

## **REPORT ON TITLE**

### **OF**

Bastu Land measuring an area 40 Cottahs 04 Chittaks 13 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 & 11401 R.S. Khatian No. 5573, 5574, 5575, 5576 & 6066 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District : South 24 Parganas.

**Owners :- (1) SRI. PREMANANDA RAICHOUDHURI**

**(2) SRI. SUNANDA RAICHOWDHURY** both sons of Late Sachi Bilash Raichoudhuri, both residing at 27, Bonamali Naskar Road, P.S. Parnasree, Kolkata - 700 060, District : South 24 Parganas

**(3) M/s. ASSOCIATED ENGINEERING PRODUCTS**

A Partnership Firm having its office at 26, Bonamali Naskar Road, P.S. Parnasree, Kolkata - 700060, being represented by its partners Sri. Premananda Raichoudhuri and Sri. Pradipta Raichoudhuri.

**DEVELOPER :- M/s. MARTIN BURN CONSTRUCTIONS LIMITED** a company within the meaning of Companies Act, 1956 having its registered office at "Martin Burn House", 1, R. N. Mukherjee Road, P.S. hare Street, Kolkata - 700001

**Soma Dhar, Advocate**  
**Shree Tapan Kumar Dhar & Associates'**  
Alipore Judges' Court  
Sheresta No. C - 21 near  
Bar Association Room No. 4

**Soma Dhar, Advocate**

Shree Tapan Kumar Dhar & Associates'  
Alipore Judges' Court  
Sheresta No. C - 21 near  
Bar Association Room No. 4

Residence &amp; Chamber

48, Dharendra Nath Ghosh Rd.  
Bhowanipore, Kolkata- 700 025  
R - 2454 7769, O - 2455 5371.  
M - 94330 44343 / 94323 21946

Date: 27.08.2019

Legal Scrutiny Report, without prejudice.

With reference to the above, I submit my legal scrutiny report as hereunder :

Name and address of the Mortgagor / title holder :

**Sub :** Report on title of all that piece and parcel of Bastu Land measuring an area 40 Cottahs 04 Chittaks 13 Sq.ft., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 & 11401 R.S. Khatian No. 5573, 5574, 5575, 5576 & 6066 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District: South 24 Parganas.

**Owners :- (1) SRI. PREMANANDA RAICHOUDHURI**

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**I Detail / Description of the Documents scrutinized :-**

1. Original Search Report dated 08.08.2019 of Sri. Santanu Sanyal, Advocate (In respect of 27, Banomali Naskar Road).
2. Original Search Report dated 08.08.2019 of Sri. Santanu Sanyal, Advocate (In respect of 26, Banomali Naskar Road).





3. Original Search Report dated 08.08.2019 of Sri. Santanu Sanyal, Advocate (In respect of 75, Banomali Naskar Road).
4. Original Search Report dated 08.08.2019 of Sri. Santanu Sanyal, Advocate (In respect of 75/1, Banomali Naskar Road).
5. Original Search Report dated 08.08.2019 of Sri. Santanu Sanyal, Advocate (In respect of 81, Dwijen Mukherjee Road).
6. Original Sale Deed No. 3830 for the Year 1916 of Smt. Sailo Bala Raichowdhuri.
7. Original Certified Copy of Gift Deed No. 4561 for the Year 1962 of M/s. Associated Engineering Products.
8. Original Sale Deed No. 2188 for the Year 1974 of Sri. Chittananda Raichowdhuri
9. Original Certified Copy of Probated vide PLA No. 341 / 2010 in the High Court at Calcutta in respect of WILL dated 23.12.2008 of Smt. Rekha Basu
10. Original Deed of Exchange No. 04289 for the Year 2012 made between Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, Smt. Rupa Raichowdhuri AND M/s. Associated Engineering Products AND Smt. Rupa Raichowdhuri.
11. Original Deed of Gift No. 09425 for the Year 2012 executed by Smt. Sewli Mitra in favour of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury.
12. Original Deed of Gift No. 09426 for the Year 2012 executed by Smt. Sewli Mitra in favour of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury.
13. Original Deed of Exchange No. 08471 for the Year 2014 made between Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products.
14. Original Deed of Declaration No. 07698 for the Year 2014 executed by Sri. Premananda Raichowdhuri, and Sri. Pradipta Raichowdhuri as partners of M/s. Associated Engineering Products.
15. Original Deed of Declaration No. 07699 for the Year 2014 executed by Sri. Premananda Raichowdhuri, and Sri. Sunanda Raichowdhuri.
16. Original Development Agreement No. 05375 for the Year 2014 executed by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products as owner and M/s. Martin Burn Constructions Limited as Developer.
17. Original Power of Attorney No. 06534 for the Year 2014 executed by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products being represented by its partners (i) Sri. Premananda Raichowdhuri and (ii) Sri. Pradipta Raichowdhuri in favour of M/s. Martin Burn Constructions Limited.
18. Original Mutation Certificate issued by BL&LRO Reference No. M/C No. 654/12, 3694/12 dated 07.09.2012 in the name of Premananda Raichowdhuri in



- respect of Total land measuring an area 0.346 acre in Dag No. 11428, 11429, 11432, 11441, 11430, 11434, 11440, 11401, Mouza & P.S. Behala, District : South 24 Parganas.
19. Original Mutation Certificate issued by BL&LRO Reference No. M/C No. 652/12, 3695/12 dated 07.09.2012 in the name of Sunanda Raichowdhuri in respect of Total land measuring an area 0.347 acre in Dag No. 11428, 11429, 11432, 11441, 11430, 11434, 11440, 11401, Mouza & P.S. Behala, District : South 24 Parganas.
  20. Original Mutation Certificate issued by BL&LRO Reference No. M/C No. 745/12 dated 30.07.2012 in the name of Premananda Raichowdhuri in respect of Total land measuring an area 01 Cottahs 08 Chittaks 20 Sq.fts., in Dag No. 11441, Mouza & P.S. Behala, District : South 24 Parganas.
  21. Original Conversion Certificate Memo No. 1/1428/S/T.M. Behala / 2012 dated 04.10.2012 issued by BL&LRO Office in the name of Sunanda Raichowdhury in respect of land area 0.028 in Dag No. 11430, Khatian No. 5573, 5574, 5575, 5576, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.
  22. Original Conversion Certificate Memo No. 1/1429/S/T.M. Behala / 2012 dated 04.12.2012 issued by BL&LRO Office in the name of Premananda Raichowdhury in respect of land area 0.028 in Dag No. 11430, Khatian No. 5573, 5574, 5575, 5576, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.
  23. Original Conversion Certificate Memo No. 51(C)/550/P/12 dated 05.02.2014 issued by BL&LRO Office in the name of Premananda Raichowdhuri in respect of land area 0.011 in Dag No. 11428, land area 0.154 in Dag No. 11429, land area 0.014 in Dag No. 11401, Khatian No. 5574, 5576, 6066, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.
  24. Original Conversion Certificate Memo No. 51(C)/549/P/12 dated 05.02.2014 issued by BL&LRO Office in the name of sunanda Raichowdhury in respect of land area 0.011 in Dag No. 11428, land area 0.154 in Dag No. 11429, land area 0.014 in Dag No. 11401, Khatian No. 5574, 5576, 6066, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.
  25. Original Certified Copy of Inspection Book dated 29.08.2015 issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products in respect of the amalgamated premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, Bastu Land measuring an area 41 Cottahs 12 Chittaks 18 Sq.fts.
  26. Original Assessment Roll dated 26.08.2015 issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products in respect of the premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal





- Corporation Ward No. 131, Assessee No. 411310200807, Bastu Land measuring an area 41 Cottahs 12 Chittaks 18 Sq.fts., OR 02 Bighas 01 Chittaks 12 Chittaks 18 Sq.fts.,
27. Original G. D. Copy vide 399 dated 04.04.2015 lodged before Parnasree P.S. by M/s. Associated Engineering Products being represented by its partners (i) Sri. Premananda Raichoudhuri and (ii) Sri. Pradipta Raichowdhuri
  28. Original Paper Publication dated 27.04.2015 in "The Statesman"
  29. Original Paper Publication dated 27.04.2015 in "Aajkal"
  30. Original Building Sanction Plan No. 2016140078 dated 24.06.2016 issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products for construction of G + XI Storied Residential at premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807.
  31. Original (Site Plan) Building Sanction Plan No. 2016140078 dated 24.06.2016 issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products for construction of G + XI Storied Residential at premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807.
  32. Original Certified Copy of Deed of Gift No. 8987 for the Year 2015 dated 27.08.2015. to KMC.
  33. Original Certified Copy of Deed of Declaration No. 8988 for the Year 2015 dated 27.08.2015 as KMC proforma.
  34. Original Certified Copy of Deed of Declaration No. 09080 for the Year 2015 dated 23.11.2015 as KMC proforma.
  35. Original Certified Copy of Deed of Gift No. 9081 for the Year 2015 dated 23.11.2015 to KMC.
  36. Original Certified Copy of Deed of Gift No. 9082 for the Year 2015 dated 23.11.2015 to KMC.

