

Di pankar Roy

Advocate
Burdwan District Judges' Court



Residence & Chamber :
Khalasipara, Kalna Road
(Near Vidyapith School), Burdwan
☎ : (0342) 2624079
Mob. : 8001544768, 9832290004
e-mail - dipankarroy.law@gmail.com

Ref : _____

Date : _____

NON-ENCUMBRANCE CERTIFICATE AND LEGAL SCRUTINY REPORT ON TITLE

Ref : Legal Scrutiny Report in respect of the piece and parcel of Bastu land measuring more or less 2201 sq. ft. or 5.00 decimals (more or less) in R.S. Plot No. 7359 & L.R. Plot No. 7551 AND 2160 sq. ft. or 5.00 decimals (more or less) land in R.S. Plot No. 7357 & 7359, L.R. Plot No. 7555, lying and situated at Mouza - Radhnagar, J.L. No. 39, unde R.S. Khatian No. 271 & 273, L.R. Khatian Nos. 7605, 7606, 8817, 9922 & 9923, within the jurisdiction of Ward No. 8, Holding No. 83, Mohalla - Kalibazar East Lane, under Burdwan Municipality at P.S. & A.D.S.R. - Burdwan, District - Purba Burdwan, West Bengal.

Present Property Owners : (1) **MR. TARUN ROY** son of Late Chittaranjan Roy, resident of Purba Nutanpally, Jora Mondir, P.O. & P.S. - Burdwan Sadar, District - Purba Burdwan, Pin - 713101, West Bengal (2) **MR. JIBAN ROY** son of Late Chittaranjan Roy, resident of 1 No. Jnanendra Avenue, P.O. & P.S. - Uttarpara, District - Hooghly, Pin - 712258, (3) **MR. BALAI ROY** son of Late Chittaranjan Roy, resident of Purba Nutanpally, Jora Mondir, P.O. & P.S. - Burdwan Sadar, District - Purba Burdwan, Pin - 713101, West Bengal (4) **MRS. SANDHA RANI ROY** wife of Late Madhab Chandra Roy, resident of Purba Nutanpally, Jora Mondir, P.O. & P.S. - Burdwan Sadar, District - Purba Burdwan, Pin - 713101, West Bengal (5) **MR. BISWAJEET ROY** son of Late Madhab Chandra Roy, resident of Purba Nutanpally, Jora Mondir, P.O. & P.S. - Burdwan Sadar, District - Purba Burdwan, Pin - 713101, West Bengal.

I cause necessary searching for Index - II in respect of the aforesaid plot of land in the office of A.D.S.R., D.S.R., Burdwan & ARA - Kolkata and covering the period of 2008 to 2024, but found no adverse report and entry/entries and the said property is free from encumbrances.

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DESCRIPTION OF THE PROPERTY :

ALL THAT piece and parcel of Bastu land measuring more or less 2201 sq. ft. or 5.00 decimals (more or less) in R.S. Plot No. 7359 & L.R. Plot No. 7551 AND 2160 sq. ft. or 5.00 decimals (more or less) land in R.S. Plot No. 7357 & 7359, L.R. Plot No. 7555, lying and situated at Mouza - Radhnagar, J.L. No. 39, unde R.S. Khatian No. 271 & 273, L.R. Khatian Nos. 7605, 7606, 8817, 9922 & 9923, within the jurisdiction of Ward No. 8, Holding No. 83, Mohalla - Kalibazar East Lane, under Burdwan Municipality at P.S.& A.D.S.R. - Burdwan, District - Purba Burdwan, West Bengal, the above mentioned property butted and bounded as follows :-

BOUNDARY (AS PER SKETCH MAP):

- On North : 22 ft. wide Municipal Road
On South : R.S. Plot No. 7357 & 7355
On East : Open land of Mr. Roy and others
On West : Sonartari Flat Building

FLOW OF TITLE OF THE PROPERTY (History of Title) :

