DSP LAW ASSOCIATES



Advocates

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DSP: 285/1

Client:

- 1. Messrs. Isha Multicon Homes LLP,
- 2. Messrs. Honeybird Developers LLP,
- Messrs.Mohini Plaza LLP, of 304 Chandan Niketan, 52A Shakespeare Sarani, Kolkata-700017
- 4. Messrs. Multicon Bagmari Homes LLP
- Messrs. Multicon Properties LLP (formerly M/s. Seventh Heaven Event Management LLP)
 Mansarovar, Ground Floor, 3B Camac Street, Kolkata-700016,
- Messrs. Multicon Estates LLP (formerly RCTN Netcable Services LLP)
 229 Acharya Jagadish Chandra Bose Road,
 1st Floor Crescent Tower, Kolkata-700020,
- 7. Messrs.Adya Apartments LLP,
- 8. Messrs.Adya Niket LLP,
- Messrs.Maple Barter LLP of Lenin Sarani, Kolkata-700013,
- 10. Messrs.Eden Elements LLP
- 11. Messrs.Looklike Dealmark LLP
- 12. Messrs. Mahamani Overseas LLP
- 13. Messrs.Mangaldham Awas LLP of 17/1 Lansdowne Terrace, Kolkata- 700026
- 14 IS DEVCON LLP of 304 Chandan Niketan, 52A Shakespeare Sarani, Kolkata-700017

Re: Premises No. 24A, Bagmari Road, Kolkata-700054 under Police Station Manicktala in District of South 24-Parganas defined as Subject Property below

SEARCH REPORT & CHAIN OF TITLE

I. SECTION 'A' – DEFINITIONS:

- A. The terms or expression used herein shall have the meaning assigned to them as follows:
 - (a) "Subject Property" shall mean Premises No. 24A, Bagmari Road, Kolkata-700054 under Police Station Manicktala in the District of South 24-Parganas.
 - (b) "Owners" shall mean (1) (Smt.) Jayasree Dutta wife of Late Mihir Lal Dutt, (2) (Smt.) Debasree Das wife of Sri Buddhadev Das and daughter of Late Mihir Lal Dutt, (3) (Smt.) Subhasree Sinha wife of Uma Shankar Sinha and daughter of Late Mihir Lal Dutta, (4) Anirban Dutta son of Late Mihir Lal Dutt, (5) (Smt.) Suchismita Datta daughter of Late Tapan Kumar Datta, (6) Subhabrata Datta son of Late Tapan Kumar Datta, (7) (Smt.) Mitra Datta

wife of Shri Dilip Kumar Sanyal and daughter of Late Manik Lal Datta, (8) Samir Dutt son of Late Nitai Lal Dutt, (9) Kanchan Dutt son of Late Murari Lal Dutt, (10) (Smt.) Manika Dutta wife of Sri Souren Dutta and daughter of Late Murari Lal Dutt, (11) (Smt.) Purnima Dutt wife of Late Pulak Dutt, (12) Purnasis Dutt son of Late Pulak Dutt, (13) (Smt.) Krishna Pal wife of Sri Samir Pal and daughter of Late Narayan Lal Dutt, (14) (Smt.) Indrani Dutt wife of Late Aloke Kumar Dutt, (15) (Smt.) Arundhuti Dutt daughter of Late Aloke Kumar Dutt, (16) Anindya Dutt son of Late Aloke Kumar Dutt, (17) Ajoy Kumar Dutt son of Late Jadab Lal Dutt (18) Amitava Dutt son of Late Madhab Lal Dutt and (19) Chandralal Dutt son of late Raghunath Dutt.

B. From the documents provided, the Subject Property was formerly portion of municipal Premises No. 24, Bagmari Road and theretofore portion of municipal premises No. 8 Bagmari Road and theretofore comprised in portion of Holding Nos. 38 and 39 in Mouza Bagmari, Division 2, Sub-Division 11, Dihi Ultadangi.

