

# TITLE REPORT & OPINION

PROJECT: SHIV NIKETAN PRIVATE LIMITED

Re: ALL THAT piece and parcel of Bastu Land measuring about 30 Cottahs or 50 Decimal more or less (As Per Deed) lying and situate at Mouza – Rasapunja, J.L. No.: 15, R.S. Dag No.: 4702, L.R. Dag No.: 4712, R.S. Khatian No.: 814, L.R. Khatian No.:4098, under Rasapunja Grampanchayat and under Thakurpukur Mahestala Panchayet Samity, P.S.: Bishnupore, ADSR office: Bishnupore, Dist.: South 24 Parganas. Butted and bounded as follows:-

ON THE NORTH: Part of Dag No.: 4702.

ON THE SOUTH: Part of Dag No.: 4702.

ON THE EAST : Part of Dag No.: 4701.

ON THE WEST : PWD Khol then Bakhrmat Road.

*Anjan Chatterjee*

Advocate,

High Court, Calcutta

[anjan@anjan-chatterjee.com](mailto:anjan@anjan-chatterjee.com)

1, Wards Institution Street, Kolkata 700006

Mob: 9836810373

Email: [anjan\\_chatterjee2001@yahoo.com](mailto:anjan_chatterjee2001@yahoo.com)

*Anjan Chatterjee*

ADVOCATE  
HIGH COURT, CALCUTTA

**Residence-cum-Chamber:**  
3, Wards Institution Street, Kolkata 700006  
**Mob:** 9836810373  
**Email:** anjan\_chatterjee2001@yahoo.com

Ref No.....

Date: 23.11.2016

ANNEXURE-A

**PROJECT: SHIV NIKETAN PRIVATE LIMITED**

**CERTIFICATE**

To  
The Assistant General Manager  
United Bank of India  
Royal Exchange Branch  
Kolkata-

Dear Sir,

Re: ALL THAT piece and parcel of Bastu Land measuring about 30 Cottahs or 50 Decimal more or less (As Per Deed) lying and situate at Mouza – Rasapunja, J.L. No.: 15, R.S. Dag No.: 4702, L.R. Dag No.: 4712, R.S. Khatian No.: 814, L.R. Khatian No.:4098, under Rasapunja Grampanchayat and under Thakurpukur Mahestala Panchayet Samity, P.S.: Bishnupore, ADSR office: Bishnupore, Dist.: South 24 Parganas. Butted and bounded as follows:-

ON THE NORTH : Part of Dag No.: 4702.  
ON THE SOUTH : Part of Dag No.: 4702.  
ON THE EAST : Part of Dag No.: 4701.  
ON THE WEST : PWD Khal then Bakhranat Road.

As requested, I have conducted the legal investigation of title and made searches in the records in the Registration Offices and other office as required in the matter. Certified copy of Sale Deed of the property has been obtained by me from the concerned Registration Authority.

I have answered all the queries in Special Report herein, which is enclosed. Chain of title relating to the property is complete as given in the annexure hereto.

I have caused searches in the office of the ADSR: Bishnupore, D.R.: Alipore & R.A. Kolkata and respective Court and ROC-West Bengal as the case may be, according to the value of the suit and to certify that no litigation is pending relating to the property mentioned herein to be mortgaged.



Coptd.....

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I hereby certify that the land is free from all encumbrances and has clear, valid and marketable title. The owner may create charge over the said property subject to verification/production of original building sanctioned plan by Gram Panchayet.

The valid mortgage can be created by deposit of the following original title deeds.

1. Original Agreement for Sale executed by proposed buyer of flat after sanction of building plan.
2. Original sale deed of flat after execution/registration by proposed buyer in the proposed building.
3. Copy of Deed of Conveyance being No.: 03441/2006.
4. Copy of Deed of Conveyance being No.: 04613/2008.
5. Original of Deed of Conveyance being No.: 03181/2009.
6. An undertaking from the proposed buyer to mutate his/her name and to pay up to date taxes.
7. Copy of Parchas.
8. Copy of the Conversion Certificate.
9. Copy of the Gram Panchayet Tax receipt.
10. Copy of Khajna receipt update.
11. Copy of the Memorandum and Articles of Association of M/s. Shiv Niketan Pvt. Ltd.

