

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: 17.08.2020

TITLE INVESTIGATION REPORT

Sub: Report-on-Title of the property owned by **(1) Sri Narsingh Agarwal**, Son of Late Dyaram Agarwal, resident of Jorethang Bazar, P.O. & P.S. Jorethang, District South Sikkim (Sikkim), **(2) K.T. Projects Private Limited**, a Private Limited Company, registered under the Sikkim Companies act, vide certificate of incorporation No. 717, dated on. 07.10.2014, having its registered office at Jorethang Bazar, P.O. & P.S. Jorethang, District South Sikkim, represented by one of its Directors Sri Ratan Kumar Goel, Son of Late Balmukund Goel.

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

- 1) Name of the owner/s:** (1) Sri Narsingh Agarwal, Son of Late Dyaram Agarwal, resident of Jorethang Bazar, P.O. & P.S. Jorethang, District South Sikkim (Sikkim), (2) K.T. Projects Private Limited, a Private Limited Company, represented by one of its Directors Sri Ratan Kumar Goel, Son of Late Balmukund Goel.
- 2) Description of the Property:**

SCHEDULE OF PROPERTY

All that piece and parcel of Land measuring land measuring 5.60 Acres or 560 Decimals together with Multi Storied Residential building complex named as "**SBM UPOHAR**", forming part of R.S. Plot No. 09, corresponding to L.R. Plot Nos. 142, 143 & 144, recorded in R.S. Khatian Nos. 2/1, 2/3, 2/5 & 2/7, corresponding to L.R. Khatian Nos. 16/3, 17/1, 224/1, 580, 281, 282, 283, 284, 285, 286, 421, (Old) & 429 539, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizamtara Gram Panchayet Area, Registry office at Addl. Dist Sub registrar Siliguri-II at Bagdogra, District Darjeeling, in the State of West Bengal.

The said land where the building stands is butted and bounded as follows:-

North : Land of Plot No. 141,
South : Land of Roshan Agarwal,
East : Land of Mouza Bara Pathuram,
West : Anchal Road.

5. Documents Verified:

i) Photocopy of Deed of Development Agreement, being No. I-7167 for the year of 2015, recorded in Book No. I, CD Volume No. 403, Pages from 15095 to 15126, registered in the Office of the Addl. District Sub registrar Siliguri-II at Bagdogra, executed between (1) Sri Narsingh Agarwal, son of late Dyaram Agarwal, (2) K.T. Projects Private Limited, a private limited company, represented by one of its Directors Sri Ratan Kumar Goel, Son of Late Balmukund Goel (owners) with Imprint Vinimay Private Limited, a private limited company incorporated under the Companies Act, 1956, represented by its director Sri Yogesh kumar Goel, son of Ram Kumar Goel (developers).

ii) Photocopy of General Power of Attorney, being No. IV-879 for the year of 2015, recorded in Book No. IV, registered in the Office of the Addl. District Sub registrar Siliguri-II at Bagdogra, in the name of Imprint Vinimay Private Limited, a private limited company incorporated under the Companies Act, 1956, bearing certificate of incorporation No. U51109WB2005PTC102335, dated 18.03.2005, having its registered office at 2nd Mile, Sevoke Road, Siliguri, P.O. & P.S. Siliguri District Darjeeling, represented by its director Sri Yogesh kumar Goel, son of Ram Kumar Goel.

iii) Photocopy of Deed of Sale, being No. I-1728 for the year of 2008, recorded in Book No. I, Volume No. 05, Pages from 74 to 91, registered in the Office of the Addl. District Sub registrar Siliguri-II at Bagdogra, in the name of K.T. Projects Private Limited, a private limited company, represented by One of its Directors Sri Ratan Kumar Goel, Son of late Balmukund Goel.

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iv) Photocopy of Deed of Sale, being No. I-1727 for the year of 2008, recorded in Book No. I, Volume No. 05, Pages from 14 to 30, registered in the Office of the Addl. District Sub registrar Siliguri-II at Bagdogra, in the name of K.T. Projects Private Limited, a private limited company, represented by One of its Directors Sri Ratan Kumar Goel, Son of late Balmukund Goel.

v) Photocopy of Deed of Sale, being No. I-1726 for the year of 2008, recorded in Book No. I, Volume No. 05, Pages from 56 to 73, registered in the Office of the Addl. District Sub registrar Siliguri-II at Bagdogra, in the name of K.T. Projects Private Limited, a private limited company, represented by One of its Directors Sri Ratan Kumar Goel, Son of late Balmukund Goel.

