

Dwina Chandra Paul

ADVOCATE
Siliguri Court

Residence-cum-chamber

Dinabandhu Mitra Sarani
Opp. Subhashpally Sub P.O.
P.O. Siliguri, Dist. Darjeeling
Mobile : 98324-22110

Ref. No......

Date 22-03-17.....

TO WHOM IT MAY CONCERN

Sub: Searching Report on title in respect of one Flat No. 25, in Building named "Marigold" on the 4th Floor, measuring 1215 Sq. Ft. (including super built up area) alongwith a Car Parking Space, the Complex named "PRESTIGE GARDEN" the building situated at Pipe Line Road, Salugara, 3rd Mile, Siliguri, P.S. Bhaktinagar, Dist. Jalpaiguri of SVN BUILDERS PRIVATE LIMITED, A Private Limited Company incorporated under the provision of the Companies Act, 1956, bearing Certificate of Incorporation No. U70109WB2008PTC127272 dtd. 08.07.2008, having its registered office at "PRESTIGE GARDEN" Bikash Nagar, Pipe Line Road, P.O. Salugara, P.S. Bhaktinagar, Dist. Darjeeling agreed to purchased by MR. LHAWANG TSHERING BHUTIA, son of Late Jigme Dorjee Bhutia, resident of Raja Dorjee Market, P.O. & P.S. Kalimpong - 734301, Dist. Darjeeling.

I have examined the relevant documents and records on title in respect of the Flat as fully described in the schedule herein below of SVN BUILDERS PRIVATE LIMITED, A Private Limited Company agreed to purchase by MR. LHAWANG TSHERING BHUTIA, son of Late Jigme Dorjee Bhutia, resident of Raja Dorjee Market, P.O. & P.S. Kalimpong - 734301, Dist. Darjeeling for the period commencing from 2002 to 2017 (upto the date of my search) at the office of the District Sub-Registrar Jalpaiguri, Addl. District Sub Registrar, Rajganj, Addl. District Sub-Registrar Bhaktinagar and also at R.A. Kolkata and I submit my report as follows: -

- 1) PARTICULARS OF DOCUMENTS EXAMINED BY ME:-
 - a) Original Agreement for Sale for the year 2016;
 - b) Photocopy of Deed of Sale Being No. 76 dtd. 04.01.2012;
 - c) Photocopy of Deed of Sale Being No. 77 dtd. 04.01.2012;
 - d) Photocopy of Deed of Sale Being No. 3746 dtd. 14.05.2012;
 - e) Photocopy of Deed of Sale Being No. 3747 dtd. 14.05.2012;
 - f) Photocopy of Deed of Sale Being No. 3748 dtd. 14.05.2012;
 - g) Photocopy of Deed of Sale Being No. 3749 dtd. 14.05.2012;
 - h) Photocopy of Deed of Sale Being No. 3750 dtd. 14.05.2012;
 - i) Photocopy of Deed of Sale Being No. 3751 dtd. 14.05.2012;
 - j) Photocopy of Deed of Declaration IV-188 dtd. 20.05.2015;
 - k) Photocopy of Deed of Declaration IV-19 dtd. 28.01.2015;
 - l) Photocopy of General Power of Attorney IV-326 dtd. 23.12.2011;

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- m) Photocopy of General Power of Attorney IV-182 dtd. 14.05.2012;
- n) Photocopy of General Power of Attorney IV-71 dtd. 06.02.2012;
- o) Photocopy of LUCC dtd. 26.05.2012;
- p) Photocopy of Fire Safety Recommendation Certificate dtd. 09.01.2014;
- q) Photocopy of NOC for Construction of building by the Ministry of Defence Govt. of India dtd. 25.07.2014;
- r) Photocopy of L.R. Khatian No. 978 dtd. 30.09.2013;
- s) Photocopy of Conversion Order dtd. 13.02.2015;
- t) Photocopy of NOC issued by Pradhan Dabgram-I Gram Panchayat for construction of Residential Complex;
- u) Photocopy of Khajna upto 1422 B.S. dtd. 04.06.2015;
- v) Photocopy of Dabgram I Gram Panchayat Tax dtd. 21.11.2014;
- w) Original Court search receipt Civil Judge, Senior Division at Jalpaiguri dtd. 23.02.2017;
- x) Original Court search receipt Civil Judge, Junior Division at Jalpaiguri dtd. 23.02.2017;
- y) Original Search receipt of R.A. at Kolkata dtd. 20.02.2017;
- z) Original Search receipt of D.S.R Jalpaiguri dtd. 23.02.2017;
- aa) Original Search receipt of A.D.S.R Rajganj dtd. 23.02.2017;
- bb) Original Search receipt of A.D.S.R Bhaktinagar dtd. 01.03.2017

