

DIBAKAR BHATTACHARJEE

ADVOCATE

HIGH COURT, CALCUTTA

Mobile : 98310 72514

CHAMBER : C/O BISWAS & ASSOCIATES, 10, KIRAN SANKAR ROY ROAD, 2ND FLOOR, KOLKATA-700 001, PHONE : 2210-0549
RESIDENCE : 14, NIVEDITA SARANI, P. O. - PANCHPOTA; KOLKATA - 700152, PHONE : 2432-0677

Re. :

Date : 08.05.2017..

NON-ENCUMBRANCES CERTIFICATE AND DETAILED REPORT ON TITLE

Ref:- An area of land total measuring about **77 (seventy seven) decimal or 2 (two) bighas 6 (six) cottahs 9 (nine) chittacks 16 (sixteen) sq. ft.** be the same a little more or less in R.S Dag No. 1231, 1236, 1237 and 1237/1903 under R.S Khatian No. 511, 1792 and 1737 all under Mouza-Barhans Fartabad, J.L. No. 47, **Holding No. 684, Paschim Mahamayapur,** Police Station- Sonarpur, Sub-Registry Office- Garia, under Ward No.- 28 of Rajpur Sonarpur Municipality in the District - 24 Parganas (South).

PRESENT LAND OWNERS:-

(1) **SRI SAMAR DAS** son of- Late Phanindra Nath Das, residing at- 316, N.S Road, P.O- Narendrapur, P.S.- Sonarpur, Kolkata- 700103, (2) **SRI TAPASH BHADURI** son of- Late Amaresh Chandra Bhaduri, by faith-Hindu, residing at- 74, Bidhanpally, Police Station- Bansdroni, Kolkata- 700084, (3) **SRI ARDHENDU SEKHAR SARDAR**, son of- Late Nonigopal Sardar, residing at Barhans Fartabad Sardarpara, P.O.- Garia, P.S.- Sonarpur, Kolkata -700084, (4) **SRI SHUBRANGSHU SARDAR**, son of- Late Sudhangshu Sardar, residing at- Fartabad, Sardarpara, P.O - Garia, P.S.- Sonarpur, Kolkata-700084, (5) **SMT. KARUNAMOYEE SARDAR** wife of- Late Suvendu Sekhar Sardar, residing at- Fartabad Sardarpara, P.O - Garia,

SBh.

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Date :

2.

P.S.- Sonarpur, Kolkata- 700084, (6) **SMT. KUHELI MONDAL**, wife of- Swapan Mondal, residing at- Balia East, P.O.- Garia, P.S.- Sonarpur, Kolkata- 700084, (7) **SMT. KAKALI DAS**, wife of- Sri Bidyut Das, residing at Maheshtala, Dakghar, P.S. Maheshtala, Kolkata - 700141.

I have caused necessary searches in the Registrar of Assurances Office, Kolkata, District Registry Office, Alipore and Additional District Sub. Registry Office, Alipore for the period of last 25 (twenty five) years and have inspected the records and all other relevant available documents in respect of the aforesaid property.

MY REPORT IS AS FOLLOWS:-

1. Originally, Ramchandra Sardar, son of- Baikuntha Sardar was the recorded owner of the land measuring about 24 decimal in R.S Dag No. 1231, 13 decimal in R.S. Dag No. 1236 & 52 decimal in R.S. Dag No. 1237 all in Mouza- Barhans Fartabad with other lands and after the death of Ramchandra Sardar his 2 (two) sons namely Nanigopal Sardar and Hiralal Sardar jointly inherited the said lands of Ramchandra Sardar and in the Revisional Settlement Record-of Rights (Parcha) the names of Nani Gopal Sardar and Hiralal Sardar have been published in respect of the said lands;

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3.

2. On 16.05.1967 Nanigopal Sardar and Hiralal Sardar for making equal division and demarcation of their respective shares in the said total lands executed a Deed of Partition between them, which was registered before Sub. Registrar, Sonarpur and recorded in Book No. 1, Volume No. 13, Pages 146 to 155, Being No. 686, for the year 1967;

3. Nanigopal Sardar being the First Party and as per "Schedule- Kha" of the said Deed of Partition got the absolute ownership of the Schedule land with other lands and after the demise of Nanigopal Sardar on 21.11.1979 and that of his wife Bijan Bala Sardar their 3 (three) sons namely Sri Subhendu Sekhar Sardar, Sri Ardhendu Sekhar Sardar, Dr. Sudhanshu Sekhar Sardar and 5 (five) daughters namely (1) Smt. Ashalata @ Durgabala Safui, wife of- Late Ashwini Kumar Sanfui, (2) Smt. Nilima Halder, wife of- Late Rabindranath Haldar, (3) Smt. Gayatri Mondal, wife of- Sri Haridas Mondal, (4) Smt. Sibani Roy, wife of- Late Rajani Bhushan Roy, (5) Smt. Gita Biswas, wife of- Dr. Kamallesh Biswas, - all 8 (eight) of them jointly inherited the share of Nanigopal Sardar;

4. After the demise of Dr. Sudhanshu Sekhar Sardar on 17.01.2007 and that of his wife Smt. Bimala Sardar on 20.06.2006 their 3 (three) sons

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4.