vi) Photocopy of Deed of Sale, being No. I-1711 for the year of 2008, recorded in Book No. I, Volume No. 04, Pages from 5722 to 5739, registered in the Office of the Addl. District Sub registrar Siliguri-II at Bagdogra, in the name of K.T. Projects Private Limited, a private limited company, represented by One of its Directors Sri Ratan Kumar Goel, Son of late Balmukund Goel.

vii) Photocopy of Deed of Sale being no. 6352 for the year of 2006, recorded in book No. I, Volume No. 157, Pages from 273 to 282, registered office at Addl. Dist Sub registered office at Siliguri-II at Bagdogra, in the name of Sri Narsingh Agarwal, son of late Dyaram Agarwal.

viii) Photocopy of Deed of Sale, being No. 3226 for the year of 1984, recorded in book No. I, Volume No. 67, Pages from 97 to 105, registered office at the then Sub registrar Siliguri, in the name of (1) Sri Indra Bahadur Chhetri, (2) Sri Hiralal Chhetri, (3) Sri Arjun Chhetri, all are sons of Jit Bahadur Chhetri.

ix) Photocopy of Deed of Sale, being No. I-2380 for the year of 1986, recorded in Book No. I, Volume No. 63, Pages from 113 to 120, registered office at the then Sub registrar Siliguri, in the name of Sri Jagannath Jindal, Son of Late Rama Nanda Jindal.

x) Photocopy of Deed of Sale, being No. I-4690 for the year of 1989, recorded in Book No. I, Volume No. 76, Pages from 282 to 285, registered office at the then Sub registrar Siliguri, in the name Jit Bahadur Chhetri, Son of Late Kharga Bahadur Chhetri.

xi) Photocopy of General Power of Attorney, being No. IV-172 for the year of 1989, recorded in Book No. IV, Pages from 22 to 24, registered in the Office of the then Sub registrar Siliguri, in the name of Sri Arjun Chhetri, son of Jit Bahadur Chhetri.

xii) Photocopy of General Power of Attorney, being No. IV-197 for the year of 1989, recorded in Book No. IV, Volume No. 4, Pages from 142 to 143, registered in the Office of the then Sub registrar Siliguri, in the name of Sri Arjun Chhetri, son of Jit Bahadur Chhetri.

xiii) Photocopy of Deed of Conveyance being document number I-4598 for the year 1989, recorded in Book No. I, Volume No. 75, Pages from 161 to 166, registered in the Office of the then Sub registrar Siliguri, in the name of Miss Purnima Thapa, Wife of Sri Ajay Mundhra.

xiv) Photocopy of Deed of Conveyance being document number I-4372 for the year 2005, recorded in Book No. I, Volume No. III, Pages from 225 to 232, registered in the Office of the Additional Dsistrict Sub registrar Siliguri ii at Bagdogra, in the name of Smt. Anita Mundhra, Wife of Sri Ajay Mundhra.

xv) Photocopy of Deed of Sale, being No. I-4599 for the year 1989, recorded at Book No. I, registered in the office of the then Sub-Registrar, Siliguri, in the name of Sri Dominique Tsering Namchu, Son of P.T. Lepcha.

xvi) Photocopy of Deed of Sale being document number I-525 for the year 2008, recorded in Book No. I, CD Volume No. 1, Pages from 4979 to 4996, registered in the Office of the Additional Dsistrict Sub registrar Siliguri ii at Bagdogra, in the name of Smt. Amita Mundhra, Wife of Sri Deepak Mundhra.

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xvii) Photocopy of General Power of Attorney, being No. IV-219 for the year of 2015, recorded in Book No. IV, registered in the Office of the Additional District Sub registrar Siliguri ii at Bagdogra, in the name of Sri Ratan Kumar Goel, Son of Late Balmukund Goel.

xviii) Photocopy of Revocation of General Power of Attorney, being No. IV-1178 for the year of 2015, recorded in Book No. IV, Volume No. 403, Pages from 5614 to 5628, registered in the Office of the then Sub registrar Siliguri, executed by Sri Narsingh Agarwal, Son of Late Dyaram Agarwal, to and in favour of Sri Ratan Kumar Goel, Son of Late Balmukund Goel.

xix) Photocopy of Deed of Amalgamation, dated 05.02.2014, from the Ld. Executive Magistrate Siliguri, executed between (1) Sri Narsingh Agarwal, Son of late Dyaram Agarwal, and (2) K.T. Projects Private Limited, a private limited company, represented by one of its Directors Sri Ratan Kumar Goel, Son of Late Balmukund Goel.