II. <u>SECTION 'B' - SEARCH REPORT:</u>

Under instructions from Mr. Mahesh Karnani representing the client abovenamed, we had from time to time during the months of November, 2019 to August, 2021 caused to be made necessary searches at the Registration Offices, Government Offices and Courts named hereinafter to enquire about encumbrance affecting the title of the Owners in respect of the Subject Property and our findings from the searches so caused to be made, are as follows:

1. Registration Offices:

- 1.1 Searches were from time to time caused to be made of the relevant Index II in respect of the Subject Property and to a certain extent, Index I at the offices of (a) the Registrar of Assurances, Kolkata/Additional Registrar of Assurances-I, Kolkata during the years 1989 to till the date of Searches; Additional Registrar of Assurances-IV, Kolkata during the years 2019 till the date of searches, Additional Registrar of Assurances II and III Kolkata for the year 2019 till the date of searches, (b) District Sub Registrar-III, South 24 Parganas during the years 1989 to till the date of Searches, (c) Additional District Sub-Registrar Sealdah during the years 1989 to till the date of Searches, A xerox copy each of the Receipts issued by the concerned Registration Offices from time to time and the Reports of such Searches received from the searchers from time to time are annexed hereto and marked 'A-1 to A-117'...
- 1.2 While causing to be made such searches at the registration offices, several entries were found and are dealt with in Annexure "B1" hereto.
- 1.3 We would, however, like to specifically mention as regards the said searches as follows:-
 - 1.3.1 At the time of causing searches in respect of the computerized records at the Additional Registrar of Assurances-I, Kolkata from 2002 to 2008 and at the District Sub Registrar III South 24 Parganas from 2003 to 2009 and at the Additional District Sub Registrar Sealdah during the year 2008, they did not provide public inspection of any Indices and the clerk sitting on the computer gave only oral details to the searcher in respect of the Subject Property.

1.3.2 Since the introduction of Section 47A of Indian Stamp Act as applicable to West Bengal, pending documents or any document which has been presented

for registration, but registration whereof is kept in abeyance for want of assessment of market value by the registering authority, do not reflect in the searches and get recorded in Indices only upon payment of deficit stamp duty and registration fee applicable thereon although they take effect from the date of their execution.

1.4 The searches at the registration offices as per the available records have not disclosed any encumbrance affecting the Subject Property.

2. Kolkata Municipal Corporation:

- 2.1. We caused to be made necessary searches in respect of the said premises as per its Assessee No.11 032 200349 and found, inter alia, as follows:
 - i) It appears from letter bearing Memo No.RTI/610/2019 dated 5th March 2020 issued by Assessor–Collector (North) & SPIO, Assessment Collection (North) Department of The Kolkata Municipal Corporation as follows:
 - a) The name of the recorded owner since 3/1986-87 to last decided Inspection Book was "Sri Raghunath Dutta, Sm Phul Kumari Das"
 - The name of Mrs. Jayasree Dutta, Mrs.Debasree Das, Mrs.Subhasree Sinha, Mr. Anirban Dutta, Ms. Suchismita Datta, Mr. Subhabrata Datta, Smt. Mitra Datta, Mr. Samir Dutt, Mr. Kanchan Dutta, Smt. Manika Dutta, Mrs Purnima Dutt, Mr. Purnasis Dutt, Smt. Krishna Pal, Mrs.Indrani Dutt, Ms. Arundhuti Dutt, Mr. Amitava Dutt, Mr. Ajoy Kumar Dutt, Sri Chandra Lal Dutt, Anindya Dutt were incorporated on 27th September 2019 vide simple mutation Case No.O/032/26-Sep-19/120293.
 - ii) It appears from the letter bearing Memo No.RTI/630/2019 dated 24th February 2020 issued by Assessor-Collector (North) & SPIO, Assessment Collection (North) Department of The Kolkata Municipal Corporation that there were no outstanding property tax as on the date of such letter as per their computer records. The last decided annual valuation was w.e.f. 3/1998-99. Subsequent assessment u/s 180 of KMC Act, 1980 with its amendment, could be done as per prevailing norms and bills could be generated accordingly.
 - iii) It appears from letter bearing Memo No.L-97/Law/RTI/2019 dated 20th December 2019 issued by SPIO Law Department of The Kolkata Municipal Corporation that there were no suits or proceedings if any, pending by or against the Kolkata Municipal Corporation, in respect of the above said premises, before Hon'ble High Court, Calcutta, Ld. Sealdah Court, Ld. City Civil Court, Calcutta.