## II. Details / Description of the Property :-

All that piece and parcel of Bastu Land measuring an area 40 Cottahs 04 Chittaks 13 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 & 11401 R.S. Khatian No. 5573, 5574, 5575, 5576 & 6066 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No.



411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District : South 24 Parganas. The entire premises is butted and bounded as follows:

- ON THE NORTH** : By Bonamali Naskar Road;
- ON THE SOUTH** : Partly by Open Drain and partly Vacant land
- ON THE EAST** : By Approx 4ft wide Common Passage(partly), Partly Water Body / Pond, partly by 9/6/A, Dwijen Mukherjee Road, Partly by Dwijen Mukherjee Road, Partly by approx, 10ft wide Common Passage, partly by Premises no. 26/1, 9/25, 9/23 and 9/22/1, Dwijen Mukherjee Road and
- ON THE WEST** : Partly by premises no. 77, 79, 79/1, 73A, 73B, 73, Bonamali naskar Road & Vacant Land.

### III. Opinion on Flow of Title :-

1. Brief history of the property and how the owner / mortgagor has derived the title - Flow of title is to be given chronologically for a minimum period of 30 Years. (If space is found insufficient, please furnish information in an additional Sheet).

I state below the devolution of the title on the basis of the Sale Deed and other documents as follows :

#### [A]

That one on 14.11.1916 said Beharilal Majumdar sold all that piece and parcel of land measuring an area 03 Bighas more or less comprised under Mouza - Naskarpur Behala Gram, Parganas - Balia, P.S. Behala, District : 24 Parganas to Smt. Sailo Bala Raichowdhuri by a registered Sale Deed and the said Sale Deed duly registered at Sub - Registrar Alipore and recorded in Book No. I, Volume No. 39, Pages 203 - 207, Deed No. 3830, for the Year 1916.

That said Sailo bala Raichowdhuri died in the year 1918 after her death the said aforementioned land measuring an area 03 Bighas more or less comprised under Mouza - Naskarpur Behala Gram, Parganas - Balia, P.S. Behala, District : 24 Parganas was inherited by her husband Ranjan Bilash Raichowdhuri.

That on 19.07.1920 said Sri. Ranjan Bilas Raichowdhuri gifted out of the aforesaid land all that piece and parcel of 05 Cottahs 10 Chittaks more or





less to his daughter Smt. Indumala Bose (since deceased) wife of Narendra Chandra Bose (since deceased), by a registered Gift Deed duly registered at Sub - Registrar Behala.

That on or about 1938 said Ranjan Bilash Raichowdhuri died intestate leaving behind his sons namely (i) Sachi Bilash Raichowdhury and (ii) Sri. Murari Bilash Raichowdhury who inherited the above mentioned land comprised under Mouza - Naskarpur Behala Gram, Parganas - Balia, R.S. Khatian No. 5573, 5574, 5575 & 5576, P.S. Behala, District: 24 Parganas.

That said Murari Bilash Raichowdhury died as a bachelor on or about 16.01.1972 leaving behind him surviving his brother Sri. Sachi Bilas Raichowdhury as his only legal heirs.

That said Sachi Bilas Raichowdhury became the absolute owner of Land measuring an area 38 Cottahs 07 Chittaks 32 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 R.S. Khatian No. 5573, 5574, 5575, 5576 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala, Kolkata - 700060, District: 24 Parganas.

That said Sachi Bilas Raichowdhury died intestate on or about 09.07.1992 leaving behind surviving his wife Smt. Bejoli Prova Raichowdhuri (since deceased), and three sons namely Sri. Chittananda Raichowdhuri (since deceased), Sri. Premananda Raichowdhuri and Sri. Sunanda Raichowdhury and two daughters married daughters Smt. Semli Mitra and Smt. Rekha Basu (since deceased) as his only legal heirs and helresses as per Hindu Succession Act, 1956.

That by virtue of inheritance said (i) Smt. Bejoli Prova Raichowdhuri (since deceased), (ii) Sri. Chittananda Raichowdhuri (since deceased), (iii) Sri. Premananda RaiChoudhuri, (iv) Sri. Sunanda Raichowdhury, (v) Smt. Semli Mitra and (vi) Smt. Rekha Basu (since deceased) became the absolute undivided owners of Land measuring an area 38 Cottahs 07 Chittaks 32 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 R.S. Khatian No. 5573, 5574, 5575, 5576 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata



Municipal Corporation Ward No. 131, P.S. Behala, Kolkata - 700060, District :  
South 24 Parganas.

That Smt. Sewli Mitra and Smt. Rekha Basu expressed their unwillingness and disclaimed their right or title or interest of share in the said Land and property or portion thereof absolutely and forever.

That on 24.09.2002 said Sri. Chittananda Raichowdhuri died intestate and on 27.09.2002 said Smt. Bijoli Prova Raichowdhuri died intestate.

That said Chittananda Raichowdhuri left surviving his daughter Smt. Rupa Raichowdhuri as his only legal heir, since wife Smt. Menati Raichowdhuri pre-deceased on 5<sup>th</sup> June 1968.

That said Sri. Premananda Raichowdhuri, Sri. Sunanda Raichowdhury and Smt. Rupa Raichowdhuri became the absolute undivided owners of Land measuring an area 38 Cottahs 07 Chittaks 32 Sq.ft., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 R.S. Khatian No. 5573, 5574, 5575, 5576 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, P.S. Behala, Kolkata - 700060, District : South 24 Parganas.

That said Smt. Rekha Basu wife of late Asit Ranjan Basu died testate (without any child) on 12.03.2010 and a WILL dated 23.12.2008 was probated vide PLA No. 341 / 2010 in the High Court at Calcutta. That it is pertinent to mention herein that on perusal of the said Probate it found that in confirmation of Smt. Rekha Basu's unwillingness and already disclaiming her right or title or interest in aforesaid landed property nothing was writing or mentioned in the said WILL in respect of her ownership in the aforesaid landed property.

That said Smt. Rupa Raichowdhuri died as a spinster on 08.07.2012 intestate leaving behind surviving the said Sri. Premananda Raichoudhuri and Sri. Sunanda Raichowdhuri and Smt. Sewli Mitra as her only legal heirs.

That on 06.10.2012 said Smt. Sewli Mitra in confirmation of her unwillingness and disclaiming her right or title or interest of 1/3<sup>rd</sup> share in the said Land measuring an area 38 Cottahs 07 Chittaks 32 Sq.ft., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346,





R.S. Dag No. 11428, 11429, 11430, 11432, 11441 R.S. Khatian No. 5573, 5574, 5575, 5576 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, mailing address 75, Bonamali Naskar Road within the limits of Kolkata Municipal Corporation Ward No. 131, P.S. Behala, Kolkata - 700060, District : South 24 Parganas executed a Gift Deed in favour of (i) Sri. Premananda Raichowdhury and (ii) Sri. Sunanda Raichowdhury by a registered Gift Deed and the said Gift Deed was duly registered at Additional Registrar of Assurances - I, Kolkata and recorded in Book No.1, Volume No. 19, Pages 10429 to 10438, Being No.09425 for the Year 2012.

That, partly by virtue of inheritance, partly by virtue of relinquishment and partly by virtue of Gift Deed said (i) Sri. Premananda Raichowdhury and (ii) Sri. Sunanda Raichowdhury became the absolute undivided owners of Land measuring an area 38 Cottahs 07 Chittaks 32 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 R.S. Khatian No. 5573, 5574, 5575, 5576 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, mailing address 75, Bonamali Naskar Road within the limits of Kolkata Municipal Corporation Ward No. 131, P.S. Behala, Kolkata - 700060, District : South 24 Parganas.