xx) Photocopy of L.R. Khatian No. 429 & 539, in the name of (1) Sri Narsingh Agarwal, Son of late Dyaram Agarwal, and (2) K.T. Projects Private Limited, a private limited company, represented by one of its Directors Sri Ratan Kumar Goel, Son of Late Balmukund Goel.

xxi) Photocopy of Conversion Certificates, vide order Nos. 37/DL&DLRO/Dj/14 & 38/DL&DLRO/Dj/14, in the name of (1) Sri Narsingh Agarwal, Son of late Dyaram Agarwal, and (2) K.T. Projects Private Limited, a private limited company, represented by one of its Directors Sri Ratan Kumar Goel, Son of Late Balmukund Goel.

xxii) Photocopy of Land Khazna Receipt being receipt No. L & LR SBP M 8516030, in the name of K.T. Projects Private Limited, a private limited company, represented by one of its Directors Sri Ratan Kumar Goel, Son of Late Balmukund Goel.

xxiii) Photocopy of Panchayet Tax Receipt from Jalash Nizamtara Gram Panchayet, vide receipt No. 2891, in the name of (1) Sri Narsingh Agarwal, Son of late Dyaram Agarwal, and (2) K.T. Projects Private Limited, a private limited company, represented by one of its Directors Sri Ratan Kumar Goel, Son of Late Balmukund Goel.

xxiv) Photocopy of Permission for Sale from Backward Class welfare, vide order memo No. 1447/B.C.W.Project, executed by Sri Dominique Tsering Namchu, Son of P.T. Lepcha.

xxv) Photocopy of L.U.C., vide memo No. 137/LUC/PPS, in the name of K.T. Projects Private Limited, a private limited company, represented by one of its Directors Sri Ratan Kumar Goel, Son of Late Balmukund Goel.

xxvi) Photocopy of Memorandum of Articles of K.T. Projects Private Limited.

xxvii) Photocopy of Sanctioned Building Plan, vide order No. 41/BP/PPS, duly approved by Phansidewa Panchayet Samity, in the name of (1) Sri Narsingh Agarwal, Son of late Dyaram Agarwal, and (2) K.T. Projects Private Limited, a private limited company, represented by one of its Directors Sri Ratan Kumar Goel, Son of Late Balmukund Goel.

6. Source of Ownership

(i) Whereas, (1) Sri Indra Bahadur Chhetri, (2) Sri Hiralal Chhetri and (3) Sri Arjun Chhetri, all are Sons of Jit Bahadur Chhetri, jointly acquired the land measuring 2.67 Acres, appertaining to and forming part of R.S. Plot No. 9, recorded in R.S. Khatian Nos. 2/1, 2/3, 2/5 & 2/7, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizamtara Gram Panchayet Area, District Darjeeling, by virtue of a registered Deed of Sale, being No. 3226 for the year 1984, recorded in Book No. I, Volume No. 67, pages from 97 to 105, registered at the Office of the then

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Sub-Registrar, Siliguri, executed by Sri Indra Lal Pradhan, Son of Sri Premalal Pradhan & others through their constituted attorney and for self Sri Ratan Lal Pradhan.

Whereas one Sri Jagannath Jindal, Son of Late Rama Nanda Jindal, acquired the land measuring 2.67 Acres, appertaining to and forming part of R.S. Plot No. 9, recorded in R.S. Khatian Nos. 2/1, 2/3, 2/5 & 2/7, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizambara Gram Panchayet Area, District Darjeeling, by virtue of a registered Deed of Sale, being No. 2380 for the year 1986, recorded in Book No. I, Volume No. 63, pages 113 to 120, registered at the Office of the then Sub-Registrar, Siliguri, executed by (1) Dipak Chhetri, (2) Nakul Chhetri, (3) Sahadeb Chhetri and (4) Kamal Chhetri, all are Sons of Sri Jit Bahadur Chhetri, represented by and through their father and natural guardian Sri Jit Bahadur Chhetri.

Whereas being owner in such possession said Sri Jagannath Jindal, Son of Late Rama Nanda Jindal, sold and transferred his said total land measuring 2.67 Acres, appertaining to and forming part of R.S. Plot No. 9, recorded in R.S. Khatian Nos. 2/1, 2/3, 2/5 & 2/7, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizambara Gram Panchayet Area, District Darjeeling, to and in favour of Sri Jit Bahadur Chhetri, Son of Late Kharga Bahadur Chhetri, by virtue of Deed of Sale, being document No. 4690 for the year 1989, recorded in Book No. I, Volume No. 76, pages 282 to 285, registered at the Office of the then Sub-Registrar, Siliguri.