Xerox copy of the aforesaid three letters issued by the concerned departments of the Kolkata Municipal Corporation are annexed hereto and marked as annexure "C 1" to "C3"

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3. Courts and The Sheriff, Calcutta High Court:

- We have caused to be made necessary searches as to whether any Title Suit or Title Execution Case were filed at the Courts of the 2nd Civil Judge (Junior Division) at Sealdah and Civil Judge (Senior Division), Sealdah and any Title Suit and Misc. Case were filed in the Ld. District Judge at Alipore by or against the persons named in the table in clause 3.3 below, during the years mentioned therein. From the information received by us it would appear that no Suits or Cases were filed upto the respective date of issuance of the search information slips. Xerox copies of the said Information slips issued by the concerned Courts are annexed hereto and marked as annexure "D1" to "D168".
- We also caused to be inspected by our clerk, the Property and Miscellaneous Registers in the Office of the Sheriff, Calcutta High Court, for any attachment against the persons named in the table in clause 3.3 for the years mentioned therein. No entry of any such attachment was found from such inspection. Xerox copy each of the receipts issued by the said department are annexed hereto and marked "E1" to "E28".

3.3 Table:

SI. No.	Name	Periods
1.	Aloke Kumar Dutt son of Late Madhab Lal Dutt	2008 to 2016
2.	Amitava Dutt son of Late Madhab Lal Dutt	2008 to 2019*
3.	(Smt.) Indrani Dutt wife of Late Aloke Kumar Dutt	2016 to 2019*
4.	(Smt.) Arundhuti Dutt daughter of Late Aloke Kumar Dutt	2016 to 2019*
5.	Anindya Dutt son of Late Aloke Kumar Dutt	2016 to 2019*
6.	(Smt.) Hasi Dutt wife of Late Nitai Lal Dutt	2008 to 2008
7.	Samir Dutt son of Late Nitai Lal Dutt	2008 to 2019*
8.	(Smt.) Sikha Dutt daughter of Late Nitai Lal Dutt	2008 to 2018
9.	Kanchan Dutt (also known as Kanchan Dutta) son of Late Murari Lal Dutt	2008 to 2019*
10.	(Smt.) Manika Dutta wife of Souren Dutta and daughter of Late Murari Lal Dutta	2008 to 2019*
11.	Narayan Lal Dutt son of Late Raghunath Dutt	2008 to 2018
12.	(Smt.) Krishna Pal wife of Samir Pal and daughter of Narayan Lal Dutta	2018 to 2019*
13.	(Smt) Purnima Dutt wife of Late Pulak Dutt	2018 to 2019*
14.	Purnasis Dutt son of Late Pulak Dutt	2018 to 2019*
15.	(Smt.) Madhuri Dutta wife of Late Manick Lal Dutta	2008 to 2011
16.	(Smt) Jayasree Dutta wife of Late Mihir Dutta	2008 to 2019*
17.	Debasree Das wife of Buddhadev Das and daughter of Late Mihir Dutta	2008 to 2019*
18.	Subhasree Sinha wife of Uma Dhankar Sinha and daughter of Late Mihir Dutta	2008 to 2019*
19.	Anirban Dutta son of Late Mihir Dutta	2008 to 2019*
20.	Mita Datta wife of Tapan Kumar Datta	2008 to 2018
21.	Subhabrata Datta son of Tapan Kumar Datta	2017 to 2019*
22.	(Smt.) Suchismita Datta daughter of Tapan Kumar Datta	2017 to 2019*
23.	(Smt.) Mitra Datta wife of Dilip Sanyal and daughter of	2008 to 2019*



