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Rishi Kumar Shah  
 Govind Ram Agrawal (Shah)  
 Durga Prasad Shah

DEED OF PARTITION

THIS DEED OF PARTITION IS MADE ON THIS THE 9<sup>th</sup> DAY OF  
 OCTOBER, ONE THOUSAND NINE HUNDRED EIGHTY SIX A.D.

A M O N G S T



1. SMT. BINADEVI AGARWALA, widow of late Rameswarlal  
 Agarwala, Hindu by faith, Housewife by occupation,  
 resident of Burdwan Road, Siliguri, Post Office and  
 Police Station : Siliguri, District : Darjeeling -  
 hereinafter called the FIRST PARTY ( which expression  
 shall mean and include unless excluded by or repugnant  
 to the context her heirs, successors, executors,  
 representatives and assigns ) of the ONE PART.

91899/4699  
12/11/86

230  
Date 6/10/86  
Radhakrishnan Agarwal (Shah)  
Others 088  
7/ (Pages) 7/

Month  
11

Executors admitted

Present 9th Oct  
Sub-Reg  
86  
Siliguri

Govind Ram Agarwala w/o.  
Govind Ram Agarwala @ Shah. Lt. Rameswar Lal Agarwala.  
Sub-Registrar SILIGURI  
9.10.86  
(2) Radhakrishnan Agarwala @ (Shah)

7383 Govind Ram (4) Durga @ Shah  
Agarwala (Shah) Lt. Rameswar  
7381 Radhakrishnan Shah. Siliguri Lal Agarwala

7382 Durga Prasad Shah. Hindu  
Business  
7384 C T. G of Bina identifiedly

Agarwala late Dhanraj Agarwala  
J. P. Agarwala  
Lt. Dhanraj Siliguri Agarwala  
Hindu  
Cultivator  
9.10.86



1-11 of 1911  
clerk by the  
pen of Durga  
Prasad Shah



Rachan Kishan Shah

Govind Ram Agarwal (Shah)

Durga Prasad Shah

- :: 2 :: -

2. SHRI RADHAKISHAN AGARWALA @ SHAH, son of late Rameswarlal Agarwala, Hindu by faith, business by occupation, resident of Burdwan Road, Siliguri, Post Office and Police Station : Siliguri, District : Darjeeling - hereinafter called the SECOND PARTY ( which expression shall mean and include unless excluded by or repugnant to the context his heirs, successors, executors, representatives and assigns) of the SECOND PART.

3. SHRI GOBIND RAM AGARWALA @ SHAH, son of late Rameswarlal Agarwala, Hindu by faith, business by occupation, resident of Burdwan Road, Siliguri, Post Office and Police Station : Siliguri, District : Darjeeling -hereinafter called the THIRD PARTY ( which expression shall mean and include unless excluded by or repugnant to the context his heirs, successors, executors, representatives and assigns) of the THIRD PART. And,

4. SHRI DURGA PRASAD AGARWALA @ SHAH, son of late Rameswarlal Agarwala, Hindu by faith, business by occupation resident of Burdwan Road, Siliguri, Post Office and Police Station : Siliguri, District : Darjeeling - hereinafter called the FOURTH PARTY ( which expression shall mean and include unless excluded by or repugnant to the context his heirs, successors, executors, representatives and assigns ) of the FOURTH PART.

WHEREAS one Shri Rameswarlal Agarwala, son of

- 1 : 3 : -

Shri Mangal Chand Agarwala, resident of Burdwan Road, Siliguri had acquired all that piece or parcel of land measuring 34 kathas or one Bigha fourteen kathas or .55 acres appertaining to Khatian No. 1429 in C.S. Plot No. 3178 and to Khatian No. 1479 in C.S. Plot No. 3175 within Pargana : Baikunthapur, Mouza : Siliguri, Police Station : Siliguri, in the District of Darjeeling by virtue of a Deed of Partition executed amongst him and his brothers namely, Shri Bisueswarlal Agarwala, Shri Madanlal Agarwala and Shri Sunwal Ram Agarwala on 22nd day of May, 1969 and such Deed was duly registered before the Sub-Registrar Siliguri and recorded in Book No. 1, Volume No. 26, in pages 249 to 261, such Deed being numbered as 2583 for the year 1969.

