

Chinmay Sarkar

Advocate

Siliguri Bar Association
Room No.6

Residence Cum Chamber
Beside Rathkhola Math,
Rathkhola, P.O. Rabindra Sarani
P.S. Siliguri-734006
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98320-63484 (Mob.)
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Mail Id. – csarkar004@gmail.com

Ref:

Date: 17-09-2024

SUB: TITLE INVESTIGATION REPORT

Re: Search-Cum-Title investigation opinion of all that piece or parcel of Land measuring 8 Katha 5½ Chhatak or 13.767 Decimals, appertaining to R.S. Plot Nos. 166/806 & 171, corresponding to L.R. Plot Nos. 63 & 64, recorded in R.S. Khatian No. 82, corresponding to L.R. Khatian Nos. 18 & 52 (old) & 572, 573, 574 & 575 (new), Situated within Mouza Dabgram, J.L. No. 02, R.S. Sheet No. 8 and corresponding to L.R. Sheet No. 33, Pargana Baikunthapur, under Ward No. 41 of Siliguri Municipal Corporation, Zilla Parishad Road, Byelane, Binay Chowdhuri Sarani, Jyotinagar, within the jurisdiction of P.S. Bhaktinagar, Registry office at Additional District Sub-Registrar Bhaktinagar, District Jalpaiguri, property owned by (1) Sri Ashish Agarwal, (2) Sri Bikash Agarwal, (3) Sri Akash Agarwal, all are Sons of Sri Kishan Kumar Agarwal & (4) Smt. Neha Agarwal, Wife of Sri Akash Agarwal, all are Hindu by Religion, Indian by Nationality, Business by Occupation, and all are resident of Oodlabari Bazar, P.O. Manabari, P.S. Mal, Pin Code 735222, District Jalpaiguri, (W.B.), by virtue of two separate registered Deed of Sale being Nos. (i) I-760 for the year 2022, recorded in Book No. I, Volume No. 711, Pages from 29227 to 29252, (ii) I-759 for the year 2022, recorded in Book No. I, Volume No. 711, Pages from 29253 to 29278, both deed were registered at the office of the Additional District Sub-Registrar Bhaktinagar.

The said total land is butted and bounded as follows:-

North : 10 Ft. Wide Road;
South : 30 Ft. Wide S.M.C. Road;
East : Land and Building of Sri Om Narayan Pradhan & Others;
West : Land and House of Sri Manu Das & Land & Building of Sri Ranjan Dey.

1. Source of Ownership

(A) **WHEREAS** one Sri Shyamal Kumar Dutta @ Shyamal Dutta, Son of Sri Gyanendra Mohan Dutta, was the absolute owner of land measuring 5 Katha or 0.0825 Acre, appertaining to R.S. Plot No. 171, recorded in R.S. Khatian No. 82, Situated within Mouza Dabgram, J.L. No. 02, R.S. Sheet No. 8, Pargana Baikunthapur, within the jurisdiction of P.S. Rajganj, District Jalpaiguri, by virtue of a registered Deed of Sale being No. I-2350 for the year of 1990, recorded in Book No. I, Volume No. 23, Pages from 281 to 286, and the same was registered at the office of the District Sub-Registrar Jalpaiguri, District Jalpaiguri, executed by (1) Sri Gopal Sarkar, Son of Late Lal Mohan Sarkar & (2) Sri Nabin Roy, Son of Late Guli Singh Roy.

Being owner in such possession said Sri Shyamal Kumar Dutta @ Shyamal Dutta, sold and transferred his total Land Measuring 5 Katha or 0.0825 Acre, appertaining to R.S. Plot No. 171, corresponding to L.R. Plot No. 64, recorded in R.S. Khatian No. 82, corresponding to L.R. Khatian No. 18, Situated within Mouza Dabgram, J.L. No. 02, R.S. Sheet No. 8 and corresponding to L.R. Sheet No. 33, Pargana Baikunthapur, under Ward No. 41 of Siliguri Municipal Corporation, within the jurisdiction of P.S. Bhaktinagar, Registry office at Additional District Sub-Registrar Bhaktinagar, District Jalpaiguri, to and in favour of (1) Sri Ashish Agarwal & (2) Sri Bikash Agarwal, both are Sons of Sri Kishan Kumar Agarwal, by virtue of a registered Deed of Sale being No. I-760 for the year of 2022, recorded in Book No. I, Volume No. 0741, Pages from 29227 to 29252 and the same was registered at the office of the Additional District Sub-Registrar Bhaktinagar.

