

## LEGAL SCRUTINY F

To  
M/S Ganapati Enterprise  
90, Arabinda Sarani,  
P.O & P.S- Dum Dum, Kolkata-700 028

Dear Sir,

Pursuant to your instruction, I submit my scrutiny report as stated hereunder: -

1. **Name & Address of Party** : M/S Ganapati Enterprise.

2. **Details/ Description of Documents Scrutinized:**

- (a) Deed of Gift Being No. 4454 of 1988 in favour of Sri Sukhendu Bikash Dutta dated 12.10.1988 (Original)
- (b) Death Certificate of Sukhendu Bikash Dutta
- (c) Death Certificate of Niyati Dutta wife of Sukhendu Bikash Dutta
- (d) Affidavit Declared by Sri Sanjit Dutta Legal Heirs and Successor.
- (e) BLRO Purcha Favouring Sukhendu Bikash Dutta
- (f) Joint Venture Agreement between the owners and developer Being No.150607011/2022 dated 24.05.2022 (Original)
- (g) Registered Power of Attorney Being No. 150608797/2022 dated 06.07.2022 (Original)
- (h) Deed of Declaration/ Rectification Being No. 150600722/2023 dated 30.01.2023 (Original)
- (i) Municipal tax receipt favouring Present Owner(Original)
- (j) Building Sanction Plan for construction of multistoried building (Original)
- (k) Form-C construction Permit(Original)

3. **Property Details :**

House No. Site No.	Extent Areas of Land / Building	Location Sub-District / District / Village / Municipality etc.	Boundary
Holding No.8/2/90, Arabinda Sarani, P.S- Dum Dum, Kolkata-28.	Area of land measuring 04 Cottaha, 10 Chittack,	Premises No.8/2/90, Arabinda Sarani, P.S- Dum Dum, Kolkata-28, R.S./L.R. Dag No.2001(P), E.P.No. 90, S.P.No. 163, L.R.Khatian No. 976, Mouza- Dum Dum Cantonment, J.L.No.13, P.S. Dum Dum, District: 24-Parganas(N), ADSRO Cossipore Dum Dum within the area of Dum Dum Municipality, Ward No.10.	North: Plot No EP.75, South: Colony Road, East: Plot No EP.89, West: Plot No EP.91.

4. **Details / Description of Property / Properties :**

**Brief History of the Property –**

1. Mr. Sanjit Dutta, the Owner is the absolute and lawful owner of **ALL THAT** piece and parcel of land measuring about 4 Cottahas, 10 Chittacks little more or less comprised in Mouza – Dum Dum Cantonment, J.L. No. 13, R.S./L.R. Dag No. 2001, E.P.No. 90, S.P.No. 163, L.R.Khatian No. 976, P.S. Dum Dum, District- 24 Parganas North, Municipal Holding No. 8/2/90, Arabinda Sarani under Ward No. 11 of Dum Dum Municipality, Kolkata-700 028, District 24 Parganas (N).
2. The Government of West Bengal under the scheme of refugee relief and rehabilitation gifted as the Donor **ALL THAT** Bastu land measuring about 4 (Four) Cottaha, 10 (Ten) Chit tacks little more or

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less at Mouza – Dum Dum Cantonment, J.L. No. 13, R.S.Dag No. 2001, E.P.No. 90, S.P.No. 163, P.S. Dum Dum, District- 24 Parganas North to one Sukhendu Bikash Dutta son of Late Indro Kumar Dutta by virtue of deed of Gift/Settlement on Dated 12th October, 1988 duly recorded at A.D.S.R.O Barasat at Book No 1, Volume No. 59, Pages 113 to 116, Being No. 4454 of year 1988.

3. And said Sukhendu Bikash Dutta, while was in absolute possession of the landed property admeasuring 4 Cottahs, 10 Chittaks, the premises was assessed under the Dum Dum Municipality ward number-11, being holding number 8/2/90, Arabinda Sarani and also mutated at B.L & L.R.O and allotted L.R.Khatian No. 976 at L.R.Dag No. 2001.
4. And said Sukhendu Bikash Dutta and his wife namely Niyati Dutta both died on dated 23.08.1990 and 06.08.2007 leaving behind one son namely Sanjit Dutta as the only legal heirs of Sukhendu Bikash Dutta and his widow namely Niyati Dutta as the only living heirs.
5. Accordingly Mr. Sanjit Dutta, the Owner herein become the absolute lawful owner of ALL THAT piece and parcel of land measuring about 4 Cottahas, 10 Chittacks little more or less comprised at Mouza – Dum Dum Cantonment, J.L. No. 13, R.S./L.R. Dag No. 2001, E.P.No. 90, S.P.No. 163, L.R.Khatian No. 976, P.S. Dum Dum, District- 24 Parganas North, Municipal Holding No. 8/2/90, Arabinda Sarani under Ward No. 11 of Dum Dum Municipality.
6. Finally the Owner and the Promoter have entered in to a joint development agreement dated 24.05.2022 registered before the office of the ADSR Cossipore Dum Dum and recorded in Book – I, Volume number 1506-2022, Page from 296491 to 296519, Being No. 150607011 for the year 2022.