A N D

WHEREAS the said Shri Rameswarlal Agarwala had during his life time, made a Gift of all that piece or parcel of land measuring .099 acres or 6 kathas of land appertaining to Khatian No. 1429 in C.S. Plot No. 3178 within Pargana : Baikunthapur, Mouza : Siliguri to and in favour of Parties Nos. SECOND, THIRD and FOURTH by virtue of a Deed of Gift made on 5.5.75 duly registered before the Sub-Registrar, Siliguri and recorded in Book No. 1, Volume No. 58, in pages 78 to 81

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Prasad Shah

Radha Kishore Shah

Govind Ram Agarwal (Shah)

Ranga Prasad Shah

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fide by the Pen  
of Durga Prasad  
Shah



Radhakrishnan Shaha  
Govind Ram Agrawal (Shah)

Durga Prasad Shah

- 22 A 22 -

such Deed being numbered as 4324 for the year 1975 and had thus 28 kathas or .444 acres of land in his possession at the time of his death.

A N D

WHEREAS after the demise of the said Shri Rameswarlal Agarwala (who expired at Siliguri on 26.9.76) the parties abovementioned inherited the properties held by him.

A N D

WHEREAS the parties abovesaid have decided to amicably partition the land so inherited by them and remaining in their joint ownership taking into consideration the various other aspects of family obligations.

A N D

WHEREAS the parties have mutually effected partition of their properties consisting of land measuring .44 acres or 28 kathas and structures standing thereon amicably but since the partition of immovable properties cannot be given effect without any instrument in writing and duly registered under the Indian Registration Act, this instrument is being made to define the partition of the landed properties (the partition of

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movable having taken place separately).

A N D

WHEREAS parties of the SECOND AND FOURTH PART

i.e. Shri Radhakrishan Agarwala @ Shah and Shri Durga Prasad Agarwala % Shah have agreed to make gift of their share in the land acquired by parties of the SECOND, THIRD and FOURTH PART by Deed of Gift stated above from late Rameswarlal Agarwala and that such gifted portion has also been taken into consideration for effecting this Partition.

NOW THIS INDENTURE WITNESSETH AS FOLLOWS :-

1. Allotment : Pursuant to the mutual agreement, the parties to this Deed of Partition, hereby divide the joint family property stated above in four shares, each share being incorporated in separate Schedule attached to this Deed whereby the property or land mentioned in Schedule "A" is assigned and allotted to the party of the First Part Smt. Binadevi Agarwala, "B" is assigned and allotted to the party of the Second Part Shri Radha Krishan Agarwala @ Shah, "C" is assigned and allotted to the party of the Third Part Shri Gobind Agarwala @ Shah and "D" is assigned and allotted to the party of the Fourth Part Shri Durga Dutta Agarwala @ Shah and residence of the land not covered by aforesaid share/schedule earmarked for passage will remain common for user by all the parties or their successors-in-interest excepting party of the Third Part.

L.T.I. of Partition  
made by the Parties  
of Durga Prasad  
Shah

Radha Krishan Shah

Govind Ram Agarwal (Shah)

Durga Prasad Shah

- :: 6 :: -

2. Conveyance : East of the aforesaid parties hereby releases his/her interest in the property or land allotted to the other parties and conveys to each of them separately his/her right, title and interest therein so as to constitute each party to this Deed the sole and absolute owner of the property or land allotted to that party free and discharged from all claims and demands of the other thereto or concerning therewith as from the date of this Deed and accordingly the First Party is to have and to hold the properties described in the Schedule "A" below, also shown in the Sketch Map with Caption "C", Second Party to have and to hold the properties described in Schedule "B" below also shown in the Sketch Map with Caption "E", Third Party to have and to hold the properties described in Schedule "C" also shown in the Sketch Map with Caption "A" and Fourth Party to have and to hold the properties described in Schedule "D" below also shown in the Sketch Map with Captions "B", "D" and "F" and that each of them can enjoy the same severally, absolutely and for ever. The residue of land not covered by the Schedules but shown in the Sketch Map as road will remain in joint possession for common user by all the parties and/or their successor-in-interest excepting by party of the Third Part.
3. Further Partition : The parties aforesaid have agreed that this Partition shall not be opened to

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Lot of 5000  
divided by the  
Part of Singh  
Prasad Singh  
Rasho Kishore Singh  
Govind Ram Agrawal (Sketch)  
Singh Prasad Singh

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- :: 7 :: -

challenge even if any debt due to any allottee is not realised or becomes irrecoverable or any party is deprived of any property or part thereof by a stranger to this Deed, but reserves the right to claim a further partition of any property which may be found to be joint family property but has not included in any of the Schedules attached to this Deed.

