

SNEHA GOYAL BHANSALI

"LAWYERPLEX"

KHALPARA, SILIGURI

DIST-DARJEELING-05

9679474705

No Encumbrance Certificate and detailed report

Ref. :

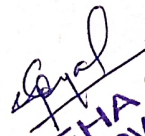
BERLIA DEVELOPERS", a partnership firm represented by one its partners, **SRI. MANISH AGARWAL** S/O Sri Pawan Kumar Agarwal, Hindu by Religion, Indian by Nationality, having its office at Sri Ram Colony, Sevoke Road, Siliguri, P.O.- Siliguri, P.S.- Siliguri, District-Darjeeling, hereinafter called the "**ACTUAL OWNER**"

WHEREAS One Jiban Kumar Sarkar sold land measuring 10 kathas to Sukhada Bala Ghosh by virtue of Sale Deed No. I-5846 dated 08/07/1966, duly registered before the Office of the District Sub-Registrar, Jalpaiguri. In the said deed, the land was described as being sold out of R.S. Plot No. 78 and others, recorded in Sabek Khatian No. 648 and R.S. Khatian No. 395; however, the physical possession of the land was delivered in R.S. Plot Nos. 75 and 78/611, recorded in R.S. Khatian No. 395, R.S. Sheet No. 14, situated at Mouza Dabgram, District Jalpaiguri, together with all permanent, heritable, and transferable rights, title, and interest therein.

AND WHEREAS thereafter, Sukhada Bala Ghosh sold the entire 10 kathas of land to Latika Bose, wife of Guru Prasad Bose, by virtue of Sale Deed Nos. I-308 and I-309, both dated 17/01/1973, duly registered in the Office of the District Sub-Registrar, Jalpaiguri; however, in the said deeds the earlier mistake regarding the description of the plots and the physical possession of the land continued to be carried forward in the drafting of the deeds.

AND WHEREAS the said Latika Bose expired leaving behind the following as his legal heirs to jointly inherit her landed property measuring 10 kathas (each inherited 5 kathas) as per the law of inheritance, according to the Hindu Succession Act, 1956: -

- | | | |
|----|--------------------|----------|
| a) | Smt.Putul Mitra | Daughter |
| b) | Smt. Kalpana Mitra | Daughter |


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AND WHEREAS thereafter Smt. Putul Mitra W/o Nimai Chandra Mitra for value consideration sold her 5 kathas of land to her sister Kalpana Mitra W/o Late Manoranjan Mitra via sale deed being no I-2242 , dated 14/05/1993 registered before the office of 2nd sadar joint sub registrar of Jalpaiguri at Rajganj, but again in the drafting of this deed also the above mistake continued.

AND WHEREAS the said Kalpana Mitra W/o Late Manoranjan Mitra expired leaving behind the following as her legal heirs to jointly inherit her landed property measuring 10 kathas as per the law of inheritance, according to the Hindu Succession Act, 1956:-

- | | |
|---------------------------|----------|
| a) Smt Sagarika Roy | Daughter |
| b) Smt. Sampika Ghosh | Daughter |
| c) Smt. Sanchalika Sarkar | Daughter |

AND WHEREAS in order to avoid any future litigation the above mentioned legal heirs of Kalpana Mitra, enquired the matter and found out that one Debidas Nandi S/o Late Binod Bihari Nandi was the recorded owner of land measuring 23 Decimal, in R.S Plot No. 75 & 78/611, recorded in R.S Khatian No. 395, of R.S Sheet No. 14, under Mouza Dabgram, P.S New Jalpaiguri, Dist Jalpaiguri. That after the death of the said Debidas Nandi S/o Late Binod Bihari Nandi, the said land was inherited by his son Charu Gopal Nandi and later Charu Gopal Nandi was succeeded by his Son Biswajit Nandi after his death.

AND WHEREAS, after several rounds of discussion and upon consideration of all the aforesaid facts, it was confirmed that land measuring 10 kathas had actually been sold and physical possession thereof had been delivered out of R.S. Plot Nos. 75 and 78/611, recorded in R.S. Khatian No. 395, R.S. Sheet No. 14, situated at Mouza Dabgram, District Jalpaiguri. Accordingly, the present recorded owner Biswajit Nandi, son of Late Charu Gopal Nandi, executed a Deed of Transfer (Rectification) being No. I-4392 dated 30.10.2024, duly registered before the Office of the District Sub-Registrar, Jalpaiguri, in favour of Sagarika Roy, Samapika Ghosh, and Sanchalika Sarkar, and by virtue thereof they became the absolute owners of the said land measuring 10 kathas, comprised in R.S. Plot Nos. 75 and 78/611, recorded in R.S. Khatian No. 395, R.S. Sheet No. 14, situated at Mouza Dabgram, District Jalpaiguri.

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AND WHEREAS Smt. Sagarika Roy, Smt. Samapika Ghosh Roy & Smt. Sanchalika Sarkar got their land mutated and obtained a separate L.R Khatain being No. 690, 691 & 692, comprised in L.R Plot No. 163, under Mouza Dabgram, in L.R Sheet No. 152, J.L NO.02, Ward No.33, P.S New Jalpaiguri, Dist-Jalpaiguri.