2) DEVOLUTION OF PROPERTY:-

WHEREAS one BHACHAK SINGH was the recorded owner of all that piece and parcel of land in Plot No. 137, of Sheet No. 3, recorded in Khatian No. 81, within Mouza Dabgram in the District of Jalpaiguri.

A Deed of Declaration registered at Addl. District Sub Registrar, Rajganj and recorded in Book No. IV, Volume No. 0705-2015, at Pages 26 to 44, Being No. 188 for the year 2015 was executed by the vendors of Title Deed Nos. 76 & 77 for the year 2012 to rectify the abovementioned Deeds and accordingly the Amended/Substituted paragraphs are mentioned herein below:-

"And whereas the recorded owner Bhachak Singh died leaving behind his son namely Dharendra Nath Roy @ Dhiren Roy and the right, title and interest of Bhachak Singh in respect of his land devolved upon Dharendra Nath Roy @ Dhiren Roy.

And whereas in due course of time said Dharendra Nath Roy @ Dhiren Roy died leaving behind his three sons namely (1) Ajit Roy @ Dulal Chandra Roy (2) Ranjit Roy (3) Nihar Roy as his legal heirs and successors to inherit his property.

P.A.

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And whereas said Ranjit Roy also died leaving behind his wife namely Smt. Sanma Roy @ Sharma Roy, two sons namely (1) Sri Sheru Roy (2) Sashi Roy, and two daughters namely (1) Smt. Mina Ray (2) Smt. Sunita Roy as legal heirs and successors to inherit the property of Ranjit Roy.

And whereas accordingly above named (1) Smt. Sanma Roy @ Sharma Roy, Wife of Late Ranjit Roy, 2. Smt. Mina Ray, Wife of Sri Sushanta Ray, Daughter of Late Ranjit Roy, (3) Smt. Sunita Ray, Wife of Sri Dinabandhu Roy, Daughter of Late Ranjit Roy, (4) Sri Sheru Roy, Son of Late Ranjit Roy, (5) Sri Sashi Roy, Son of Late Ranjit Roy, (6) Sri Ajit Roy @ Dulal Chandra Roy, Son of Late Dharendra Nath Roy @ Late Dhiren Roy, (7) Sri Nihar Roy, Son of Late Dharendra Nath Roy @ Late Dhiren Roy jointly acquired the right, title and interest of the landed property by virtue of inheritance after demise of their predecessors." ("Amended/Substituted paragraphs as per Deed of Declaration IV-188/2015")

And whereas being owner in such possession the above named 1. Smt. Sanma Roy @ Sharma Roy, wife of Late Ranjit Roy, 2. Smt. Mina Ray, wife of Sri Sushanta Ray, 3. Smt. Sunita Roy, wife of Sri Dina Bandhu Roy, 4. Sri Sheru Roy, 5. Sri Sashi Roy, both are sons of Late Ranjit Roy, 6. Sri Ajit Roy @ Dulal Chandra Roy and 7. Sri Nihar Roy, son of Late Dharendra Nath Roy @ Dhiren Roy executed a General power of attorney appointing Sri Tara Chand Chordia, Son of Dhan Ran Chordia registered on 23.12.2011 at District Sub Registrar, Jalpaiguri and recorded in Book No. IV, Cd Volume No. 1, at Pages 3032 to 3048, Being No. 326 for the year 2011.

