

Rama Paul

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ALIPORE CRIMINAL & JUDGES COURT
KOLKATA-700 027

Residence Chamber
71, Sallimpur Lane,
Kolkata-700 031.
7-9 A.M. & 8-10 P.M.

Ref. _____

Date _____

Title Report

Reference: An area of land measuring of 7 Cottah 4 Chittaks of land by virtue of a Deed of Conveyance, vide Book No. I – 5683 of 2013, KMC Premises No. 3723 Nayabad, District 24 Parganas South, West Bengal under Kolkata Municipal Corporation.

PRESENT OWNER: MADHUR ENCLAVE PVT. LTD.

MY REPORT IS AS FOLLOWS:

I have gone through the purchase deeds, link deeds, 'Record of Rights', and apart from it, I have caused necessary searches in the office of 'District Registrar Office', Sub Registrar Office' and 'Additional Sub Registrar office' etc. Besides it, I have also caused necessary searches in the respective Government offices i.e. LA Department, KMDA Department etc. and also searched in the competent court of law for any Pending Title suit or Money Suit in respect of the above premises and thereafter made this 'Title Report' based on these documents.

WHEREAS in the records of the Cadastral Settlement it was inserted that one 'M/s. Suburban Agricultural Diary & Fishery' was the owner and / or the occupier of 8 Annas 17 Gandas 3 Kara 1 Kranti undivided share and in order to get its said share of the property, the said company filed a suit for Partition and Declaration being T.S.No-16 of 1941 before the Id. Court of the 3rd Sub Judge at Alipore against the other 16 Co-sharers in respect of the said entire property.



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AND WHEREAS by virtue of the said "Suit for Partition and Declaration" was disposed by the said Learned Court, the said Company i.e. the 'Suburban Agricultural Diary & Fishery' was entitled to get a share of 8 Annas 17 Gandas 3 Kara 1 Kranti as demanded by them and the other 16 Co- sharers of the said entire property being the Defendants therein were entitled with the rest part and as such the said Company and the other 16 Co- Sharer, became the joint owners in respect of the said property. In the said suit, Defendant No-2 was one **PROMODE KRISHNA MONDAL**.

AND WHEREAS during the pendency of the said suit, the said **PROMODE KRISHNA MONDAL** died and leaving intestate behind his only son, namely, **SHRI SUKUMAR MONDAL** as his sole legal heir and successor and said Shri Sukumar Mondal filed the substitution petition in the said suit and he was substituted as the **Defendant No -2(a)**.

AND WHEREAS the said **SHRI SUKUMAR MONDAL** was duly entitled of the property measuring about 20 Bighas be a little more or less marked as Plot 'Ja' by virtue of the final Decree in the said "Suit for Partition and Declaration" being the **T. S. No. - 16 of 1941** passed by the Ld. Court of 3rd Sub Judge at Alipore and had been peacefully enjoying the same with the other co- sharers of the said property.

AND WHEREAS the said **SRI SUKUMAR MONDAL** while enjoying the same with other co- sharers in undivided property applied together with the other said co- sharers for partition of the said property thereof before the said Learned Court of 3rd Sub Judge at Alipore.

AND WHEREAS the said Learned Court of 3rd Sub Judge at Alipore being satisfied with the application filed by the parties in the said **T.S. No- 16 of 1941** and according to the reports subtitled by the Ld. Pleader Commissioner, passed the Final Decree being the **Order No- 546 dated 14th July 1971** and as such the said property was amicably divided and demarcated. As a result thereof, the said **SHRI SUKUMAR MONDAL** became the absolute owner in respect of his 20 Bighas of demarcated landed property being marked as **Plot no. - 'Ja'** according to the map or plan finally sketched by appointed Ld. Pleader Commissioner in the said suit.

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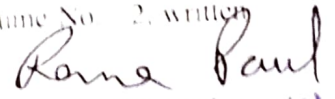
AND WHEREAS while the said **SHRI SUKUMAR MONDAL** son of Late Promode Krishna Mondal had been enjoying the right, title and possession in respect of his **20 Bighas** of landed property being marked as plot no-'Ja' in Mouza- Nayabad, made a scheme plan for dividing his entire land into small plots of demarcated land for transferring the same.