4. Partition Deed : The original Deed shall be retained by SECOND Party and a true copy thereof signed by each party will be delivered to each of the other said parties who shall be entitled to require production of the original from SECOND Party.

SCHEDULE - A

( Portion allotted to Smt. Binadevi Agarwala )

ALL that piece or parcel of land measuring .033 acres or 1 katha 14 Chataka 18 Sq. ft. appertaining to Khatian No. 1429, in C.S. Plot No. 3178 within Pargana : Baikunthapur, Mouza : Siliguri, J.L.No. 110(88), Touji : 3(J), Police Station, Subdivision and Sub-Registry Office : Siliguri, District : Darjeeling and butted and bounded as follows :-

ON THE NORTH : Common Road of First, Second and Fourth Parties;

ON THE SOUTH : Madanlal Agarwala;

ON THE EAST : Durga Prasad Agarwala & Shah (Land of Fourth Party);

ON THE WEST : Madanlal Agarwala ;

L.T.1 of  
Binadevi  
by the son of  
Durga Prasad Shah

Rashu Kishore Shah

Gyanid Ram Agarwal (Shah)

Durga Prasad Shah



- :: 8 :: -

with structures thereon. The portion of allotted land has been shown in the Sketch Map annexed herewith and forming part of those present in Scarlet Blue markings and

earmarked with Caption "C".  
Valuation of the Property is Rs. 20,000.00.

SCHEDULE - B

( Portion of land allotted to Shri Radhakrishan Agarwala @ Shah )

All that piece or parcel of land measuring .165 acres of 9 katha 13 chataks 21 Sq. ft. appertaining to Khatian No. 1429 in C.S. Plot No. 3178 and Khatian No. 1479 in C.S. Plot No. 3175 within Pargana : Baikunthapur, Mouza : Siliguri, J.L.No. 110(38), Touji : 3(Ja), Police Station, Subdivision and Sub-Registry Office : Siliguri, District : Darjeeling and butted and bounded as follows :-

ON THE NORTH : Sanwalram Agarwala;

ON THE SOUTH : Madanlal Agarwala & Durga Prasad Agarwala @ Shah (Fourth Party );

ON THE EAST : Land of Godavari Devi;

ON THE WEST : Durga Prasad Agarwala @ Shah (Fourth Party) and Common road.

with structures thereon including factory shed, godowns and rooms. The portion of allotted land has been shown in the Sketch Map annexed herewith and forming part of those presents in Yellow marking and earmarked with Caption "E".

Valuation of the property Rs. 1,50,000.00.

SCHEDULE - C

( Portion allotted to Shri Gobind Ram Agarwala @ Shah ).

ALL that piece or parcel of land measuring .045 acres or

LT.I. of  
Binaabhi  
by the pen  
of Durga  
Prasad Shah  
Radhakrishan Shah  
Gobind Ram Agarwala (Shah)  
Durga Prasad Shah

- 119 -

2 katha 11 chatake appertaining to Khatian No. 1429 in C.S. Plot No. 3178 within Pargana : Baikunthapur, Mouza : Siliguri, J.L.No. 110(BB), Touji No. : 3(Ja), Police Station and Subdivision and Sub-Registry Office : Siliguri, District : Darjeeling and butted and bounded as follows :-

ON THE NORTH : Sanwalram Agarwala;

ON THE SOUTH : Common Road;

ON THE EAST : Durga Prasad Agarwala @ Shah (Fourth Party);

ON THE WEST : Land of self, measuring 6 katha which has been/was gifted to him by late Rameswari Agarwala, Radhakrishan Agarwala @ Shah, and Durga Prasad Agarwala @ Shah.

The portion of allotted land has been shown in the Sketch Map annexed herewith and forming part of these presents in Green markings and earmarked with Caption "A".

Value of the Property : Rs. 30,000.00.