And whereas the abovenamed 1. Smt. Sanma Roy @ Sharma Roy, wife of Late Ranjit Roy, 2. Smt. Mina Ray, wife of Sri Sushanta Ray, 3. Smt. Sunita Roy, wife of Sri Dina Bandhu Roy, 4. Sri Sheru Roy, 5. Sri Sashi Roy, both are sons of Late Ranjit Roy, 6. Sri Ajit Roy @ Dulal Chandra Roy and 7. Sri Nihar Roy, son of Late Dharendra Nath Roy @ Dhiren Roy represented by their constituted attorney Sri Tara Chand Chordia, Son of Dhan Ran Chordia sold and transferred land measuring 10 Kathas as fully described in the schedule herein above to and in favour of SVN BUILDERS PRIVATE LIMITED, a private Limited Company incorporated under the provision of Companies Act, 1956 bearing Certificate of Incorporation No. U70109WB2008PTC127272 dtd. 08.07.2008 having its registered office at Kesar Kunj, 3rd Floor, Opp. Sikkim Sanitary Tiles, Sriram Colony, P.O. Sevoke Road, P.S. Bhaktinagar, Dist. Jalpaiguri by a Deed of Sale registered on 04.01.2012 at Addl. District Sub Registrar, Rajganj and recorded in Book No. I, Cd Volume No. 1, at Pages 1098 to 1114, Being No. 76 for the year 2012.

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And whereas the above named 1. Smt. Sanma Roy @ Sharma Roy, wife of Late Ranjit Roy, 2. Smt. Mina Ray, wife of Sri Sushanta Ray, 3. Smt. Sunita Roy, wife of Sri Dina Bandhu Roy, 4. Sri Sheru Roy, 5. Sri Sashi Roy, both are sons of Late Ranjit Roy, 6. Sri Ajit Roy @ Dulal Chandra Roy and 7. Sri Nihar Roy, son of Late Dharendra Nath Roy @ Dhiren Roy represented by their constituted attorney Sri Tara Chand Chordia, Son of Dhan Ran Chordia sold and transferred land measuring 10 kathas as fully described in the schedule herein above to and in favour of SVN BUILDERS PRIVATE LIMITED, a private Limited Company incorporated under the provision of Companies Act, 1956 bearing Certificate of Incorporation No. U70109WB2008PTC127272 dtd. 08.07.2008 having its registered office at Kesar Kunj, 3rd Floor, Opp. Sikkim Sanitary Tiles, Sriram Colony, P.O. Sevoke Road, P.S. Bhaktinagar, Dist. Jalpaiguri by a Deed of Sale registered on 04.01.2012 at Addl. District Sub Registrar, Rajganj and recorded in Book No. I, Cd Volume No. 1, at Pages 1126 to 1142, Being No. 77 for the year 2012.

Whereas 1. Sri Surendra Kumar Periwal, S/O Sri Gajananda Periwal 2. Smt. Mohini Devi Periwal, W/O Sri Surendra Kumar Periwal, 3. Sri Ashok Kumar Periwal, S/O Sri Surendra Kumar Periwal, 4. Smt. Asha Devi Periwal, W/O Sri Ashok Kumar Periwal are the sole and absolute owner of Land measuring 37.9 Kathas, appertaining to and forming part of Plot No. 85/133 & 85/136, recorded in Khatian No. 81, of Mouza Dabgram, Pargana Baikunthapur, J.L. No. 2, Sheet No. 3, P. S. Bhaktinagar, Dist Jalpaiguri by virtue of Deed of Sale being No. I-2913, recorded in Book No. I, for the year 2005, registered in the office of Dist. Sub Registrar, Jalpaiguri, executed by Smt. Tasishri Lamo, D/o Late Dorko Lama for self and on behalf of Smt. Iyangchi Lamo @ Yangchen Lhamu D/o Late Dorko Lama and W/o Sri Ronald S. Blustein, residing at Salugara, P.S. Bhaktinagar, Dist. Jalpaiguri, as her constituted attorney vide General Power of Attorney Dt. 14/10/2002 by Notary Public, State of Hawaii Mr. Edward C Mc.CREA, JR Commission expires on 30/08/2004, authenticated by Mr. Suresh Kumar Sharma, Asstt. Consular Officer, Consulate General of India on behalf of High Commission of India as on 12/01/2004 which was attested by the Notary Public on 12/01/2004 under NO. SANF/CONS/ESF/III/2004, having permanent heritable and transferable right, title and interest therein.