**[B]**

That, on 15.11.1962, said Sri. Sachi Bilash Raichowdhury and Sri. Murari Bilash Raichowdhury gifted all that piece and parcel of Land measuring an area 01 Cottahs 08 Chittaks 20 Sq.fts., comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11441, R.S. Khatian No. 5574 & 5576, P.S. Behala, Kolkata - 700060, District : 24 Parganas to M/s. Associated Engineering Products a partnership firm by a registered Gift Deed and the said Gift Deed duly registered at Joint Sub - Registrar of Alipore, Behala and recorded in Book No.1, Volume 74, Pages 93 to 96, Deed No. 4561, for the Year 1962.

That by virtue of the aforesaid Gift Deed No. 04561 for the Year 1962 said M/s. Associated Engineering Products became the absolute owner of Land measuring an area 01 Cottahs 08 Chittaks 20 Sq.fts., comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11441, R.S. Khatian No. 5574 & 5576, P.S. Behala, Kolkata - 700060, District : 24 Parganas and after mutation the said property was numbered as Kolkata Municipal Premises no. 26, Bonamali Naskar Road, mailing address 75/1,



Bonamali Naskar Road within the limits of Kolkata Municipal Corporation Ward No. 131 and assessed under Assessee No. 411310200790.

That on 04.04.2015 said Sri. Premananda Raichoudhuri and Sri. Pradipta Raichoudhuri as partners of M/s. Associated Engineering Products lodged a General Diary Bo. 399 dated 04.04.2015 with Parnasree Police Station in respect of lost of Original Title Deed No. 4561 for the Year 1962 from their custody and thereafter duly made a Notice through a Publication in daily English Newspaper namely The Statesman dated 27.04.2015 and another Publictation in daily Bengali Newspaper namely Aakkal dated 27.04.2015 through their Ld. Advocate Mr. P. C. Ghose.

[C]

That on 17.05.1974 said said Pannalal Mukhopadhyay sold all that piece and parcel of land measuring an area 01 Cottahs 12 Chittaks 11 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11401, R.S. Khatian No. 6066, P.S. Behala, Kolkata - 700060, District: 24 Parganas to Sri. Chittananda Raichowdhuri by a registered Sale Deed and the said Sale Deed duly registered at Joint Sub - Registrar for Alipore at Behala and recorded at Book No. I, Volume No. 37, Deed No. 2188 for the Year 1974.

That on 24.09.2002 said Sri. Chittananda Raichowdhuri died Intestate leaving behind him surviving his daughter Smt. Rupa Raichowdhuri as his only legal heir, since wife Smt. Menati Raichowdhuri pre-deceased on 5<sup>th</sup> June 1968.

That said Smt. Rupa Raichowdhuri became the absolute owner of all that piece and parcel of land measuring an area 01 Cottahs 12 Chittaks 11 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11401, R.S. Khatian No. 6066, P.S. Behala, Kolkata - 700060, District: South 24 Parganas and the said property was duly mutated in the name of Smt. Rupa Raichowdhuri and the premises was numbered as 81, Dwijen Mukherjee Road, Ward No. 131 and assessed under Assessee No. 411310400810.

That said Smt. Rupa Raichowdhuri died as a spinster on 08.07.2012 Intestate leaving behind surviving the said Sri. Premananda Raichoudhuri and Sri. Sunanda Raichowdhuri and Smt. Sewli Mitra as her only legal heirs as per Hindu Succession Act, 1956.





That on 06.10.2012 said Smt. Sewli Mitra in confirmation of her unwillingness and disclaiming her right or title or interest of 1/3<sup>rd</sup> share in the said Land measuring an area 01 Cottahs 12 Chittaks 11 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11401, R.S. Khatian No. 6066, which is lying and situated at Kolkata Municipal Premises no. 81, Dwijen Mukherjee Road within the limits of Kolkata Municipal Corporation Ward No. 131, P.S. Behala, Kolkata - 700060, District : South 24 Parganas executed a Gift Deed in favour of (i) Sri. Premananda Raichowdhury and (ii) Sri. Sunanda Raichowdhury by a registered Gift Deed and the said Gift Deed was duly registered at Additional Registrar of Assurances - I, Kolkata and recorded in Book No. I, Volume No. 19, Pages 10629 to 10638, Being No. 09426 for the Year 2012.

That by partially by virtue of inheritance and partially by virtue of Gift Deed No. 09426 for the Year 2012 said Sri. Premananda Raichowdhuri and Sri. Sunanda Raichowdhuri became the absolute owner of land measuring an area 01 Cottahs 12 Chittaks 11 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11401, R.S. Khatian No. 6066, which is lying and situated at premises no. 81, Dwijen Mukherjee Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310400810, P.S. Behala, Kolkata - 700060, District : South 24 Parganas.

**[A + B + C]**

That on 30.04.2012 a **DEED OF EXCHANGE** was executed amongst Sri. Premananda Raichowdhuri, Sri. Sunanda Raichowdhuri and Smt. Rupa Raichowdhuri (since deceased) as owners of all that absolute undivided owners of Land measuring an area 38 Cottahs 07 Chittaks 32 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 R.S. Khatian No. 5573, 5574, 5575, 5576 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, mailing address 75, Bonamali Naskar Road within the limits of Kolkata Municipal Corporation Ward No. 131, P.S. Behala, Kolkata - 700060, District : South 24 Parganas **AND** M/s. Associated Engineering Products as owner of Land measuring an area 01 Cottahs 08 Chittaks 20 Sq.fts., comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11441, R.S. Khatian No. 5574 & 5576, which is lying and situated at premises no. 26, Bonamali Naskar Road, mailing address 75/1, Bonamali Naskar Road within the limits of Kolkata Municipal



Corporation Ward No. 131, Assessee No. 411310200790, P.S. Behala, Kolkata - 700060, District: South 24 Parganas **AND** Smt. Rupa Raichowdhuri (since deceased) as owners of land measuring an area 01 Cottahs 12 Chittaks 11 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R.S. No. 83, Touzi. No. 346, R.S. Dag No. 11401, R.S. Khatian No. 6066, which is lying and situated at premises no. 81, Dwijen Mukherjee Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310400810, P.S. Behala, Kolkata - 700060, District: South 24 Parganas and the said Deed of Exchange was duly executed and registered at Addl. Registrar of Assurances - I, Kolkata and recorded in Book No. I, Volume No. 10, Pages 1486 to 1500, Being No. 04239, for the Year 2012.

That Smt. Rupa Raichowdhuri died as a spinster on 08.07.2012 intestate leaving behind surviving the said Sri. Premananda Raichowdhuri, Sri. Sunanda Raichowdhuri, Smt. Sewli Mitra as her only legal heirs as per Hindu Succession Act, 1956.

That by virtue of the aforesaid Gift Deed No. 09425 for the Year 2012 and Gift Deed No. 09426 for the Year 2012 said Sri. Premananda Raichowdhuri and Sri. Sunanda Raichowdhuri became the absolute owner of [I] Land measuring an area 38 Cottahs 07 Chittaks 32 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R.S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 R.S. Khatian No. 5573, 5574, 5575, 5576 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, mailing address 75, Bonamali Naskar Road within the limits of Kolkata Municipal Corporation Ward No. 131, P.S. Behala, Kolkata - 700060, District: South 24 Parganas **AND** [II] Land measuring an area 01 Cottahs 12 Chittaks 11 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R.S. No. 83, Touzi. No. 346, R.S. Dag No. 11401, R.S. Khatian No. 6066, which is lying and situated at premises no. 81, Dwijen Mukherjee Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310400810, P.S. Behala, Kolkata - 700060, District: South 24 Parganas.

That on 02.09.2014 another **DEED OF EXCHANGE** was executed amongst Sri. Premananda Raichowdhuri and Sri. Sunanda Raichowdhuri as owners of all that absolute undivided owners of Land measuring an area 38 Cottahs 07 Chittaks 32 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R.S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 R.S. Khatian No. 5573, 5574, 5575, 5576 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, mailing address





75, Bonamali Naskar Road within the limits of Kolkata Municipal Corporation Ward No. 131, P.S. Behala, Kolkata - 700060, District : South 24 Parganas AND M/s. Associated Engineering Products as owner of Land measuring an area 01 Cottahs 08 Chittaks 20 Sq.fts., comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11441, R.S. Khatian No. 5574 & 5576, which is lying and situated at premises no. 26, Bonamali Naskar Road, mailing address 75/1, Bonamali Naskar Road within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200790, P.S. Behala, Kolkata - 700060, District : South 24 Parganas AND Sri. Premananda Raichoudhuri and Sri. Sunanda Raichowdhuri as owners of land measuring an area 01 Cottahs 12 Chittaks 11 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11401, R.S. Khatian No. 6066, which is lying and situated at premises no. 81, Dwijen Mukherjee Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310400810, P.S. Behala, Kolkata - 700060, District : South 24 Parganas and the said Deed of Exchange was duly executed and registered at Addl. Registrar of Assurances - I, Kolkata and recorded in Book No. I, Volume No. 20, Pages 7394 to 7406, Being No. 08471, for the Year 2014

That on 02.09.2014 a Deed of Declaration was duly executed by Sri. Premananda Raichoudhuri and Sri. Pradipta Raichoudhuri as partners of M/s. Associated Engineering Products in respect of Kolkata Municipal Premises no. 26, Bonamali Naskar Road, is same as mailing address 75/1, Bonamali Naskar Road within the limits of Kolkata Municipal Corporation Ward No. 131 and assessed under Assessee No. 411310200790 and the said Deed of Declaration was duly registered at Addl. District Sub - Registrar, Behala, South 24 Parganas and recorded in Book No. I, Volume No. 25, Pages 1638 to 1645, being No. 07698, for the Year 2014.

