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INCOME TAX, SALES TAX & PROPERTY MATTERS CONSULTANT.

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Ref. No.

Date

-:- TO WHOM IT MAY CONCERN -:-

SUBJECT:- Searching of Title in the name of (1) Sri Mihir Kumar Dutta, Son of Late Manindra Nath Dutta, (2a) Smt. Shibani Dutta, Wife of Late Dilip Kumar Dutta, (2b) Smt. Debjani Dutta Bhattacharjee, Wife of Sri Biswajit Bhattacharjee and Daughter of Late Dilip Kumar Dutta, No.1 resident of D.B"C. Road, Deshbandhu Para, Siliguri, P.O. Siliguri Town, P"S. Siliguri, Dist. Darjeeling and No.2a & 2b residents of Lower Bagdogra Main Road, P.O. & P.S. Bagdogra, Dist Darjeeling.

I, being forwarded with the Xerox copy of Title Deed of Partition. Being No. I-2534, Dated 21/11/2019 in the name of 1) Sri Mihir Kumar Dutta Son of Late Manindra Nath Dutta and {2) Dilip Kumar Dutta, Son of Late Manindra Nath Dutta died intestate on 07/04/2020 leaving behind following only legal heir by (2a) Smt. Shibani Dutta, Wife of Late Dilip Kumar Dutta, (2b) Smt. Debjani Dutta Bhattacharjee, Wife of Sri Biswajit Bhattacharjee and Daughter of Late Dilip Kumar Dutta} along with the relevant papers for effecting search in respect to the property, which has been acquired by (1) Sri Mihir Kumar Dutta, (2a) Smt. Shibani Dutta, (2b) Smt. Debjani Dutta Bhattacharjee.

I have conducted searches of the above property for the period of 1992-2023 at the Office of the Additional District Sub-Registrar at Siliguri, District Darjeeling, It could be ascertained that they are the absolute and exclusive joint owner-in-possession of the aforesaid plot of land more fully described in Clause No.2 of this report and the same is free from all encumbrances and charges whatsoever and they have not sold or transferred or in any way encumbered the said property or any part thereof to anybody and they are not possessing any land in excess of ceiling areas as prescribed under West Bengal Land Reforms Act 1955. During Scrutiny of the documents produced before me and during my search at the above mentioned offices from the available documents and records at the time of search, prima facie it is transpired to me as follows: -



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(2)

REPORT OF DEVOLUTION OF THE TITLE:-

WHEREAS (1) Sri. Manindra Nath Dutta (Now Deceased), Son of Late Bijoy Gobinda Dutta and (2) Sri Nripendra Nath i.tandy (Now Deceased), Son of Jyotish Chandra Nandy, took Lease of all that piece or parcel of homestead land 15½ Kathas, recorded in Khatian No. 3592, 3588, appertaining to and forming part of Plot No. 6301, situated within Mouza-Siliguri, J.L. No. 110(88), Pargana Baikunthapur, under Police Station Siliguri, District Darjeeling in Jote Kali Prasanna Singh, under Mouia Dabgram, P.S. Siliguri, Dist. Darjeeling, from (1) Sri Hari Charan Kairi, (2) Sri Guru Charan prasad Kairi, both Sons of Late Sridhar Kairi and (3) Sri Lachmi Narayan Kairi, Son of late Nathniram Kairi, at an yearly rental bsis by virtue of a Deed of Lease executed 02/06/1947 and registered in the office of the Sub-Registrar Siliguri, registered in Book No. I, Being document No.856 for the year 1947.

WHEREAS as per provisions of the West Bengal Estates Acquisition Act, 1953, the said Homestead land measuring 15½ Kathas, was identified as Plot No. 6301, situated within Mouza-Siliguri and was recorded in the name of above named 1) Sri. Manindra Nath Dutta and 2) Sri Nripendra Nath Nandy, in Finally Published R.S Khatian No.3592 tin tfr. name of Sri Manindra Nath Dutta, with an area measuring 0.125-acre, R.S Khatian No.3588 in the name of Sri. Nripendra Nath Nandy, with an area masurang 0.126 acre of Mouza Siliguri, J.L.No.110, P.S. Siliguri, Dist. Darjeeling, and above named (1) Sri. Manindra Nath Dutta and (2) Sri Nripendra Nath Nandy, became the direct tenant / raiyat under the Govt. of West Bengal and had been paying rents to the Govt. of West Bengal and constructed a residential house etc. on the said land

WHEREAS thereafter above named Maindra Nath Dutta, died intestate on 06/09/1975 leaving the following persons, as his only legal heirs to inherit his 50% undivided share of the said property, in accordance with the provisions of the Hindu Succession Act' 1956 :-

