

Saurav Kumar Das

ADVOCATE

B.A, LL.B

JUDGES' COURT, HOWRAH



RESIDENCE & CHAMBER:-

Balitikuri, Bamunpara, P.O. Balitikuri,
P.S. Dasnagar, Howrah-711113

Phone No. 80134-43118 (M)
62906-98512 (M)

Email: dassaurav411@gmail.com

DATE: 21/11/2025

:-PROJECT REPORT OF M/S. A.B. CONSTRUCTION:-

(NAME OF THE PROJECT:- "HOME GREEN-14")

Respected Sir,

As advised, I submit my legal opinion-cum-Non-encumbrance Certificate and Legal Scrutiny Report as hereunder.

I have caused necessary searches in the office of the District Sub-Registrar Office at Howrah, Additional District Sub-Registrar Office at Howrah and R.A. Kolkata for last 14 years i.e. from the year 2012 to November , 2025 from records, mutation and all other relevant Documents in respect of the First Schedule mentioned property.

:-NON ENCUMBRANCE CERTIFICATE & DETAILED REPORT ON TITLE:-

(SCHEDULE OF THE LAND)

ALL THAT piece and parcel of **BASTU LAND** measuring about **9.20 Decimals**, be the same a little more or less, together with one R.T. Shed structure measuring about 100 Sq. Ft. standing thereon, appertaining to **R.S. Dag No. 3071**, corresponding to **L.R. Dag No. 5612**, under **L.R. Khatian Nos. 10174, 12367, 12989, 13154, 13187, 17064**, situated at **Mouza Bally, J.L. No. 14**, within the **Police Station Nischinda (previously under Bally P.S.)** in the District of Howrah, within the limit of **Nischinda Gram Panchayat**, under the jurisdiction of the **District Sub-Registry Office and the Additional District Sub-Registry Office at Howrah**, together with all other rights of easement, quasi easement, appurtenances, appendages as well as right to use of adjacent common passage attached thereto, being butted and bounded in the manner as follows:-

ON THE NORTH : 23 Feet Metal Road;
ON THE SOUTH : Property of Netai Bose;



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ON THE EAST : Property of Gour Majumder;
ON THE WEST : 23 Feet Metal Road;

(CHAIN OF TITLE)

WHEREAS originally one **Sri Shyama Charan Khanra** was the occupier of Land under the Zamindership of **Sri Sarat Chandra Paramanick** by paying Taxes to the said Zaminder in respect of Land measuring about **01 Bigha** who recorded his name in the record of Government of West Bengal, under **R.S. Khatian No. 5532**, situated at Mouza Bally (Dulepara), **J.L. No. 14**, within the then Police Station Bally, in the District of Howrah, within the limit of the then Bally Union Board, under the jurisdiction of the District Registry Office and the District Sub-Registry Office at Howrah, together with all easement rights, title, interest and right to use of passage and quasi easement rights attached thereto. Thereafter the said **Shyama Charan Khanra** died intestate leaving behind his widow & sons and due to their lawful necessity of liquid money, they jointly sold, transferred and conveyed the aforesaid property, in favour of one **Smt. Saraswati Dasi**, by virtue of a Registered Deed of Sale in the year 1942. Thus she has become the true and lawful owner as well as occupier in respect of the aforesaid property and since she has been seized and possessed the same in peaceful and uninterrupted manner, without any obstruction and/or hindrance from any corner whatsoever.

AND WHEREAS after acquisition of specific title in respect of the aforesaid property in the aforesaid peaceful and uninterrupted manner, said **Smt. Saraswati Dasi** had been duly possessing and/or enjoying the same in peaceful and uninterrupted manner over more than 12 years. Thereafter due to her lawful necessity of money, sold, transferred and conveyed the aforesaid property, free from all sorts of encumbrances, charges and liabilities, liens, lispence and attachment of any kind whatsoever, in favour of one **Smt. Golap Moyee Devi alias Golap Moyee Devi**, at the then highest available market price on 08.12.1947 who purchased the same against payment of her Stridhan as Consideration



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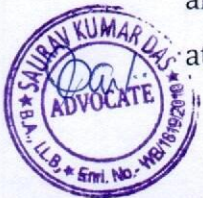
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amount and since then she seized and possessed the same in peaceful and uninterrupted manner by paying Government revenues and Taxes to the authority concerned.