SCHEDULE - D

( Portion allotted to Shri Durga Prasad Agarwala @ Shah ).

ALL that piece of parcel of land measuring .173 acres or 10 katha 5 chatak 38 Sq. Ft. appertaining to Khatian No. 1429 in C.S. Plot No. 3178, within Pargana : Baikunthapur, Mouza : Siliguri, Police Station, Sub-division and Sub-Registry Office : Siliguri, District : Darjeeling with structure thereon. Such land has been shown in three separate blocks with red markings in the sketch map annexed herewith and forming part of these presents with boundaries as follows :-

LETTER  
Bina...  
by the...  
of Durga Prasad  
Shah  
Radha Krishan Shah  
Govind Nam Agrawal (Shah)  
Durga Prasad Shah

- :: 10 :: -

(a) land captioned with figure "D" in the Sketch Map measures .090 acres or 5 katha 6 chatake 27 Sq. ft. and butted and bounded as follows :-

ON THE NORTH : Land allotted to self as shown in the Sketch Map with Caption "F" and Common Road;

ON THE SOUTH : Madanlal Agarwala;

ON THE EAST : Radhakrishan Agarwala @ Shah (Second Party);

ON THE WEST : Binadevi Agarwala (First Party).

(b) land Captioned with figure "F" in the Sketch Map measures .013 acres or 12 chatake 11 Sq. ft. and butted and bounded as follows :-

ON THE NORTH : Radhakrishan Agarwala @ Shah (Second Party);

ON THE SOUTH : Land allotted to self as shown in the Sketch Map with caption "D";

ON THE EAST : Radhakrishan Agarwala @ Shah (Second Party);

ON THE WEST : Common Road.

(c) land captioned with figure "B" in the Sketch Map measures .070 acres or 4 katha 3 chatak and butted and bounded as follows :-

ON THE NORTH : Sanwalram Agarwala;

ON THE SOUTH : Common Road;

ON THE EAST : Sanwalram Agarwala & Common Road;

ON THE WEST : Bobind Ram Agarwala @ Shah (Third Party).

Value of the property : Rs. 1,00,000.00.

LINE of Gird  
divided by the  
Ruler of 100  
Paces and  
Prasad Shah  
Radha Krishna Shah  
Govind Ram Agarwal (Shah)  
Durga Prasad Shah

- :: 11 :: -

IN WITNESS WHEREOF the Parties set their respective hands on the day, month and year first above written.

L.T.I. of Prima  
devisi by the  
Pen of  
Durgas Prasad  
Shah  
Rachha Kishan Shah  
Govind Ram Agrawal (Study)  
Durgas Prasad Shah

WITNESSES :

1. J. P. Agarwala  
Siliguri

L.T.I. of Prima  
devisi by the Pen  
of Durgas Prasad  
Shah

SIGNATURE OF THE FIRST PARTY

Rachha Kishan Shah

2.

SIGNATURE OF THE SECOND PARTY


Govind Ram Agrawal (Study)

SIGNATURE OF THE THIRD PARTY.

Durgas Prasad Shah

SIGNATURE OF THE FOURTH PARTY.

Drafted by me and typed in my Office.

  
( R. K. Gattani )  
Advocate, Siliguri.

SL No. 1383. 1986-87  
granted to Shri R. K. Agarwala  
& others Siliguri. Non judicial  
stamp court fee stamp amounting  
Rs. 3000/- Rupees three thousand  
only date 8.10.86 signed illegible  
Stamp Head clerk Jalpaiguri.  
SL No. 1383 1986-87. granted to Shri  
R. K. Agarwala & others Siliguri.  
Non Judicial stamp court fee  
stamp amounting Rs. 500/- Rupees  
five hundred only. Date 8.10.86  
signed illegible Stamp Head clerk  
Jalpaiguri SL No. 1385 1986-87

granted to Shri R. K. Agarwala  
& other Siliguri. Non Judicial  
stamp court fee stamp amounting  
Rs. 100/- Rupees one hundred only.  
Date 8.10.86. sig. in illegible  
Stamp Head clerk Jalpaiguri.



copied by *Rudra* comply

Rekta Senapati  
(Designated)

Sub-Registrar Jalpaiguri

25.11.86

25.11.86



25.11.86