That on 02.09.2014 a Deed of Declaration was duly executed by Sri. Premananda Raichoudhuri and Sri. Sunanda Raichoudhury in respect of Kolkata Municipal Premises no. 27, Bonamali Naskar Road, is same as mailing address 75, Bonamali Naskar Road within the limits of Kolkata Municipal Corporation Ward No. 131 and assessed under Assessee No. 411310200807 and the said Deed of Declaration was duly registered at Addl. District Sub - Registrar, Behala, South 24 Parganas and recorded in Book No. I, Volume No. 501, Pages 106 to 116, being No. 07699, for the Year 2014.



That on 13.06.2014 a Development Agreement was duly executed by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products as owner and M/s. Martin Burn Constructions Limited as Developer in respect of Land measuring an area 41 Cottahs 12 Chittaks 18 Sq.ft., more or less comprised under Mouza - Behala, J.L. No. 2, R.S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 & 11401 R.S. Khatian No. 5573, 5574, 5575, 5576 & 6066 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District : South 24 Parganas and the said Agreement for Development was duly registered at Addl. Registrar of Assurances - I, Kolkata and recorded in Book No. I, Volume No. 11, Pages 7034 to 7073, Being No. 05375, for the Year 2014.

That a Power of Attorney was executed by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products being represented by its partners (i) Sri. Premananda Raichowdhuri and (ii) Sri. Pradipta Raichowdhuri in favour of M/s. Martin Burn Constructions Limited and the said Power of Attorney was duly registered at Addl. Registrar of Assurances - III, Kolkata and recorded in Book No. IV, Volume No. 12, Pages 744 to 759, Being No. 06534, for the Year 2014.

That a Mutation Certificate was issued by BL&LRO Reference No. M/C No. 654/12, 3694/12 dated 07.09.2012 in the name of Premananda Raichowdhuri in respect of Total land measuring an area 0.346 acre in Dag No. 11428, 11429, 11432, 11441, 11430, 11434, 11440, 11401, Mouza & P.S. Behala, District : South 24 Parganas.

That a Mutation Certificate was issued by BL&LRO Reference No. M/C No. 652/12, 3695/12 dated 07.09.2012 in the name of Sunanda Raichowdhuri in respect of Total land measuring an area 0.347 acre in Dag No. 11428, 11429, 11432, 11441, 11430, 11434, 11440, 11401, Mouza & P.S. Behala, District : South 24 Parganas.

That a Mutation Certificate was issued by BL&LRO Reference No. M/C No. 745/12 dated 30.07.2012 in the name of Premananda Raichowdhuri in respect of Total land measuring an area 01 Cottahs 08 Chittaks 20 Sq.ft., in Dag No. 11441, Mouza & P.S. Behala, District : South 24 Parganas.





That a Conversion Certificate Memo No. 1/1428/S/T.M. Behala / 2012 dated 04.10.2012 was issued by BL&LRO Office in the name of Sunanda Raichowdhury in respect of land area 0.028 in Dag No. 11430, Khatian No. 5573, 5574, 5575, 5576, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.

That a Conversion Certificate Memo No. 1/1429/S/T.M. Behala / 2012 dated 04.12.2012 was issued by BL&LRO Office in the name of Premananda Raichowdhury in respect of land area 0.028 in Dag No. 11430, Khatian No. 5573, 5574, 5575, 5576, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.

That a Original Conversion Certificate Memo No. 51(C)/550/P/12 dated 05.02.2014 was issued by BL&LRO Office in the name of Premananda Raichowdhuri in respect of land area 0.011 in Dag No. 11428, land area 0.154 in Dag No. 11429, land area 0.014 in Dag No. 11401, Khatian No. 5574, 5576, 6066, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.

That a Original Conversion Certificate Memo No. 51(C)/549/P/12 dated 05.02.2014 was issued by BL&LRO Office in the name of sunanda Raichowdhury in respect of land area 0.011 in Dag No. 11428, land area 0.154 in Dag No. 11429, land area 0.014 in Dag No. 11401, Khatian No. 5574, 5576, 6066, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.

That a Original Certified Copy of Inspection Book dated 29.08.2015 was issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products in respect of the amalgamated premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, Bastu Land measuring an area 41 Cottahs 12 Chittaks 18 Sq.fts.

That a Assessment Roll dated 26.08.2015 was issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products in respect of the premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, Bastu Land measuring an area 41 Cottahs 12 Chittaks 18 Sq.fts., OR 02 Bighas 01 Chittaks 12 Chittaks 18 Sq.fts.,

That a Building Sanction Plan No. 2016140078 dated 24.06.2016 was issued by Kolkata Municipal Corporation in the name of Sri. Premananda



Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products for construction of G + XI Storied Residential at premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807.

That a Original (Site Plan) Sanction Plan No. 2016140078 dated 24.06.2016 issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products for construction of G + XI Storied Residential at premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807.

That on 27.08.2015 a Gift Deed was executed by Sri. Vishal Fatehpuria authorized director of M/s. martin Burn Constrction Ltd. being the constituted attorney of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products and Gifted a Strip of Land measuring an area 169.855 Sq.fts., more or less from premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, P.S. Behala presently Parnashree, Kolkata - 700060, District : South 24 Parganas to Kolkata Municipal Corporation and the Deed of Gift was duly registered at District Sub - Registrar - II, Alipore, South 24 Parganas and recorded in Book No. I, Volume No. 1602 - 2015, Pages 103504 to 103520, being No. 160208987, for the year 2015

That on 19.11.2015 a Gift Deed was executed by Sri. Vishal Fatehpuria authorized director of M/s. martin Burn Constrction Ltd. being the constituted attorney of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products and Gifted a Corner Splay of Land measuring an area 31 Sq.fts., more or less from premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, P.S. Behala presently Parnashree, Kolkata - 700060, District : South 24 Parganas to Kolkata Municipal Corporation and the Deed of Gift was duly registered at Addl. Registrar of Assurances - I, Kolkata and recorded in Book No. I, Volume No. 1901 - 2015, Pages 161917 to 161934, being No. 190109081, for the year 2015.

That on 19.11.2015 a Gift Deed was executed by Sri. Vishal Fatehpuria authorized director of M/s. martin Burn Constrction Ltd. being the constituted attorney of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products and Gifted a Strip





of Land measuring an area 884.198 Sq.fts., more or less from premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, P.S. Behala presently Parnashree, Kolkata - 700060, District: South 24 Parganas to Kolkata Municipal Corporation and the Deed of Gift was duly registered at Addl. Registrar of Assurances - I, Kolkata and recorded in Book No. I, Volume No. 1901 - 2015, Pages 161935 to 16158, being No. 190109082, for the year 2015.

**That now Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products is the absolute owners of Bastu Land measuring an area 40 Cottahs 04 Chittaks 13 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 & 11401 R.S. Khatian No. 5573, 5574, 5575, 5576 & 6066 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District: South 24 Parganas.**

2. Describe nature of title (viz. full ownership rights, leasehold rights, occupancy / possessory rights or any other).

The Owner i.e., **Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products** acquired the property by partly by virtue of a Sale Deed, partly by virtue of a Gift Deed, partly by virtue of an inheritance and it is a full Ownership rights.

If the title is leasehold rights, state

- a. Whether the lease deed has been registered as required under Law.

Not applicable.

- b. The period of the lease

Not applicable.

- c. Whether any permission / NOC from lessor is required for creation of mortgage



Not required.

3. Mention minor's interest, if any is involved. If so, whether Court permission (except in case of HUF property) has been obtained for offering the property as security.

Not applicable.