Being owner in such possession said (1) Sri Ashish Agarwal & (2) Sri Bikash Agarwal, both are Sons of Sri Kishan Kumar Agarwal, mutated their names at the office B.L. & L.R.O. Rajganj, in respect of their landed property, and two new Khatian has been issued in their favour vide L.R. Khatian Nos. 573 & 574, Bearing L.R. Plot No. 64, Situated within Mouza Dabgram, J.L. No. 02, L.R. Sheet No. 33, Pargana Baikunthapur,

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since then in their actual and physical possession having permanent, heritable and transferable right, title and interest therein.

(B) WHEREAS one Smt. Sunanda Dutta, Wife of Sri Shyamal Kumar Dutta @ Shyamal Dutta, was the absolute owner of Land measuring 3 Katha 5½ Chhatak or 0.05517 Acre, appertaining to R.S. Plot No. 166/806, recorded in R.S. Khatian No. 82, Situated within Mouza Dabgram, J.L. No. 02, R.S. Sheet No. 8, Pargana Baikunthapur, within the jurisdiction of P.S. Bhaktinagar, Registry office at District Sub-Registrar Jalpaiguri, District Jalpaiguri, by virtue of a registered Deed of Sale being No. I-3150, for the year of 1993, recorded in Book No. I, Volume No. 35, Pages from 209 to 212 and the same was registered at the office of the District Sub-Registrar Jalpaiguri, executed by (1) Sri Subir Mondal, Son of Late Ajit Mondal, (2) Sri Sukumar Roy, Son of Sri Bholanath & (3) Sri Bimal Das, Son of Sri Makhan Lal Das.

Being owner in such possession said Smt. Sunanda Dutta, Wife of Sri Shyamal Kumar Dutta @ Shyamal Dutta, sold and transferred her total Land measuring 3 Katha 5½ Chhatak or 0.05517 Acre, appertaining to R.S. Plot No. 166/806, corresponding to L.R. Plot No. 63, recorded in R.S. Khatian No. 82, corresponding to L.R. Khatian No. 52, Situated within Mouza Dabgram, J.L. No. 02, R.S. Sheet No. 8 and corresponding to L.R. Sheet No. 33, Pargana Baikunthapur, under Ward No. 41 of Siliguri Municipal Corporation, within the jurisdiction of P.S. Bhaktinagar, Registry office at Additional District Sub-Registrar Bhaktinagar, District Jalpaiguri, to and in favour of (1) Sri Akash Agarwal, Son of Sri Kishan Kumar Agarwal & (2) Smt. Neha Agarwal, Wife of Sri Akash Agarwal, by virtue of a registered Deed of Sale being No. I-759, for the year of 2022, recorded in Book No. I, Volume No. 0711, Pages from 29253 to 29278 and the same was registered at the office of the Additional District Sub-Registrar Bhaktinagar.

Being owner in such possession said (1) Sri Akash Agarwal, Son of Sri Kishan Kumar Agarwal & (2) Smt. Neha Agarwal, Wife of Sri Akash Agarwal, mutated their names at the office B.L. & L.R.O. Rajganj, in respect of their said landed property, and two new Khatian has been issued in their favour vide L.R. Khatian Nos. 572 & 575, Bearing L.R. Plot No. 63, Situated within Mouza Dabgram, J.L. No. 02, L.R. Sheet No. 33, Pargana Baikunthapur, since then in their actual and physical possession having permanent, heritable and transferable right, title and interest therein.