Whereas being owner in such possession said Jit Bahadur Chhetri died intestate, leaving behind him, his seven sons namely, (1) Sri Deepak Chhetri, (2) Sri Kamal Chhetri, (3) Sri Sahadeb Chhetri, (4) Sri Nakul Bahadur Chhetri, (5) Sri Arjun Chhetri, (6) Sri Hiralal Chhetri and (7) Sri Indra Bahadur Chhetri, and wife namely, Smt. Dhanmaya Chhetri and two daughters namely (1) Smt. Champa Chhetri and (2) Smt. Gouri Ghosh (Chhetri), as his only Legal heirs and successors as per provision of Hindu Succession Act, 1956. Accordingly by virtue of inheritance the above named legal heir became the joint owners of aforesaid land measuring 2.67 Acres, each having 1/10th share of the said property, since then in their khas actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Whereas being owners in such possession said (1) Sri Deepak Chhetri, (2) Sri Kamal Chhetri, (3) Sri Sahadeb Chhetri, (4) Sri Nakul Bahadur Chhetri, (5) Sri Arjun Chhetri, (6) Sri Hiralal Chhetri, (7) Sri Indra Bahadur Chhetri, all are sons of Late Jit Bahadur Chhetri, (8) Smt. Dhanmaya Chhetri, Wife of Late Jit Bahadur Chhetri, (9) Smt. Champa Chhetri, Wife of Late Jit Bahadur Chhetri and (10) Smt. Gouri Ghosh(Chhetri), Daughter of Late Jit Bahadur Chhetri, jointly sold and transferred their land measuring 2.93 Acres (land measuring 0.26 Acres by virtue of Sale Deed, being No. 3226/1984 and 2.67 Acres by virtue of inheritance), appertaining to and forming part of L.R. Plot Nos. 142 & 143, recorded in L.R. Khatian Nos. 16/3, 17/1, 224/1, 280, 281, 282, 283, 284, 285 & 28, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizambara Gram Panchayet Area, District Darjeeling, to and in favour of Sri Narsingh Agarwal, Son of Late Daya Ram Agarwal, by virtue of a registered Deed of Sale being No. 6352 for the year of 2006, recorded in book No. I, Volume No. 157, Pages from 273 to 282, registered office at Addl. Dist Sub registered office at Siliguri-II at Bagdogra.

Whereas being owner in such possession said Sri Narsingh Agarwal, Son of Late Daya Ram Agarwal, recorded his name at the office of the B.L. & L.R.O. Phansidewa and therefore a new khatian has been issued in his favour vide L.R. Khatian No. 429, dated 17.09.2013, and he also converted the said plot of land from Rupni to Bastu (Group Housing), vide order No. 38/DL&LRO/DJ/14, dated 30.01.2014, since then having permanent, heritable and transferable, right, title and interest therein.

(ii) Whereas, (1) Sri Indra Bahadur Chhetri, (2) Sri Hiralal Chhetri and (3) Sri Arjun Chhetri, all are Sons of Jit Bahadur Chhetri, jointly acquired the land measuring 2.67 Acres, appertaining to and forming part of R.S. Plot No. 9, recorded in R.S. Khatian Nos. 2/1, 2/3, 2/5 & 2/7, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizambara Gram Panchayet Area, District Darjeeling, by virtue of a registered Deed of Sale, being document No. 3226 for the year 1984, recorded in Book No. I, Volume No. 67, pages from 97 to 105, registered at the Office of

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the then Sub-Registrar, Siliguri, executed by Sri Indra Lal Pradhan, Son of Sri Premalal Pradhan & others through their constituted attorney and for self Sri Ratan Lal Pradhan.

Whereas being owner in such undivided possession said Sri Indra Bahadur Chhetri, Son of Jit Bahadur Chhetri, executed a registered General Power of Attorney, being No. 172 for the year 1989, recorded in Book No. IV, Pages from 22 to 24, registered at the Office of the then Sub-Registrar, Siliguri, and appointed his lawful constituted attorney his brother Sri Arjun Chhetri, Son of Jit Bahadur Chhetri, in respect of his 1/3rd share of the total land measuring 2.67 Acres.

Whereas being owner in such undivided possession said Sri Hiralal Chhetri, Son of Jit Bahadur Chhetri, also executed a registered General Power of Attorney, being No. 197 for the year 1989, recorded in Book No. IV, Volume No. 4, Pages from 142 to 143, registered at the Office of the then Sub-Registrar, Siliguri, and appointed his lawful constituted attorney his brother Sri Arjun Chhetri, Son of Jit Bahadur Chhetri, in respect of his 1/3rd share of the total land measuring 2.67 Acres.