AND WHEREAS while thus being lawfully seized and possessed of the aforesaid property in the aforesaid peaceful and uninterrupted manner, said **Smt. Golap Moyee Devi alias Golap Moyee Devi**, due to her urgent lawful necessity of liquid money, decided and declared to sell her aforesaid property, free from all sorts of encumbrances, charges and liabilities, liens, lispence and attachment of any kind whatsoever and the said property is absolutely clear, free and marketable title and being informed by the aforesaid information and relying upon the aforesaid declaration and relevant documents, one **Sri Aditya Prakash Dutta**, resident of 129/1A, Kaital Para Road, Post Office Bally, Police Station the then Bally, in the District of Howrah, became very much interested to purchase the aforesaid property at the then highest available market price and offered to the Landowner to sell the property which the aforesaid Land Owner accepted, agreed and confirmed. Accordingly one Bengali Deed of Sale dated 09th January, 1959 A.D. corresponding to 24th Poush, 1365 B.S. has been executed and registered amongst themselves, duly registered before the office of the Sub-Registrar at Howrah and recorded therein vide **Book No. I, Volume No. 10, Pages from 35 to 38, Being No. 132, for the year 1959.**

AND WHEREAS by virtue of the aforesaid Deed of Sale dated 09.01.1959, said **Sri Aditya Prakash Dutta** became the true and lawful owner as well as well as occupier in respect of **ALL THAT** piece and parcel of Land measuring about **08 Cottahs or 13.20 Decimals**, be the same a little more or less, appertaining to **R.S. Dag No. 3071 measuring about 9.20 Decimals and R.S. Dag No. 3072 measuring about 4.00 Decimals**, be the same a little more or less, both under **R.S. Khatian No. 5532**, situated at Mouza Bally, **J.L. No. 14**, within the then Police Station Bally (presently at Nischinda), in the District of Howrah, within the limit of Nischinda Gram Panchayet, under the jurisdiction of the District Sub-Registry Office and the Additional District Sub-Registry Office at Howrah together with all easement rights, title, interest and right to use of passage and quasi easement rights attached thereto and seized and possessed peacefully and without interruption from any



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corner as of right by exercising all sorts of overt acts by paying Government revenues and Taxes to the authority concerned.

AND WHEREAS while thus being lawfully seized and possessed of the aforesaid property in the aforesaid peaceful and uninterrupted manner, said **Sri Aditya Prakash Dutta** bequeathed the aforesaid property, in favour of his 06 (Six) sons viz. (1) **Sri Sandip Kumar Dutta**, (2) **Sri Pradip Kumar Dutta**, (3) **Sri Pratyush Kumar Dutta**, (4) **Sri Prasanta Kumar Dutta**, (5) **Partha Kumar Dutta** and (6) **Sri Pranab Kumar Dutta**, by virtue of an unregistered Will on 01.09.1963 in which **Sri Pranab Kumar Dutta** and **Sri Pratyush Kumar Dutta** were the Executors, wherein it was clearly mentioned that only all the above mentioned 06 (Six) sons will be entitled to be the Owners of the aforesaid Land in equal Share each.