It appears from the photocopy of deeds and documents as produced before me that the property piece and parcel of land measuring more or less 2201 sq. ft. or 5.00 decimals (more or less) in R.S. Plot No. 7359 & L.R. Plot No. 7551 AND 2160 sq. ft. or 5.00 decimals (more or less) land in R.S. Plot No. 7357 & 7359, L.R. Plot No. 7555 along with other land lying and situated at Mouza - Radhnagar, within the jurisdiction of Burdwan Municipality at P.S.& A.D.S.R. - Burdwan, District - Purba Burdwan, West Bengal, originally belonged to Amiya Lal Bhattacharyay and his name had been recorded in the R.S.R.O.R vide Khatian No. 271 & 273 of Mouza - Radhnagar. That while the said Amiya Lal Bhattacharyay was in possession of that plots of land, he died and left behind Gouri Shankar Bhattacharyay, Shibani Bhattacharyay, Hiranmoyee Devi and Snehalata Devi as his legal heirs and successors according to the Hindu Succession Act.

That as the owner and possessor of the above mentioned plot of land said Gouri Shankar Bhattacharyay, Shibani Bhattacharyay, Hiranmoyee Devi and Snehalata Devi executed partitioned with specified demarcation on 17/04/1974. That after execution of the said partitioned all the legal heirs of

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Amiya Lal Bhattacharyay, owned and possessed their own portion with specified demarcation and they acquired right title interest and possession thereon and their name had been recorded in the L.R.R.O.R.

That while the said Gouri Shankar Bhattacharyay was in possession of his own portion of land i.e. 2201 sq. ft. or 5.00 decimals (more or less) in R.S. Plot No. 7359 & L.R. Plot No. 7551 AND 2160 sq. ft. or 5.00 decimals (more or less) land in R.S. Plot No. 7357 & 7359, L.R. Plot No. 7555 along with other land lying and situated at Mouza - Radhnagar, he transferred 1080 sq. ft. land in R.S. Plot No. 7357 & L.R. Plot No. 7555 AND 1080 sq. ft. land in R.S. Plot No. 7359 & L.R. Plot No. 7555 of Mouza - Radhnagar to Charuprava Saha @ Charuprava Roy by virtue of a Regd. Deed of Sale being No. 2066 in the year 1975, execution dated 03/03/1975, in the office of D.S.R., Burdwan, where Volume No. 23, Pages from 204 to 206.

That as the owner and possessor of that 1080 sq. ft. land in R.S. Plot No. 7357 & L.R. Plot No. 7555 AND 1080 sq. ft. land in R.S. Plot No. 7359 & L.R. Plot No. 7555 of Mouza - Radhnagar, said Charuprava Saha @ Charuprava Roy again transferred the same i.e. 1080 sq. ft. land in R.S. Plot No. 7357 & L.R. Plot No. 7555 AND 1080 sq. ft. land in R.S. Plot No. 7359 & L.R. Plot No. 7555 of Mouza - Radhnagar to her four sons namely Madhab Chandra Roy, Tarun Roy, Jiban Roy & Balai Roy by virtue of a Regd. Deed of Gift being No. 4695 in the year 2015, execution dated 12/08/2015, in the office of A.D.S.R., Burdwan, where Volume No. 0203 - 2015, Pages from 25781 to 25800.

That after death of said Gouri Shankar Bhattacharyay, his another 2201 sq. ft. in R.S. Plot No. 7359 & L.R. Plot No. 7551 of Mouza - Radhnagar devolved upon his legal heirs namely his three sons Sudhir Ranjan Bhattacharyay, Keshab Ranjan Bhattacharyay and Arup Bhattacharyay and the got the above mentioned 2201 sq. ft. in R.S. Plot No. 7359 & L.R. Plot No. 7551 of Mouza - Radhnagar in equal share according to Hindu Succession Act.

That while the said Sudhir Ranjan Bhattacharyay, Keshab Ranjan Bhattacharyay and Arup Bhattacharyay were in possession of that 2201 sq. ft. in R.S. Plot No. 7359 & L.R. Plot No. 7551 of Mouza - Radhnagar, they jointly transferred the same i.e. 2201 sq. ft. in R.S. Plot No. 7359 & L.R. Plot No. 7551 of Mouza - Radhnagar to Madhab Chandra Roy, Tarun Roy and Jiban Roy by

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virtue of a Registered Deed of Sale being no. 3715 2424 in the year 2006, Execution dated 12/12/2003 in the office of A.D.S.R., Burdwan.