Whereas being the constituted attorney and for self said Sri Arjun Chhetri, Son of Jit Bahadur Chhetri, sold and transferred their land measuring 1.30 Acres out of their aforesaid land measuring 2.67 Acres, appertaining to and forming part of R.S. Plot No. 9, recorded in R.S. Khatian Nos. 2/1, 2/3, 2/5 & 2/7, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizamtara Gram Panchayet Area, District Darjeeling, to and in favour of Miss. Purnima Thapa, Daughter of K.P. Thapa, by virtue of a registered Deed of Sale, being No. 4598 for the year 1989, recorded in Book No. I, Volume No. 75, Pages from 161 to 166, registered at the Office of the then Sub-Registrar, Siliguri.

Whereas being owner in such possession said Miss. Purnima Thapa, Daughter of K.P. Thapa, sold and transferred her said total land measuring 1.30 Acres, appertaining to and forming part of R.S. Plot No. 9, corresponding to L.R. Plot Nos. 143 & 144, recorded in R.S. Khatian Nos. 2/1, 2/3, 2/5 & 2/7, corresponding to L.R. Khatian Nos. 16/3, 17/1 & 224/1, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizamtara Gram Panchayet Area, District Darjeeling, to and in favour of Smt. Anita Mundra, Wife of Sri Ajay Mundra, by virtue of a registered Deed of Sale, being No. 4372 for the year 2005, recorded in Book No. I, Volume No. III, Pages from 225 to 232, registered at the Office of the Addl. District Sub-Registrar, Siliguri-II at Bagdogra.

Whereas being the constituted attorney and for self above said Sri Arjun Chhetri, Son of Jit Bahadur Chhetri, also sold and transferred the land measuring 1.37 Acres out of their aforesaid land measuring 2.67 Acres, appertaining to and forming part of R.S. Plot No. 9, recorded in R.S. Khatian Nos. 2/1, 2/3, 2/5 & 2/7, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizamtara Gram Panchayet Area, District Darjeeling, to and in favour of Sri Dominique Tsering Namchu, Son of P.T. Lepcha, by virtue of a registered Deed of Sale, being No. 4599 for the year 1989, recorded in Book No. I, registered at the Office of the then Sub-Registrar, Siliguri. And thereafter he had recorded his name at the office of the B.L. & L.R.O. Phansidewa and a new Khatian has been issued in his favour, vide L.R. Khatian No. 421, since then having permanent, heritable and transferable, right, title and interest therein.

And thereafter said Sri Dominique Tsering Namchu, Son of P.T. Lepcha, acquired permission for selling the above said landed property from the concerned authority issued by the Revenue Officer, Under Chapter-II A of W.B.L.R. Act, 1955 Siliguri & Project Officer-Cum-D.W.O. Backward Classes Welfare, Siliguri on 01.10.2007 and Memo No.1447/1(2)/B.C.W. Project dated 01.10.2007 and Extension Memo No.1525/1(2)/B.C.W. Project dated 07.11.2007.

After obtaining necessary permission said Sri Dominique Tsering Namchu, Son of P.T. Lepcha, sold and transferred his said total land measuring 1.37 Acres, appertaining to and forming part of R.S. Plot No. 9, corresponding to L.R. Plot Nos. 143 & 144, recorded in R.S. Khatian Nos. 2/1, 2/3, 2/5 & 2/7, corresponding to L.R. Khatian No. 421, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizamtara Gram Panchayet Area, District

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Darjeeling, to and in favour of Smt. Amita Mundra, Wife of Sri Deepak Mundra, by virtue of a registered Deed of Sale, being document No. 525 for the year 2008, recorded in Book No. 1, CD Volume No. 1, pages 4979 to 4996, registered at the Office of the Addl. District Sub-Registrar, Siliguri-II at Bagdogra.

