

MEMORANDUM OF ENTRYEQUITABLE MORTGAGE BY DEPOSIT OF TITLE DEEDS

1. On 16.03.2016, (1) Barbrik Villa Pvt Ltd, a company within the meaning of the Companies Act, 2013 and having its registered office at Narayani Building, Room No.- 302, 27, Brabourne Road, Kolkata- 700001, West Bengal, India being represented by its authorised signatory Naresh Agarwal, (2) Jayditya Infrastructure Pvt Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at 27 Brabourne Road, Narayani Building, 1st Floor, Room No. 102, Kolkata-700001, West Bengal, India being represented by its authorised signatory Naresh Agarwal, (3) Astounding Estates Private Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at 106 Kiran Chandra Singha Road, Ganges Garden, Phases II, Block-GA6, 3rd Floor, Flat type- A, Howrah-711102, West Bengal, India being represented by its authorised signatory Ratan Agarwal, (4) Khatu Villa Private Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at Room No. 301, Narayani Building, 27 Brabourne Road, Kolkata-700001, West Bengal, India being represented by its authorised signatory Pratik Gupta, (5) Fiddle Infracon Private Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at 27, Biplabi Trailakya Maharaj Sarani, Narayani Building, (Brabourne Road), 3rd Floor, Room No. 310, Kolkata-700001, West Bengal, India being represented by its authorised signatory Abhishek Agarwal, (6) Wonderland Buildcon Private Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at 53/4, Priya Nath Middya Road, Belgharia, Kolkata-700056, West Bengal, India being represented by its authorised signatory Hitesh Kumar Gupta, (7) Violets Buildcon Private Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at 53/4, Priya Nath Middya Road, Belgharia, Kolkata-700056, West Bengal, India being represented by its authorised signatory Rajesh Agarwala, (8) Croton Merchandise Private Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at 27, Biplabi Trailakya Maharaj Sarani, Narayani Building, (Brabourne Road), 3rd Floor, Room No. 310, Kolkata-700001, West Bengal, India being represented by its authorised signatory Abhishek Agarwal, (9) Almond Housing Projects Private Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at 27, Biplabi Trailakya Maharaj Sarani, Narayani Building, (Brabourne Road), 3rd Floor, Room No. 310, Kolkata-700001, West Bengal, India being represented by its authorised signatory Rajesh Agarwala, (10) Petunia Commotrade Private Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at 27, Biplabi Trailakya Maharaj Sarani, Narayani Building, (Brabourne Road), 3rd Floor, Room No. 310, Kolkata-700001, West Bengal, India being represented by its authorised signatory Rajesh Agarwala, (11) Amisk Commotrade Private Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at 27, Biplabi Trailakya Maharaj Sarani, Kolkata-700001, West Bengal, India being represented by its authorised signatory Arun Kumar Agarwala, (12) Xantia Tie Up Private Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at 27, Biplabi Trailakya Maharaj Sarani, Kolkata-700001, West Bengal, India being represented by its authorised signatory Ambuj Kumar Choudhary, (13) Adishakti Promoters Private Limited, a company within the meaning of the Companies Act, 2013 and having its registered office at 35A, Ballyguge Park, Kolkata - 700019, West Bengal, India being represented by its authorised signatory Abinash More, (14) Advika