- (1) Smt Renuka Dutta (Nandi)--- Wife
- (2) Sri Mihir Kumar Dutta--- Son
- (3) Smt Manjushri Roy Dutta (Now Deceased)---- Daughter
- (4) Sri Dilip Kumar Durta--- Son
- (5) Miss Chhanda Dutta---- Daughter
- (6) Miss. Sikha Dutta---- Daughter

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(3)

WHEREAS thereafter above named Nripendra Nath Nandy, died intestate on 08/10/1980 as unmarried, leaving his only Sister above named Smt Renuka Dutta (Nandi) as his only legal heirs to inherit his 50% undivided share of the said property, in accordance with the provisions of the Hindu Succession Act' 1956:-

WHEREAS thereafter above named Renuka Dutta (Nandi), died intestate on 17/11/1985 leaving the following persons, as her only legal heirs to inherit her undivided share of the said property, in accordance with the provisions of the Hindu Succession Act' 1956 :-

1. Sri Mihir Kumar Dutta--- Son
2. Smt Manjushri Roy Dutta (Now Deceased)---- Daughter
3. Sri Dilip Kumar Dutta--- Son
4. Miss Chhanda Dutta---- Daughter
5. Miss. Sikha Dutta---- Daughter

AND WHEREAS thereafter the said land measuring 0.251 acre mutated in the name of above named legal heirs, vide M.C. No.782/IX-II/13-14, date 15/07/2013 and also record their names in L.R. Record Land said land is identified as LR/hal Plot No.1336 and recorded in Non-Finally published Khatian No.522, 523, 524, 525 & 526 of Present Mouza Sitiguri Madhya.

WHEREAS thereafter above named Smt Manjushri Roy Dutta, died intestate on 24/01/2017 leaving her only Daughter- Smt Soma Chanda as legal heirs to inherit her undivided share of the said property, in accordance with the provisions of the Hindu Succession Act' 1956 :-

WHEREAS one 1) Sri Mihir Kumar Dutta Son of Late Manindra Nath Dutta, 2) Dilip Kumar Dutta (now deceased), Son of Late Manindra Nath Dutta of the one part and (1) Miss. Chhanda Dutta, (2) Miss. Sikha Dutta, Both Daughters of Late Manindra Nath Dutta, (3) Smt. Soma Chanda, Wife of Sri Indranil Chanda & Daughter of Late Sukesh Chandra Roy and Late Manjushri Roy (Dutta) other part, executed a Deed of Partition bearing Document No. 2534 for the year 2019, registered in Book No. I, registered at the Office of the Addl. District Sub-Registrar Siliguri on 21/11/2019 and after such partition the 1) Sri Mihir Kumar Dutta Son of Late Manindra Nath Dutta, 2) Dilip Kumar Dutta (now deceased), Son of Late Manindra Nath Dutta became the owner of certain Land measuring 0.096 acre or 05 Katha 13 Chattak 03 Sq.Ft. recorded in R.S. Khatian No. 3592, 3588, corresponding to L.R. Khatian No. 522, 524, appertaining to and forming part of R.S. Plot No. 6301, corresponding to L.R. Plot No. 1336, situated within Mouza-Siliguri, J.L. No. 110(88), Pargana Baikunthapur, Ward No.29 of S.M.C. under Police Station Siliguri, District Darjeeling

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(4)

WHEREAS thereafter above named (1) Sri Mihir Kumar Dutta, and (2) Sri Dilip Kumar Dutta (now deceased), had entered into an agreement for Development, with the Developer "ABASAAN" the Second Party hereof, on 18-02-2020 and the said Agreement for Development was registered in the office of the Addl. Dist Sub-Registrar, Siliguri, being document No.I-377-for the Year 2020, and also executed a General Power of Attorney on the same day and registered in the office of the Additional District Sub-Registrar, Siliguri, being document No.I-380-for the year 2020

WHEREAS thereafter above named Dilip Kumar Dutta, died intestate on 07/04/2020 leaving the following persons, as his only legal heirs to inherit his 50% undivided share of the said property, in accordance with the provisions of the Hindu Succession Act' 1956 :-

1. Smt. Shibani Dutta - Wife
2. Smt. Debjani Dutta Bhattacharjee - Daughter

WHEREAS (1) Sri Mihir Kumar Dutta, Son of Late Manindra Nath Dutta, (2a) Smt. Shibani Dutta, Wife of Late Dilip Kumar Dutta, (2b) Smt. Debjani Dutta Bhattacharjee, Wife of Sri Biswajit Bhattacharjee and Daughter of Late Dilip Kumar Dutta, became the sole, absolute owners-in-possession of Land measuring 0.096 acre or 05 Katha 13 Chattak 03 Sq.Ft. recorded in R.S. Khatian No. 3592, 3588, corresponding to L.R. Khatian No. 522, 524, appertaining to and forming part of R.S. Plot No. 6301, corresponding to L.R. Plot No. 1336, situated within Mouza-Siliguri, J.L. No. 110(88), Pargana Baikunthapur, Ward No.29 of S.M.C. under Police Station Siliguri, District Darjeeling having permanent heritable and transferable right title and interest therein

