



পশ্চিমবঙ্গ পশ্চিম বঙ্গাল WEST BENGAL

70AB 844312



AFFIDAVIT CUM DECLARATION

Affidavit cum Declaration of Mr. Narendra Nagpal, Authorised Signatory of the Promoter, Elita Garden Vista Project Private Limited, having its registered office at 3/1 Dr. U. N. Brahmahcari Street, Kolkata 700017, duly authorised by the Promoter, Elita Garden Vista Project Private Limited vide Board Resolution dated 9th March 2023.

I, Narendra Nagpal, being the Authorised Signatory of the Promoter, Elita Garden Vista Project Private Limited of the project Elita Chambers do hereby solemnly declare, undertake and state as under:

KAMAL KUMAR PAUL
NOTARY GOVT. OF INDIA
Regd. No.-2700/04
C.M.M.'s Court
2 & 3 Bankshall Street
Kolkata-700008

Elita Garden Vista Project Private Limited

Narendra Nagpal
Authorised Signatory

13 SEP 2023

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SL. No.....
Name : **C. S. PURKAY**, Advocate
Address : High Court, Calcutta
Kolkata - 700001

Rs.....
Kolkata Collectorate
11, Netaji Subhas Rd.,
Kolkata-1

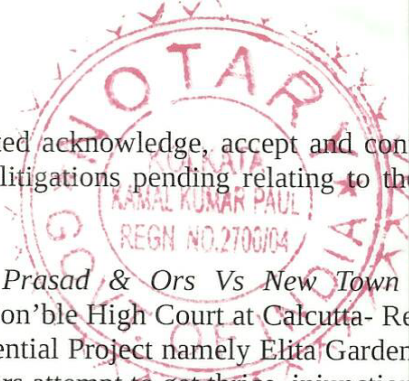
Amal Kr. Saha
Licensed Stamp
Vendor

Date.....

21 AUG 2022



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1) That Promoter, Elita Garden Vista Project Private Limited acknowledge, accept and confirm that except the below mentioned litigations it has no other litigations pending relating to the project under registration.

a) . W.P. No. 15903 (W) of 2018 (*Rajan Prasad & Ors Vs New Town Kolkata Development Authority & Ors.*) pending before the Hon'ble High Court at Calcutta- Relating to challenge by the 46 Homebuyers of Phase I of Residential Project namely Elita Garden Vista to Revised Sanction Plan of 2015. Despite writ petitioners attempt to get thrice, injunction was not granted and court allowed construction as per sanction plan with a direction that the Developer will intimate the flat buyers regarding pendency of the litigation and the order passed in the court.

b) T.S. No. 894 of 2017 (*Krishnokoli Dasgupta Vs. Elita Garden Vista Project Pvt. Ltd and EGV Association of Apartment Owners*) pending before Ld. City Civil Court at Calcutta- Relating to, *inter se*, disputes amongst the Homebuyers regarding Election of the EGV Association of Apartment Owners. Order passed on 30th July 2021 for appointment of receiver to conduct free and fair election of the EGV Association of Apartment Owners. The said Order was challenged by some of the Apartment Owners of Phase I of Elita Garden Vista claiming themselves to be the elected board of managers of the statutory association. Appeal FMA No. 79 of 2022 (*EGV Association of Apartment Owners Vs Krishnokoli Dasgupta & Ors.*) before the Hon'ble High Court at Calcutta initially disposed of by the Division bench vide its order dated 15.03.2022 allowing election through the Special Officer appointed by the City Civil Court in consultation with the Competent Authority under the West Bengal Apartment Ownership Act with a direction for excluding apartment owners of Tower 8 of Elita Garden Vista from the participation in the election. This has been challenged by some of the deprived home buyers and filed SLP which has been disposed by Order dated 13.04.2022 allowing them to adjudicate before High Court to modify the portion of the order. Finally on 17th March 2023 modified order passed by the High Court Division Bench withdrawing the restriction from the Apartment Owners of Tower 8 of Elita Garden Vista from the participation in the election.

2) That the Promoter has not created any charge over the Project Land.

Elita Garden Vista Project Private Limited
✓ *Narendran Nigral*

Authorised Signatory
Deponent

Verification

The contents of my above Affidavit cum Declaration are true and correct and nothing material has been concealed by me therefrom

Verified by me at Kolkata on this

Elita Garden Vista Project Private Limited
✓ *Narendran Nigral*

Authorised Signatory
Deponent



Identified by me
✓
Tina Das
TINA DAS
Advocate
Regn No. - F-1322/21

✓
KAMAL KUMAR PAUL
NOTARY GOVT. OF INDIA
Regd. No.-2700/04
C.M.M.'s Court
2 & 3 Banskhal Street
Kolkata-700001

Solemnly Affirmed & Declared Before me on Identification of Ld. Advocate

✓ *K.K. Paul*
KAMAL KUMAR PAUL NOTARY
Govt of India, Regn No-2700/04

13 SEP 2023

Handwritten scribble or signature at the bottom left corner.