namely (1) Sri Himangsu Sardar, (2) Sri Shubrangshu Sardar, (3) Sri Sitangshu Sardar and only daughter Smt. Sanghamitra Sarkar, wife of- Sri Subhachari Sarkar- all 4 (four) of them jointly inherited the undivided share of Dr. Sudhanshu Sekhar Sardar;

5. After the demise of Subhendu Sekhar Sardar on 02.01.2010 his wife Smt. Karunamoyee Sardar and 2 (two) daughters namely Smt. Kuheli Mondal, wife of Sri Swapan Mondal and Smt. Kakali Das, wife of Sri Bidyut Das - all 3 (three) of them jointly inherited the undivided share of Subhendu Sekhar Sardar;

6. Hiralal Sardar being the Second Party and as per "Schedule- Ga" of the said Deed of Partition got the ownership of the land as mentioned in the Schedule hereunder written and after the death of Hiralal Sardar on 08.03.1980 and that of his wife Anila Sardar on 27.12.2006, their 2 (two) sons namely Sri Purnendu Sekhar Sardar, Arabinda Sekhar Sardar and 6 (six) daughters namely (1) Biva Mondal, (2) Prova Giri, (3) Sova Roy Naskar, (4) Niva Mondal, (5) Reba Sardar (6) Subhra Mondal - all 8 (eight) of them jointly inherited the said total land of Hiralal Sardar;

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5.

7. After the death of Arabinda Sekhar Sardar his wife Dipali Sardar and 3 (three) daughters namely (1) Mousumi Mondal, wife of Sri Arup Kumar Mondal, (2) Madhumita Haldar, wife of Sri Abhijit Haldar and (3) Mohua Mondal, wife of Sri Sujit Mondal, all 4(four) of them jointly inherited the share of land from Arabinda Sekhar Sardar;
8. After the death of Biva Mondal her 4 (four) sons namely (1) Ashok Kumar Mondal, (2) Shashanka Sekhar Mondal, (3) Samarendra Nath Mondal and (4) Amarendra Nath Mondal and 3 (three) daughters namely (1) Sumitra Naskar, wife of Nirmal Naskar, (2) Sabita Mondal, wife of Sri Ashok Mondal and (3) Kabita Naskar, wife of Sri Balaram Naskar - all 7(seven) of them jointly inherited the share of land from Biva Mondal;
9. After the death of Reba Sardar her only son Sudip Sardar solely inherited the share of land from his mother Reba Sardar;
10. On 17.04.2012 the aforementioned legal heirs of Arabinda Sekhar Sardar jointly sold the land measuring about 4.87 decimal alongwith their share in the common passage measuring about 0.063 decimal or 27.5 sq.ft to Samar Das (the Landowner No. 1 herein) by

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6.

virtue of a Deed of Conveyance registered before A.D.S.R Sonarpur and recorded in Book No. I, C.D Volume No. 13, Pages 3676 to 3693, Being No. 4656 for the year 2012;

11. On 30.12.2011 Subhra Mondal and Prova Giri jointly sold the land measuring about 9.75 decimal alongwith their share in the common passage measuring about 0.126 decimal or 55 sqft to Samar Das (the Landowner No. 1 herein) by virtue of a Deed of Conveyance registered before A.D.S.R Sonarpur and recorded in Book No. I, C.D Volume No. 33, Pages 3094 to 3110, Being No. 14211 for the year 2011;

12. On 03.06.2012 the aforementioned legal heirs of Biva Mondal jointly sold the land measuring about 4.87 decimal alongwith their share in the common passage measuring about 0.063 decimal or 27.5 sqft to Samar Das (the Landowner No. 1 herein) by virtue of a Deed of Conveyance registered before A.D.S.R Sonarpur and recorded in Book No. I, C.D Volume No. 21, Pages 4154 to 4172, Being No. 7566 for the year 2012;

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7.

13. On 19.04.2012 Sudip Sardar (the only legal heir of Reba Sardar) sold the land measuring about 4.87 decimal alongwith his share in the common passage measuring about 0.063 decimal or 27.5 sq.ft to Samar Das (the Landowner No. 1 herein) by virtue of a Deed of Conveyance registered before A.D.S.R Sonarpur and recorded in Book No. I, C.D Volume No. 14, Pages 5433 to 5448, Being No. 5010 for the year 2012;
14. On 16.01.2011 Sova Naskar and Niva Mondal jointly sold the land measuring about 9.75 decimal alongwith their share in the common passage measuring about 0.126 decimal or 55 sq.ft to Samar Das (the Landowner No. 1 herein) by virtue of a Deed of Conveyance registered before A.D.S.R Sonarpur and recorded in Book No. I, C.D Volume No. 1, Pages 6702 to 6719, Being No. 404 for the year 2012;
15. On 09.11.2012 Sitangshu Sardar, son of Late Sudhangshu Sardar sold the land measuring about 3 cottahs 5 chittacks 5 sq.ft. or 5.5 decimal alongwith his share in the common passage measuring about 0.03 decimal or 13.59 sq.ft to Samar Das (the Landowner No. 1 herein) by virtue of a Deed of Conveyance registered before A.D.S.R

Asst. Clk.

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8.