	Late Manick Lal Dutta	
24.	Jadab Lal Dutt son of Late Raghunath Dutt	2008 to 2012
25.	Ajoy Kumar Dutt son of Late Jadab Lal Dutt	2012 to 2019*
26.	Chandralal Dutt son of Late Raghunath Dutt	2008 to 2019*
27.	Tapan Kumar Datta	2017 to 2019*
28.	Arup Roy Chowdhury son of Late Amiya Kumar Roy Chowdhury	2008 to 2019*

^{*} upto the dates of information

We are aware of 3 suits by former tenants. Out of the same 2 Suits being T.S. No. 64 of 2020 and T.S. No. 65 of 2020 both in the Court of 2nd Civil Judge (Junior Division) at Sealdah, have been dismissed for non prosecution on 30.3.2022. The 3rd Suit being T.S. No. 7 of 2020 (Anil Chandra Basak –Vs- Sri Kanchan Dutta) is pending. The suit relates to claim of tenancy and does not appear to affect the title. Clients have informed us that they are in physical possession and of the Subject Property and no one is in possession of any part thereof. According to clients, the same is a frivolous claim and clients are contesting the same. An order dated 18.8.2022, inter alia, injuncts the defendant in the suit for disturbing the possession of the plaintiffs or ousting the plaintiffs from suit property without due process of law. The clients are not party to the suit.

4. ACQUISITION, REQUISITION AND ALIGNMENT SEARCHES:

- 4.1 **KOLKATA IMPROVEMENT TRUST**: The Subject Property does not appear to be affected by any scheme or alignment of the Kolkata Improvement Trust. Please note that our report is based on oral enquiry made in the department by our representative.
- 4.2 LAND ACQUISITION COLLECTOR: We had made an application dated 17th December 2019 under the Right to Information Act, 2005, seeking certain information from the said department of 1st Land Acquisition Collector in respect of the Subject Property, we have till date not received any Information pursuant to such application. A Xerox copy of application duly received by the said 1st Land Acquisition Collector is Annexed hereto and marked with the letter and marked "F"

However the Subject Property or portion thereof does not appear to be affected by any acquisition or requisition proceeding of the Land Acquisition Collector, Calcutta. Please note that our report is based on oral enquiry made in the department by our representative.

4.3. **KOLKATA METROPOLITAN DEVELOPMENT AUTHORITY:** We had made an application dated 17th December 2019 under the Right to Information Act, 2005, seeking certain information from the said department of the Public Information Officer of Kolkata Metropolitan Development Authority in respect of the said Property, we have till date not received any Information pursuant to such application. A Xerox copy of application duly received by the said the Public Information Officer is Annexed hereto and marked with the letter and marked "G"

5. KOLKATA THIKA TENANCY

- 5.1 The Controller, Kolkata Thika Tenancy has issued a letter bearing Memo No.N/45/KTT/2020 dated 22nd January 2020 in respect of Subject Property stating that as per their available records no return is found in respect of the said Property. A copy of the said letter is annexed as Annexure "H" hereto.
- III. <u>SECTION 'C' CHAIN ON TITLE:</u> From the recitals and particulars contained in the documents provided and/or obtained by us by way of certified copies of deeds, the chain of title in respect of the subject property appears to be as follows:-
- 8.1 By an Indenture of Conveyance dated 21st December 1935 and registered with the Sub Registrar Sealdah in Book I Volume No.44 Pages 130 to 134 Being No. 2629 for the year 1935 one Purna Chandra Guin sold to Dutt Estates Limited All That property with land area measuring 7 (seven) Bighas 4 (four) Cottahs and 12 (twelve) Chittacks more or less being premises No.24 Bagmari Road as morefully described therein (hereinafter referred to as "the Larger Property").
- (hereinafter referred to as "the Larger Property").