Whereas being owner in such possession said (1) Smt. Anita Mundra, Wife of Sri Ajay Mundra, (2) Smt. Amita Mundra, Wife of Sri Deepak Mundra, jointly sold and transferred their land measuring 0.70 Acres or 70 Decimals out of their aforesaid total land, appertaining to and forming part of R.S. Plot No. 9, corresponding to L.R. Plot Nos. 143 & 144, recorded in R.S. Khatian No. 2/1, 2/3, 2/5 & 2/7, corresponding to L.R. Khatian Nos. 16/3, 17/1, 224/1 & 421, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizamtara Gram Panchayet Area, District Darjeeling, to and in favour of K.T. PROJECTS PRIVATE LIMITED, a Private Limited Company, registered under Sikkim Companies Act, bearing Certificate of Incorporation No. 717 dated 07.10.2004, having its registered office at Jorethang Bazar, Post Office & Police Station Jorethang, South Sikkim, in the state of Sikkim, represented by one of its director Sri Ratan Kumar Goel, Son of Late Balmukund Goel, by virtue of a registered Deed of Sale, being No. I-1711 for the year of 2008, recorded in Book No. I, Volume No. 04, Pages from 5722 to 5739, registered in the Office of the Addl. District Sub registrar Siliguri-II at Bagdogra.

(iii) Whereas being owner in such possession said (1) Smt. Anita Mundra, Wife of Sri Ajay Mundra, (2) Smt. Amita Mundra, Wife of Sri Deepak Mundra, jointly sold and transferred their land measuring 0.80 Acres or 80 Decimals out of their aforesaid total land, appertaining to and forming part of R.S. Plot No. 9, corresponding to L.R. Plot Nos. 143 & 144, recorded in R.S. Khatian No. 2/1, 2/3, 2/5 & 2/7, corresponding to L.R. Khatian Nos. 16/3, 17/1, 224/1 & 421, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizamtara Gram Panchayet Area, District Darjeeling, to and in favour of K.T. PROJECTS PRIVATE LIMITED, a Private Limited Company, registered under Sikkim Companies Act, bearing Certificate of Incorporation No. 717 dated 07.10.2004, having its registered office at Jorethang Bazar, Post Office & Police Station Jorethang, South Sikkim, in the state of Sikkim, represented by one of its Director Sri Ratan Kumar Goel, Son of Late Balmukund Goel of Jorethang Bazar, Post Office & Police Station Jorethang, South Sikkim, in the state of Sikkim, by virtue of a registered Deed of Sale, being No. I-1726 for the year of 2008, recorded in Book No. I, Volume No. 05, Pages from 56 to 73, registered in the Office of the Addl. District Sub registrar Siliguri-II at Bagdogra.

(iv) Whereas being owner in such possession said (1) Smt. Anita Mundra, Wife of Sri Ajay Mundra, (2) Smt. Amita Mundra, Wife of Sri Deepak Mundra, jointly sold and transferred their land measuring 0.37 Acres or 37 Decimals out of their aforesaid total land, appertaining to and forming part of R.S. Plot No. 9, corresponding to L.R. Plot Nos. 143 & 144, recorded in R.S. Khatian No. 2/1, 2/3, 2/5 & 2/7, corresponding to L.R. Khatian Nos. 16/3, 17/1, 224/1 & 421, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizamtara Gram Panchayet Area, District Darjeeling, to and in favour of K.T. PROJECTS PRIVATE LIMITED, a Private Limited Company, registered under Sikkim Companies Act, bearing Certificate of Incorporation No. 717 dated 07.10.2004, having its registered office at Jorethang Bazar, Post Office & Police Station Jorethang, South Sikkim, in the state of Sikkim, represented by one of its Director Sri Ratan Kumar Goel, Son of Late Balmukund Goel of Jorethang Bazar, Post Office & Police Station Jorethang, South Sikkim, in the state of Sikkim, by virtue of a registered Deed of Sale, being No. I-1727 for the year of 2008, recorded in Book No. I, Volume No. 05, Pages from 14 to 30, registered in the Office of the Addl. District Sub registrar Siliguri-II at Bagdogra.

(v) Whereas being owner in such possession said (1) Smt. Anita Mundra, Wife of Sri Ajay Mundra and (2) Smt. Amita Mundra, Wife of Sri Deepak Mundra, also jointly sold and transferred their land measuring 0.80 Acres or 80 Decimals out of their aforesaid total land, appertaining to and forming part of R.S. Plot No. 9, corresponding to L.R. Plot Nos. 143 & 144, recorded in R.S. Khatian No. 2/1, 2/3, 2/5 & 2/7, corresponding to L.R. Khatian Nos. 16/3, 17/1, 224/1 & 421, Situated within Mouza Kalaram, Pargana - Patharghata, J.L. No. 76, P.S. Phansidewa, Within the jurisdiction of Jalash Nizamtara Gram Panchayet Area, District Darjeeling, to and in favour of K.T. PROJECTS PRIVATE LIMITED, a Private Limited

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Company, registered under Sikkim Companies Act, bearing Certificate of Incorporation No. 717 dated 07.10.2004, having its registered office at Jorethang Bazar, Post Office & Police Station Jorethang, South Sikkim, in the state of Sikkim, represented by one of its Director Sri Ratan Kumar Goei, Son of Late Balmukund Goel of Jorethang Bazar, Post Office & Police Station Jorethang, South Sikkim, in the state of Sikkim, by virtue of a registered Deed of Sale, being No. I-1728 for the year of 2008, recorded in Book No. I, Volume No. 05, Pages from 74 to 91, registered in the Office of the Addl. District Sub registrar Siliguri-II at Bagdogra.