4. State here whether the mortgagor / title holder is in unhindered possession of the property and if so, the period for which he is in such possession.

The Developer are in unhindered possession of the property as per inspection and searches made in the registration offices concern and Courts.

: Is / Are the property / ies free from encumbrances.

Yes, the property mentioned in clause II above, is free from encumbrances as per Search Reports and documents.

5. Is / Are the property / ies free from encumbrances.

Yes, the property mentioned in clause II above, is free from encumbrances as per Search Reports and documents.

6. Please give detailed account of creation of charge / mortgage or redemption for a minimum period of 13 years and also state the subsisting charge / mortgage if any, mentioned in the encumbrances certificate for the last 13 years.

There is no legal impediment to create Equitable Mortgage the above mention property in favour of the Bank and search has been done in the Office of Registrar of Assurances, Kolkata, District Sub Registrar at Alipore, Addl. District Sub - Registrar : Behala, including Computerized Index search by the Staff of Registration Office for the last 13 years as on date.

- i. The period covered under Encumbrance Certificate issued by the sub-Registrar of Assurances / search made in the records / Registers of the office of sub-Registrar of Assurances.

There is no such provision, to issue under encumbrances certificate from the Sub-Registrar of assurance / search made in the records / Registrar of the office of Sub-Registrar of Assurance and or any of the Registration Offices in the Sate of West Bengal. Government Officials of the West Bengal never issue such type of certificate. As required by the parties concerned, they will search personally or through their agent.

EC No .....dt ..... / search fees receipt





No. AA 178942 dt. 22.07.2019 For the searches made for the period from 2007 To 2019  
 No. AA 166165 dt. 22.07.2019 For the searches made for the period from 2007 To 2019  
 No. AA 178941 dt. 22.07.2019 For the searches made for the period from 2007 To 2019  
 No. AA 166164 dt. 22.07.2019 For the searches made for the period from 2007 To 2019  
 No. AA 178940 dt. 22.07.2019 For the searches made for the period from 2007 To 2019  
 No. AA 166163 dt. 22.07.2019 For the searches made for the period from 2007 To 2019  
 No. AA 178939 dt. 22.07.2019 For the searches made for the period from 2007 To 2019  
 No. AA 166162 dt. 22.07.2019 For the searches made for the period from 2007 To 2019  
 No. AA 178938 dt. 22.07.2019 For the searches made for the period from 2007 To 2019  
 No. AA 166161 dt. 22.07.2019 For the searches made for the period from 2007 To 2019

The Registration Authority never issue E. C.

- ii. Search in respect of companies registered under the Companies Act, 1956.

Yes, ROC Search has been done and annexed herewith in the name of M/s. Matrln Burn Constructions Ltd.

7. Whether Urban Land Ceiling Clearance is required to be obtained before the mortgage is created. If the ULC clearance has been obtained for creating the mortgage in favour of the Bank, please mention the number and date of the proceedings.

Not Applicable.

8. Whether permission for conversion of lands from Agricultural use to residential / commercial use is obtained wherever necessary. If applicable, state the reference of the proceedings.

Yes

- i. Conversion Certificate Memo No. 1/1428/S/T.M. Behala / 2012 dated 04.10.2012 issued by BL&LRO Office in the name of Sunanda Raichowdhury in respect of land area 0.028 in Dag No. 11430, Khatian No. 5573, 5574, 5575, 5576, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.
- ii. Conversion Certificate Memo No. 1/1429/S/T.M. Behala / 2012 dated 04.12.2012 issued by BL&LRO Office in the name of Premananda Raichowdhury in respect of land area 0.028 in Dag No. 11430, Khatian No. 5573, 5574, 5575, 5576, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.



- iii. Conversion Certificate Memo No. 51(C)/550/P/12 dated 05.02.2014 issued by BL&LRO Office in the name of Premananda Raichowdhuri in respect of land area 0.011 in Dag No. 11428, land area 0.154 in Dag No. 11429, land area 0.014 in Dag No. 11401, Khatian No. 5574, 5576, 6066, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.
- iv. Conversion Certificate Memo No. 51(C)/549/P/12 dated 05.02.2014 issued by BL&LRO Office in the name of sunanda Raichowdhury in respect of land area 0.011 in Dag No. 11428, land area 0.154 in Dag No. 11429, land area 0.014 in Dag No. 11401, Khatian No. 5574, 5576, 6066, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.

9. If the property sought to be mortgaged is agricultural lands.
- i. Whether the land is within the ceiling limit, fixed as per the concerned State Land reforms Law in force
  - ii. Whether taking as collateral security for non-agri purpose is possible.
- i. Mortgage Property is not an agricultural Land
  - ii. This question not applicable in this case.

10. Whether from the documents produced, there exists any pending litigation with respect to the property offered as security. If yes, please furnish details.

Search has been made [A] in the Court of Ld. 7<sup>th</sup> Civil Judge (Sr. Div.) at Alipore from 2010 till 18.07.2019 in the name of Sri. Premananda Raichoudhuri and in the Ld. 5<sup>th</sup> Civil Judge (Jr. Div.) at Alipore from 2010 till 18.07.2019 in the name of Sri. Premananda Raichoudhuri AND [B] in the Court of Ld. 7<sup>th</sup> Civil Judge (Sr. Div.) at Alipore from 2010 till 18.07.2019 in the name of Sri. Sunanda Raichoudhuri and in the Ld. 5<sup>th</sup> Civil Judge (Jr. Div.) at Alipore from 2010 till 18.07.2019 in the name of Sri. Sunanda Raichoudhuri AND [C] in the Court of Ld. 7<sup>th</sup> Civil Judge (Sr. Div.) at Alipore from 2010 till 18.07.2019 in the name of M/s. Associated Engineering Products and in the Ld. 5<sup>th</sup> Civil Judge (Jr. Div.) at Alipore from 2010 till 218.07.2019 in the name of M/s. Associated Engineering Products as per the report, there is no title suit in respect of the property in question.

11. In case of Partition Deeds.
- i. whether the same is registered under the Law for time being in force and original thereof if available for deposit
  - ii. in case original is not available and the partition deed is made in more than one copy at the time of registration duly signed by all executants, whether





- a) to get an affidavit / declaration from the holder of the original partition deed confirming the availability with his and the original not deposited with anybody as security over the share of the prospective mortgagor.
- b) the shareholder or predecessor in title have been permitted to treat their copy of the partition deed as original for their share.

i. Not Applicable.

ii. Not Applicable.

12. In case of inherited property, whether the family genealogy ascertained and flow of title considered in the light of such genealogy bearing in mind the provisions of succession laws applicable to the parties. The genealogy must be sworn to by means of an affidavit by the party / parties.

Yes, The Family genealogy has been written in the Registered Agreement for Development which has been duly registered at Addl. Registrar of Assurances - 1, Kolkata and recorded in Book No. I, Volume No. 11, Pages 7034 to 7073, Being No. 05375, for the Year 2014.

13. In case the mortgage is sought to be created by agent under power of Attorney, please state whether.
- a) The Power of Attorney is registered
  - b) It authorizes the Agent to deposit the title deeds for creation of mortgage over the properties of the principal for the loan to be given to the prospective borrower.
  - c) Whether Power of Attorney empowers the PA holder to borrow on behalf of the principal.

The above question No. 13 (a, b, c,) are not applicable in this case.

14. Whether up-to-date tax receipts have been verified and it is ensured that there are no arrears of land Taxes, as the case may be, over the property.

Mutation has been done in the name of the present owners i.e., Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products in respect of the amalgamated premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, Bastu Land measuring an area 41 Cottahs 12 Chittaks 18 Sq.fts.



**There is Tax Outstanding. Of Rs. 2,40,710/- as on 26.08.2019 for the period 2016 -2017 & 2017 - 2018 & 2018 - 2019) LOI for unpaid Property Tax Bill is annexed herewith**

15. In case of devolution of property by a will, whether the will has been probated or letter of administration is obtained.
- Not Applicable.
16. i. Whether the title deed under which mortgager acquired title and parent title are available in original.
- The Title deed under which mortgager has acquired title are available in original and only parent documents i.e., Original Gift Deed No. 4561 for the Year 1962 of M/s. Associated Engineering Products is not available as it has been lost by the them .
- ii. In case the property purchased by mortgager is portion of larger extant of property, whether availability of original parent documents confirmed.
- Original parent documents are available in original for mortgage except Original Gift Deed No. 4561 for the Year 1962 of M/s. Associated Engineering Products is not available as it has been lost by the them.
17. If owner is a company, Partnership Firm, Trust, or other legal person, what are the documents to be obtained to create a valid mortgage ( in terms of Memorandum and articles of Association, Partnership Deed , Trust Deed or rules or bye laws)
- M/s. Associated Engineering Products one of the owners is a Partnership Firm and so a Copy of Deed of partnership is required along with it present Trade License.
18. If property / ies to be mortgaged is / are flat / apartment in residential or commercial complex, how far independent title is ensured and how the enjoyment of common areas and facilities are ensured to the flat owner (mortgagor) :

The mortgage property is a Bastu Land measuring an area 40 Cottahs 04 Chittaks 13 Sq.ft., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 & 11401 R.S. Khatian No. 5573, 5574, 5575, 5576 & 6066 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata -





700060, District: South 24 Parganas and it has independent title and the enjoyment of the common areas and facilities can be ensured by way of searches and documents produce before me and will be enforceable after registration of the property.