 8.2 By an Indenture of Conveyance dated 19th April 1947 and registered with the Sub Registrar Calcutta in Book I Volume No. 85 Pages 1 to 16 Being No. 2440 for the year 1947 the said Dutt Estates Limited sold to Raghunath Dutt (since deceased) and Fulkumari Devi (since deceased) All That pieces and parcels of land measuring 3 Bighas 18 Cottahs 11 Chittacks and 28 Square feet more or less together with the buildings and structures thereon all situate lying at and being a divided and demarcated portion of said Larger Property which sold portion has been stated to have been subsequently assessed separately as municipal premises No.24A Bagmari Road, Kolkata and is the Subject Property.
- 8.3 The said Raghu Nath Dutt, died intestate on 4th March 1952 leaving him surviving his wife said Fulkumari Devi and eight sons namely Madhab Lal Dutt (since deceased), Manick Lal Dutt (since deceased), Nitai Lal Dutt (since deceased), Murari Lal Dutt (since deceased), Narayan Lal Dutt (since deceased), Gourlal Dutt (since deceased), Jadab Lal Dutt (since deceased) and Chandralal Dutt as his only heirs and legal representatives.
- 8.4 The said Ful Kumari Dassi died intestate on 7th February 1979 leaving her surviving her abovenamed eight sons as her only heirs and legal representatives.
- 8.5 The said Madhab Lal Dutt died intestate on 5th July 1981 leaving him surviving his wife said Anjali Dutta (since deceased) and only two sons namely Aloke Kumar Dutt (since deceased) and Amitava Dutt, as his heirs and legal representatives.
- 8.6 The said Anjali Dutta died intestate on 28th October 1988 leaving her surviving her only two sons namely Aloke Kumar Dutt (since deceased) and Amitava Dutt as her heirs and legal representatives.
- 8.7 The said Aloke Kumar Dutt died intestate on 11th March 2016 leaving him surviving his wife said Indrani Dutt and only son namely Anindya Dutt and only daughter namely Arundhuti Dutt, as his heirs and legal representatives.
- 8.8 The said Manick Lal Dutta died intestate on 13th April 1981 leaving him surviving his wife said Madhuri Dutta (since deceased) and only son namely Mihir Dutta (since deceased) and only two daughters namely Mita Datta (since deceased) and Mitra Datta as his heirs and legal representatives.
- 8.9 The said Mihir Dutta died intestate on 18th June 2004 leaving him surviving his mother Madhuri Dutta, wife Jayasree Dutta and only son namely Anirban Dutta and only two daughters namely Debasree Das and Subhasree Sinha as his only heirs and legal representatives.

- 8.10 The said Madhuri Dutta died intestate on 24th June 2011 leaving her surviving her only grandson namely Anirban Dutt and only two granddaughters namely said Debasree Das and Subhasree Sinha (heirs of her son Mihir Dutta) and two daughters namely said Mita Datta and Mitra Datta as her only heirs and legal representatives
- 8.11 The said Mita Datta died intestate on 26th September 2017 leaving her surviving her only son Subhabrata Datta and only daughter namely Suchismita Datta as her only heirs and legal representatives.
- 8.12 The said Murari Lal Dutta died intestate on 24th December 1990 leaving him surviving his wife Padma Rani Dutta (since deceased) and only son namely Kanchan Dutta and only daughter namely Manika Dutta, as his only heirs and legal representatives.
- 8.13 The said Padma Dutt died intestate on 10th March 1995 leaving her surviving her only son said Kanchan Dutta and only daughter namely said Manika Dutta as her heir and legal representatives.
- 8.14 The said Gour Lal Dutt died intestate as bachelor unmarried issueless on 13th January 1992 leaving him surviving his four brothers namely said Nitai Dutt, Narayan Dutt, Jadab Lal Dutta and Chandralal Dutt, as his only heirs and legal representatives.
- 8.15 The said Nitai Lal Dutt died intestate on 7th May 1994 leaving him surviving his wife Hasi Dutt (since deceased), only son namely Samir Dutt and only daughter Sikha Dutt (since deceased) as his only heiress, heirs and legal representatives.
- 8.16 The said Hasi Dutt intestate on 15th June 2008 leaving her surviving her only son Samir Dutt and only daughter namely Sikha Dutt as her only heir and legal representatives.
- 8.17 The said Sikha Dutt died as spinster unmarried issueless intestate on 20th October 2018 leaving her surviving her only brother Samir Dutt as her only heir and legal representative.
- 8.18 The said Narayan Lal Dutt, died intestate on 7th July 2018 leaving him surviving his daughter in law Purnima Dutt and only grandson Purnasis Dutta (wife and son of predeceased son namely Pulak Dutt of Narayan Lal Dutt) and only daughter Krishna Pal as his only heirs and legal representatives (his wife Aparajita Dutta is stated to have predeceased).
- 8.19 The said Pulak Dutt died intestate on 18th May 2010 leaving him surviving his wife Purnima Dutt and only son namely Purnasis Dutt as aforesaid as his only heirs and legal representatives.
- 8.20 The said Jadab Lal Dutt died intestate on 14th June 2012 leaving him surviving his only son namely Ajoy Kumar Dutt as his only heir and legal representative (his wife Mira Dutt is stated to have predeceased him).
- 8.21 Thus the Owners became the full and absolute owners of the said Property.
- COMMENTS: Besides our statements and comments made at different places of this
 report, we would also like to mention the following:-
 - (i) The report on searches is on the basis of the records available as on the date of such searches caused to be done;
 - (ii) The searches undertaken by us do not relate to any encumbrance or charge created by operation of law like statutory charges on default of payment of Income Tax, Sales Tax and other Government dues and relates to encumbrance created by those act of parties which requires, under law, a corresponding