Sonarpur and recorded in Book No. I, C.D Volume No. 36, Pages 1110 to 1129, Being No. 13618 for the year 2012;

16. On 06.11.2012 Gita Biswas, wife of Kamalesh Biswas sold the land measuring about 5.25 decimal alongwith her share in the common passage measuring about 0.062 decimal or 27.22 sq. ft. to Samar Das (the Landowner No. 1 herein) by virtue of a Deed of Conveyance registered before A.D.S.R Sonarpur and recorded in Book No. I, C.D Volume No. 35, Pages 6585 to 6601, Being No. 13440 for the year 2012, which includes 3.125 decimal of land and 27.22 sq. ft. share of the common passage comprising of R.S. Dag No. 1237 & 1237/1903 which is the subject matter of this Development Agreement and the balance 2.125 decimal of land out of 5.25 decimal land comprises of R.S. Dag No. 3064 & 3065 which is not the subject matter of this Development Agreement;

17. On 04.12.2013 Sanghamitra Sarkar, wife of Shubochari Sarkar sold the land measuring about 5.3 decimal alongwith her share in the common passage measuring about 0.04 decimal or 16.98 sq.ft. to Samar Das (the Landowner No. 1 herein) by virtue of a Deed of Conveyance registered before A.D.S.R Sonarpur and recorded in Book

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9.

No. I, C.D Volume No. 28, Pages 1697 to 1720, Being No. 12538 for the year 2013;

18. On 12.04.2013 the aforementioned 4 (four) daughters of Nani Gopal Sardar (except Gita Biswas) jointly sold the land measuring about 6 chittacks or 0.625 decimal as their share of land in the common passage to Samar Das (the Landowner No. 1 herein) by virtue of a Deed of Conveyance registered before A.D.S.R Sonarpur and recorded in Book No. I, C.D Volume No. 10, Pages 7676 to 7696, Being No. 4530 for the year 2013;

19. Thus by virtue of the aforementioned Deeds of Conveyance, **Samar Das (the Landowner No. 1 herein) became the owner of the entire land measuring about 49.875 decimal equivalent to 30 cottahs 2 chittacks 36 sq. ft.** in R.S Dag No. 1231, 1236, 1237 and 1237/1903 under R.S Khatian No. 511, 1792 and 1737, all under Mouza- Barhans Fartabad and after purchasing the said land and while enjoying the ownership of the same Samar Das (the Landowner No. 1 herein) entered into a Development Agreement with Ganguly Home Search Private Limited for development of his said land measuring about 49.875 decimal equivalent to 30 cottahs 2 chittacks

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36 sq. ft., the said Development Agreement was registered on 18.09.2014 before A.D.S.R. Sonarpur and recorded in Book No. I, C.D Volume No. 20, Pages 5683 to 5723, Being No. 9742 for the year 2014 and for smooth running of the construction work Samar Das (the Landowner No. 1 herein) executed a Power of Attorney in favour of Amit Ganguly which was registered on 18.09.2014 before A.D.S.R. Sonarpur and recorded in Book No. I, C.D Volume No. 20, Pages 5663 to 5682, Being No. 9743 for the year 2014;

20. Originally Ramchandra Sardar, son of- Baikuntha Sardar was the recorded owner of the land in R.S. Dag No. 1231, 1236 & 1237 all in Mouza- Barhans Fartabad with other lands and after the death of Ramchandra Sardar his 2 (two) sons namely Nanigopal Sardar and Hiralal Sardar jointly inherited the said lands of Ramchandra Sardar and thereafter on 16.05.1967 Nanigopal Sardar and Hiralal Sardar for making proper division and demarcation of their respective shares in the said lands of Ramchandra Sardar executed a Deed of Partition between them, which was registered before Sub. Registrar, Sonarpur and recorded in Book No. I, Volume No. 13, Pages 146 to 155, Being No. 686, for the year 1967;

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Re. :

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11.

21. Hiralal Sardar being the Second Party and as per "Schedule-Ga" of the said Deed of Partition got the absolute ownership of the land measuring about 7 decimal in R.S. Dag No. 1231, R.S. Khatian No. 1792, 6 decimal in R.S. Dag No. 1236, R.S. Khatian No. 1792, 1737, 26 decimal in R.S. Dag No. 1237, R.S. Khatian No. 511 alongwith other lands and 1.25 decimal of land as common area (out of which 0.75 decimal of land in R.S. Dag No. 1231 & 0.5 decimal of land in R.S. Dag No. 1237) and after the death of Hiralal Sardar on 08.03.1980 and that of his wife Anila Sardar on 27.12.2006, their 2 (two) sons namely Sri Purnendu Sekhar Sardar, Arabinda Sekhar Sardar and 6 (six) daughters namely (1) Biva Mondal, (2) Prova Giri, (3) Sova Roy Naskar, (4) Niva Mondal, (5) Reba Sardar (6) Subhra Mondal - all 8 (eight) of them jointly inherited the said land total measuring about 39 decimal along with common area of 1.25 decimal and each of them became the joint owner of the undivided $\frac{1}{8}$ th share of the said total land of (39+1.25) decimal = 40.25 decimal, i.e. each of them became the joint undivided owner of 5.03 decimal of land;

22. Thus by virtue of Law of Inheritance under the provisions of Hindu Succession Act, 1956, Purnendu Sekhar Sardar became the