I find no defects in title of the person offering mortgage.

Signature of the Lawyer conducting Search



(ANJAN CHATTERJEE)

Advocate

Encl:

1. Search Report (Annexure-A)
2. Chain of Title (Annexure-B)
3. Special Report (Annexure-C)
4. Certified Copies of Sale Deed (Three Numbers)



*Anjan Chatterjee*

ADVOCATE  
HIGH COURT, CALCUTTA

**Residence-cum-Chamber:**  
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**Email: anjan\_chatterjee2001@yahoo.com**

Ref No.....

Date: 23.11.2016

ANNEXURE-B

To  
The Assistant General Manager  
United Bank of India  
Royal Exchange Branch  
Kolkata-

Dear Sir,

Re: ALL THAT piece and parcel of Bastu Land measuring about 30 Cottahs or 50 Decimal more or less (As Per Deed) lying and situate at Mouza – Rasapunja, J.L. No.: 15, R.S. Dag No.: 4702, L.R. Dag No.: 4712, R.S. Khatian No.: 814, L.R. Khatian No.:4098, under Rasapunja Grampanchayat and under Thakurpukur Mahestala Panchayet Samity, P.S.: Bishnupore, ADSR office: Bishnupore, Dist.: South 24 Parganas. Butted and bounded as follows:-

ON THE NORTH : Part of Dag No.: 4702.  
ON THE SOUTH : Part of Dag No.: 4702.  
ON THE EAST : Part of Dag No.: 4701.  
ON THE WEST : PWD Khal then Bakhranat Road.

CHAIN OF TITLE, SEARCH REPORT AND LEGAL OPINION

Description of the Title Deeds and Property

1. Copy of Deed of Conveyance being No.: 03441/2006.
2. Copy of Deed of Conveyance being No.: 04613/2008.
3. Copy of Deed of Conveyance being No.: 03181/2009.
4. Copy of Parchas.
5. Copy of the Conversion Certificate.
6. Copy of the Gram Panchayet Tax receipt.
7. Copy of Khajna receipt update.
8. Copy of the Memorandum and Articles of Association of M/s. Shiv Niketan Pvt. Ltd.
9. Copy of the letter dated: 25.07.2016 issued by Zilla Parishad South 24 Parganas.



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## The Chain of Title stated in the above mentioned conveyance.

That one Pradip Ghosh sold, conveyed, transferred his right, title, interest in respect of the Sali land measuring 72 decimals lying at Mouza: Rasapunja, R.S. Dag No.,: 4702 under R.S. Khatian No.: 814, P.S.: Bishnupore, Dist.: South 24 Parganas to Smt. Somita Guha, under Deed No.: 7026 for the year 1977 registered at District Registrar Office at Alipore and recorded in Book No.: I, Vol.: 218, Pages.: 95 to 99.

After purchase, said Somita Guha transferred 62 decimals of said Sali land out of 72 decimals to one Tapas Ray, under a Deed No.: 8641 for the year 1985 registered in the office of District Sub-Registrar Office at Alipore and recorded in Book No.: I, Vol.: 155, Pages.: 335 to 341.

After purchase, said Tapas Ray sold his said Sali land measuring 30 Cottachs or 50 decimals out of 62 decimals to one M/s. Sainik Cooking Gas, a partnership firm by a Deed of Conveyance which was duly registered in the office of DSR-IV at Alipore and the same has been recorded in Book No.: I, Vol.: 29, Pages.: 902 to 924 Deed No.: 03441 for the year 2006.

Thereafter, said M/s. Sainik Cooking Gas sold the said Sali land measuring 30 Cottachs or 50 decimals to one Somenath Basu by a Deed of Conveyance which was duly registered in the office of ADSR: Bishnupore and the same have been recorded in Book No.: I, CD Vol.: 17, Pages.: 1450 to 1465 Deed No.: 04613 for the year 2008.

