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Date: 04/01/2025

## TO WHOM IT MAY CONCERN

Search herein is made in respect of the land of SMT. SHANTA DEWAN wife of Sri Uday Dewan, Hindu by Religion, Indian by Nationality, Housewife by occupation, resident of Ashram para, Siliguri, P.O. & P.S. Siliguri, pin no. 734001, District Darjeeling (W.B.), to ascertain as to whether any transfer is made in respect to the land measuring 0.0787 acre, situated within Mouza Siliguri now Madhya Paschim, P.S. Siliguri, District Darjeeling, appertaining to and forming Part of Plot no. 1011 (R.S.) 1189 (L.R), Khatian No. 5413 (R.S.) 8772, 8773 & 8774 (L.R), J.L. no. 110(88), which is more specifically described in the schedule hereinunder.

On perusal of the available documents produced before me, prima-facie, it transpires to me as follows :-

### 1) DESCRIPTION OF LAND :-

ALL THAT PIECE OR PARCEL of homestead land measuring 0.0787 acre, of an annual rent payable to the Govt. of West Bengal represented by the B.L. & L.R.O. Siliguri, recorded in Khatian No. 5413 (R.S.) 8772, 8773 & 8774 (L.R), included in part Plot no. 1011 (R.S.) 1189 (L.R), situated within Mouza Siliguri now Siliguri Madhya Paschim, J.L. no. 110(88), within the limits of S.M.C. Ward No. 14, within the jurisdiction of Police Station, Addl. Dist. Registry Office at Siliguri, District Darjeeling, in the State of West Bengal.

The total land is butted and bounded as follows:

On the North	:	Land with house of N.B. Khargas
On the South	:	25 feet wide SMC Road, known as Nazrul Sarani;
On the East	:	Land with house of Dulal Chandra Saha;
On the West	:	16-feet wide SMC Road;

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(02)

**02. REPORT OF DEVOLUTION OF THE TITLE :**

That from the documents submitted to me and enclosed herewith it appears that One Kalu Bhan Rai (Now Deceased), Son of Late Manharak Rai of Siliguri, took Lease of all that piece or parcel of Homestead land measuring 0.12-acre, in Jote Gajal Singh, under Mouza Dabgram, P.S. Siliguri, Dist. Darjeeling, from Sri. Harendra Nath Singha, Son of Late Shuk Mohan Singha of Dabgram, at an Yearly Rental basis, by virtue of a Deed of Lease executed on 06.12.1948 and registered in the office of the then Sub-Registrar. Siliguri, in Book No. I, Volume No. 22, Pages 26 to 28, being document No. 2075 for the year 1948.

That as per provisions of the West Bengal Estates Acquisition Act, 1953, the said Homestead land measuring 0.12 acre was identified as Plot / Dag No. 1011 and was recorded in the name of abovenamed Sri. Kalu Bhan Rai and his Wife Smt. Sukumaya Rai, in equal share therein, in Finally Published R.S Khatian No. 5413 of Mouza Siliguri, J.L.No.110, P.S. Siliguri, Dist. Darjeeling and abovenamed Sri. Kalu Bhan Rai 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.

That thereafter above named Sukumaya Rai died intestate long before without any issue, leaving his Husband Sri Kalu Bhan Rai as her only legal heirs to inherit her 50% share of said property in accordance with the provisions of the Hindu Succession Act. 1956 and thereafter above named Sri Kalu Bhan Rai remarried with Smt. Ganyamaya Subba (Rai) and thereafter above named Kalu Bhan Rai died intestate on 25.05.1982, leaving the following persons, as his only legal heirs to inherit his said total Landed property in accordance with the provisions of the Hindu succession act. 1956.

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- |   |   |           |
|---|---|-----------|
| (1) Smt Gangamaya Subba (Rai)   | : | Wife;     |
| (2) Smt Chandra Chakravorty<br>(w/o Sri Kaushik Chakravorty)            | : | Daughter; |
| (3) Sri Shyam Kumar Rai   | : | Son;      |
| (4) Sri Mohan Kumar Rai   | : | Son;      |
| (5) Smt. Shanta Dewan<br>(w/o Sri Uday Dewan)                           | : | Daughter; |
| (6) Smt Sharda Maitra @ Sharda Rai Maitra<br>(w/o Sri Binoy Ch. Maitra) | : | Daughter; |

WHEREAS thereafter abovenamed (1) Smt Gangamaya Subba (Rai) and (2) Smt Chandra Chakravorty, jointly sold their land measuring 0.04 acre or 2 Kathas 8 Chhataks (2/6<sup>th</sup> undivided share of said total Property) in the Eastern Portion of the land with specific boundary of land, to and in favour of Sri Dulal Chandra Saha, by virtue of a Deed of Sale executed by them and also confirm the said sale, by the other Four legal heirs namely (1) Sri Shyam Kumar Rai, (2) Sri Mohan Kumar Rai, (3) Smt. Shanta Dewan and (4) Smt. Sharda Maitre @ Sharda Rai Maitra, on 13.01.1989 and registered in the office of the then Sub-Registrar, Siliguri, being document No. 346 for the year 1989, free from all encumbrances & charges whatsoever.