That being the present owner and possessor of land measuring more or less 2201 sq. ft. or 5.00 decimals (more or less) in R.S. Plot No. 7359 & L.R. Plot No. 7551 AND 2160 sq. ft. or 5.00 decimals (more or less) land in R.S. Plot No. 7357 & 7359, L.R. Plot No. 7555 of Mouza - Radhnagar, said **Madhab Chandra Roy, Tarun Roy, Jiban Roy & Balai Roy**, acquired right title interest and possession thereon and they recorded their names in the L.R. Parcha, under L.R. Khatian Nos. 7604, 7605 and 7606 of Mouza - Radhnagar.

That the owner and possessed of the more or less 733.66 sq. ft. in R.S. Plot No. 7359 & L.R. Plot No. 7551 AND 540 sq. ft. land in R.S. Plot No. 7357 & 7359, L.R. Plot No. 7555 of Mouza - Radhnagar, said **Madhab Chandra Roy** died and he left behind **Sandha Rani Roy & Biswajeet Roy** as his legal heirs and successors and they got equal share in the above mentioned 733.66 sq. ft. in R.S. Plot No. 7359 & L.R. Plot No. 7551 AND 540 sq. ft. land in R.S. Plot No. 7357 & 7359, L.R. Plot No. 7555 of Mouza - Radhnagar. That after got the said 733.66 sq. ft. in R.S. Plot No. 7359 & L.R. Plot No. 7551 AND 540 sq. ft. land in R.S. Plot No. 7357 & 7359, L.R. Plot No. 7555 of Mouza - Radhnagar, though inheritance said **Sandha Rani Roy & Biswajeet Roy** acquired right title interest and possession thereon and they recorded their name in the L.R. Parcha under L.R. Khatian Nos. 9922 & 9923 of Mouza - Radhnagar.

I have caused necessary searches in the office of A.D.S.R. & D.R.S. Burdwan and ARA-Kolkata for the period from 2008 to 2022 and I also certify that the above mentioned land of **Tarun Roy, Jiban Roy & Balai Roy, Sandha Rani Roy & Biswajeet Roy** is free from all sorts of encumbrances, charges, liens & lispendent attachment of any kind whatsoever and the said property has an absolutely clear, free and marketable title till today.

I also hereby certify that the above mentioned land is not subject to any restriction of urban land (ceiling & regulation) Act. 1976 and the same is not under any claim of the CMDA and CIT and any other authority is for equitable mortgage.

OTHER PROVISIONS :

* Whether provisions of Urban Land Ceiling Act are applicable ?

No

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- * Whether property to be given as security is subject to any minor's claim/share? No
- * Whether the property is affected by any revenue and tenancy regulations? No
- * Whether all original documents for last 13 years have been scrutinized? Yes
- * Whether required documents are available for creating mortgage? Yes
- * Whether all previous owners had the right/competency to transfer the property? Yes
- * Whether proposed mortgage by deposit of title deed/s is possible? Yes
- * What is the property is lease hold property? - No
- * Whether the land is Adivasi (Tribal)- No
- * Whether the land / property are joint family property? No

PART - VI CERTIFICATE :

In view of the forgoing I am of the opinion, and I certify, that the title deeds intended to be deposited relating to the property and offered as security by way of equitable mortgage and the documents of the title refer to above are perfect evidence of the title and that if the said equitable mortgage is created in the manner required by law, it would Certifies the requirements of creation of equitable mortgage.

I further certify that being the present owner **Tarun Roy, Jiban Roy & Balai Roy, Sandha Rani Roy & Biswajeet Roy** has a clear and marketable title and free from all sorts of encumbrances, charges, liens & lispendent attachment of any kind whatsoever and the said property has an absolutely clear, free and marketable and the said property still exist in the name of **Tarun Roy, Jiban Roy & Balai Roy, Sandha Rani Roy & Biswajeet Roy** and the said property is fit for equitable mortgage.

Yours faithfully,

Date: 20/06/2024

Place : Burdwan.

Enclosures : Searching Slip in the office of D.S.R. & A.D.S.R., Burdwan and the also the court searching is annexed herewith.

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Signature of the Advocate

WB-755/2004. (Dipankar Roy)

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