Somenath Basu sold the said Sali land measuring 30 Cottachs or 50 decimals to M/s. Shiv Niketan Private Limited by a Deed of Conveyance which was duly registered in the office of ADSR: Bishnupore and the same has been recorded in Book No.: I, CD Vol.: 11, Pages.: 1632 to 1349 Deed No.: 03181 for the year 2009, and M/s. Shiv Niketan Private Limited became the absolute owner of the said land.

After purchase as aforesaid, M/s. Shiv Niketan Private Limited recorded its name in the records of B.L. & L.R.O. office and paid the Khajna up to 1423 BS and they have also paid the Gram Panchayet Tax up to 2015-16.

Upon obtaining necessary certificate they have changed the character of the land from Sali to Bastu U/s. 4C of W.B.L.R. Act, 1956 at the office of L & LRO, vide Conversion Certificate dated: 10.04.2015.

*As intimated the building plan of the subject project has not yet been sanctioned by the Gram Panchayet Authority but the company has applied for sanction of the building plan which is evident from the later dated: 25.07.2016 issued by Zilla Parishad, South 24 Parganas to Special Secretary to the Govt. West Bengal Panchayet and Rural Development for their clearance.*



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## Documents Perused:

1. Copy of Deed of Conveyance being No.: 03441/2006.
2. Copy of Deed of Conveyance being No.: 04613/2008.
3. Copy of Deed of Conveyance being No.: 03181/2009.
4. Copy of Parchas.
5. Copy of the Conversion Certificate.
6. Copy of the Gram Panchayet Tax receipt.
7. Copy of Khajna receipt update.
8. Copy of the Memorandum and Articles of Association of M/s. Shiv Niketan Pvt. Ltd.
9. Copy of the letter dated: 25.07.2016 issued by Zilla Parishad South 24 Parganas.

## In my opinion,

1. The present owner has good clear and marketable title with possession of the subject land, which is mortgage-able under the provisions of section 58(f) of Transfer of Property Act. 1882. **Subject to verification/production of original building sanctioned plan by Gram Panchayet as and when the same has been obtained.**
2. After verification the above noted documents, it can be said that the Project on the subject land may be accepted by bank for granting Loan to different Borrowers for purchasing flat and others spaces to be constructed as per sanctioned plan and obtaining Completion Certificate (C.C.) from appropriate authority.
3. Upon making searches in ROC (Online) the result shows that there is no existing charge created by the company. The copy of such search report is enclosed for your information.
4. Equitable Mortgage may be created in respect of the proposed constructed area/flat by Deposit of Original Title Deeds by the proposed Borrowers who will purchase such flats, car parking spaces and commercial places etc. at the said premises.

Signature of the lawyer conducting search



(ANJAN CHATTERJEE)

Advocate

Enclo : Search Receipt Nos.  
Registrar Offices  
Court Searches:

*Anjan Chatterjee*

ADVOCATE  
HIGH COURT, CALCUTTA

**Residence-cum-Chamber:**  
3, Wards Institution Street, Kolkata 700006  
**Mob: 9836810373**  
**Email: anjan\_chatterjee2001@yahoo.com**

Ref No.....

Date: 23.11.2016

ANNEXURE- C & D Combined

SPECIAL REPORT ON TITLE

Re: ALL THAT piece and parcel of Bastu Land measuring about 30 Cottahs or 50 Decimal more or less (As Per Deed) lying and situate at Mouza – Rasapunja, J.L. No.: 15, R.S. Dag No.: 4702, L.R. Dag No.: 4712, R.S. Khatian No.: 814, L.R. Khatian No.:4098, under Rasapujna Grampanchayat and under Thakurpukur Mahestala Panchayet Samity, P.S.: Bishnupore, ADSR office: Bishnupore, Dist.: South 24 Parganas. Butted and bounded as follows:-

ON THE NORTH : Part of Dag No.: 4702.  
ON THE SOUTH : Part of Dag No.: 4702.  
ON THE EAST : Part of Dag No.: 4701.  
ON THE WEST : PWD Khal then Bakhranat Road.

