

পশ্চিমবঙ্গ পশ্চিম বঙ্গাল WEST BENGAL

AF 463530

*Lily Samanta*

As Constituted Attorney of  
Sri Dipak Koruri & Sri Rajat Koruri  
Trustees to the Trust  
Estate Nandalal Koruri deceased



**IN COURT OF 1<sup>ST</sup> CLASS JUDICIAL MAGISTRATE AT SEALDAH**

**AFFIDAVIT**

We, (1) **SRI DIPAK KORURI**, PANAFGPK3792J, Aadhaar no. 957597640494, son of Late Samarendra Nath Koruri, by faith – Hindu, by occupation – Retired person, residing at 14/6A, Ram Kanta Bose Street, P.O. Bagbazar, Police Station – Shyampukur, Kolkata – 700003, (2) **SRI RAJAT KORURI**, PAN AVQPK2243J, Aadhaar no. 955792240993, son of Late Narayan Prasad Koruri, by faith – Hindu, by occupation – Retired person, residing at 16, Rasik Mitra Lane, P.O. Bagbazar, Police Station – Shyampukur, Kolkata – 700003, both Trustee to the trust **ESTATE NANDALAL KORURI DECEASED** PAN AAATE0627R, having its Regd. office at 14/6A, Ram Kanta Bose Street, P.O. Bagbazar, Police Station – Shyampukur, Kolkata – 700003, represented by their constituted





attorney **MRS. LILY SAMANTA, PAN BAIPS8113D**, Aadhaar no. 808591579077, wife of Sri Nisith Kumar Samanta, by faith – Hindu, by nationality – Indian, by occupation – Business, residing at 117, B. K. Moitra Road, Police Station – Baranagar, Kolkata – 700036, Director of **VIBHA REALCON PRIVATE LIMITED**, a Company incorporated under the provisions of the Companies Act, 1956 and amended Companies Act, 2013 **PAN AAICV5707C**, having its registered office at 117, B. K. Moitra Road, P.O. & Police Station – Baranagar, Kolkata - 700036, as recorded in the office of Additional Registrar of Assurances –II, Kolkata and entered into Book No. 1, Volume No.1902-2023, Page from 189745 to 189758, Being No 1902-06031 for the year 2019, do hereby solemnly affirm and declare as follows:

1) THAT one Sri Nandalal Koruri purchased a plots of land measuring 5 ( five) Cottahs 12 (twelve) Chittacks be the same more or less together with building standing thereon lying and situated at 54/7, Raja Rajballav Street, Police Station – Shyampukur, Kolkata – 700003, within the limit of Kolkata Municipal Corporation Being Ward no. 008, under the jurisdiction of Sub Registrar of Calcutta, by a registered deed of conveyance as recorded in Joint Sub- Registrar of Calcutta and enter into Book No. 1, Volume No. 6, Pages from 276 to 281, Being No. 630 for the year 1905 from Smt. Kusam Kumari Dassee alias Kusam Kumari Basu.

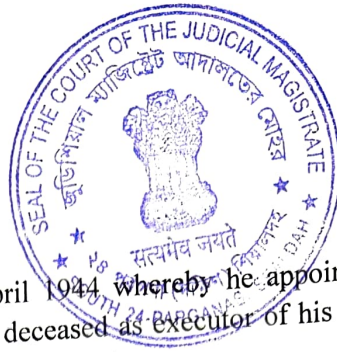
2) THAT the said Sri Nandalal Koruri purchased another plots of land measuring 8 ( eight) Cottahs 3 (three) Chittacks be the same more or less together with building standing thereon lying and situated at 54/5/1, Raja Rajballav Street, Police Station – Shyampukur, Kolkata – 700003, within the limit of Kolkata Municipal Corporation Being Ward no. 008, under the jurisdiction of Sub Registrar of Calcutta, by a registered deed of conveyance as recorded in Joint Sub- Registrar of Calcutta and enter into Book No. 1, Volume No. 18, Pages from 112 to 118, Being No. 600 for the year 1909 from Sri Nani Lal Bacoly, Son of Late Hatu Ram Bacoly.