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**Dealers Private Limited**, a company within the meaning of the Companies Act, 2013 and having its registered office at 18A Mayfair Road, Kolkata-700019, West Bengal, India being represented by its authorised signatory **Bijay Kumar Agarwala**, (15) **Angelique Promoters Private Limited**, a company within the meaning of the Companies Act, 2013 and having its registered office at 7/1A, Grant Lane, 4th Floor, Kolkata-700012, West Bengal, India being represented by its authorised signatory **Ajay Kumar Prasad**, (16) **Angelique Builders Private Limited**, a company within the meaning of the Companies Act, 2013 and having its registered office at 7/1A, Grant Lane, 4th Floor, Kolkata-700012, West Bengal, India being represented by its authorised signatory **Ajay Kumar Prasad**, (17) **Mrs. Manju Kanodia** daughter of **Mr. Satyanarayan Garg** residing at 106 Kiran Chandra Singha Road, 36 Shibpur, Howrah- 711102, (18) **Mr. Sushil Kumar Kanodia** son of **Mr. Shiv Charan Kanodia** residing at 106 Kiran Chandra Singh Road (House No 106), 36 Shibpur, Howrah-711102, (19) **Mrs. Sangita Kanodia** daughter of **Mr. Ram Gopal Rekhan** residing at 106 Kiran Chandra Singha Road, 36 Shibpur, Howrah- 711102 and (20) **S. K. Kanodia (HUF)**, a Joint and Hindu Undivided Family, being represented by its Karta **Mr. Sushil Kumar Kanodia** (hereinafter referred to as the "Mortgagor" which expression shall include its successors and permitted assigns and all persons deriving/claiming title there under) attended the office of **AXIS Bank Limited**, a Banking Company, incorporated and registered under the Companies Act, 1956 and carrying on its Banking business under the Banking Regulation Act, 1949 and having its Registered office at "Trishul", 3rd Floor, Opposite Samaratheshwar Temple, Law Garden, Ellis Bridge, Ahmedabad 380 006 and one of its branch office at **CBB , Kolkata, 1 Shakespeare Sarani, 3<sup>rd</sup> Floor, AC Market Building, Kolkata-700071** (hereinafter referred to as the "Bank" which expression shall include its successors and assigns) and handed over and deposited with **Shri Arshad Ejaz**, designated as **Deputy Manager** of the Bank, the documents of title, evidences, deeds and writings, search reports, more particularly described in the **First Schedule** hereunder written (hereinafter referred to as the "Title Deeds") in respect of the Mortgagor's immovable property situated at **Mouza- Dakshin Jhapardaha, J.L. No. 15, Howrah** and more particularly described in the **Second Schedule** hereunder written together with the buildings and structures constructed/to be constructed thereon and all Mortgagor's plant and machinery's, attached to the earth or permanently fastened to anything attached to the earth (hereinafter referred to as the "Mortgaged Property") by way of an Equitable Mortgage by deposit of Title Deeds to secure the due repayment to the Bank of the below mentioned credit facilities (hereinafter referred to as "Credit Facility") granted/to be granted from time to time, to the **Belmont Enclave LLP**, incorporated pursuant to section 12(1) of the Limited Liability Partnership Act 2008 and having its registered office at **27, Biplabi Trilakya Maharaj Sarani, 1<sup>st</sup> Floor, Kolkata- 700001** vide sanction letter (s) ref. no. **AXISB/KOL/SME/SEG/2015-16/210** dated 19.12.2015

<u>Details of facilities</u>	<u>Amount</u>
Term Loan (Project)	Rs.3,00,00,000.00 (Rupees Three Crores Only)
Overdraft (Project)	Rs.2,00,00,000.00 (Rupees Two Crores Only)
<b>Total</b>	<b>Rs.5,00,00,000.00 (Rupees Five Crores Only)</b>

2) Accordingly, **Shri Arshad Ejaz**, designated as **Deputy Manager** of the Bank accepted the deposit of the Title Deeds in respect of the Mortgaged Property.

3) The Mortgagor stated, while depositing the documents of title as aforesaid, that the said Title Deeds are being deposited by the Mortgagor with **Shri Arshad Ejaz** designated as **Deputy**

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Manager with intent to create exclusive first charge in favour of the Bank to secure the liability that may arise at the foot of the said Credit Facility granted/agreed to be granted/continue to be granted by the Bank to **Belmont Enclave LLP** together with interest, costs, charges and expenses and all the monies that may become payable by **Belmont Enclave LLP**.

4) The Mortgagor declared and confirmed to **Shri Arshad Ejaz** designated as **Deputy Manager** of the Bank that the said Title Deeds are the only documents of title in respect of the Mortgaged Property in possession, custody, power and control of the Mortgagor and that the Mortgagor has/have not created any mortgage or charge or lien or other encumbrances whatsoever and that the Mortgagor's title to the Mortgaged Property is marketable and free from encumbrances, charge, suit or proceedings, claim and demand of any nature whatsoever.