A	Particulars	
1.	Name of the Borrower with address	Proposed Borrower who will purchased the flats etc.
2.	Name & age of the person offering mortgage With percentage / constitution and address including identity of owners of the property preferably attested by legal body member :	As above



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3.	Details of property to be Mortgaged : As per title deed as per present position	<p>ALL THAT piece and parcel of Bastu Land measuring about 30 Cottahs or 50 Decimal more or less (As Per Deed) lying and situate at Mouza – Rasapunja, J.L. No.: 15, R.S. Dag No.: 4702, L.R. Dag No.: 4712, R.S. Khatian No.: 814, L.R. Khatian No.:4098, under Rasapujna Grampanchayat and under Thakurpukur Mahestala Panchayet Samity, P.S.: Bishnupore, ADSR office: Bishnupore, Dist.: South 24 Parganas. Butted and bounded as follows:-</p> <p>ON THE NORTH : Part of Dag No.: 4702. ON THE SOUTH : Part of Dag No.: 4702. ON THE EAST : Part of Dag No.: 4701. ON THE WEST : PWD Khal then Bakhranat Road.</p>
B.	<b>Investigations</b>	
1.	Details of the title deeds/documents (including Link Deed / Deeds) to be deposited for creation of the mortgage (with all particulars regarding nature of document date of execution and details of registration).	<b>[As stated in Annexure-B]</b>
2.	Whether documents given to the counsel are original one or more copies. of documents?	Original produced and verified with the photo copies of which are also produced.



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3.	Whether documents given as original title deeds inspire any doubt or suspicious?	No.
4.	Whether the particulars of registration as given in the title deed shown to the counsel tally with the particulars as stated in the records of the registrar's office?	Yes.
5.	Whether the property has been mutated in the name of the owners offering the mortgage?	Yes.
6.	Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated?	As per Norms.
7.	Whether there is any bar under any local law for creation of the mortgage of the property to be mortgaged? (In some states, there are legal restrictions on creation of the mortgage of agriculture property for non agriculture purposes).	No.
7A.	i) Whether SARFAESI action can be initiated in respect of the mortgaged property? ii) Whether the mortgaged property which is an agricultural land can be converted to non-agricultural purpose according to the law of the concerned state and if so, the procedure to be followed for safe guarding the Bank's interest if any loan is sanctioned by accepting the said immovable property by way of mortgage?	Yes. Subject to valid mortgage  Yes, already converted. ✓



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8.	Whether there are any restrictions regarding sale of the property to be mortgaged? (In some states, there are restrictions for sale of property to residents outside the State).	No.
9.	Whether all the approvals, clearance/sanctions required for creation of the mortgage have been obtained? If not obtained, what are such sanctions, approvals and clearances yet to be obtained.	N.A.
10.	Whether subject property is free from Acquisition/Requisition-Scheme etc. Pending and/or intended to be acquired by the appropriate Govt. authority	Yes.
11.	Whether the subject property has fallen under Govt. Notification/Instructions to be stop Registration of Deed of Transfer	No.
12.	Whether any court case in respect of subject property proposed to be mortgaged like money, title suit, money appeal, title appeal, money, execution, corporation/municipal case [tax and/or building rule violation] is pending or not, if pending, please furnish the details.	No.
13.	Whether there is impediment, if any..... Nature of impediment :	N.A.



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14.	<p>Ownership issue – Verified from :</p> <p>A. Nature of Title Document</p> <p>B. Manner of deriving title by the present/current owner.</p> <p>C. Devolution / History of Title-Link documents</p> <p>D. Registration-Indeed in the concerned Registry Office Searching cross verification of Index-I &amp; Index-II.</p>	<p>Title Deeds Original Verified</p> <p>As mention earlier</p> <p>As mention earlier</p> <p>N.A.</p>
15.	<p>On the possession issue</p> <p>B. Legal possession to be verified by following documents [to be obtained and kept in security folder by the bank]</p> <p>g. Mutation Certificate.</p> <p>h. Related and Tax Bills in the name of the owner (last paid).</p> <p>i. Certified copy of Assessment Roll.</p> <p>j. Lease document, if any, compared with the concerned title deed.</p> <p>k. Counterfoil of the bill book in the matter of let out property</p> <p>l. Relevant Khatian/Parcha.</p>	<p>Original Verified</p> <p>Original Verified</p> <p>Original Verified</p> <p>N.A.</p> <p>N.A.</p> <p>N.A.</p> <p>Verified</p>



Contd.....