3) THAT the said Nandalal Koruri became the absolute owner of two plots of land measuring 5 (five) Cottahs 12 (twelve) Chittacks. be the same more or less together with building standing thereon lying and situated at previously 54/7 and presently 54, Raja Rajballav Street, P.O. – Bagbazar, Police Station – Shyampukur, Kolkata – 700003 and another land measuring 8 Cottahs 3 Chittacks be the same more or less together with building standing thereon lying and situated at previously 54/5/1, Raja Rajballav Street, P.O. – Bagbazar, Police Station – Shyampukur, Kolkata – 700003 and presently 16, Rasik Mitra Lane, P.O. – Bagbazar, Police Station – Shyampukur, Kolkata – 700003 within the limit of Kolkata Municipal Corporation Being Ward no. 008, under the jurisdiction of Additional Registrar of Assurances, Kolkata and also mutated his name with the Kolkata municipal corporation above two properties free from all encumbrances by payment of Taxes and they have every right to sell, grant and transfer the said property to any person or persons..

4) THAT during his life time said Nandalal Koruri executed his last WILL and Testament on 24.04.1944 thereby revoking his earlier WILL and Testament on 20.09.1933 and the said WILL dated 24.04.1944 the said Testator created a Trust in respect of various properties owned by him in the city of Kolkata.

5) THAT Nandalal Koruri since deceased died on 21<sup>st</sup> May 1944 after having made

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and published his last WILL and Testament on 24<sup>th</sup> April 1944 whereby he appointed Smt. Suhasini Karuri and Sri Sudhir Prasad Koruri both since deceased as executor of his said Last WILL and Testament as also the trustees of the trust thereby created.

6) **THAT** the said Smt. Suhasini Karuri and Sri Sudhir Prasad Koruri duly applied to the Hon'ble High Court at Calcutta in its Testamentary and intestate jurisdiction for the grant of Probate of the said WILL.

7) **THAT** the said Will was duly proved and Probate thereof was granted by the said Hon'ble High Court at Calcutta to the said Smt. Suhasini Koruri and Sri Sudhir Prasad Koruri jointly on 25<sup>th</sup> July 1945.

8) **THAT** by his said Will dated 24<sup>th</sup> April 1944 the said Nandalal Koruri since deceased devised and bequeathed all rest and residuary of his properties, both real and personal unto and to the use of the Trustees upon certain trusts and with and subject to the power and provisions in the said Will declared and contained.

9) **THAT** by the said Will it was, inter alia, provided that the said Smt. Suhasini Koruri would have the power to appoint any one or two from amongst the sons of the said Nandalal Koruri as the trustee or trustees after her death or in case of her wishing to resign office of trustee owing to her old age or inability due to disease.

10) **THAT** by a deed of Appointment dated 20<sup>th</sup> September 1950 and registered in Book no. 4, Volume no. 64. Pages from 74 to 76, Being no. 4186 foR the year 1950 with the Registrar of Assurances, Calcutta, the said Smt. Suhasini Koruri nominated and appointed the said Samarendra Nath Koruri, the Continuing Trustee to be trustee of the trust created by the said Will of Nandalal Koruri since deceased in her place and stead after her demise for the term of his natural life or until he shall voluntarily retire from the said office.

11) **THAT** the said Smt. Suhasini Koruri died on 15<sup>th</sup> day of March 1962.

12) **THAT** since the death of the said Smt. Suhasini Koruri the said Sudhir Prasad Koruri and the said Samarendra Nath Koruri, continuing Trustee were acting as the trustees of the said Trust Estate.

13) **THAT** the said Sudhir Prasad Karuri while acting as one of the Trustee of the said Trust as aforesaid died on 25<sup>th</sup> February 1981.

14) **THAT** after the demise of the Sudhir Prasad Karuri & Samarendra Nath Koruri, the continuing trustee felt it desirable to appoint Deba Prosad Karuri, son of Late Sudhir Prasad Koruri by a registered deed of Appointment dated 29.04.1981 to act as such trustee with the continuing trustee which was registered in the office of Registrar of Assurances, Calcutta vide Book no. IV, Being no. 1413 for the year 1981.

15) **THAT** the said Samarendra Nath Koruri during his life time appointed his son Dipak Koruri as such Trustee by a registered deed of Appointment of a Trustee dated 05.10.2004 with the confirmation of Debaprasad Koruri to act as such Trustee with Debaprasad Karuri another Trustee with all opinion prevailing power which was registered in the office of the Registrar of Assurances at Calcutta vide Book no. 1 Volume no. 1, Pages from 1 to 10, Being no. 5143 for the year 2004.