By virtue of aforesaid four separate sale deeds, said K.T. PROJECTS PRIVATE LIMITED, became the owner of total land measuring 2.67 Acres and thereafter they have mutated their name at the office of the B.L. & L.R.O. Phansidewa and therefore a new khatian has been issued in their vide L.R. Khatian No. 539, dated 17.09.2013 and they have also converted their said plot of land from Rupni to Bastu (Group Housing) vide Order No. 37/DL&LRO/ Dj/14 dated 30.01.2014, since then having permanent, heritable and transferable, right, title and interest therein.

Whereas being owners in such possession above said (1) Sri Narsingh Agarwal, Son of Late Daya Ram Agarwal and (2) K.T. PROJECTS PRIVATE LIMITED, represented by one of its Director Sri Ratan Kumar Goel, have jointly decided to amalgamate their land into one plot i.e. land measuring 5.60 Acres or 560 Decimals, as because their lands were adjacent to each other Thereafter they amalgamated their land for joint construction for better benefit and get their respective consent by virtue of a Deed of amalgamation, dated on 12.11.2013.

Whereas being owner in such possession said Sri Narsingh Agarwal, Son of Late Daya Ram Agarwal, executed a registered General Power of Attorney, being No. IV-219 for the year 2015, registered at the Office of the A.D.S.R. Siliguri-II at Bagdogra, to and in favour of Sri Ratan Kumar Goel, to lookafter, sale, manage and supervise his land measuring 2.93 Acres which is in his name on his behalf.

Whereas being owner in such possession said (1) Sri Narsingh Agarwal, Son of Late Daya Ram Agarwal and (2) K.T. PROJECTS PRIVATE LIMITED, represented by one of its Director Sri Ratan Kumar Goel, entered into a registered Deed of Development Agreement, being No. I-7167 for the year of 2015, recorded in Book No. I, CD Volume No. 403, Pages from 15095 to 15126, registered in the Office of the Addl. District Sub registrar Siliguri-II at Bagdogra, with Imprint Vinimay Private Limited, a private limited company incorporated under the Companies Act, 1956, represented by its director Sri Yogesh kumar Goel, Son of Ram Kumar Goel, to construct multi storied building or block wise separate building/residential flats for purpose of selling them on ownership basis to various intending customers/buyers and thereby make profits thereof on the land. Owners allocation is 10% of the entire sale proceeds and absolute right over 10% in the unsold portion of the saleable space of the proposed building together with the undivided proportionate right, title and interest in the land and attribute to the said area in common facilities and amenities including proportionate car parking space at the ground floor. Developers allocation is 90% of the entire sale proceeds and absolute right over 90% in the unsold portion of the saleable space of the proposed building together with the undivided proportionate right, title and interest in the land and attribute to the said area in common facilities and amenities including proportionate car parking space at the ground floor. In case permission from the appropriate authority is obtained for further construction on the roof of the multistoried building the right will be share in the aforesaid portion in the ratio of 10:90.

Thereafter the said developer namely Imprint Vinimay Private Limited, a private limited company incorporated under the Companies Act, 1956, represented by its director Sri Yogesh kumar Goel, son of Ram Kumar Goel, started to construct P+4 (Four) storied residential building under the name and style of “**SBM UPOHAR**” on the aforesaid land measuring 5.60 Acres or 560 Decimals, as per Sanctioned Building Plan, vide order No. 41/BP/PPS, duly approved by Phansidewa Panchayet Samity, dated 21.05.2014.

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Whereas being owner in such possession said Sri Narsingh Agarwal, Son of Late Daya Ram Agarwal and K.T. PROJECTS PRIVATE LIMITED, represented by one of its Director Sri Ratan Kumar Goel, have executed and registered one General Power of Attorney being No. IV-879 for the year 2015, registered at the Office of the A.D.S.R. Siliguri-II at Bagdogra on 29.07.2015, to and in favour of Sri Yogesh Goel, Son of Ram Kumar Goel, director of M/s. Imprint Vinimay Pvt. Ltd., for the sale of the developers allocation as per said Deed of Development Agreement, being No. I-7167 for the year of 2015.

