.R.O. at Raiganj, no any adverse entry has been found, the said property is free from all encumbrance.

10. Legal intervention/issue that is/may effect title of the property.

Whether, the proposed property is subject to any minor's claim or any other claims. No.  
Whether the chain of title to property from person/s up to the present holder/s has been maintained throughout and up-to-date? Yes.

If the title holder of the property is a company, whether Search Report of Register of charges maintained by the Registrar of Companies has made to ensure that property is found free from any charge? N/A.

Whether the titleholder has confirmed that the property is free from order of attachment before judgment or in execution of decree or from order of injunction or other litigation affecting the right of the titleholder to create mortgage (declaration may be obtained to ensure the same)? No.

11. Requirements (Critical)

A. Pre-Disbursement Docs

- i. Photocopy of Deed of Sale being No. I-6835 for the year of 2019.
- ii. Photocopy of Deed of Sale being No. I-6400 for the year of 2019.
- iii. Photocopy of Deed of Sale being No. I-14103 for the year of 2019.
- iv. Photocopy of Deed of Sale being No. I-4594 for the year of 1959.
- v. Photocopy of Deed of Sale being No. I-4760 for the year of 1971.
- vi. Photocopy of Deed of Sale being No. I-4759 for the year of 1971.
- vii. Photocopy of Deed of Gift being No. I-2623 for the year of 2007.
- viii. Photocopy of Deed of Gift being No. I-2624 for the year of 2007.
- ix. Photocopy of Deed of Gift being No. I-2507 for the year of 2008.
- x. Photocopy of Deed of Gift being No. I-2503 for the year of 2008.
- xi. Photocopy of Deed of Gift being No. I-2504 for the year of 2008.
- xii. Photocopy of Deed of Gift being No. I-2526 for the year of 2008.
- xiii. Photocopy of Deed of Gift being No. I-170 for the year of 2006.
- xiv. Photocopy of Deed of Gift being No. I-171 for the year of 2006.
- xv. Photocopy of Deed of Gift being No. I-172 for the year of 2006.





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- xvi. Photocopy of Deed of Gift being No. I-173 for the year of 2006.
- xvii. Photocopy of Deed of Gift being No. I-174 for the year of 2006.
- xviii. Photocopy of Deed of Gift being No. I-175 for the year of 2006.
- xix. Photocopy of Deed of Gift being No. I-221 for the year of 2006.
- xx. Photocopy of Partition Suit vide No. 6 of 1969 in the court of Additional Sub-Judge, West Dinajpur.
- xxi. Photocopy of L.R. Khatian Nos. 4469, 4304 & 4298 in the name of Sri Narayan Kalyani, Son of Dindayal Kalyani.
- xxii. Photocopy of L.R. Khatian Nos. 4300, 4467 & 4296 in the name of Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz.
- xxiii. Photocopy of L.R. Khatian Nos. 4466, 4297 & 4303 in the name of Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj.
- xxiv. Photocopy of L.R. Khatian Nos. 4468, 4299 & 4305 in the name of Sri Krishna Kalyani, Son of Dindayal Kalyani.
- xxv. Photocopy of L.R. Khatian Nos. 4310, 4479 & 4306, in the name of Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.
- xxvi. Photocopy of Holding Tax from Raiganj Municipality Receipt vide Nos. 95526 & 95525 in the name of (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.
- xxvii. Photocopy of Land Khazna Dakhila being Nos. L & LR SBP K 6474151, 6474152 & 6474116, in the name of Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj.
- xxviii. Photocopy of Land Khazna Dakhila being Nos. L & LR SBP K 6474149, 6474150 & 6474119, in the name of Sri Krishna Kalyani, Son of Dindayal Kalyani.
- xxix. Photocopy of Land Khazna Dakhila, in the name of Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.
- xxx. Photocopy of Land Khazna Dakhila being Nos. L & LR SBP K 6474153, 6474154 & 6474117, in the name of Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz.
- xxxi. Photocopy of Land Khazna Dakhila, in the name of Sri Narayan Kalyani, Son of Dindayal Kalyani.
- xxxii. Photocopy of Fire License vide Memo No. IND/WB/FES/20192020/80216 in the name of (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna





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Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.

xxxiii. Photocopy of Memorandum and Articles of Association of Prm Real Estate Private Limited vide CIN No. U70101WB2007PTC112485.

xxxiv. Photocopy of Sanctioned Building vide No. OCT12/N/CB/PWD-II/RM/2020-21, duly approved by appropriate authority, dated 11.12.2020, in the name of (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal.

xxxv. Photocopy of ROC of PRM Real Estate Private Limited.

B. OTC

1. None.

C. Post Disbursement

1. Nil.

### Opinion

On going through the copies of the documents and on relying upon the same and subject to the observations and satisfactory compliance of the requirement cited above, it is opined that the present owners have a clear and marketable title in the said properties. This opinion has been given on going through the copies of the documents and (1) Sri Kanai Lal Bazaz, Son of Late Magarmal Bazaz, (2) Sri Chandan Kumar Bajaj, Son of Sarbendu Kumar Bajaj, (3) Sri Narayan Kalyani, Son of Dindayal Kalyani, (4) Sri Krishna Kalyani, Son of Dindayal Kalyani, (5) Sri Prem Kumar Agarwal, Son of Late Gangadhar Agarwal, No. 1 resident of Jagadish Chandra Sarkar Lane, Kumardangi, P.O. & P.S. Raiganj, District Uttar Dinajpur, No. 2 resident of Thana Gali, Ukilpara, P.O. & P.S. Raiganj, District Uttar Dinajpur, No. 3 resident of Bandar Kalibari Road, .O. & P.S. Raiganj, District Uttar Dinajpur, No. 4 resident of Bandar Kalibari Road, .O. & P.S. Raiganj, District Uttar Dinajpur, & No. 5 resident of Shanti Warehouse, 3rd Mile Sevoke Road, Siliguri, P.O. Salugara, P.S. Bhaktinagar, District Jalpaiguri (W.B.), be entitled to create equitable mortgage U/S 58(f) of the transfer of Property Act, 1882.

All the paper and documents are returned herewith.

Yours faithfully

  
(Chinmay Sarkar)  
Advocate/Siliguri.

Copy Encl:- Search Receipt.