Whereas being owners in such possession above said (1) Sri Ashish Agarwal, (2) Sri Bikash Agarwal, (3) Sri Akash Agarwal, all are Sons of Sri Kishan Kumar Agarwal & (4) Smt. Neha Agarwal, Wife of Sri Akash Agarwal, have jointly decided to amalgamate their landed property into one plot i.e. Land Measuring 8 Katha 5½ Chhatak or 13.767 Decimals, appertaining to R.S. Plot Nos. 166/806 & 171, corresponding to L.R. Plot Nos. 63 & 64, recorded in R.S. Khatian No. 82, corresponding to L.R. Khatian Nos. 18 & 52 (old) & 572, 573, 574 & 575 (new), Situated within Mouza Dabgram, J.L. No. 02, R.S. Sheet No. 8 and corresponding to L.R. Sheet No. 33, Pargana Baikunthapur, under Ward No. 41 of Siliguri Municipal Corporation, Zilla Parishad Road, Byelane, Binay Chowdhuri Sarani, Jyotinagar, within the jurisdiction of P.S. Bhaktinagar, Registry office at Additional District Sub-Registrar Bhaktinagar, District Jalpaiguri, as because their lands were adjacent to each other Thereafter they amalgamated their land for joint construction for better benefit and get their respective consent by virtue of a Deed of Amalgamation from Executive Magistrate at Jalpaiguri, dated on 20.07.2022.

A : LIST OF DOCUMENTS STUDIED :-

- 1) Photocopy of Deed of Amalgamation from Executive Magistrate at Jalpaiguri, dated on 20.07.2022, in the name of (1) Sri Ashish Agarwal, (2) Sri Bikash Agarwal, (3) Sri Akash Agarwal, all are Sons of Sri Kishan Kumar Agarwal & (4) Smt. Neha Agarwal, Wife of Sri Akash Agarwal.



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- 2) Photocopy of Deed of Sale being No. I-759, for the year of 2022, recorded in Book No. I, Volume No. 0711, Pages from 29253 to 29278 and the same was registered at the office of the Additional District Sub-Registrar Bhaktinagar, District Jalpaiguri, in the name of (1) Sri Akash Agarwal, Son of Sri Kishan Kumar Agarwal & (2) Smt. Neha Agarwal, Wife of Sri Akash Agarwal.
 - 3) Photocopy of Deed of Sale being No. I-0760, for the year of 2022, recorded in Book No. I, Volume No. 0711, Pages from 29227 to 29252 and the same was registered at the office of the Additional District Sub-Registrar Bhaktinagar, District Jalpaiguri, in the name of (1) Sri Ashish Agarwal & (2) Sri Bikash Agarwal, both are Sons of Sri Kishan Kumar Agarwal.
 - 4) Photocopy of Deed of Sale being No. I-3150, for the year of 1993, recorded in Book No. I, Volume No. 35, Pages from 209 to 212 and the same was registered at the office of the District Sub-Registrar Jalpaiguri, District Jalpaiguri, in the name of Smt. Sunanda Dutta, Wife of Sri Shyamal Kumar Dutta @ Shyamal Dutta.
 - 5) Photocopy of Deed of Sale, being No. I-2350, for the year of 1990, recorded in Book No. I, Volume No. 23, Pages from 281 to 286 and the same was registered at the office of the District Sub-Registrar Jalpaiguri, District Jalpaiguri, in the name of Sri Shyamal Kumar Dutta @ Shyamal Dutta.
 - 6) Photocopy of L.R. Khatian Nos. 572, 573, 574 & 575, in the name of (1) Sri Ashish Agarwal, (2) Sri Bikash Agarwal, (3) Sri Akash Agarwal, all are Sons of Sri Kishan Kumar Agarwal & (4) Smt. Neha Agarwal, Wife of Sri Akash Agarwal.
1. I have obtained Online Court searching Information Slip from online portal as the courts within the District of Jalpaiguri does not provide any court information until any specific case. I am also satisfied that neither any suit, case or execution proceedings is pending in any Civil Courts at Jalpaiguri for the period from 2012 to 2025 in relation to the said plot of land nor the said plot of land is charged with or attached under any process of law. I have caused search at the concerned registry office regarding the title for the period from 1995 to 2025 of Manual Sear Receipt and I also have attach the online search receipts from 1995-2025.
 2. I certify that (1) Sri Ashish Agarwal, (2) Sri Bikash Agarwal, (3) Sri Akash Agarwal, all are Sons of Sri Kishan Kumar Agarwal & (4) Smt. Neha Agarwal, Wife of Sri Akash Agarwal, have/has absolute, clear and marketable title over the schedule property/(ies).
 3. This opinion is being given relying upon the contents of the documents submitted to me and after causing the searches as aforesaid and I certified that the property is clear and marketable.


Chinmay Sarkar
Advocate, Siliguri