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B.	The physical possession of subject property has been verified from under mentioned papers/documents and the same is to be obtained and Kept in safe custody.	
16.	Recorded possession to be verified form : a. Electric Bill, Telephone Bill b. Sanctioned Building Plan c. Possession Letter d. Ration Card, Voter Identity Card, etc. Corroborating name and address of the owner of the property with that of the title document, preferably, attested by the local body member	N.A. Not Produced N.A. N.A.
17.	For actual possession verified form : a. Valuation Report b. Local Inspection Report regarding place/ visit and persons contacted c. Local committee report/Panchayat member certificate etc. d. Photograph taken by the valuer of the Subject property showing owner of the property standing on/in front of subject property. e. Mutation Certificate / Khatian / Parcha	To be made Verified N.A. Depends upon the Bank Rules. Produced & Verified

SIGNATURE

(Anjan Chatterjee, Advocate)

Date: 23.11.2016

Place: Kolkata



West Bengal Form No. 1556

[New Rule Form No. 19 (Appendix-I)]

No. REGN W 572658

Receipt for Fees Deposited for Search or Inspection

1. Serial Number of application..... 116958  
2. Date of application..... 10/11/16  
3. Search for the year(s)..... 2014-16  
4. Name of office to which the record to be searched or inspected relates..... RAJ

Name of person or property to be searched..... J

Nature of document..... Sale

Particulars of record to be inspected (year, number, book, volume and page in the case of registered document)..... M. Basapundia Km-814

..... R S M 4702

From whom received..... G Saha

Fees paid under Article—

i) 147

ii)

..... Registrar of

No. REGN W 811100

Receipt for Fees Deposited for Search or Inspection

- 1. Serial Number of application..... 51700
- 2. Date of application..... 11/11/16
- 3. Search for the year(s)..... 2004-16
- 4. Name of office to which the record to be searched or inspected relates..... 28 + Bishnupur
- 5. Name of person or property to be searched.....
- 6. Nature of document..... H - Rasapenja
- 7. Particulars of record to be inspected (year, number, book, volume and page in the case of registered document)..... D-4702 RL-814
- 8. From whom received..... G. Saha
- 9. Fees paid under Article—  
 F (1) (i)..... 25/-  
 F (1) (ii)  
 F (2)







GIN	U70101WB1996PTC081121
Company Name	SHIV NIKETAN PRIVATE LIMITED
ROC Code	RoC-Kolkata
Registration Number	081121
Company Category	Company limited by Shares
Company SubCategory	Non-govt company
Class of Company	Private
Authorised Capital(Rs)	59200000.0
Paid up Capital(Rs)	16799000.0
Number of Members(Applicable in case of company without Share Capital)	0
Date of Incorporation	30/08/1996
Registered Address	Bakrahat Road, Thakurpukur P.O. Rasapunja, Kolkata- 700 104 KOLKATA Parganas South WB 700104 IN
Address other than R/o where all or any books of account and papers are maintained	-
Email Id	shivniketan1996@gmail.com
Whether Listed or not	Unlisted
Suspended at stock exchange	-
Date of last AGM	29/09/2016
Date of Balance Sheet	31/03/2016
Company Status(for e filing)	Active

## Charges

Assets under charge	Charge Amount	Date of Creation	Date of Modification	Status
No Charges Exists for Company/LLP				



## Directors/Signatory Details

CIN/PAN	Name	Begin date	End date
00163167	PUSHPA BHUTORIA	06/10/2014	-
01408634	LALIT KUMAR BHUTORIA	13/04/2007	-
07241043	JYOTI BHUTORIA	21/07/2015	-