WHEREAS "ABASAAN" a Partnership firm, represented by its Partner 1) Sri Partha Saha' Son of Late Dwijendra Nath Saha (2) Smt. Moushomi Biswas, Wife of Sri Vaskar Biswas, agreed to Develop the abovementioned Land measuring 0.096 acre or 05 Katha 13 Chattak 03 Sq.Ft. recorded in R.S. Khatian No. 3592, 3588, corresponding to L.R. Khatian No. 522, 524, appertaining to and forming part of R.S. Plot No. 6301, corresponding to L.R. Plot No. 1336, situated within Mouza-Siliguri, J.L. No. 110(88), Pargana Baikunthapur, Ward No.29 of S.M.C. under Police Station Siliguri, District Darjeeling and both party enter into one Registered Deed of Agreement for Development, on 03/09/2020 and registered at the office of the Additional District Sub Registrar, Siliguri, District Darjeeling and recorded in Book No. I, as Being No. I-1209 for the year 2020 between Developers by "ABASAAN" a Partnership firm, represented by its Partner 1) Sri Partha Saha' Son of Late Dwijendra Nath Saha (2) Smt. Moushomi Biswas, Wife of Sri Vaskar Biswas (Developers) and was also executed by (1) Sri Mihir Kumar Dutta, Son of Late Manindra Nath Dutta, (2a) Smt. Shibani Dutta, Wife of Late Dilip Kumar Dutta, (2b) Smt. Debjani Dutta Bhattacharjee, Wife of Sri Biswajit Bhattacharjee and Daughter of Late Dilip Kumar Dutta for entering into one agreement with the intending purchasers

Chakraborty

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(5)

DESCRIPTION OF LAND:-

All that Piece or Parcel of Land measuring 0.096 acre or 05 Katha 13 Chattak 03 Sq.Ft. recorded in R.S. Khatian No. 3592, 3588, corresponding to L.R. Khatian No. 522, 524, appertaining to and forming part of R.S. Plot No. 6301, corresponding to L.R. Plot No. 1336, situated within Mouza-Siliguri, J.L. No. 110(88), Pargana Baikunthapur, Ward No.29 of S.M.C. under Police Station Siliguri, District Darjeeling within the State of West Bengal.

LAND IS BUTTED AND BOUNDED AS FOLLOWS:-

NORTH : By 25-feet wide approx Siliguri Municipal corporation Road.
SOUTH : By Property of allotted to Chhanda Dutta others.
EAST : By Property of allotted to Chhanda Dutta others.
WEST : By Land with house of Sri Sukumar Roy & Others.

OPINION:-

- 01.I am satisfied that the Title of the aforesaid Land in clause-2 owned and possessed by (1) Sri Mihir Kumar Dutta, Son of Late Manindra Nath Dutta, (2a) Smt. Shibani Dutta, Wife of Late Dilip Kumar Dutta, (2b) Smt. Debjani Dutta Bhattacharjee, Wife of Sri Biswajit Bhattacharjee and Daughter of Late Dilip Kumar Dutta, has acquired a valid clear and marketable title to the property and the said property is free from all encumbrances and attachment and doubts Bank may create equitable mortgage on the said land / Property.
- 02.It is certified that neither any acquisition / requisition made by the Government or by any other authority / authorities, concerned and it is not affected by any scheme of alignment.
- 03.It is further, certified that the property is not affected under any of the provisions of Urban Land Ceiling and Regulation Act, 1976.
- 04.That it could be further ascertained that the Land in question is not vested in favour of the State of West Bengal.
- 05.I have made necessary enquiries from the respective authorities and certify that the said property is not affected by any acquisition of the Corporation or any other authority or by any scheme of alignment of the Corporation. I certify that from the available documents it could be ascertained that all rents, taxes, and other public dues payable in respect of the abovementioned Landed property has to be paid upto the period of B.S.1430 (Corresponding to the year of 2023-2024).

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(6)

PARTICULARS OF DOCUMENTS EXAMINED BY ME:-

- One Registered Title Deed of Partition Being No I-2534, Dated 21/11/2019 – Xerox.
- Copy of the New L.R. Khatian No.522 in the name of Sri Mihir Kumar Dutta and L.R. Khatian No.522 in the name of Dilip Kumar Dutta(now deceased)
- Rent Receipt No.REVREC2022040507239 in the name of Sri Mihir Kumar Dutta AND Receipt No.REVREC2022040507240 in the name of Dilip Kumar Dutta(now deceased) both dated 23/11/2022 tax paid upto the period of B.S.1429(Corresponding to 2022-2023) – Xerox
- One Registered Title Deed of Agreement for Development, Being No I-1209, Dated 03/09/2020 –
- Searching Receipts – Original.




(Debasish Chakraborty)
Advocate, Siliguri

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