And whereas the 5. Sri Om Prakash Periwal, S/O Sri Gajananda Periwal, 6. Smt. Sumitra Devi Periwal, W/O Sri Om Prakash Periwal, 7. Sri Rajesh Kumar Periwal, S/O Sri Om Prakash Periwal and 8. Smt. Ritu Periwal W/O Sri Rajesh Kumar Periwal are the sole and absolute owner of vacant land measuring 37.9 Kathas, appertaining to and forming part of Plot No. 85/133 & 85/136, recorded in Khatian No. 81, of Mouza Dabaram Pargana-Baikunthapur, J.L. No. 2, Sheet No. 3, P. S. Bhaktinagar, Dist Jalpaiguri by virtue of Deed of Sale being No. I-2913, recorded in Book No. I, for the year 2005, registered in the office of Dist. Sub Registrar, Jalpaiguri, executed by Smt. Tasishri Lamo, D/o Late Dorko Lama for self and on behalf of Smt. Iyangchi Lamo @ Yangchen Lhamu D/o Late Dorko Lama and W/o Sri Ronald S. Blustein, residing at Salugara, P.S. Bhaktinagar, Dist. Jalpaiguri, as her constituted attorney vide General Power of Attorney Dt. 14/10/2002 by Notary Public, State of Hawaii Mr. Edward C Mc.CREA, JR Commission expires on 30/08/2004, authenticated by Mr. Suresh Kumar Sharma, Asstt. Consular Officer, Consulate General of India on behalf of High Commission of India as on 12/01/2004 which was attested by the Notary Public on 12/01/2004 under NO. SANF/CONS/ESF/III/2004, having permanent heritable and transferable right, title and interest therein.

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P. Ch......

Date: 12.05.12.....

Sheet No. 3, P.S. Bhaktinagar, Dist. Jalpaiguri, by virtue of Deed of Sale being No. I-2914, Dt. 05.08.2005, recorded in Book No. I, for the year 2005, registered in the office of Dist. Sub Registrar Jalpaiguri executed by Smt. Tasishri Lamo D/o Late Dorko Lama for self and on behalf of Smt. Iyangchi Lamo @.Yangchen Lhamu D/o Late Dorko Lama and W/o Sri Ronald S. Blustein, residing at Salugara, P.S. Bhaktinagar, Dist. Jalpaiguri, as her constituted attorney vide General Power of Attorney Dt. 14/10/2002 by Notary Public, State of Hawaii Mr. Edward C Mc. CREA, JR Commission expires on 30/08/2004, authenticated by Mr. Sunesh Kumar Sharma, Asstt. Consular Officer, Consulate General of India on behalf of High Commission of India as on 12/01/2004 which was attested by the Notary Public on 12/01/2004 under NO. SANF/CONS/ESF/III/2004, having permanent heritable and transferable right, title and interest therein.

And whereas being owner in such possession the above named 1. Sri Surendra Kumar Periwai, S/O Sri Gajananda Periwai 2. Smt. Mohini Devi Periwai, W/O Sri Surendra Kumar Periwai, 3. Sri Ashok Kumar Periwai, S/O Sri Surendra Kumar Periwai, 4. Smt. Asha Devi Periwai, W/O Sri Ashok Kumar Periwai, 5. Sri Om Prakash Periwai, S/O Sri Gajananda Periwai, 6. Smt. Sumitra Devi Periwai, W/O Sri Om Prakash Periwai, 7. Sri Rajesh Kumar Periwai, S/O Sri Om Prakash Periwai and 8. Smt. Ritu Periwai W/O Sri Rajesh Kumar Periwai all are resident of 3rd Mile, Sevoke Road, Opp. Sona Petrol Pump, P.O. Salugara, P.S. Bhaktinagar, Dist. Jalpaiguri sold and transferred (I) land measuring 14 Decimals as fully mentioned in the Schedule "C" herein below vide Deed of Sale registered on 14.05.2012 at Addl. District Sub Registrar, Rajganj and recorded in Book No. I, Cd Volume No. 11, at pages 3476 to 3497, Being No. 3746 for the year 2012, (II) land measuring 14 Decimals as fully mentioned in the Schedule "D" herein below vide Deed of Sale registered on 14.05.2012 at Addl. District Sub Registrar, Rajganj and recorded in book No. I, Cd Volume No. 11, at pages 3498 to 3519, Being No. 3747 for the year 2012, (III) land measuring 13 Decimals as fully mentioned in the Schedule "E" herein below vide Deed of Sale registered on 14.05.2012 at Addl. District Sub Registrar, Rajganj and recorded in book No. I, Cd Volume No. 11, at pages 3520 to 3541, Being No. 3748 for the year 2012, (IV) land measuring 20 Decimals as fully mentioned in the Schedule "F" herein below vide Deed of Sale registered on 14.05.2012 at Addl. District Sub Registrar, Rajganj and recorded in book No. I, Cd Volume No. 11, at pages 3542 to 3563, Being No. 3749 for the year 2012 and (V) land measuring 20 Decimals as fully mentioned in the Schedule "G" herein below vide Deed of Sale registered on 14.05.2012 at Addl. District Sub Registrar, Rajganj and recorded in book No. I, Cd Volume No. 11, at pages 3564 to 3585, Being No. 3750 for the year 2012 to and in favour of SVN BUILDERS PRIVATE LIMITED, a private