AND WHEREAS during the life time of said **SHRI SUKUMAR MONDAL** son of Late Promode Krishna Mondal since deceased made a master plan in connection with his big plot of land comprising in several Dags and Khatians and the schedule plot of land lying under the R.S. Dag No-200 under R.S. Khatian No. 113 & 114 in Mouza Nayabad.

AND WHEREAS while the said **SHRI SUKUMAR MONDAL** son of Late Promode Krishna Mondal had been enjoying the right, title and possession in respect of his **20 Bighas** of landed property being marked as plot no- 'Ja' in Mouza- Nayabad sold, conveyed and transferred a demarcated land measuring more or less **07 Kattah 04 Chittaks** appertaining to R.S. Dag No. 200 to one **SHRI SURABIR GUPTA**, son of Late Tarani Nath Gupta by virtue of a 'Deed of Conveyance' which was registered in the office of the S.R. Alipore on 23/09/1985 and duly recorded in Book No-1, Volume No 146, written in pages 1187 to 1194, Being no. - 8200 and for the Year 1985.

AND WHEREAS while the said **SHRI SURABIR GUPTA**, son of Late Tarani Nath Gupta had been enjoying the right, title and possession in respect of his land measuring more or less **07 Kattah 04 Chittaks** appertaining to R.S. Dag No. 200 under R.S. Khatian No. 113 & 114 in Mouza- Nayabad, sold, conveyed and transferred a demarcated portion of land i.e. measuring more or less **04 Kattah 04 Chittaks** to one **SMT. SUKLA ROY**, wife of Shri Tushar Roy by virtue of a 'Deed of Conveyance' which was registered in the office of the D.S.R-III at Alipore on 04/09/1998 and duly recorded in Book No 1, Volume No 66, written in pages 145 to 162. Being no 2506 and for the Year 1999.

AND WHEREAS while the said **SMT. SUKLA ROY**, wife of Shri Tushar Roy had been enjoying the right, title and possession in respect of her said demarcated purchased land measuring more or less **04 Kattah 04 Chittaks** appertaining to R.S. Dag No. 200 under R.S. Khatian No. 113 & 114 in Mouza - Nayabad, sold, conveyed and transferred the same to one 1) **MANIK RATAN DAS** (HUF), represented by its Karta, Mr. Manik Ratan Das and 2) **SMT. MITHU DAS**, wife of Shri Manik Ratan Das by virtue of a 'Deed of Conveyance' which was registered in the office of the A.D.S.R. at Sealdah on 21/03/2012 and duly recorded in Book No. 1, CD Volume No. 2, written in pages 8304 to 8331, Being no. - 905 and for the Year 2012.


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AND WHEREAS on the other hand, while the said SHRI SURABIR GUPTA, son of Late Tarani Nath Gupta had been enjoying the right, title and possession in respect of his remaining land measuring more or less 03 Kattah appertaining to R.S. Dag No. 200 under R.S. Khatian No. 113 & 114 in Mouza - Nayabad, executed a 'General Power of Attorney' in the name of SHRI BIMAL CHOWDHURY, son of Late Haripada Chowdhury for transferring his said land measuring more or less 03 Kattah to any person or persons and the said 'General Power of Attorney' was registered in the office of the D.S.R. at Alipore on 23/10/1998 and duly recorded in Book No. - IV, Volume No. - 7, written in pages 216 to 222, Being no. - 291 and for the Year 1998.

AND WHEREAS while the said SHRI SURABIR GUPTA, son of Late Trani Nath Gupta had been enjoying the right, title and possession in respect of his remaining land measuring more or less 03 Kattah appertaining to R.S. Dag No. 200 under R.S. Khatian No. 113 & 114 in Mouza - Nayabad, sold, conveyed and transferred the same i.e. measuring more or less 03 Kattah to one SMT. SUKLA ROY, wife of Shri Tushar Roy by virtue of a 'Deed of Conveyance' through his aforesaid constituted lawful attorney which was registered in the office of the D.S.R - III at Alipore on 27/09/1999 and duly recorded in Book No - I, Volume No. - 83, written in pages 261 to 272, Being no - 3251 and for the Year 1999.