AND WHEREAS thereafter, Smt. Sagarika Roy W/o Sri Arupananda Roy & D/o Late Manoranjan Mitra sold her land measuring 0.055 Acres, comprised in R.S Plot No. 75 & 78/611, corresponding to L.R Plot No. 163, recorded in R.S Khatian No. 395, corresponding to L.R Khatian No. 690, under Mouza Dabgram, in R.S Sheet No. 14, L.R Sheet No. 152, J.L NO.02, Ward No.33, P.S New Jalpaiguri, Dist-Jalpaiguri to BERLIA DEVELOPERS, by virtue of **Sale Deed Nos. I-44 dated 10/01/2025**, duly registered in the Office of the District Sub-Registrar, Jalpaiguri.

AND WHEREAS thereafter, Smt. Sanchalika Sarkar W/o Sri Niranjan Sarkar & D/o Late Manoranjan Mitra sold her land measuring 0.055 Acres, comprised in R.S Plot No. 75 & 78/611, corresponding to L.R Plot No. 163, recorded in R.S Khatian No. 395, corresponding to L.R Khatian No. 692, under Mouza Dabgram, in R.S Sheet No. 14, L.R Sheet No. 152, J.L NO.02, Ward No.33, P.S New Jalpaiguri, Dist-Jalpaiguri to BERLIA DEVELOPERS, by virtue of **Sale Deed Nos. I-45 dated 10/01/2025**, duly registered in the Office of the District Sub-Registrar, Jalpaiguri.

AND WHEREAS thereafter, Smt. Samapika Ghosh W/o Dr. Aniruddha Ghosh & D/o Late Manoranjan Mitra sold her land measuring 0.055 Acres, comprised in R.S Plot No. 75 & 78/611, corresponding to L.R Plot No. 163, recorded in R.S Khatian No. 395, corresponding to L.R Khatian No. 691, under Mouza Dabgram, in R.S Sheet No. 14, L.R Sheet No. 152, J.L NO.02, Ward No.33, P.S New Jalpaiguri, Dist-Jalpaiguri to BERLIA DEVELOPERS, by virtue of **Sale Deed Nos. I-48 dated 10/01/2025**, duly registered in the Office of the District Sub-Registrar, Jalpaiguri.

AND WHEREAS BERLIA DEVELOPERS thus became the owner of land measuring **10 Kathas**, by virtue of above mentioned Sale deeds, having their/her/their permanent heritable and transferable right, title and interest therein.

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DECLARATION OF TITLE SEARCHING: I have pursued and scrutinized the relevant papers and documents available in respect of the landed property owned and possessed by the actual owner besides that I have caused necessary searches in the office of the Addl. Dist. Sub-Registrar at Rajganj for the period of 2000 (Upto-date) and I have also inspect the settlement record in the office of the B.L. & L.R.O. at Jalpaiguri. and I came to opine that the said property is free from all encumbrances and charges and is marketable.

The said owner then got the land mutated and obtained a separate L.R Khatain being No. 701 and L.R Plot No. 163, under Mouza Dabgram , L.R Sheet No. 152, P.S New Jalpaiguri Dist-Jalpaiguri and classification of land is Bastu.

SCHEDULE

All that piece or parcel of Bastu land **measuring 10 Katha**, comprised in R.S Plot No.75 (Land measuring 6 Kathas 14 Chhataks) & R.S Plot No. 78/611 (land measuring 3 Kathas 2 Chhataks), corresponding to LR Plot no-163, recorded in R.S Khatian no. 395 corresponding to LR Khatian no. 690, 691 & 692, in R.S Sheet No 14 corresponding to LR sheet No. 152, Mouza –Dabgram , JL No. 02, Pargana – Baikantapur, within Siliguri Municipal Corporation , Ward no. 33 at South Deshbandhupara, PS New Jalpaiguri , Dist- Jalpaiguri.

The said land is butted and bounded as follows:

On the North : Land of Darjeeling District area;

On the South : Land of plot no 75 &78/611(Land of Sen Babu);

On the East : 21 ft wide SMC road.

On the West : Land of Darjeeling District area

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I have caused necessary searches in the Sub Registry Office at A.D.S.R, Rajganj, for a period from 2000 to 2026. My report is as follows:

OPINION:

- (i) On perusal the documents and records available and conducting searching in the concern offices, it may be certified that the title of the aforesaid land, as mentioned above hereinabove, owned and possessed by the owner as mentioned above, is free from all sorts of encumbrances, charges, liabilities lines and lispendents attachments of any kind of whatsoever and the said property has an absolutely clear, free and marketable title.
- (ii) The Land is duly mutated in the name of the owners hereof.
- (iii) It is certified that neither any acquisition or requisition has been made by the Govt. authority over the aforesaid land nor the same is affected by any scheme of alignment.
- (iv) It is also certified that the aforesaid land is not affected under any restriction of the Urban Land (Ceiling and Regulation) Act. 1976 and the same is not under any claim of the CMDA and The CIT and any other authority and is fit for equitable mortgage.
- (v) It is further certified that owners, have got saleable and marketable right, title and interest over the aforesaid property as mention above hereinabove and it has entitled to create equitable mortgage U/S 58(f) of the Transfer of Property Act, 1882.

The receipt for the relevant searches is enclosed herewith.

Sneha Goyal
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