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Date: 20.02.2015

Limited Company incorporated under the provision of Companies Act, 1956 bearing Certificate of Incorporation No. U70109WB2008PTC127272 dtd. 08.07.2008 having its registered office at Kesari Kunj, 3rd Floor, Opp. Sikkim Sanitary Tiles, Srinam Colony, P.O. Sevoke Road, P.S. Bhaktinagar, Dist. Jalpaiguri.

AND WHEREAS one Smt. Anima Mitra, W/o Late Anil Mitra, was the Khatian recorded-owner of vacant land, appertaining to Plot No. 73, recorded in Khatian No. 81 of Mouza Dabgram, Paragana Baikunthapur, Sheet No. 3, P.S. Bhaktinagar, Dist. Jalpaiguri, having permanent heritable and transferable right, title and interest therein.

AND WHEREAS Smt. Anima Mitra, W/o Late Anil Mitra, expired since long, leaving behind her only daughter Smt. Anjali Sarkar as her only legal heirs and accordingly she inherited the above mentioned land under Hindu Succession Act, 1956.

WHEREAS the Smt. Anjali Sarkar, wife of Sri Rajkumar Sarkar executed a General Power of Attorney appointing Smt. Premlata Mittal, w/o Late Binod Kr. Mittal registered on 06.02.2012 at Addl. District Sub Registrar, Siliguri and recorded in Book No. IV, Being No. 71 for the year 2012.

And whereas certain mistake had crept in the abovementioned General power of attorney No. IV-71 for the year 2012 and a Deed of Declaration executed by Smt. Anjali Sarkar (Mittra) and Smt. Premlata Mittal declaring that in Page No. 2 and in the Schedule at Page No. 5 of the POA IV-71/2012 the total land in Khatian No. 81 was wrongly been written as 1.77 Decimals instead of 177 Decimals and Deed of Declaration was registered on 13.01.2015 at Addl. Dist. Sub Registrar, Siliguri and recorded in Book No. IV, Cd Volume No. 1, at Pages 196 to 205, Being No. 19 for the year 2015.

And whereas being owner in such possession the abovenamed Smt. Anjali Sarkar, son of Sri Rajkumar Sarkar represented by her constituted attorney Smt. Premlata Mittal, w/o Late Binod Kr. Mittal sold and transferred land measuring 12 Decimals as fully described in the schedule "H" herein below to and in favour of SVN BUILDERS PRIVATE LIMITED, a private Limited Company incorporated under the provision of Companies Act, 1956 bearing Certificate of Incorporation No. U70109WB2008PTC127272 dtd. 08.07.2008 having its registered office at Kesari Kunj, 3rd Floor, Opp. Sikkim Sanitary Tiles, Srinam Colony, P.O. Sevoke Road, P.S. Bhaktinagar, Dist. Jalpaiguri by a Deed of Sale registered on 14.05.2012, at Addl. District Sub Registrar, Rajganj and recorded in book No. I, Cd Volume No. 11, at pages 3586 to 3602, Being No. 3751 for the year 2012.

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Date: 22.12.17

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

North : 20 Feet wide Kutcha Road;
South : Land & House of Ram Prasad & others;
East : Land of Paul Babu;
West: 73 feet wide Kutcha Road with IOC.

Enclosure:

As stated in column -1.

Purna C. Paul
(Purna Chandra Paul)
Advocate, Siliguri