AND WHEREAS while the said SMT. SUKLA ROY, wife of Shri Tushar Roy had been enjoying the right, title and possession in respect of her another demarcated purchased land measuring more or less 03 Kattah appertaining to R.S. Dag No. 200 under R.S. Khatian No. 113 & 114 in Mouza - Nayabad, sold, conveyed and transferred the same to one 1) MANIK RATAN DAS (HUF), represented by its Karta, Mr. Manik Ratan Das and 2) SMT. MITHU DAS, wife of Shri Manik Ratan Das, by virtue of another 'Deed of Conveyance' which was registered in the office of the A.D.S.R. at Sealdah on 21/03/2012 and duly recorded in Book No. - 1, CD Volume No. - 2, written in pages 9082 to 9109, Being no. - 936 and for the Year 2012.

AND FURTHER WHEREAS thus the said 1) MANIK RATAN DAS (HUF), represented by its Karta, Mr. Manik Ratan Das and 2) SMT. MITHU DAS, wife of Shri Manik Ratan Das, became the absolute owners of total land measuring more or less 07 Kattah 04 Chittaks appertaining to R.S. Dag No. -200 under R. S. Khatian No. 113 & 114 in Mouza - Nayabad, Pargana - Khaspur, R.S. No. - 3, J. L. No. - 25, Touzi No. - 56, P. S. - Purba Jadavpur, District - South 24 Parganas and they had

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been, jointly, enjoying the right, title, interest and possession in respect of the schedule landed property.

AND FURTHER WHEREAS while the said **1) MANIK RATAN DAS (HUF)**, represented by its Karta, Mr. Manik Ratan Das and **2) SMT. MITHU DAS**, wife of Shri Manik Ratan Das, have been enjoying the right, title, interest and possession in respect of the total land measuring more or less **07 Kattah 04 Chittaks** appertaining to R.S. Dag No. - 200 under R.S. Khatian No. 113 & 114 in Mouza -Nayabad, Pargana - Khaspur, R. S. No. - 3, J. L. No. - 25, Touzi No. - 56, P. S. - Purba Jadavpur, District South 24 Pargana .

AND FURTHER WHEREAS in pursuance to sell by virtue of a 'Deed of Conveyance' being Deed No. 05683 dated 24.05.2013 registered at the office of Additional Registrar of Assurances - I, Kolkata and recorded in Book No. - I, Volume No. - 11, written in pages from 6348 to 6368 as for the year 2013, one (1) Manik Ratan Das HUF, represented by its Karta Mr. Manik Ratan Das and (2) Mrs. Mithu Das, wife of Mr. Manik Ratan Das, therein, jointly, called and referred to as the "VENDORS" of the One Part, sold, conveyed and transferred **ALL THAT** piece and parcel of land total measuring **07 (Seven) Cottahs 04 (Four) Chattacks** (be the same little more or less) lying and situated in Mouza - Nayabad, P.S. - Purba Jadavpur, Touzi No. 56, J. L. No. 25, R.S. Dag No. 200, R. S. Khatian No. 113 & 114, within Kolkata Municipal Corporation Ward No. 109, within the District of South 24 Parganas, West Bengal Together with all rights of easements Quasi-easement, appurtenances appendages and right of ways water connection, telephones lines, sewer, drain, surface and/or overhead of the soil and butted and bounded as therein stated, to **M/s. Madhur Enclave Private Limited**, Vendor herein, therein called and referred to as the 'PURCHASERS' of the Other Part for the consideration and in the premises stated therein.

AND WHEREAS said **M/s. Madhur Enclave Private Limited**, in pursuance of the aforesaid Registered 'Deed of Conveyance' became the absolute owner of land altogether measuring more or less **07 (Seven) Cottahs 04 (Four) Chattacks** (be the same little more or less) by virtue of purchase mentioned and described hereinabove .