**5. Search & Investigation**

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| 5.1 | The persons who is / are the present owner/s of the property / properties.   | : Mr. Sanjit Dutta.   |
| 5.2 | Whether the party has absolute clear and marketable title over the property / properties proposed to be mortgaged and can create a valid charge on the property.             | : Yes, party has got clear marketable title and can create valid charges. |
| 5.3 | a) What is the nature of title of the owner i.e. tenancy right, full ownership, occupancy right, possessory right, minor's right or any other type of right?                 | : Full ownership.   |
|     | b) Leasehold immovable property  | : No  |
| 5.4 | Whether there is any restriction / prohibition under personal law of the owner / mortgagor to hold the property under the title deed through which he has derived the title. | : No  |
| 5.5 | Whether the latest title deed and the immediately previous title deeds are available in originals.   | : The latest title deed is available in original.                         |
| 5.6 | Whether building tax / land revenue has been paid up to date   | : No.   |
| 5.7 | Whether any dues recoverable as land revenue are outstanding   | : Yes.  |
| 5.8 | In case of the facility is sought for construction purpose whether the land has been converted under the Land Revenue Law? If not required, give reasons.                    | : N.A   |

- 5.9 Whether the land is affected by any revenue and tenancy legislation? If so, how and to what extent and the remedy, if any. : No
- 5.10 Whether the permission under the Urban Land (Ceiling and Regulation) Act, 1976 is necessary or not? : No.
- 5.11 Is there any other special enactment like Land Acquisition Act and other State Legislation the provisions of which is applicable to the property and affecting the title? : No
- 5.12 a) Is the property free from encumbrance : Yes
- b) Please give detailed accounts of creation of charge or redemption for minimum period of 13 years and also state the subsisting charge, if any mentioned in the encumbrance certificate for the last 13 years. : No charge has been created.
- 5.13 Whether the proposed equitable mortgage by deposit of title deeds is possible? If so, what are the documents to be deposited? If deposit is not possible can there be a simple mortgage or by a Registered Memorandum or by any other mode of mortgage/ : Yes.
- 5.14 Whether the property is freehold or leasehold or self occupied or tenanted? If tenanted, whether the property can be taken as mortgage and what precautions to be taken? : Freehold self occupied.
- 5.15 If owner is Company, Partnership Firm, Trust, Temple, Wakf or other legal person, how title is affected by its Memorandum of Articles of Association, Partnership Deed, Trust Deed or rules of bye laws and what are the precautions to be taken under rules or bye law? : N.A.
- 5.16 If property to be mortgaged is a flat / apartment in residential or commercial complex, how far independent title is ensured and how the enjoyment of common areas and facilities are ensured to the flat owner (mortgagor); what are the documents of title available for creating mortgage & documents / records to be taken from builders / owners their Bankers. : N.A
- 5.17 Flats owned / controlled by societies special requirements to be taken if society refuses to note bank lien / interest. : N.A
- 5.18 Please state the names of the persons who should join the creation of charge / mortgage of the property either by deposit of title deeds or by registered mortgage, etc. : N.A
6. Investigation under Income Tax Act, 1961 : N.A.

7. Search in Respect of Companies Registered Under the Companies Act. : N.A.

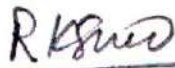
8. Investigation in regard to Agricultural Land.

9. CERTIFICATE :

I have gone through the relevant documents relating to the property mentioned in paragraph 2 and other documents /title deed executed in favour of the owner, Registry Office Portal and I further certify that: -

- a) There is no prior mortgage / charge whatsoever as could be seen during online searching at WB Registration portal pertaining to the immovable property covered by the above said title deed.
- b) Provisions of Urban Land (Ceiling & Regulation) Act are not applicable, permission obtained.
- c) Holding / acquisition is in accordance with the provisions of the Land Reform Act.

Dated: February 24, 2023

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**(Ratan Lal Shaw)**  
**Advocate**