AND WHEREAS subsequently after the demise of said **Aditya Prakash Dutta**, both the Executors of the aforesaid Will viz. **Sri Pranab Kumar Dutta** and **Sri Pratyush Kumar Dutta** filed one Probate Case Being No. 84 of 1979 on 18.04.1979, before the Hon'ble High Court at Calcutta to obtain the Decree of the aforesaid Probate Case in which the just and proper Decree was passed on 4th May, 1979 by the Hon'ble High Court at Calcutta, in favour of the 06 (Six) sons viz. (1) **Sri Sandip Kumar Dutta**, (2) **Sri Pradip Kumar Dutta**, (3) **Sri Pratyush Kumar Dutta**, (4) **Sri Prasanta Kumar Dutta**, (5) **Partha Kumar Dutta** and (6) **Sri Pranab Kumar Dutta**, declaring them as joint owners having equal Share each. Accordingly a Certificate of the aforesaid Probate Case Being No. 84 of 1979 was issued on 6th June 1979 by the Hon'ble High Court at Calcutta. Thus all the aforesaid 06 (Six) sons of Late **Aditya Prakash Dutta** viz. (1) **Sri Sandip Kumar Dutta**, (2) **Sri Pradip Kumar Dutta**, (3) **Sri Pratyush Kumar Dutta**, (4) **Sri Prasanta Kumar Dutta**, (5) **Partha Kumar Dutta** and (6) **Sri Pranab Kumar Dutta** became the lawful joint owners as well as occupiers of the aforesaid property and since then they have been jointly seized and possessed the same peacefully and uninterruptedly to the extent of their undivided 1/6th share each.



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AND WHEREAS after acquisition of title in respect of the aforesaid property in the aforesaid joint manner, (1) Sri Sandip Kumar Dutta, (2) Sri Pradip Kumar Dutta, (3) Sri Pratyush Kumar Dutta, (4) Sri Prasanta Kumar Dutta, (5) Partha Kumar Dutta and (6) Sri Pranab Kumar Dutta have been enjoying various overt acts over the same not only by paying Government Revenues, taxes before the concern authority but also duly mutated their names in the record of the office of the B.L. & L.R.O. Bally-Jagacha under Government of West Bengal and accordingly New L.R. Khatian Numbers have been allotted in their favour, which have been stated as follows:-

<u>Sl. No.</u>	<u>Name</u>	<u>L.R. Dag No.</u>	<u>New L.R. Khatian No.</u>
1.	Sri Sandip Kumar Dutta	5612 & 5613	17064
2.	Sri Pradip Kumar Dutta	5612 & 5613	12989
3.	Sri Pratyush Kumar Dutta	5612 & 5613	13154
4.	Sri Prasanta Kumar Dutta	5612 & 5613	10174
5.	Sri Partha Kumar Dutta	5612 & 5613	12367
6.	Sri Pranab Kumar Dutta	5612 & 5613	13187

AND WHEREAS while thus being lawfully seized and possessed of the aforesaid property in the aforesaid joint manner, the aforesaid **Pranab Kumar Dutta** died intestate on 30.10.2019 leaving behind him his 02 (Two) Daughters viz. (1) **Smt. Ajanta Dutta** and (2) **Smt. Puspita Dey**, as his legal heirs to inherit his estate according to the Law of Inheritance, governed under the **Hindu Succession Act, 1956**. Thus the legal heirs of Late



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Pranab Kumar Dutta viz. Smt. Ajanta Dutta and Smt. Puspita Dey became the joint lawful owners as well as occupiers of 1/6th share of Said Property, left by Late Pranab Kumar Dutta.

Be it mentioned that wife of said Pranab kumar Dutta (since deceased) viz. Rakha Dutta predeceased him on 29.01.2019.