AND WHEREAS said **M/s. Madhur Enclave Private Limited**, had been enjoying the right, title, interest and possession in respect of the property measuring more or less **07 (Seven) Cottahs 04 (Four) Chattacks** morefully mentioned in the **FIRST SCHEDULE**, hereunder and entered its name before the authority of B. L. & L. R. O. under R. S. Dag No. 205 under Mouza No. 113 & 114, within Kolkata Municipal Corporation Ward No. 109, within the District of South 24 Parganas, West Bengal Together with all rights of easements Quasi-easement, appurtenances appendages and right of ways water connection, telephones lines, sewer, drain, surface and/or overhead of the soil and butted and bounded as therein stated, to **M/s. Madhur Enclave Private Limited**, Vendor herein, therein called and referred to as the 'PURCHASERS' of the Other Part for the consideration and in the premises stated therein.

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18/mut/628/BI.&I.RO/ATM/Kasba/18 dated 09.02.2018 in respect of the schedule property and also mutated before Kolkata Municipal Corporation under Assessee No. 311090887390 and it has been paying its taxes regularly in respect of Schedule Premises No. 3723, Nayabad, Kolkata – 700094.

AND WHEREAS the said owner, M/s. Madhur Enclave Private Limited, executed a registered declaration Deed, declaring that the schedule mentioned property is situated in R.S. Dag No. 205, under R.S. Khatian No. 113, Mouza – Nayabad, J.L. No. 25, and by virtue of this declaration all previous Deed Nos. 8200 of 1985, Deed No. 2506 of 1998, Deed No. 291 of 1998, Deed No. 3251 of 1999, Deed No. 905 of 2012, Deed No. 936 of 2012 and Deed No. 5683 of 2013 are being rectified and amended and the said 'Deed of Declaration' was registered in the office of D.S.R. V, Alipore, South 24 Parganas Dated 20th September 2018, and duly recorded in Book No. I, Volume No. 1630-2018, pages from 81763 to 81782, bearing Deed No. 163002441 for the year 2018.

AND WHEREAS the said owner, M/s. Madhur Enclave Private Limited, executed a registered Boundary declaration in respect of the subject property admeasuring physically by an area of 475.228 Sqm, and the said Boundary Declaration was registered in the office of A.R.A. III, Kolkata dated 22nd August 2019, and duly recorded in Book No. I, Volume No. 1903-2019, pages from 186272 to 186286, bearing Deed No. 190304439 for the year 2019.

AND WHEREAS the said owner, M/s. Madhur Enclave Private Limited, gifted a strip of land measuring about 67.626 Sq.mtr, to Kolkata Municipal Corporation, and the said deed was registered in the office of A.R.A. I Kolkata, dated 14th December 2019, and duly recorded in Book No. I, Volume No. 1901-2019, pages from 326615 to 326633, bearing Deed No. 190106751 for the year 2019.

AND WHEREAS hence, post Boundary Declaration and Gift of 'Strip of Land' net area remained 06 (Six) Kattahs 1 (One) Chittaks 22 (Twenty Two) Sq.ft equivalent to 407.602 Sq. Mtr., with the Vendor, as morefully and particularly mentioned in the FIRST SCHEDULE hereunder.

AND WHEREAS the said owner, M/s. Madhur Enclave Private Limited, has undertaken the construction of the building on the plot of land and has obtained a building plan duly sanctioned from Kolkata Municipal Corporation bearing Sanction No. 2019120188 Dated 12.03.2020.

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AND WHEREAS the said owner, M/s. Madhur Enclave Private Limited, entered in to a **JOINT DEVELOPMENT AGREEMENT** dated **23-March-2020** registered at the Office of Additional Registrar of Assurances - I, Kolkata, recorded in Book No. - I, being Deed No. - 01346 for the year 2020 registered in Book No. - I, Volume No. 1901-2020, written in Page No. 61095 to 61130 with **M/s. Nirmal Complex Private Limited** therein referred to as the Developer of the Other Part.

AND WHEREAS the said owner, M/s. Madhur Enclave Private Limited, also executed a registered **'POWER OF ATTORNEY'** in favour of the developer **M/s. Nirmal Complex Private Limited**, and the said Deed was registered vide Deed No. 01349 for the year 2020 registered in Book No. - I, Volume No. 1901-2020, written in Page No. 61277 to 61303.

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