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12.

joint owner of the undivided $1/8$ th share of the said land of 40.25 decimal, i.e. 5.03 decimal of land and thereafter on 14.02.2013, Purnendu Sekhar Sardar sold the said land measuring about 5.03 decimal to Tapash Bhaduri (the Landowner No. 2 herein), by virtue of a Deed of Conveyance registered before A.D.S.R Sonarpur and recorded in Book No. I, C.D Volume No. 7, Pages 5075 to 5087, Being No. 2518, for the year 2013;

23. Thus by virtue of the aforementioned Deed of Conveyance, **Tapash Bhaduri (the Landowner No. 2 herein) became the owner of the land measuring about 5.03 decimal** in R.S Dag No. 1231, 1236 and 1237, under R.S Khatian No. 511, 1792 and 1737, all under Mouza- Barhans Fartabad and after purchasing the said land and while enjoying the ownership of the same Tapash Bhaduri (the Landowner No. 2 herein) entered into a Development Agreement with Ganguly Home Search Private Limited for development of his said land measuring about 5.03 decimal, the said Development Agreement was registered on 27.04.2017 before A.D.S.R. Garia and recorded in Book No. I, C.D Volume No. 1629-2017, Pages 31990 to 32014, Being No. 1387 for the year 2017 and for smooth running of the construction

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work Tapash Bhaduri (the Landowner No. 2 herein) executed a Power of Attorney in favour of Amit Ganguly which was registered on 27.04.2017 before A.D.S.R. Garia and recorded in Book No. I, C.D Volume No. 1629-2017, Pages 33487 to 33507, Being No. 1388, for the year 2017;

24. On 16.05.1967 Nanigopal Sardar and Hiralal Sardar for making equal division and demarcation of their respective shares in the land mentioned hereunder in the First Schedule with other lands executed a Deed of Partition between them, which was registered before Sub. Registrar, Sonarpur and recorded in Book No. I, Volume No. 13, Pages 146 to 155, Being No. 686, for the year 1967;

25. Nanigopal Sardar being the First Party and as per "Schedule-Kha" of the said Deed of Partition got the absolute ownership of the Schedule land with other lands and after the demise of Nanigopal Sardar on 21.11.1979 and that of his wife Bijan Bala Sardar their 3 (three) sons namely Sri Subhendu Sekhar Sardar, Sri Ardhendu Sekhar Sardar, Dr. Sudhanshu Sekhar Sardar and 5 (five) daughters namely (1) Smt. Ashalata @ Durgabala Safui, wife of- Late Ashwini Kumar Sanfui, (2) Smt. Nilima Halder, wife of- Late Rabindranath

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Haldar, (3) Smt. Gayatri Mondal, wife of- Sri Haridas Mondal, (4) Smt. Sibani Roy, wife of- Late Rajani Bhushan Roy,(5) Smt. Gita Biswas, wife of- Dr. Kamalesh Biswas, - all 8 (eight) of them jointly inherited the share of Nanigopal Sardar;

26. After the demise of Dr. Sudhanshu Sekhar Sardar on 17.01.2007 and that of his wife Smt. Bimala Sardar on 20.06.2006 their 3 (three) sons namely (1) Sri Himangsu Sardar, (2) Sri Shubrangshu Sardar, (3) Sri Sitangshu Sardar and only daughter Smt. Sanghamitra Sarkar, wife of- Sri Subhachari Sarkar- all 4 (four) of them jointly inherited the undivided share of Dr. Sudhanshu Sekhar Sardar;

27. After the demise of Subhendu Sekhar Sardar on 02.01.2010 his wife Smt. Karunamoyee Sardar and 2 (two) daughters namely Smt. Kuheli Mondal, wife of Sri Swapan Mondal and Smt. Kakali Das, wife of Sri Bidyut Das - all 3 (three) of them jointly inherited the undivided share of Subhendu Sekhar Sardar;

28. Hiralal Sardar being the Second Party and as per "Schedule-Ga" of the said Deed of Partition got the ownership of the land as

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15.

mentioned in the Schedule hereunder written and after the death of Hiralal Sardar on 08.03.1980 and that of his wife Anila Sardar on 27.12.2006, their 2 (two) sons namely Sri Purnendu Sekhar Sardar, Arabinda Sekhar Sardar and 6 (six) daughters namely (1) Biva Mondal, (2) Prova Giri, (3) Sova Roy Naskar, (4) Niva Mondal, (5) Reba Sardar (6) Subhra Mondal - all 8 (eight) of them jointly inherited the said total land of Hiralal Sardar;

29. After the death of Arabinda Sekhar Sardar his wife Dipali Sardar and 3 (three) daughters namely (1) Mousumi Mondal, wife of Sri Arup Kumar Mondal, (2) Madhumita Haldar, wife of Sri Abhijit Haldar and (3) Mohua Mondal, wife of Sri Sujit Mondal, all 4(four) of them jointly inherited the share of land from Arabinda Sekhar Sardar;

30. After the death of Biva Mondal her 4 (four) sons namely (1) Ashok Kumar Mondal, (2) Shashanka Sekhar Mondal, (3) Samarendra Nath Mondal and (4) Amarendra Nath Mondal and 3(three) daughters namely (1) Sumitra Naskar, wife of Nirmal Naskar, (2) Sabita Mondal, wife of Sri Ashok Mondal and (3) Kabita Naskar, wife of Sri Balaram Naskar all 7(seven) of them jointly inherited the share of land from Biva Mondal;

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Re. :

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16.