- (a) What are the documents of title available for creating mortgage?  
 (b) List out other Documents / records to be taken from builder / owners.

**(A)**

1. Original Search Report dated 08.08.2019 of Sri. Santanu Sanyal, Advocate & Subhro Sen, Searcher. (In respect of 27, Banomali Naskar Road). (Annexed herewith)
2. Original Search Report dated 08.08.2019 of Sri. Santanu Sanyal, Advocate & Subhro Sen, Searcher. (In respect of 26, Banomali Naskar Road). (Annexed herewith)
3. Original Search Report dated 08.08.2019 of Sri. Santanu Sanyal, Advocate & Subhro Sen, Searcher. (In respect of 75, Banomali Naskar Road). (Annexed herewith)
4. Original Search Report dated 08.08.2019 of Sri. Santanu Sanyal, Advocate & Subhro Sen, Searcher. (In respect of 75/1, Banomali Naskar Road). (Annexed herewith)
5. Original Search Report dated 08.08.2019 of Sri. Santanu Sanyal, Advocate & Subhro Sen, Searcher (In respect of 81, Dwijen Mukherjee Road). (Annexed herewith)
6. Original Sale Deed No. 3830 for the Year 1916 of Smt. Sailo Bala Raichowdhuri.
7. Original Certified Copy of Gift Deed No. 4561 for the Year 1962 of M/s. Associated Engineering Products.
8. Original Sale Deed No. 2188 for the Year 1974 of Sri. Chittananda Raichowdhuri
9. Original Certified Copy of Probated vide PLA No. 341 / 2010 in the High Court at Calcutta in respect of WILL dated 23.12.2008 of Smt. Rekha Basu
10. Original Deed of Exchange No. 04289 for the Year 2012 made between Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, Smt. Rupa Raichowdhuri AND M/s. Associated Engineering Products AND Smt. Rupa Raichowdhuri.
11. Original Deed of Gift No. 09425 for the Year 2012 executed by Smt. Sewli Mitra in favour of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury.



12. Original Deed of Gift No. 09426 for the Year 2012 executed by Smt. Sewli Mitra in favour of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury.
13. Original Deed of Exchange No. 08471 for the Year 2014 made between Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products.
14. Original Deed of Declaration No. 07698 for the Year 2014 executed by Sri. Premananda Raichowdhuri, and Sri. Pradipta Raichowdhuri as partners of M/s. Associated Engineering Products.
15. Original Deed of Declaration No. 07699 for the Year 2014 executed by Sri. Premananda Raichowdhuri, and Sri. Sunanda Raichowdhuri.
16. Original Development Agreement No. 05375 for the Year 2014 executed by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products as owner and M/s. Martin Burn Constructions Limited as Developer.
17. Original Power of Attorney No. 06534 for the Year 2014 executed by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products being represented by its partners (i) Sri. Premananda Raichowdhuri and (ii) Sri. Pradipta Raichowdhuri in favour of M/s. Martin Burn Constructions Limited.
18. Original Mutation Certificate issued by BL&LRO Reference No. M/C No. 654/12, 3694/12 dated 07.09.2012 in the name of Premananda Raichowdhuri in respect of Total land measuring an area 0.346 acre in Dag No. 11428, 11429, 11432, 11441, 11430, 11434, 11440, 11401, Mouza & P.S. Behala, District : South 24 Parganas.
19. Original Mutation Certificate issued by BL&LRO Reference No. M/C No. 652/12, 3695/12 dated 07.09.2012 in the name of Sunanda Raichowdhuri in respect of Total land measuring an area 0.347 acre in Dag No. 11428, 11429, 11432, 11441, 11430, 11434, 11440, 11401, Mouza & P.S. Behala, District : South 24 Parganas.
20. Original Mutation Certificate issued by BL&LRO Reference No. M/C No. 745/12 dated 30.07.2012 in the name of Premananda Raichowdhuri in respect of Total land measuring an area 01 Cottahs 08 Chittaks 20 Sq.fts., in Dag No. 11441, Mouza & P.S. Behala, District : South 24 Parganas.
21. Original Conversion Certificate Memo No. 1/1428/S/T.M. Behala / 2012 dated 04.10.2012 issued by BL&LRO Office in the name of Sunanda Raichowdhury in respect of land area 0.028 in Dag No. 11430, Khatian No. 5573, 5574, 5575, 5576, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.





22. Original Conversion Certificate Memo No. 1/1429/S/T.M. Behala / 2012 dated 04.12.2012 issued by BL&LRO Office in the name of Premananda Raichowdhury in respect of land area 0.028 in Dag No. 11430, Khatian No. 5573, 5574, 5575, 5576, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.
23. Original Conversion Certificate Memo No. 51(C)/550/P/12 dated 05.02.2014 issued by BL&LRO Office in the name of Premananda Raichowdhuri in respect of land area 0.011 in Dag No. 11428, land area 0.154 in Dag No. 11429, land area 0.014 in Dag No. 11401, Khatian No. 5574, 5576, 6066, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.
24. Original Conversion Certificate Memo No. 51(C)/549/P/12 dated 05.02.2014 issued by BL&LRO Office in the name of sunanda Raichowdhury in respect of land area 0.011 in Dag No. 11428, land area 0.154 in Dag No. 11429, land area 0.014 in Dag No. 11401, Khatian No. 5574, 5576, 6066, J.L. No. 2, Mouza & P.S. Behala converted to Bastu.
25. Original Certified Copy of Inspection Book dated 29.08.2015 issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products in respect of the amalgamated premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, Bastu Land measuring an area 41 Cottahs 12 Chittaks 18 Sq.ft.
26. Original Assessment Roll dated 26.08.2015 issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products in respect of the premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, Bastu Land measuring an area 41 Cottahs 12 Chittaks 18 Sq.ft., OR 02 Bighas 01 Chittaks 12 Chittaks 18 Sq.ft.
27. Original G. D. Copy vide 399 dated 04.04.2015 lodged before Parnasree P.S. by M/s. Associated Engineering Products being represented by its partners (i) Sri. Premananda Raichowdhuri and (ii) Sri. Pradipta Raichowdhuri
28. Original Paper Publication dated 27.04.2015 in "The Statesman"
29. Original Paper Publication dated 27.04.2015 in "Aajkal"
30. Original Building Sanction Plan No. 2016140078 dated 24.06.2016 issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products for construction of G + XI Storied Residential at premises no. 27,



Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807.

31. Original (Site Plan) Building Sanction Plan No. 2016140078 dated 24.06.2016 issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products for construction of G + XI Storied Residential at premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807.
32. Original Certified Copy of Deed of Gift No. 8987 for the Year 2015 dated 27.08.2015. to KMC. (Annexed herewith)
33. Original Certified Copy of Deed of Declaration No. 8988 for the Year 2015 dated 27.08.2015 as KMC proforma. (Annexed herewith)
34. Original Certified Copy of Deed of Declaration No. 09080 for the Year 2015 dated 23.11.2015 as KMC proforma. (Annexed herewith)
35. Original Certified Copy of Deed of Gift No. 9081 for the Year 2015 dated 23.11.2015 to KMC. (Annexed herewith)
36. Original Certified Copy of Deed of Gift No. 9082 for the Year 2015 dated 23.11.2015 to KMC. (Annexed herewith)

**(B)**

37. Original No Objection Letter issued by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products in respect of Registered Mortgage to be created by **M/s. MARTIN BURN CONSTRUCTIONS LIMITED** as Mortgagor in favour of **INDIAN BANK** as Mortgagee in respect of Developer's Allocation (Flats) which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District: South 24 Parganas.
38. Original "No Claim Certificate" issued by Ld. Advocate Mr. P. C. Ghose in respect of Publication in daily English Newspaper namely The Statesman dated 27.04.2015 and another Publication in daily Bengali Newspaper namely Aakkal dated 27.04.2015.
39. Original Judicial Affidavit sworn by Sri. Premananda Raichowdhuri and Sri. Pradipta Raichowdhuri as partners of M/s. Associated Engineering in respect of lost of Original Title Deed No. 4561 for the Year 1962
40. Photocopy of Partnership Agreement of M/s. Associated Engineering
41. Photocopy of present Trade License of M/s. Associated Engineering.