5) The Mortgagor through its authorized representatives, **Mr. Naresh Agarwal** (Director of **Barbrik Villa Pvt Ltd**, Director of **Jayditya Infrastructure Pvt Limited**), **Mr. Ratan Agarwal** (Director of **Astounding Estates Pvt Limited**), **Mr. Pratik Gupta** (Director of **Khatu Villa Pvt Limited**), **Mr. Abhishek Agarwal** (Director of **Fiddle Infracon Pvt Limited**, Director of **Croton Merchandise Pvt Limited**), **Mr. Hitesh Kumar Gupta** (Director of **Wonderland Buildcon Pvt Limited**), **Mr. Rajesh Agarwala** (Director of **Violets Buildcon Pvt Limited**, Director of **Almond Housing Projects Pvt Limited**, Director of **Petunia Commotrade Pvt Limited**), **Mr. Arun Kumar Agarwala** (Director of **Amisk Commotrade Pvt Limited**), **Mr. Ambuj Kumar Choudhary** (Director of **Xantia Tie Up Pvt Limited**), **Mr. Abinash More** (Director of **Adishakti Promoters Pvt Limited**), **Mr. Bijay Kumar Agarwala** (Director of **Advika Dealers Pvt Limited**), **Mr. Ajay Kumar Prasad** (Director of **Angelique Promoters Pvt Limited**, Director of **Angelique Builders Pvt Limited**) further declared and confirmed that they are duly authorized to deposit the Title Deeds for and on behalf of and by the Mortgagor in respect of the Mortgaged Property as aforesaid pursuant to the resolutions passed by the Directors of the Board of the Companies at their meeting held on **11.01.2016**, and the Mortgagor furnished the certified true copy of the said Resolutions to the Bank's officer and further stated that the said Resolutions are in full force and effect, valid and binding on the Mortgagor. The deposit and declaration as aforesaid were made by, **Mr. Naresh Agarwal** (Director of **Barbrik Villa Pvt Ltd**, Director of **Jayditya Infrastructure Pvt Limited**), **Mr. Ratan Agarwal** (Director of **Astounding Estates Pvt Limited**), **Mr. Pratik Gupta** (Director of **Khatu Villa Pvt Limited**), **Mr. Abhishek Agarwal** (Director of **Fiddle Infracon Pvt Limited**, Director of **Croton Merchandise Pvt Limited**), **Mr. Hitesh Kumar Gupta** (Director of **Wonderland Buildcon Pvt Limited**), **Mr. Rajesh Agarwala** (Director of **Violets Buildcon Pvt Limited**, Director of **Almond Housing Projects Pvt Limited**, Director of **Petunia Commotrade Pvt Limited**), **Mr. Arun Kumar Agarwala** (Director of **Amisk Commotrade Pvt Limited**), **Mr. Ambuj Kumar Choudhary** (Director of **Xantia Tie Up Pvt Limited**), **Mr. Abinash More** (Director of **Adishakti Promoters Pvt Limited**), **Mr. Bijay Kumar Agarwala** (Director of **Advika Dealers Pvt Limited**), **Mr. Ajay Kumar Prasad** (Director of **Angelique Promoters Pvt Limited**, Director of **Angelique Builders Pvt Limited**) for and on behalf of the Mortgagor with **Shri Arshad Ejaz**, designated as **Deputy Manager** of the Bank

*A. E. J.*

(Signature of the Bank's Officer)