AND WHEREAS thereafter said **Sri Partha Kumar Dutta**, out of love and affection decided to Gift his undivided share over the aforesaid property i.e. **ALL THAT** piece and parcel of Land measuring about **1.50 Decimals**, appertaining to **R.S. Dag No. 3071**, corresponding to **L.R. Dag No. 5612** and **0.66 Decimal** appertaining to **R.S. Dag No. 3072**, corresponding to **L.R. Dag No. 5613**, under **R.S. Khatian No. 5532**, corresponding to **L.R. Khatian No.12367**, situated at **Mouza Bally, J.L. No. 14**, within the Police Station Bally (presently at Nischinda), in the District of Howrah, within the limit of Nischinda Gram Panchayat, under the jurisdiction of the District Sub-Registry Office and the Additional District Sub-Registry Office at Howrah together with all easement rights, title, interest and right to use of passage and quasi easement rights attached thereto, in favour of his beloved brother viz. **Sri Sandip Kumar Dutta** who accepted the Gift gladly. Accordingly one Deed of Gift dated 21.06.2024 has been executed and registered between themselves, which has been registered before the office of the Additional District Sub-Registrar at Howrah and recorded in the said office vide **Book No. I, Volume No. 0502-2024, Being No. 050206497**, for the year 2024.

AND WHEREAS by virtue of the aforesaid registered Deed of Gift dated 21.06.2024, said **Sri Sandip Kumar Dutta** has become the lawful joint owner as well as occupier of Land measuring about **3.00 Decimals** (1.50 Decimal + 1.50 Decimal) appertaining to **R.S. Dag No. 3071**, corresponding to **L.R. Dag No. 5612** and **1.33 Decimal** (0.67 Decimal + 0.66 Decimal) appertaining to **R.S. Dag No. 3072**, corresponding to **L.R. Dag No. 5613**, under **R.S. Khatian No. 5532**, corresponding to **L.R. Khatian No. 17064 and 12367**, situated at **Mouza Bally, J.L. No. 14**, within Police Station Nischinda (previously under Bally P.S.), in the District of Howrah, within the limit of Nischinda Gram Panchayat, under the jurisdiction of



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the District Sub-Registry Office and the Additional District Sub-Registry Office at Howrah together with all easement rights, title, interest and right to use of passage and quasi easement rights attached thereto and accordingly he has been seized and possessed the same peacefully and uninterruptedly in joint manner with the other co-sharers.

AND WHEREAS while the aforesaid **LAND OWNERS** in course of such owing and seizing and possessing of their property in the joint manner as mentioned in the **SCHEDULE** hereinabove written, in order to extract maximum benefit from the said property, having desirous of developing the **SCHEDULE** mentioned Property by constructing new multi-storeyed Building over the same. But due to paucity of fund and also lack of knowledge and experience in the Development and Construction work, they were in search of a well competent, reputed and experienced and monetarily sound Local renowned Developer.

AND WHEREAS after getting information from a reliable source and considering the reputation and goodwill of the Developer, the Land Owners/ First Part jointly approached **M/S. A.B. CONSTRUCTION**, a sole Proprietorship Firm, having its office at Ghoshpara (Vivek Pally), Post Office Ghoshpara, Police Station Nischinda, in the District of Howrah, Pin Code No. 711 227, being represented by its sole Proprietor viz. **SRI ACHINTYA KUMAR MONDAL**, son of Kushadhwaja Mondal, by Nationality, by faith Hindu, by occupation Business, residing at Nischinda Bibek Pally Ghoshpara, Post Office Ghoshpara, within Police Station Nischinda, in the District of Howrah, Pin Code 711 227, to complete the work of Development and Construction over the said Schedule mentioned property in respect of **ALL THAT** piece and parcel of **BASTU LAND** measuring about **9.20 Decimals**, be the same a little more or less, together with one R.T. Shed structure measuring about 100 Sq. Ft. standing thereon, appertaining to **R.S. Dag No. 3071**, corresponding to **L.R. Dag No. 5612**, under **L.R. Khatian Nos. 10174, 12367, 12989, 13154, 13187, 17064**, situated at **Mouza Bally, J.L. No. 14**, within the **Police Station Nischinda (previously under Bally P.S.)** in the District of Howrah, within the limit of **Nischinda Gram Panchayat**, under the jurisdiction of the District Sub-Registry Office and the Additional District Sub-Registry Office at Howrah, together with all other rights of easement, quasi easement,





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(OWNERSHIP DETAILS)