Whereas being owner in such possession said Sri Narsingh Agarwal Son of Late Daya Ram Agarwal, have executed one Revocation of General Power of Attorney, being No. IV-1178 for the year of 2015, recorded in Book No. IV, Volume No. 403, Pages from 5614 to 5628, registered in the Office of the then Sub registrar Siliguri, for revoking the aforesaid General Power of Attorney, being No. IV-219 for the year 2015, registered at the Office of the A.D.S.R. Siliguri-II at Bagdogra, in favour of Sri Ratan Kumar Goel.

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 and the originals were not examined.

9. Investigation

Searches were caused through, I have caused necessary searches in the office of the Addl. District Sub-Registrar Siliguri for the period of 2006-2020 (Upto-date) and I have also inspect the settlement record in the office of the B.L. & L.R.O. at Phansidewa, 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 Development Agreement, being No. I-7167 for the year of 2015.

ii) Photocopy of General Power of Attorney, being No. IV-879 for the year of 2015.

iii) Photocopy of Deed of Sale, being No. I-1728 for the year of 2008.

iv) Photocopy of Deed of Sale, being No. I-1727 for the year of 2008.

v) Photocopy of Deed of Sale, being No. I-1726 for the year of 2008.

vi) Photocopy of Deed of Sale, being No. I-1711 for the year of 2008.

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- vii) Photocopy of Deed of Sale being no. 6352 for the year of 2006.
 - viii) Photocopy of Deed of Sale, being No. 3226 for the year of 1984.
 - ix) Photocopy of Deed of Sale, being No. I-2380 for the year of 1986.
 - x) Photocopy of Deed of Sale, being No. I-4690 for the year of 1989.
 - xi) Photocopy of General Power of Attorney, being No. IV-172 for the year of 1989.
 - xii) Photocopy of General Power of Attorney, being No. IV-197 for the year of 1989.
 - xiii) Photocopy of Deed of Conveyance being document number I-4598 for the year 1989.
 - xiv) Photocopy of Deed of Conveyance being document number I-4372 for the year 2005.
 - xv) Photocopy of Deed of Sale, being No. I-4599 for the year 1989.
 - xvi) Photocopy of Deed of Sale being document number I-525 for the year 2008.
 - xvii) Photocopy of General Power of Attorney, being No. IV-219 for the year of 2015.
 - xviii) Photocopy of Revocation of General Power of Attorney, being No. IV-1178 for the year of 2015.
 - xix) Photocopy of Deed of Amalgamation, dated 05.02.2014.
 - xx) Photocopy of L.R. Khatian No. 429 & 539.
 - xxi) Photocopy of Conversion Certificates, vide order Nos. 37/DL&DLRO/Dj/14 & 38/DL&DLRO/Dj/14.
 - xxii) Photocopy of Land Khazna Receipt being receipt No. L & LR SBP M 8516030.
 - xxiii) Photocopy of Panchayet Tax Receipt from Jalash Nizam tara Gram Panchayet, vide receipt No. 2891.
 - xxiv) Photocopy of Permission for Sale from Backward Class welfare, vide order memo No. 1447/B.C.W.Project, executed by Sri Dominique Tsering Namchu, Son of P.T. Lepcha.
 - xxv) Photocopy of L.U.C., vide memo No. 137/LUC/PPS.
 - xxvi) Photocopy of Memorandum of Articles of K.T. Projects Private Limited.
 - xxvii) Photocopy of Sanctioned Building Plan, vide order No. 41/BP/PPS, duly approved by Phansidewa Panchayet Samity.

B. OTC

1. None.

C. Post Disbursement

1. Nil.

Opinion

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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 the original documents were not submitted and (1) Sri Narsingh Agarwal, Son of Late Dyaram Agarwal, resident of Jorethang Bazar, P.O. & P.S. Jorethang, District South Sikkim (Sikkim), (2) K.T. Projects Private Limited, a Private Limited Company, registered under the Sikkim Companies act, vide certificate of incorporation No. 717, dated on. 07.10.2014, having its registered office at Jorethang Bazar, P.O. & P.S. Jorethang, District South Sikkim, represented by one of its Directors Sri Ratan Kumar Goel, Son of Late Balmukund Goel, be entitled to create equitable mortgage U/S 58(f) of the transfer of Property Act, 1882 and depositing the original Title Deed and other necessary documents with Reliance Capital Limited.

All the paper and documents are returned herewith.

Yours faithfully

(Chinmay Sarkar)
Advocate/Siliguri.

Copy Encl:- Search Receipt.