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record to be maintained for the public in general at the offices at which we have caused to be made the searches as aforesaid.

- (iii) This Search Report is meant for the understanding of abovenamed Client alone and shall not be for use and reliance for any other person.
- (iv) Clients have purchased the Subject Property by following three Indentures of Conveyance:
 - a) Indenture of Conveyance dated 4th September 2020 made between Amitava Dutt as Vendor and the Client No. 14 is Purchaser and registered with the Additional Registrar of Assurances-I, Kolkata in Book I Volume No.1901-2020 Pages from 125797 to 125847 Being No.190102495 for the year 2020.
 - b) Indenture of Conveyance dated 12th March 2021 made between Chandralal Dutt as Vendor and Client Nos. 1 to 13 as Purchaser and registered with the Additional Registrar of Assurances-IV, Kolkata in Book I Volume No.1904-2021 Pages from 131094 to 131158 Being No.190402549 for the year 2021.
 - c) Indenture of Conveyance dated 3rd August 2021 made between (Smt.) Jayasree Dutta and Others as Vendors and Client Nos. 1 to 13 as Purchaser and registered with the Additional Registrar of Assurances-IV, in Book I Volume No.1904 to 2021 Pages from 319847 to 319974 Being No.190406747 for the year 2021.

10. **CONCLUSION:**

Under the circumstances as above and save and subject to what has been stated hereinabove and also in the annexures hereto, our searches when made did not disclose encumbrance affecting the Subject Property.

DATED THIS 4th DAY OF April , 2023

for DSP LAW ASSOCIATES

Samar Chahrabory

Advocate

Annesure BI

SI No	Parties Name	Registration Particulars	Details of property	Remark
	Entries from INDI	EX –I		
1	Vendor : Bakeswar Shib Thakur Trust Purchaser : Mita Dutta	Registrar of Assurances, Calcutta Book I Volume No.97 Pages 217 to 257 Being No.4375 for the year 2000	Flat at Ho Chi Minh Sarani	Not Relevant
2	Vendor: Matilal Roy Purchaser: Arup Roy Chowdhury	Additional Sub Registrar Sealdah Book I Volume No.37 Pages 25 to 42 Being No.722 for the year 2004	Premises No.141 Ruby Park	Not Relevant



/est Bengal Form No. 1556

[New Rule Form No. 19 (Appendix)-I)]

No. REGN AA 104716

Serial Number of application	2216
Date of application	3/1/150
Search for the year (s)	1989-01
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[New Rule Form No. 19 (Appendix)-I)]

No. REGN AA 009419

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9. Fees paid under Article —	1.
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No. REGN AA 047230.

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the case of registered document)	
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9. Fees paid under Article — 1	
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