PRESENT OWNERS OF THE SCHEDULE MENTIONED PROPERTY:-

(1) **SRI SANDIP KUMAR DUTTA** (having his PAN - ACMPD7457L and AADHAR CARD NO. 2692 9687 8051), by Occupation Service, residing at Arunava Sarani, Post Office Ghoshpara, Police Station Nischinda, in the District of Howrah, Pin Code No. 711 227, (2) **SRI PRADIP KUMAR DUTTA** (having his PAN - AKUPD8723H and AADHAR CARD NO. 6590 7001 7511), by Occupation Retired Person, residing at 67 Shyamnagar Road, Bangur Avenue, South Dum Dum, in the City of Kolkata, in the District of North 24 Parganas, Pin Code No. 700 055, (3) **SRI PRATYUSH KUMAR DUTTA** (having his PAN - ADHPD7621G and AADHAR CARD NO. 4445 3509 1454), by Occupation Retired Person, residing at Arunava Sarani, Post Office Ghoshpara, Police Station Nischinda, in the District of Howrah, Pin Code No. 711 227, (4) **SRI PRASANTA KUMAR DUTTA** (having his PAN - ACRPD5643B and AADHAR CARD NO. 8650 8712 8364), by Occupation Retired Person, residing at Arunava Sarani, Post Office Ghoshpara, Police Station Nischinda, in the District of Howrah, Pin Code No. 711 227, (1) to (4) all are sons of Late Aditya Prakash Dutta, (5) **SMT. PUSPITA DEY** (having her PAN - AVUPD7742B and AADHAR CARD NO. 2497 2855 8042), daughter of Late Pranab Kumar Dutta, by Occupation Housewife, residing at 15Y, Nimtala Lane, Beadon Street, in the City of Kolkata, Pin Code No. 700 006, and (6) **MISS. AJANTA DUTTA** (having her PAN - AZYPD4899F and AADHAR CARD NO. 8468 7100 2430), daughter of Late Pranab Kumar Dutta, by Occupation Family Pensioner, residing at Dakshin Joypur Bill, Liluah, in the District of Howrah, Pin Code No. 711 227.

DEVELOPER OF THE SCHEDULE MENTIONED PROPERTY:-

M/S. A.B. CONSTRUCTION, a sole Proprietorship Firm, having its office at Ghoshpara (Vivek Pally), Post Office Ghoshpara, Police Station Nischinda, in the District of Howrah, Pin Code No. 711 227, being represented by its sole Proprietor viz. **SRI ACHINTYA KUMAR MONDAL**, (having his PAN - AOFPM9393H and AADHAAR CARD



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NO. 2050 7668 8290), son of Kushadhwaja Mondal, by Nationality, by faith Hindu, by occupation Business, residing at Nischinda Bibek Pally Ghoshpara, Post Office Ghoshpara, within Police Station Nischinda, in the District of Howrah, Pin Code 711 227.

(AUTHORITY TO EXECUTION OF SALE AGREEMENT WITH THE PURCHASER/S)

- The **LAND OWNERS** have the exclusive right to execute any kind of Agreement for Sale in respect of the Owners' Allocated portion, in favour of any prospective purchaser/s;
- The **DEVELOPER** as a lawful Power of Attorney holder, has the exclusive right to execute any kind of Agreement for Sale in respect of the Developer's Allocated portion, in favour of any prospective purchaser/s;

**(DETAILS OF ALLOCATION & RIGHT OF EXECUTION OF SALE DEED OF PURCHASE
AS PER DEVELOPMENT AGREEMENT & POWER OF ATTORNEY)**

OWNERS' ALLOCATION:-

OWNERS' ALLOCATION shall mean the Developer shall deliver the Owners' Allocation in the following manner:-