Thereafter abovenamed (1) Sri Shyam Kumar Rai, (2) Sri Mohan Kumar Rai, (3) Smt Shanta Dewan and (4) Smt Sharda Maitra @ Sharda Rai Maitra, mutated their names, with respect to their land measuring 0.0788 acre (as per physical possession), vide mutation Case No. 683/IX-II/12-13, dated 11.09.2012 in the office of the then B.L. & L.R.O. Siliguri.

After that above named Sri Mohan Kumar Rai, sold his undivided land measuring 1 Katha 3 Chhataks or 0.0197 acre, to and in favour of Smt. Sharda Rai Maitra, by virtue of a Deed of Sale on 18.07.2013 and registered in the office of the Addl. Dist. Sub-Registrar Siliguri, described in Book No.I being document No. I-2507 for the year 2013, free from all encumbrances,



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charges and whatsoever and thereafter abovenamed, (1) Sri Shyam Kumar Rai, (2) Smt Shanta Dewan and (4) Smt Sharda Maitra @ Sharda Rai Maitra, mutated their names, with respect to their land, vide mutation Case No.1039/IX-II/13-14, dated 14.08.2013 in the office of the then B.L. & L.R.O. Siliguri.

In the manner above named (1) Sri Shyam Kumar Rai, (2) Smt Shanta Dewan And (3) Smt Sharda Maitra @ Sharda Rai Maitra, are recorded in L.R Khatian No. 8772 (in the name of Sri Shyam Kumar Rai No. 8773 (in the name of Smt. Shanta Dewan No. 8774 (in the name of Smt. Sharda Maitra @ Sharda Rai Maitra, with respect to the said total land and identified the said land as L.R. Plot No. 1189 of the present Mouza Siliguri Madhya Paschim, New J.L. No. 90, P.S. Siliguri, Dist. Darjeeling and they have been enjoying and exercising all rights, titles and interest on the said total land and every part thereof free from all encumbrances, charges, mortgages, claims, demands whatsoever from any corner and they have been in khas and physical possession of the said land having permanent, heritable and transferable right, title and interest thereon and every part thereof.

From the Website of the Land & Land Reforms and Refugee Relief and Rehabilitation Dept. (Govt. of West Bengal) and from the copy of Khatians issued from the office of the B.L. & L.R.O., Siliguri, as enclosed herewith, it appears that the name of said Sri Shyam Kumar Rai, (2) Smt Shanta Dewan And (3) Smt Sharda Maitra @ Sharda Rai Maitra, have duly been recorded in the R.O.R., Siliguri, consisting of L.R. Plot no. 1189 in L.R Khatian no. 8772, 8773 & 8774, in Mouza SILIGURI MADHYA PASCHIM, Dist Darjeeling and the said Plot no. 1189 has been classified as BASTU.

From the copy of Rent Receipt, produced before me and enclosed herewith, it appears that Rent/Land Revenue has been paid up to 1431 B.S. for the said total Land.

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Considering the above I am, prima-facie, of the opinion as enumerated hereunder :-

03) **OPINION :**

- a) From the documents, it is appeared that Sri Shyam Kumar Rai, Smt Shanta Dewan And Smt Sharda Maitra @ Sharda Rai Maitra have duly mutated their said total piece of land in the office of the B.L. & L.R.O, Siliguri and became a recorded owner of the of L.R. Khatian Nos. 8772, 8773 & 8774, consist of total land measuring 0.0788 acre.
- b) From the documents submitted to me I did not find any adverse which could lead me to opine that the property in question is encumbered or that the same is either acquisition or requisition by the Govt.
- c) That it further transpires that the land in question is not affected under any provision of urban Land (Ceiling & Regulations) Act, 1976.
- d) From the Certified Copy of Khatian issued from B.L. & L.R.O. Siliguri, it appears that the land in question is classified as "BASTU".
- e) I certify that the above Title Deed produced before me is genuine.
- f) On perusal of the documents submitted to me, I am, prima-facie, of the opinion that the property in question as described in Clause-1 above is free, clear, saleable, marketable and mortgageable one, subject to verification of original Deed of Conveyances and other related documents.

(SOMA PAUL)  
Advocate/Siliguri.