Designated as **Deputy Manager** of the Bank

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*A. E. J.*

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**FIRST SCHEDULE**

**(List of Title Deeds Deposited)**

- Photocopy of Registered Deed of Development Agreement dated: 27/04/2015, Registered at the office of A.D.S.R. Domjur and recorded in Book No. 1, CD Volume No. 6, Pages 34 to 60, Being No. 1936 for the year 2015.
- Original Registered Deed of Conveyance dated 09/01/2015, Registered at the office of A.D.S.R. Domjur and recorded in Book No. 1, CD Volume No. 1, Pages 1902 to 1925, Being No. 132 for the year 2015
- Original Registered Deed of Conveyance dated 09/01/2015, Registered at the office of A.D.S.R. Domjur and recorded in Book No. 1, CD Volume No. 1, Pages 1837 to 1862, Being No. 129 for the year 2015
- Original Registered Deed of Conveyance dated 09/01/2015, Registered at the office of A.D.S.R. Domjur and recorded in Book No. 1, CD Volume No. 1, Pages 1816 to 1836, Being No. 128 for the year 2015
- Original Registered Deed of Conveyance dated 09/01/2015, Registered at the office of A.D.S.R. Domjur and recorded in Book No. 1, CD Volume No. 1, Pages 1791 to 1815, Being No. 127 for the year 2015
- Original Registered Deed of Conveyance dated 09/01/2015, Registered at the office of A.D.S.R. Domjur and recorded in Book No. 1, CD Volume No. 1, Pages 1767 to 1790, Being No. 126 for the year 2015
- Original Registered Deed of Conveyance dated 09/01/2015, Registered at the office of A.D.S.R. Domjur and recorded in Book No. 1, CD Volume No. 1, Pages 1744 to 1766, Being No. 125 for the year 2015
- Original Registered Deed of Conveyance dated 09/01/2015, Registered at the office of A.D.S.R. Domjur and recorded in Book No. 1, CD Volume No. 1, Pages 1720 to 1743, Being No. 124 for the year 2015
- Original Registered Deed of Conveyance dated 09/01/2015, Registered at the office of A.D.S.R. Domjur and recorded in Book No. 1, CD Volume No. 1, Pages 1696 to 1719, Being No. 123 for the year 2015
- Original Registered Deed of Conveyance dated 09/01/2015, Registered at the office of A.D.S.R. Domjur and recorded in Book No. 1, CD Volume No. 1, Pages 1675 to 1695, Being No. 122 for

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CBB, KOLKATA

*A. E. H.*  
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the year 2015

- Original Registered Deed of Conveyance (Mother Deed) dated 05/07/2013, Registered at the office of D.S.R. Howrah and recorded in Book No. 1, CD Volume No. 22, Pages 1541 to 1568, Being No. 6510 for the year 2013
- Original Registered Deed of Conveyance (Mother Deed) dated 16/08/2013, Registered at the office of A.D.S.R. Domjur and recorded in Book No. 1, CD Volume No. 12, Pages 4602 to 4628, Being No. 4211 for the year 2013
- Photocopy of up to date Tax Receipt at Dakshin Jhapardaha Gram Panchayat
- Photo copy of Parcha Record, B.L. & LRO Conversion Certificate dated 24/09/2015 at B.L. and L.R.O. Domjur, Howrah

**SECOND SCHEDULE**

**(DESCRIPTION OF ENTIRE IMMOVABLE PROPERTIES)**

ALL THAT land Measuring an up area of 195.33 Decimal little more or less, Lying and situates at Mouza - Dakshin Jhapardaha, J.L. No. 15, under L.R. Khatian Nos. 8281, 8282, 8283, 8284, 8285, 8286, 8287, 8288, 8289, 8290, 8291, 8292, 8293, 8294, 8295, 8296, 8297, 8298, 8299 and 8300, R.S. Dag Nos. 46, 47 and 48, L.R. Dag Nos. 47, 48 and 49, within the Jurisdiction of A.D.S.R. Domjur and within the limits of Dakshin Jhapardaha Gram Panchayat, P.S. Domjur, Dist. Howrah

**Butted and bounded by:**

East: Road and part of L.R. Dag No. 49.

West: L.R. Dag No. 43.

South: L.R. Dag Nos. 50, 51 and 52

North: L.R. Dag No. 46 and part of L.R. Dag No. 49.

*A. E. N.*

(Signature of the Bank's Officer)

Designated as Deputy Manager of the Bank

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*A. E. N.*  
Authorised Signatory