31. After the death of Reba Sardar her only son Sudip Sardar solely inherited the share of land from his mother Reba Sardar;
32. In view of the aforementioned Partition Deed dated 16.05.1967 being Deed No. 686 of 1967 Nanigopal Sardar had half share in the 01 decimal land earmarked as common passage in C.S. Dag No. 1237 and in 1.5 decimal land earmarked as common passage in R.S. Dag No. 1231;
33. The aforementioned legal heirs of Nanigopal Sardar and his wife namely Bijanbala Sardar, Nanigopal Sardar's half share in the said 01 decimal land earmarked as common passage in C.S. Dag No. 1237 and in the 1.5 decimal land earmarked as common passage in R.S. Dag No. 1231, each of the three sons and five daughters acquired 1/16th share. As aforementioned Ardhendu Sekhar Sardar who is one of the sons of Nanigopal Sardar acquired in 01 decimal passage land of C.S. Dag No. 1237, 27.18 sq. ft. land and in 1.5 decimal passage land of R.S. Dag no. 1231, 40.78 sq. ft. land by way of inheritance from Nanigopal Sardar since deceased. Thus Ardhendu Sekhar Sardar became the owner to the extent of 27.18 sq. ft land in the 01 decimal

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RESIDENCE : 14, NIVEDITA SARANI, P. O. - PANCHPOTA; KOLKATA - 700152, PHONE : 2432-0677

Re. :

Date :

17.

passage land of C.S. Dag no. 1237 and 40.78 sq. ft. land in the 1.5 decimal passage land of R.S. Dag No. 1231.

34. A partition took place in respect of other joint properties belonging to the heirs of Hiralal Sardar and Nanigopal Sardar including the 11 decimal land of R.S. Dag No. 1236 (though erroneously written as 13 decimal land) and the same was the subject matter of partition amongst the heirs of Hiralal Sardar and Nanigopal Sardar in the partition deed dated 02.07.1984 being deed no. 9183 of 1984. By that partition deed 11 decimal land of R.S. Dag No. 1236 which was allotted to Nanigopal Sardar by the Partition Deed no. 686 of 1967 and which was inherited by all the heirs of Nanigopal Sardar after the demise of Nanigopal Sardar was re-allotted only in favour of Bimala Sardar, Himagshu Sardar, Shubrangshu Sardar and Sitangshu Sardar, the heirs of Sudhangshu Sekhar Sardar, one of the sons of Nanigopal Sardar. Though 11 decimal land of R.S. Dag No. 1236 was in the allotment of Nanigopal Sardar, as a result of the Partition Deed dated 02.07.1984 being deed no. 9183 of 1984 registered at D.R. Alipore, Ardhendu Sekhar Sardar, the Landowner

G. Bhatt.

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Re. :

Date :

18.

no. 3 herein did not acquire any interest in the property of R.S. Dag No. 1236.

35. In view of the partition being Deed No. 686 of 1967 each of Nanigopal Sardar's heirs after demise of Bijan Bala Sardar wife of Nanigopal Sardar acquired 1/8th share in 25 decimal land of C.S. Dag No. 1237 i.e. 3.125 decimal land each, and 1/8th share in the 10 decimal land of R.S. Dag No. 1231 i.e., 1.250 decimal land each. Thus Ardhendu Sekhar Sardar, the Landowner no. 3 herein acquired 3.125 decimal land in C.S. Dag No. 1237 and 1.25 decimal land in R.S. Dag No. 1231 which was inherited by Ardhendu Sekhar Sardar on the demise of Nanigopal Sardar. Thus by way of inheritance Ardhendu Sekhar Sardar the Landowner no.3 herein acquired 3.125 decimal land in C.S. Dag No. 1237 and 1.25 decimal land in R.S. Dag No. 1231.

36. Shubrangshu Sardar, Sitangshu Sardar and Sanghamitra Sarkar transferred 1 cottah 15 chittacks 22 sq. ft. or 3.25 decimal land in C.S. Dag No. 1237 in favour of Ardhendu Sekhar Sardar, the Landowner no. 3 herein by the Gift Deed dated 10.03.2012 being Deed no. 4350 of 2012 registered at A.D.S.R. Sonarpur. Again Ashalata @

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RESIDENCE : 14, NIVEDITA SARANI, P. O. - PANCHPOTA; KOLKATA - 700152, PHONE : 2432-0677

Re. :

Date :

19.

Durgabala Safui, Nilima Halder, Gayatri Mondal and Sibani Roy transferred 02 cottahs 08 chittacks 17 sq. ft. or 4.17 decimal land in C.S. Dag no. 1237 and 01 cottah 07 sq. ft. or 1.67 decimal land in R.S. Dag No. 1231 in favour of Ardhendu Sekhar Sardar, the Landowner no. 3 herein by the Gift Deed dated 10.03.2012 being deed no. 3668 of 2012 registered at A.D.S.R. Sonarpur;

37. As a result of the aforementioned transfers and by way of inheritance in C.S. Dag no. 1237 Ardhendu Sekhar Sardar, the Landowner no. 3 herein acquired total 10.545 decimal land and in R.S. Dag No.1231 the Landowner no. 3 herein acquired 2.92 decimal land in addition to 27.18 sq. ft. land in 01 decimal passage land of C.S. Dag no. 1237 and 40.78 sq. ft land in the 15 decimal passage land of R.S. Dag No. 1231.