42. Original Confirmation Letter from Premananda Raichoudhuri in respect of specific Allocation of Flat with number and Floor and measurement & Car parking Space in respect of Owner's Allocation.
43. Original Confirmation Letter from Sunanda Raichoudhuri in respect of specific Allocation of Flat with number and Floor and measurement & Car parking Space in respect of Owner's Allocation.
44. Original NOC issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products in respect of the premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807.
45. Original LOI for Unpaid property Tax Bill issued by Kolkata Municipal Corporation in the name of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products in respect of the premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807. (Annexed herewith)
46. Original Certified Copy of Deed of Exchange No. 04289 for the Year 2012 made between Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, Smt. Rupa Raichowdhuri AND M/s. Associated Engineering Products AND Smt. Rupa Raichowdhuri. (Annexed herewith)
47. Original Certified Copy of Deed of Gift No. 09425 for the Year 2012 executed by Smt. Sewli Mitra in favour of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury. (Annexed herewith)
48. Original Certified Copy of Deed of Gift No. 09426 for the Year 2012 executed by Smt. Sewli Mitra in favour of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury. (Annexed herewith)
49. Original Certified Copy of Deed of Exchange No. 08471 for the Year 2014 made between Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products. (Annexed herewith)
50. Original Certified Copy of Deed of Declaration No. 07698 for the Year 2014 executed by Sri. Premananda Raichowdhuri, and Sri. Pradipta Raichowdhuri as partners of M/s. Associated Engineering Products. (Annexed herewith)
51. Original Certified Copy of Deed of Declaration No. 07699 for the Year 2014 executed by Sri. Premananda Raichowdhuri, and Sri. Sunanda Raichowdhuri. (Annexed herewith)
52. Original Certified Copy of Development Agreement No. 05375 for the Year 2014 executed by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products as owner and M/s. Martin Burn Constructions Limited as Developer. (Annexed herewith)



19. Whether search is made in the registers and the records maintained in the office of Collector and / or revenue authorities / Municipals Corporation / Town and Planning Dept and the Civil Court ( whichever is applicable ) to ensure.

Necessary Search has been done in the Office of Registrar of Assurances, Kolkata, District Sub Registrar at Alipore, Addl. District Sub - Registrar : Behala, including Computerized Index search by the Staff of Registration Office for the last 13 years as on date

- a. Necessary consent of Civic Body or authority to transfer the property was obtained.

Not applicable.

- b. No litigation in respect of the property to be mortgaged is pending before any Forum

Search has been made [A] in the Court of Ld. 7<sup>th</sup> Civil Judge (Sr. Div.) at Alipore from 2010 till 18.07.2019 in the name of Sri. Premananda Raichoudhuri and in the Ld. 5<sup>th</sup> Civil Judge (Jr. Div.) at Alipore from 2010 till 18.07.2019 in the name of Sri. Premananda Raichoudhuri AND [B] in the Court of Ld. 7<sup>th</sup> Civil Judge (Sr. Div.) at Alipore from 2010 till 18.07.2019 in the name of Sri. Sunanda Raichoudhuri and in the Ld. 5<sup>th</sup> Civil Judge (Jr. Div.) at Alipore from 2010 till 18.07.2019 in the name of Sri. Sunanda Raichoudhuri AND [C] in the Court of Ld. 7<sup>th</sup> Civil Judge (Sr. Div.) at Alipore from 2010 till 18.07.2019 in the name of M/s. Associated Engineering Products and in the Ld. 5<sup>th</sup> Civil Judge (Jr. Div.) at Alipore from 2010 till 21.07.2019 in the name of M/s. Associated Engineering Products and as per the report, there is no title suit in respect of the property in question.

- c. Identity of the property has been established and there are no Circumstances which would create doubts or suspicions, e.g. any material documents is alleged to be lost or any document bears any marks or endorsement indicative of having been earlier tendered in evidence in a Court or produced as surety Identity of the Flat has been established as per Documents.

Identity of the property has been established after perusing the abovementioned documents stated in (I)





- d. Whether any Revenue Authority attachment / Statutory dues attachment / court attachment is reflected

No Attachments by Court are found as per Court Searches.

- e. Whether certified copy of the title deeds and parent document tracking back to at least last 13 years from the title document are obtained from the Sub-Registrar's office by the panel advocate and compared with the original one submitted by the borrower for the LSR for its correctness.

Yes

- i. Original Certified Copy of Deed of Exchange No. 04289 for the Year 2012 made between Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, Smt. Rupa Raichowdhuri AND M/s. Associated Engineering Products AND Smt. Rupa Raichowdhuri. (annexed herewith).
- ii. Original Certified Copy of Deed of Gift No. 09425 for the Year 2012 executed by Smt. Sewli Mitra in favour of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury. (annexed herewith).
- iii. Original Certified Copy of Deed of Gift No. 09426 for the Year 2012 executed by Smt. Sewli Mitra in favour of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury. (annexed herewith).
- iv. Original Certified Copy of Deed of Exchange No. 08471 for the Year 2014 made between Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products. (annexed herewith).
- v. Original Certified Copy of Deed of Declaration No. 07698 for the Year 2014 executed by Sri. Premananda Raichowdhuri, and Sri. Pradipta Raichowdhuri as partners of M/s. Associated Engineering Products. (annexed herewith).
- vi. Original Certified Copy of Deed of Declaration No. 07699 for the Year 2014 executed by Sri. Premananda Raichowdhuri, and Sri. Sunanda Raichowdhuri. (annexed herewith).
- vii. Original Certified Copy of Development Agreement No. 05375 for the Year 2014 executed by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products as owner and M/s. Martin Burn Constructions Limited as Developer. (annexed herewith).



- viii. Original Certified Copy of Deed of Gift No. 8987 for the Year 2015 dated 27.08.2015. to KMC. (annexed herewith).
  - ix. Original Certified Copy of Deed of Declaration No. 8988 for the Year 2015 dated 27.08.2015 as KMC proforma. (annexed herewith).
  - x. Original Certified Copy of Deed of Declaration No. 09080 for the Year 2015 dated 23.11.2015 as KMC proforma. (annexed herewith).
  - xi. Original Certified Copy of Deed of Gift No. 9081 for the Year 2015 dated 23.11.2015 to KMC. (annexed herewith).
  - xii. Original Certified Copy of Deed of Gift No. 9082 for the Year 2015 dated 23.11.2015 to KMC (annexed herewith).
- have been obtained.

- f. Whether 'No objection Certificate' and other documents issued by Builders or Other Organizations / Department/ Institutions are carefully examined for their genuineness.

Not Applicable

20. If the property is a superstructure like building, house, flat, factory, shed etc.

- i. Whether it is located / proposed to be located in an approved lay out.  
: Yes.
- ii. Whether the building is constructed / proposed to be constructed as per the plan approved by the competent authorities (Corporation, Municipal Council, Cantonment Board etc).  
: Yes.
- iii. Whether the plan is approved subjects to any condition if so what are the conditions and whether the conditions have been complied with.  
: No.
- iv. Whether superstructure is assessed to TAX (In case of ready built superstructure).  
: Not Applicable





- v. Whether clearance / license / permit has to be obtained from authorities under Special Acts like Environment Protection Act, 1986, The Air Craft Act 1934 etc and if so whether the same has been obtained. (If any conditions are stipulated while giving clearance / licence/ permit the same has to be mentioned in the report. The report should also mentioned whether the condition has been complied).

: Yes (Back side of the Sanction Plan)

21. If the flat is owned / controlled by society, specify special requirements to be taken.

No, the property is not owned / controlled by society

22. If the property is acquired from Govt / local authorities, whether the conveyance deeds are verified with Government records as to its genuineness and whether executed by competent authority

Not Applicable.

#### IV. **Opinion of Creation of Mortgage .**

23. Whether the mortgage by deposit of original title deeds is possible on the strength of the title deeds scrutinized. If so, the list of documents to be deposited for creation of equitable mortgage over the property offered as security. The person (s) who shall deposit the title deeds with the bank may be stated .