- Sri Sandip Kumar Dutta - 1000 Sq. Ft. Flat (Covered Area), South East Side, 3rd Floor with Garage on the Ground floor and Amount Rs.7,50,000/- (Rupees Seven Lakhs Fifty Thousand) only
- Sri Pradip Kumar Dutta - 1000 Sq. Ft. Flat (Covered Area), North- East Side, 1st Floor with Garage on the Ground floor and Amount Rs.4,50,000/- (Rupees Four Lakhs Fifty Thousand) only
- Sri Pratyush Kumar Dutta - Amount Rs.35,00,000/- (Rupees Thirty Five lakhs) only
- Sri Prasanta Kumar Dutta - 800 Sq. Ft. Flat (Covered Area), South East Side, 2nd Floor with Garage on the Ground floor and Amount Rs.12,50,000/- (Rupees Twelve lakhs Fifty Thousand) only



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- Smt. Ajanta Dutta and Smt. Puspita Dey jointly an Amount Rs.35,00,000/- (Rupees Thirty Five lakhs) only.

DEVELOPER'S ALLOCATION:-

DEVELOPER'S ALLOCATION shall mean the remaining portion out of the total construction to be made at the said property, save and except the owners' allocation, together with proportionate share, right, tile and interest in common facilities and amenities including the right of using the said facilities with right to the undivided proportionate importable share in the land;

RIGHT OF EXECUTION OF SALE DEED OF PURCHASE:-

- The **LAND OWNERS** have the exclusive right to execute any kind of **SALE DEED** in respect of the Owners' Allocated portion, in favour of any prospective purchaser/s;
- The **DEVELOPER** as a lawful Power of Attorney holder, has the exclusive right to execute any kind of **SALE DEED** in respect of the Developer's Allocated portion, in favour of any prospective purchaser/s;

(DETAILS OF ENCUMBRANCES, CHARGES, ETC. ON THE SCHEDULE MENTIONED PROPERTY)

On the basis of the aforesaid documents I hereby certify that the abovementioned property is **free from all sorts of encumbrances, charges and liabilities, liens, lispence and attachment of any kind whatsoever and the said property is absolutely clear, free and marketable title** and valid mortgage can be created by the intending purchaser/ purchasers after acquiring title in respect of the said flat/ flats after registration and **No Suit** is pending in any court in respect of the property mortgaged with the Bank, as per the Schedule of documents, which are verified. Be it mentioned here that the Bank should obtain Agreement for Sale in respect of creation of any mortgage from the intending purchasers.



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It is also hereby certified that the abovementioned Property is not affected by any restriction of Urban Land (Ceiling and Regulations) Act, 1976 and the same is not under any claim of KMDA and HIT (previously CMDA and CIT) and **it is fit for Equitable Mortgage** and I also certify that the land is suitable enough for enforcement under **SERFAESI Act, 2002**. That I have verified the Title of the said Deeds from the Registrar's Office about the genuineness of the Title through the aforesaid Deeds and the said Deeds are genuine, not duplicate or fake, properly stamped and registered before the concerned registry offices and no Title Suit was filed or pending against the Owners in respect of the Schedule mentioned property.

**(DETAILS OF CASES ON THE LANDOWNERS, PERTAINING TO THE SCHEDULE
MENTIONED PROPERTY)**

That I made search before the Howrah Court in the names of the present Owners for **last 13 years** till date, but no case or suit is pending in the names of the Owners viz. (1) Sri Sandip Kumar Dutta, (2) Sri Pradip Kumar Dutta, (3) Sri Pratyush Kumar Dutta, (4) Sri Prasanta Kumar Dutta, (5) Smt. Puspita Dey and (6) Miss. Ajanta Dutta.

Saurav Kumar Das

(SIGNATURE OF THE ADVOCATE)

SAURAV KUMAR DAS

Advocate

Enrollment No.- WB/1819/2010

:-LIST OF DOCUMENTS:-

1. Original Registry Office searching Reports of District Sub-Registrar Office at Howrah, Additional District Sub-Registrar Office at Howrah and R.A. Kolkata.
2. Original Court Searching Report of Howrah Court.