38. The after the demise of Nanigopal Sardar and his wife namely Bijanbala Sardar, Nanigopal Sardar's half share in the said 01 decimal land earmarked as common passage in C.S. Dag No. 1237 and in the 1.5 decimal land earmarked as common passage in R.S. Dag No. 1231, each of the three sons and five daughters acquired 1/16th share. Sudhanshu Sekhar Sardar died leaving behind his wife Bimala

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Re. :

Date :

20.

Sardar and three sons Shubrangshu Sardar, Himangshu Sardar, Sitangshu Sardar and only daughter Sanghamitra Sarkar. Thus on the demise of Bimala Sardar on 20.06.2006 in the 01 decimal passage of C.S. Dag No. 1237 Shubrangshu Sardar, the Landowner no. 4 herein in 1/64th share acquired 6.79 Sq. ft. and in 1.5 decimal passage land of R.S. Dag No. 1231 the said Landowner no. 4 acquired in 1/64th share 10.19 Sq. ft.

39. A partition took place in respect of other joint properties belonging to the heirs of Hiralal Sardar and Nanigopal Sardar including the 11 decimal land of R.S. Dag No. 1236 (though erroneously written as 13 decimal land) and the same was the subject matter of partition amongst the heirs of Hiralal Sardar and Nanigopal Sardar in the partition deed dated 02.07.1984 being Deed no. 9183 of 1984. By that partition deed 11 decimal land of R.S. Dag No. 1236 which was allotted to Nanigopal Sardar by the partition deed no. 686 of 1967 and which was inherited by all the heirs of Nanigopal Sardar after the demise of Nanigopal Sardar was re-allotted only in favour of Bimala Sardar, Himangshu Sardar, Shubrangshu Sardar and Sitangshu Sardar, the heirs of Sudhangshu Sardar, one of the sons of

Gshah

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Re. :

Date :

21.

Nanigopal Sardar. Though in the said partition deed dated 02.07.1984 being deed no. 9183 of 1984, Sanghamitra Sarkar was not a party, in the subsequent suit being Title Suit No. 27 of 2004 before the Ld. Civil Judge (Sr. Div.) at Baruipur, Sanghamitra Sarkar was a party and Sanghamitra Sarkar admitted the earlier partition deed dated 02.07.1984 being deed no. 9183 of 1984;

40. A partition deed took place dated 31.12.1986 being deed no. 6 of 1987 whereby said 11 decimal land of R.S. Dag No. 1236 became the subject matter of partition between Bimiala Sardar, Himangshu Sardar, Shubrangshu Sardar and Sitangshu Sardar. Subsequently, Sitangshu Sardar filed Title Suit No. 27 of 2004 on a claim that on the strength of the partition deed dated 02.07.1984 Sitangshu Sardar acquired 1/4th share in 11 decimal land of R.S. Dag No. 1236 and as one of the four heirs and legal representatives of Bimala Sardar acquired 1/16th Share. In the said Title Suit No. 27 of 2004, Himangshu Sardar, Shubrangshu Sardar and Sanghamitra Sarkar were defendants and the Ld. Court declared 5/16th share of each of Himangshu Sardar, Sitangshu Sardar and Shubrangshu Sardar and 1/16th share of Sanghamitra Sarkar. Thus by way of inheritance,

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Re. :

Date :

22.

partition deed dated 02.07.1984 being deed no. 9183 of 1984 followed by the judgment and decree of Title Suit No. 27 of 2004 passed by the Ld. Civil Judge (Sr. Div.) at Baruipur, the Landowner no. 4 herein acquired 3.4375 decimal land in R.S. Dag No. 1236;

41. In view of the partition deed being no. 686 of 1967 each of Nanigopal Sardar's heirs after demise of Bijan Bala Sardar wife of Nanigopal Sardar acquired 1/8th share in 25 decimal land of C.S. Dag No. 1237 i.e. 3.125 decimal land each, and 1/8th share in the 10 decimal land of R.S. Dag No. 1231 i.e. 1.250 decimal land each. Thus by way of inheritance the Landowner no. 4 herein acquired 0.78125 decimal land in C.S. Dag No. 1237 and 0.3125 decimal land in R.S. Dag No. 1231;

42. Karunamoyee Sardar, Kuheli Mondal and Kakali Das who jointly had 3.125 decimal land in C.S. Dag No. 1237 transferred 1.32 decimal land in favour of Sitangshu Sardar, Sanghamitra Sarkar and Shubrangshu Sardar the Landowner no. 4 herein by the Gift Deed dated 10.03.2012 being deed no. 4351 of 2012 registered at A.D.S.R. Sonarpur. Again Ashalata @ Durgabala Safui, Nilima Halder, Gayatri Mondal and Sibani Roy each of whom had 3.125 decimal land in C.S.

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Re. :

Date :

23.

