

ADITYA KANODIA

Advocate High Court

Phones: (033)22625739

Temple Chambers, 4th Floor
6, Old Post Office Street,
KOLKATA - 700001.

September 17, 2018

REPORT ON TITLE

Re: Premises No. 34B, Barackpore Trunk Road, P. S. Cossipore, Kolkata

Owner: Muktamani Vanijya Pvt. Ltd. having its registered office at 34B, B. T. Road,, Kolkata – 700002 and Avishi Projects LLP also having its registered office at 34B, B. T. Road,, Kolkata – 700002

I have investigated the title in respect of the above premises more fully described below and my report on the title thereof is as follows:

Description of Property:

ALL THAT the piece and parcel of land containing an area of 6 (six) Bighas 19 (nineteen) Cottahs 10 (ten) Chittacks and 32 (thirty two) square feet lying and situate at Premises No. 34B, Barackpore Trunk Road, P. S. Cossipore, Kolkata (hereinafter referred to as 'the said property').

Documents perused in course of investigation

1. Copy of a certified copy of Deed of Conveyance dated 15th February, 1947 made between Sheikh Sirajuddin Ahmed as Vendor and The Jute Carriers Ltd. as Purchaser and registered in office of S. R. Sealdah in Book No. I Being No. 545 of 1947;

2. Copy of a certified copy of 31st August, 1960 made between The Jute Carriers Ltd. as Vendor and Shanti Devi Khaitan and Krishna Devi Khaitan and registered in office of R. A. Calcutta in Book No. I Being No. 4319 of 1960
3. Copy of certified copy of order dated 27th August, 1982 passed by the Hon'ble High Court at Calcutta in C. P. No. 304 of 1982 being a proceedings under Sections 391(2), 393 and 394 of the Companies Act, 1956;
4. Copy of certified copy of order dated 6th February, 2007 passed by the Hon'ble High Court at Calcutta in C. P. No. 410 of 2006 being a proceedings under Section 391(2) and 394 of the Companies Act, 1956;

Searches conducted:

Necessary searches through junior advocates and searching clerks has been caused in Index - II at the offices of the Registrar of Assurances, Kolkata and at the offices of the District Registrar at Barasat as also the S. R. Dum Dum for the period from the year 1985 to March, 2014.

Devolution of Title of the said property

- A. By a Deed of Conveyance dated 15th February, 1947 made and executed by one Sheikh Sirajuddin Ahmed, therein referred to as the Vendor and one Anandi Lal Poddar therein referred to as the Confirming Party, and one Jute Carriers Ltd., therein referred to as the Purchaser and registered in the Office of S R Sealdah in Book

- No. I Volume No. 17 Pages 20 to 29 Being No. 545 of 1947, the said Jute Carriers Ltd. purchased and acquired the said property
- B. One Shanti Devi Khaitan and Krishna Devi Khaitan, by a deed of conveyance dated 31st August, 1960 and registered at the office of the Registrar of Assurances, Kolkata in Book No. I Being No. 4319 of 1960, jointly purchased and acquired the said property from the said Jute Carriers Limited.
- C. The said Shanti Devi Khaitan and Krishna Devi Khaitan caused their names to be recorded and mutated in the records of the Calcutta Municipal Corporation and the said portion of land so acquired was separated and renumbered as 34B, Barrackpore Trunk Road, Kolkata.
- D. By an order dated 27th August, 1982 passed by the Hon'ble High Court at Calcutta in C. P. No. 304 of 1982 being a proceedings under Sections 391(2), 393 and 394 of the Companies Act, 1956, the said property stood transferred unto and in favour of one Calcutta Teachest & Fibre Limited which became the absolute owner thereof.
- E. The said Calcutta Teachest & Fibre Limited applied for and caused its name to be recorded and mutated in the records of the Calcutta Municipal Corporation.
- F. By another order dated 6th February, 2007 passed by the Hon'ble High Court at Calcutta in C. P. No. 410 of 2006 being a proceedings under Section 391(2) and 394 of the Companies Act, 1956, the said Calcutta Teachest & Fibre Limited stood merged and amalgamated into Muktamani Vanijya Private Limited. Pursuant to such merger and amalgamation, all the assets and properties of the said Calcutta Teachest & Fibre Limited including the property stood

transferred into the said Muktamani Vanijya Private Limited, which became the owner thereof.

- G. The said Muktamani Vanijya Private Limited thereafter applied for and caused its name to be recorded and mutated in the records of the Kolkata Municipal Corporation as the owner of the said property.
- H. Thus the said Muktamani Vanijya Private Limited became seized and possessed of and/or otherwise sufficiently entitled to All that the said property.
- I. By a Deed of Partnership dated the 1st October, 2013 made between the said Muktamani Vanijya Pvt. Ltd., Aditya Banka, Sarika Banka, Anshuman Banka and Vidisha Banka the said parties duly entered into and formed a partnership firm to carry on business in co-partnership under the name and style of "Ruby Developers". By and under the said partnership deed, the said Muktamani Vanijya Private Limited put the said premises together with all rights and benefits attached thereto including the sanctioned building plan, into the till of the said partnership so constituted and thereby the said premises stood transferred as an asset of the partnership. The said M/s. Ruby Developers was put into possession of the said premises which has become a partnership asset on and from October 1, 2013.
- J. The said firm "Ruby Developers" has since been converted into a Limited Liability Partnership being Avishi Projects LLP herein, with effect 27th August, 2014 and the said partners continue to be the new entity and all its rights, properties and assets have stood transferred unto in the said herein including the premises together

with all rights and benefits attached thereto including the sanctioned building plan.

Result of Searches:

During the years for which searches were conducted in the said Registration Offices, no transaction creating any encumbrance or affecting title were found and as such it can be safely inferred that the said Muktamani Vanijya Pvt. Ltd. and the said Avishi Projects LLP have marketable title to the said property.



(Aditya Kanodia)
Advocate