16) **THAT** the said Samarendra Nath Koruri while acting as one of the Trustee of the

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said Trust as aforesaid died on 30<sup>th</sup> November 2005.

17) **THAT** after the demise of the Samarendra Nath Karuri, the continuing trustee felt it desirable to appoint a new Trustee in place and stead of the said Samarendra Nath Koruri, since deceased to act jointly as a Trustee of the said Trust Estate along with the continuing Trustee.

18) **THAT** the continuing Trustee has approached the said Dipak Koruri the new Trustee named in these presents to act as a trustee along with continuing Trustee of the said trust estate.

19) **THAT** the said new Trustee has expressed willingness and readiness to act as such Trustee in place and stead of the said Samarendra Nath Koruri along with the continuing Trustee.

20) **THAT** the said Deba Prasad Koruri during his life time appointed the said Dipak Koruri as such Trustee by a registered deed of Appointment of a Trustee dated 05.10.2004 with the confirmation of Debaprasad Koruri to act as such Trustee by a registered deed of appointment of a Trustee dated 29. 12 . 2005 with confirmation of Dipak Koruri to act as such Trustee with Deba Prasad Koruri another Trustee which was registered in the Office of Registrar of Assurances at Calcutta, vide Book no. IV, Volume no. 118, Pages from 347 to 352, Being no. 6670 for the year 2005.

21) **THAT** the said Debaprasad Karuri while acting as one of the Trustee of the said Trust as aforesaid died on 9<sup>th</sup> February 2010.

22) **THAT** after the demise of the Deba Prasad Karuri, Dipak Koruri , the continuing trustee felt it desirable to appoint a new Trustee in place & stead of the said Deba Prasad Karuri since deceased to act jointly as trustee of the said Trust Estate along with the continuing Trustee.

23) **THAT** the continuing trustee Dipak Koruri appointed Sri Rajat Koruri, the new trustee by a registered deed of Appointment vide Book no. IV, CD Volume no. 6, Pages from 3474 to 3485, being no. 04536 for the year 2010 to act as such trustee along with the said Dipak Koruri.

24) **THAT** the said Dipak Koruri & Sri Rajat Koruri become the Trustees of the aforesaid trust and in exercise of the full power conferred and reserved in the said hereinbefore Last Will and Testament of the said Nandalal Koruri since deceased.

25) **THAT** said Dipak Koruri & Sri Rajat Koruri filed an application Under Section 34 of the Indian Trust Act 1882 for leave be granted to the petitioners as trustees of the Trust of Nandalal Koruri since deceased to develop the Trust properties as 54, Raja Raj Ballav Street, Kolkata – 700003 & 16, Rasik Mitra Lane, Kolkata – 700003 vide case no. A. T. A. 7 of 2018 in the High Court at Calcutta in its Ordinary original Civil Jurisdiction in the prayer of the said application and upon hearing submission on behalf of petitioners trustees herein Hon'ble Justice Krishna Rao has been pleased to allow the prayer (a) dated 24.01.2023

25) **THAT** above two premises amalgamated into one premises i.e. 54, Raja Raj Ballav Street, P.O. Bagbazar, P.S – Shyampukur, Kolkata – 700003, within the limit of Kolkata Municipal Corporation, being Ward no. 008, Assessee no. 110083701201, after amalgamated

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total area of the said premises 13 Cottahs 15 Chittacks be the same more or less equivalent to 932.274 Sq.mt. the boundaries of which are as follows:

On the North :- By 2A, Girish Avenue, Kolkata – 700003.

On the South :- 53, Raja Raj Ballav Street & Rasik Mitra Lane;

On the East :- By part 24, Rama Kanta Bose Street & part of 14, Rasik Mitra Lane;

On the West :- By Raja Raj Ballav Street

That the statements made above are all true to my knowledge and

belief

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Deponent  
Identified by me

*Sumanta Paramanick*  
Advocate

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Advocate  
Enrolment No.- WB1051 / 2001

2552  
Affidavit.....  
Solemnly affirmed before me this day  
of 18<sup>th</sup> month March 2024 by  
the declarant on proper identification  
of the swaror.

*[Signature]*  
Judicial Magistrate  
1st Class, Sealdah

18/03/24