Dag No. 1237 and 1.25 decimal land in R.S. Dag No. 1231 by way of inheritance from Nanigopal Sardar, since deceased jointly transferred 4.17 decimal land in C.S. Dag No. 1237 and 1.67 decimal land in R.S. Dag No. 1231 in favour of Sitangshu Sardar, Sanghamitra Sarkar and Shubrangshu Sardar the Landowner no. 4 herein by the registered Gift Deed dated 10.03.2012 being deed no. 3670 of 2012 registered at A.D.S.R. Sonarpur. Again Himangshu Sardar who had 0.78125 decimal land in C.S. Dag No. 1237 and 0.3125 decimal land in R.S. Dag No. 1231 by way of inheritance from Sudhanshu Sekhar Sardar, son of Nanigopal Sardar transferred 0.78 decimal land in C.S. Dag No. 1237 and 0.31 decimal land in R.S. Dag No. 1231. In favour of Sitangshu Sardar, Sanghamitra Sarkar and Shubrangshu Sardar the Landowner no. 4 herein by the registered gift deed dated 10.03.2012 being deed no. 3673 of 2012 registered at A.D.S.R. Sonarpur. Again Himangshu Sardar who had 3.4375 decimal of land in R.S. Dag No. 1236 by way of the partition deed dated 02.07.1.984 being Deed no. 9183 of 1984 and judgment and decree of T.S. No. 27 of 2004 transferred 1.95 decimal land in R.S. Dag No. 1236 in favour of Sanghamitra Sarkar and Shubrangshu Sardar the landowner no. 4 herein by the registered gift deed dated 10.03.2012 being deed no.

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Re. :

Date :

24.

4348 of 2012 registered at A.D.S.R. Sonarpur. Subsequently Sanghamitra Sarkar and Shubrangshu Sardar the Landowner no. 4 herein along with Sitangshu Sardar transferred 3.25 decimal land in C.S. Dag No. 1237 in favour of Ardhendu Sekhar Sardar by the registered gift deed dated 10.03.2012 being deed no. 4350 of 2012. Again Shubrangshu Sardar the Landowner no. 2 and Sitangshu Sardar jointly transferred 1.83 decimal land in C.S. Dag No. 1237 in favour of Sanghamitra Sarkar by the registered gift deed dated 10.03.2012 being deed no. 4354 of 2012 registered at A.D.S.R, Sonarpur;

43. In view of the aforementioned transfers the Landowner no. 2 herein acquired 0.865 decimal land in C.S. Dag No. 1237, 4.4125 decimal land in R.S. Dag No. 1236 and 0.97 decimal land in R.S. Dag No. 1231, total being 6.2475 decimal of land in the said three dags and in the 01 decimal passage land of C.S. Dag No. 1237, 6.79 sq. ft. land and in the 1.5 decimal passage land of R.S. Dag No. 1231, 10.19 Sq. ft. land;

44. After the demise of Nanigopal Sardar and his wife namely Bijanbala Sardar, Nanigopal Sardar's half share in the said 01 decimal

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Re. :

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25.

land earmarked as common passage in C.S. Dag No. 1237 and in the 1.5 decimal land earmarked as common passage in R.S. Dag No. 1231, each of the three sons and five daughters acquired 1/16th share. Subhendu Sekhar Sardar died leaving behind the Landowners nos. 5, 6 and 7 herein as his legal heirs and representatives. Thus on the demise of Subhendu Sekhar Sardar, in the 01 decimal passage land of C.S. Dag No. 1237, the Landowner nos. 5, 6 and 7 herein jointly acquired 27.18 sq. ft. land and in 1.5 decimal passage land of R.S. Dag No. 1231, they jointly acquired 40.78 sq. ft. land;

45. A partition took place in respect of other joint properties belonging to the heirs of Hiralal Sardar and Nanigopal Sardar including the 11 decimal land of R.S. Dag No. 1236 (though erroneously written as 13 decimal land) and the same was the subject matter of partition amongst the heirs of Hiralal Sardar and Nanigopal Sardar in the partition deed dated 02.07.1984 being deed no. 9183 of 1984. By that partition deed 11 decimal land of R.S. Dag No. 1236 which was allotted to Nanigopal Sardar by the partition deed no. 686 of 1967 and which was inherited by all the heirs of Nanigopal Sardar after the demise of Nanigopal Sardar was re-allotted only in favour of

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Re. :

Date :

26.

Bimala Sardar, Himagshu Sardar, Shubrangshu Sardar and Sitangshu Sardar, the heirs of Sudhangshu Sekhar Sardar, one of the sons of Nanigopal. Though 11 decimal land of R.S. Dag No. 1236 was in the allotment of Nanigopal Sardar, as a result of the partition deed dated 02.07.1884 being deed no. 9183 of 1984 registered at D.R. Alipore, Subhendu Sekhar Sardar the predecessor in interest of the Land owner nos. 5, 6 and 7 herein did not acquire any interest in the property of R.S. Dag No. 1236;

46. In view of the partition being deed No. 686 of 1967 each of Nanigopal Sardar's heirs after demise of Bijan Bala Sardar acquired 1/8th share in 25 decimal land of C.S. Dag No. 1237 i.e. 3.125 decimal land each, and 1/8th share in the 10 decimal land of R.S. Dag No. 1231 i.e. 1.250 decimal land each. Thus, Shubhendu Sekhar Sardar, the predecessor-in-interest of the Landowner nos. 5, 6 and 7 herein acquired 3.125 decimal land in C.S. Dag No. 1237 and 1.25 decimal land in R.S. Dag No. 1231 which was inherited by them after the demise of Shubhendu Sekhar Sardar. Thus by way of inheritance the Landowner nos. 5, 6 and 7 herein acquired 3.125 decimal land in C.S. Dag No. 1237 and 1.25 decimal land in R.S. Dag No. 1231;

Gshatt.