West Bengal Form No. 870

# HIGH COURT FORM NO. (M) 55 CIVIL/(M) 30 (CRIMINAL)

Application for information

Serial No.1	Name and residence of the Applicant	Name of Information required	Date on which information is to ready	Signature of officers receiving the applicant	REMARKS
1036 21.11.16	2 Gita Saha LC. No.D-48, High Court, Calcutta.	3 In the 1 <sup>st</sup> Court, Civil Judge Senior Division at Alipore  Whether any Title Suit has been filed against Shibniketan Pvt Ltd. of 23A, N.S. Road, 4 <sup>th</sup> Floor, Room No.6 & 18 in respect of in Mouza- Raspuj, R.S. Dag No.4702, R.S. Kh. No.814, L.R. Dag No.4712, Kh. No.3775, P.S. Bishnupur, during the period of 2009-2016.	4 21.11.2016	5  21.11.16	6  No such Title suit / ex-cases Money suit / Ex-Cases appears to have been filed during the year 2009 to 2016 till date   21.11.16



Stamp: RECEIVED  
21.11.2016  
Stamp: RECEIVED  
21.11.2016  
Stamp: RECEIVED  
21.11.2016  
Stamp: RECEIVED  
21.11.2016



West Bengal Form No. 870

### HIGH COURT FORM NO. (M) 55 CIVIL/(M) 30 (CRIMINAL)


Application for information

Serial No.1	Name and residence of the Applicant	Name of Information required	Date on which information is to ready	Signature of officers receiving the applicant	REMARKS
1027 21.11.16	2 Gita Saha LC. No.D- 48, High Court, Calcutta.	3 In the <del>1027</del> Court, Civil Judge Senior Division at Alipore  Whether any Money Suit has been filed against Shibriketan Pvt. Ltd. of 23A, N.S. Road, 4 <sup>th</sup> Floor, Room No.6 & 18 in respect of in Mouza- Raspuj. R.S. Dag No.4702, R.S. Kh. No.814, L.R. Dag No.4712, Kh. No.3775, P.S. Bishnupur, during the period of 2009-2016.	4 21.11.16	5  21.11.16	6  No such Title-suit / ex-cases Money suit / Ex-Cases appears to have been filed during the year 2009.....to 2016 fill date   21.11.16




West Bengal Form No. 870

**HIGH COURT FORM NO. (M) 55 CIVIL/(M) 30 (CRIMINAL)**  
Application for information

Serial No.1	Name and residence of the Applicant	Name of Information required	Date on which information is to ready	Signature of officers receiving the applicant	REMARKS
No 35 21.11.16	2 Gita Saha LC. No.D- 48, High Court, Calcutta.	3 In the <del>10th</del> Court, Civil Judge Senior Division at Alipore  Whether any Money Suit has been filed against Somnath Basu, s/o. Lt. Biswanath Basu of in respect of Mouza- Raspuj, R.S. Dag No.4702, R.S. Kh. No.814, L.R. Dag No.4712, Kh. No.3775, P.S. Bismupur, during the period of 2005-2009.	4 21.11.16	5  21.11.16	6 No such Title-suit / ex-cases Money suit / Ex-Gases appears to have been filed during the year 2005 to 2009 till date  21.11.16
Received information		Applicant <u>Gita Saha</u>			

SEARCHING FEE TO  
COVER THE STAMP  
OVER THE PRICKED LINE  
NOV 2016



West Bengal Form No. 870

### HIGH COURT FORM NO. (M) 55 CIVIL/(M) 30 (CRIMINAL)

Application for information

Serial No. 1	Name and residence of the Applicant	Name of Information required	Date on which information is to ready	Signature of officers receiving the applicant	REMARKS
1034 21.11.16 Archiving fee to leave stamp over the rickshaw.	2 Gita Saha LC. No.D-48, High Court, Calcutta.	3 In the <del>10th</del> Court, Civil Judge Senior Division at Alipore  Whether any Title Suit has been filed against Somnath Basu, s/o. Lt. Biswanath Basu of in respect of Mouza- Raspuji, R.S. Dag No.4702, R.S. Kh. No.814, L.R. Dag No.4712, Kh. No.3775, P.S. Bishnupur, during the period of 2004-2009.	4 21.11.16 	5  21.11.16	6 No such Title suit / ex-cases Money suit / Ex-Cases appears to have been filed during the year 2004 to 2009 till date  21.11.16