Yes, I have gone through the Title Deeds and other papers and documents referred above and understood that by deposit of

1. Original Sale Deed No. 3830 for the Year 1916
2. Original Certified Copy of Gift Deed No. 4561 for the Year 1962
3. Original Sale Deed No. 2188 for the Year 1974
4. Original Deed of Exchange No. 04289 for the Year 2012
5. Original Deed of Gift No. 09425 for the Year 2012
6. Original Deed of Gift No. 09426 for the Year 2012
7. Original Deed of Exchange No. 08471 for the Year
8. Original Deed of Declaration No. 07698 for the Year 2014
9. Original Deed of Declaration No. 07699 for the Year 2014.
10. Original Development Agreement No. 05375 for the Year 2014
11. Original Power of Attorney No. 06534 for the Year 2014



12. Original G. D. Copy vide 399 dated 04.04.2015
13. Original Paper Publication dated 27.04.2015 in "The Statesman"
14. Original Paper Publication dated 27.04.2015 in "Aajkal"
15. Original "No Claim Certificate" issued by Ld. Advocate Mr. P. C. Ghose
16. Original Judicial Affidavit sworn by Sri. Premananda Raichoudhuri and Sri. Pradipta Raichoudhuri as partners of M/s. Associated Engineering in respect of lost of Original Title Deed No. 4561 for the Year 1962

**AND**

**BY EXECUTION OF ORIGINAL REGISTERED MORTGAGE** made between **M/s. MARTIN BURN CONSTRUCTIONS LIMITED** as Mortgagor in favour of **INDIAN BANK** as Mortgagee in respect of Developer's Allocation (Flats) which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District : South 24 Parganas along with other documents to the Bank will create a valid mortgage.

24. If the equitable mortgage by deposit of title deeds is not possible, can there be a simple (registered) mortgage. If so, list out the documents to be held with the bank in addition to the registered mortgage deed.

The documents are

1. Original Sale Deed No. 3830 for the Year 1916
2. Original Certified Copy of Gift Deed No. 4561 for the Year 1962
3. Original Sale Deed No. 2188 for the Year 1974
4. Original Deed of Exchange No. 04289 for the Year 2012
5. Original Deed of Gift No. 09425 for the Year 2012
6. Original Deed of Gift No. 09426 for the Year 2012
7. Original Deed of Exchange No. 08471 for the Year
8. Original Deed of Declaration No. 07698 for the Year 2014
9. Original Deed of Declaration No. 07699 for the Year 2014 .
10. Original Development Agreement No. 05375 for the Year 2014
11. Original Power of Attorney No. 06534 for the Year 2014
12. Original G. D. Copy vide 399 dated 04.04.2015
13. Original Paper Publication dated 27.04.2015 in "The Statesman"
14. Original Paper Publication dated 27.04.2015 in "Aajkal"
15. Original "No Claim Certificate" issued by Ld. Advocate Mr. P. C. Ghose
16. Original Judicial Affidavit sworn by Sri. Premananda Raichoudhuri and Sri. Pradipta Raichoudhuri as partners of M/s. Associated





Engineering in respect of lost of Original Title Deed No. 4561 for the Year 1962

25. Any other opinion on simplified procedure / remission of stamp duty for creation of charge over agricultural / other properties in favour of Commercial Banks as in some states like U.P. Karnataka etc.

Not applicable.

26. Whether the provisions of SARFAESI Act is applicable or not?

Yes, SARFAESI Act will be applicable, if proper Registered Mortgage is created by **M/s. MARTIN BURN CONSTRUCTIONS LIMITED** in favour of the bank by execution of **ORIGINAL REGISTERED MORTGAGE** made between **M/s. MARTIN BURN CONSTRUCTIONS LIMITED** as Mortgagor in favour of **INDIAN BANK** as Mortgagee in respect of Developer's Allocation (Flats) which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District : South 24 Parganas .

I certify, that the owners i.e., Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products have a valid, clear, absolute good, perfect and marketable title to the Bastu Land measuring an area 40 Cottahs 04 Chittaks 13 Sq.fts., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 & 11401 R.S. Khatian No. 5573, 5574, 5575, 5576 & 6066 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District : South 24 Parganas.

I further opine that upon evaluation of

1. Original Sale Deed No. 3830 for the Year 1916
2. Original Certified Copy of Gift Deed No. 4561 for the Year 1962
3. Original Sale Deed No. 2188 for the Year 1974
4. Original Deed of Exchange No. 04289 for the Year 2012
5. Original Deed of Gift No. 09425 for the Year 2012
6. Original Deed of Gift No. 09426 for the Year 2012



7. Original Deed of Exchange No. 08471 for the Year
  8. Original Deed of Declaration No. 07698 for the Year 2014
  9. Original Deed of Declaration No. 07699 for the Year 2014 .
  10. Original Development Agreement No. 05375 for the Year 2014
  11. Original Power of Attorney No. 06534 for the Year 2014
- its found to be **GENUINE AND NOT FAKE.**

I, certify, Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products are the absolute undivided owners of Bastu Land measuring an area 40 Cottahs 04 Chittaks 13 Sq.ft., more or less comprised under Mouza - Behala, J.L. No. 2, R. S. No. 83, Touzi. No. 346, R.S. Dag No. 11428, 11429, 11430, 11432, 11441 & 11401 R.S. Khatian No. 5573, 5574, 5575, 5576 & 6066 which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District: South 24 Parganas as per search done and documents produce before me

It is also certified that all the requirements of the Indian Stamp Act and the Registration act in respect of the title deed mentioned above have been duly complied with.

This legal opinion has been given without any interest direct or indirect after verifying all the necessary relevant papers, Xerox copy of which is returned back duly authenticated.

I certify That this opinion is issued after verifying the necessary details and I am aware that giving false opinion is a criminal act and is punishable offence

**For Valid Equitable Mortgage the following documents are required :-**

1. **ORIGINAL REGISTERED MORTGAGE** made between M/s. **MARTIN BURN CONSTRUCTIONS LIMITED** as Mortgagor in favour of **INDIAN BANK** as Mortgagee in respect of Developer's Allocation (Flats) which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District : South 24 Parganas





2. Original No Objection Letter issued by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products in respect of Registered Mortgage to be created by **M/s. MARTIN BURN CONSTRUCTIONS LIMITED** as Mortgagor in favour of **INDIAN BANK** as Mortgagee in respect of Developer's Allocation (Flats) which is lying and situated at Kolkata Municipal Premises no. 27, Bonamali Naskar Road, within the limits of Kolkata Municipal Corporation Ward No. 131, Assessee No. 411310200807, P.S. Behala presently Parnashree, Kolkata - 700060, District : South 24 Parganas.
3. Original Sale Deed No. 3830 for the Year 1916 of Smt. Sailo Bala Raichowdhuri.
4. Original Certified Copy of Gift Deed No. 4561 for the Year 1962 of M/s. Associated Engineering Products.
5. Original Sale Deed No. 2188 for the Year 1974 of Sri. Chittananda Raichowdhuri
6. Original Certified Copy of Probated vide PLA No. 341 / 2010 in the High Court at Calcutta in respect of WILL dated 23.12.2008 of Smt. Rekha Basu
7. Original Deed of Exchange No. 04289 for the Year 2012 made between Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, Smt. Rupa Raichowdhuri AND M/s. Associated Engineering Products AND Smt. Rupa Raichowdhuri.
8. Original Deed of Gift No. 09425 for the Year 2012 executed by Smt. Sewli Mitra in favour of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury.
9. Original Deed of Gift No. 09426 for the Year 2012 executed by Smt. Sewli Mitra in favour of Sri. Premananda Raichowdhuri, Sunanda Raichowdhury.
10. Original Deed of Exchange No. 08471 for the Year 2014 made between Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products.
11. Original Deed of Declaration No. 07698 for the Year 2014 executed by Sri. Premananda Raichowdhuri, and Sri. Pradipta Raichowdhuri as partners of M/s. Associated Engineering Products.
12. Original Deed of Declaration No. 07699 for the Year 2014 executed by Sri. Premananda Raichowdhuri, and Sri. Sunanda Raichowdhuri.
13. Original Development Agreement No. 05375 for the Year 2014 executed by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products as owner and M/s. Martin Burn Constructions Limited as Developer.
14. Original Power of Attorney No. 06534 for the Year 2014 executed by Sri. Premananda Raichowdhuri, Sunanda Raichowdhury, AND M/s. Associated Engineering Products being represented by its partners (i) Sri. Premananda