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Re. :

Date :

27.

47. The Landowner nos. 5, 6 and 7 herein jointly transferred 1.32 decimal land in C.S. Dag No. 1237 in favour of Subhrangshu Sardar, Sitangshu Sardar and Sanghamitra Sarkar by the Gift Deed dated 10.03.2012 being deed no. 4351 of 2012 registered at A.D.S.R. Sonarpur. Again Ashalata @ Durgabala Safui, Nilima Halder, Gayatri Mondal and Sibani Roy transferred 1.67 decimal land in R.S. Dag No. 1231 and 4.17 decimal land in C.S. Dag No. 1237 in favour of the Landowner nos. 5, 6 and 7 herein by the registered gift deed dated 10.03.2012 being Deed no. 3672 of 2012 registered at A.D.S.R. Sonarpur;

48. As a result of the aforementioned transfers in C.S. Dag No. 1237 the Landowner nos. 5, 6 and 7 herein jointly acquired 5.975 decimal and in R.S. Dag No. 1231 the Landowner nos. 5, 6 and 7 herein jointly acquired 2.92 decimal land in addition to 27.18 sq. ft land in the 01 decimal passage land of C.S. Dag No. 1237 and 40.78 Sq. ft. land in the 1.5 decimal passage land of R.S. Dag No. 1231;

49. K.P. Construction (the other Developer) for the purpose of construction of a multistoried building in the property as stated

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Re. :

Date :

28.

hereinabove was allotted to Nanigopal Sardar, since deceased has already purchased vide Sale Deed dated 09.11.2012 being deed no. 13618 of 2012 from, Sitangshu Sardar son of Late Sudhanshu Sardar son of Lata Nanigopal Sardar 0.865 decimal land in C.S. Dag No. 1237, 4.62 decimal land in R.S. Dag No. 1236, 13.59 sq. ft. land in 01 decimal passage land of C.S. Dag No. 1237 and vide registered sale deed dated 06.11.2012 being Deed no. 13440 of 2012 from Gita Biswas 3.125 decimal land in C.S. Dag No. 1237, 27.22 sq. ft. land in 01 decimal passage land of C.S. Dag No. 1237;

50. After the aforementioned sales in favour of K.P. Construction (the other Developer) Sitangshu Sardar has 0.97 decimal land in R.S. Dag No. 1231 and Gita Biswas has 1.250 decimal land in R.S. Dag No. 1231. In addition to that Sitangshu Sardar has 10.19 sq. ft. in 1.50 decimal passage land in R.S. Dag no. 1231 and Gita Biswas has 40.75 sq. ft. land in 1.50 decimal passage land in R.S. Dag No. 1231;

51. On 22.05.2013 SRI ARDHENDU SEKHAR SARDAR, SRI SHUBRANGSHU SARDAR, SMT. KARUNAMOYEE SARDAR, SMT. KUHELI MONDAL, SMT. KAKALI DAS (all being the Landowners No. 3 to 7 herein) jointly entered into a Development Agreement with K.P.

Arshat

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RESIDENCE : 14, NIVEDITA SARANI, P. O. - PANCHPOTA; KOLKATA - 700152, PHONE : 2432-0677

Re. :

Date :

29.

Construction (the other Developer) in respect of the land measuring about 21.96 decimal, the said Development Agreement was registered before A.D.S.R. Sonarpur and recorded in Book No. I, C.D Volume No. 15, Pages 1529 to 1575, Being No. 6368 for the year 2013 and for smooth running of the construction work the Landowners No. 3 to 7 herein executed a Power of Attorney in favour of Samar Das which was registered on 22.05.2013 before A.D.S.R. Sonarpur and recorded in Book No. I, C.D Volume No. 15, Pages 1515 to 1528, Being No. 6369, for the year 2013;

52. Thereafter the Developers herein obtained a sanctioned **Building Plan No.- 312/CB/28/35 dated 31.03.2017** from the Rajpur Sonarpur Municipality in respect of the said land as stated hereinabove and started construction of a G+4 storied building on the said land consisting of several flats, car-parking spaces etc. at its own costs and expenses.

I hereby certify that the above-mentioned land of the present Landowners are free from all sorts of encumbrances, charges, liabilities, liens, lispences, attachments of any kind whatsoever and the said property has an absolutely clear, free and marketable title.

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Re. :

Date :

30.

I also hereby certify that the above mentioned land is not subjected to any restrictions of Urban Land (Ceiling and Regulation) Act, 1976 and the same is not under any claim of the KMDA and the KIT and any other authority and is fit for equitable mortgage.

Enclosure:- Search Receipts.

Dibakar Bhattacharjee
ADVOCATE