

SAYAK CHAKRABARTY

ADVOCATE

HIGH COURT, CALCUTTA

CHAMBER AT:-
10, OLD POST OFFICE STREET
ROOM NO. 90, III FLOOR
KOLKATA-700 001

RESIDENCE AT:-
11/3, SEBAK BAIDYA STREET
KOLKATA-700 029
EMAIL : Sayak.ch85@gmail.com
MOBILE: +91 9830398054

Date: 04.04.2023

To
Prasad Skyscraper LLP
16 Sudder Street
Kolkata – 700 016.

On the basis of the Photocopy of documents submitted with me the undersigned my REPORT/CERTIFICATE is given as under: -

Search Receipt Nos. Online/offline
Search for the period from 2009 to till date
ANNEXURE: Original Search Receipts.
Registration offices at DR & ADSR and RA Kolkata

SUB: - TITLE CLEARANCE CERTIFICATE

Name/s of all the Title holder/Present Owner of the Property

Dibyendra Krishna Sarkar

Status of the Owner/s – Individual.

Description of the Property:

ALL THAT piece and parcel of Bastu Freehold Land lying and situate at Premises No.9, Madhab Chatterjee Lane measuring about 4 (four) cottahs 3 (three) Chittak little less or more, under Post Office and Police Station - Bhawanipore, Dihi Panchanan gram Division VI, Mouza East Chakraberia Holding No.169, Kolkata-700 020 District 24 Parganas, under the Kolkata Municipal Corporation which is butted and bounded as follows:

ON THE NORTH	: by	9/2 madhab Chatterjee Lane;
ON THE SOUTH	: by	8/2 Madhab Chatterjee Lane;
ON THE EAST	: by	Madhab Chatterjee Lane;
ON THE WEST	: by	Chakraberia Road.



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Documents Submitted: -

1. Photocopy of Indenture dated 09th day of May, 1937 registered in the office of A.D.S.R. at Alipore in Book No.-I, Volume No. 40 from page No.290 to 292 being deed No. 1632 for the year 1937
2. Photocopy of Deed of Settlement dated 23rd May 1983 executed in favour of Dibyendra Krishna Sarkar and the same was registered in the office of Sub-Registrar at Alipore and recorded in the Book No.1, Volume No.72, pages No.48 to 56 being deed no. 2968 for the year 1983.
3. Photocopy of Deed of Partition dated 04th day of July 1972 was registered at the office of the Registrar at Alipore and recorded under Book -I, Volume 59, Pages 173 to 178 and Being no 2806 for the year 1972.
4. Photocopy of order dated 16th February 2023 passed by Hon'ble Justice Arindam Mukherjee in PLA 141 of 2022
5. Photocopy of order dated 16th February 2023 passed by Hon'ble Justice Arindam Mukherjee in PLA 244 of 2022
6. Photocopy of amalgamation certificate of premises no 9 Madhab Chatterjee Lane
7. Tax Receipt

DEVOLUTION OF TITLE: -

WHEREAS:

That the said Kharuria Wards Estate Khulna had conveyed sold, transferred, and assured a plot of land being identified as the plot No.9/2 measuring about 4 (four) cottahs 3 (three) Chittak 42 (forty-two) sq.ft. little less or more being portion of 20, Padmapukur Road, in Thana Bhawanipore, Dihi Panchanan gram Division VI, Mouza East Chakraberia Holding No.169 District 24 Parganas in favour of Srimati Renu Probha Sarkar wife of Babu Harendra Krishna Sarkar, by virtue of an Indenture dated 09th day of May, 1937 registered in the office of A.D.S.R. at Alipore in Book No.-I, Volume No. 40 from page No.290 to 292 being deed No. 1632 for the year 1937.

The said Renu Probha Sarkar wife of Babu Harendra Krishna Sarkar out of her natural love and affection for her grandson Dibyendra Krishna Sarkar son of Dharendra Krishna Sarkar, gifted and transferred the plot No.9/2 measuring about 4 (four) cottahs 3 (three) Chittak 42 (forty-two) sq.ft. a little less or more being portion of 20, Padmapukur Road, in Thana Bhawanipore, Dihi Panchanan gram Division VI, Mouza East Chakraberia Holding No.169 District 24 Parganas, by virtue of an Deed of Settlement dated 23rd May 1983 executed in favour of Dibyendra Krishna Sarkar and the same was registered in the office of Sub-Registrar at Alipore and recorded in the Book No.1, Volume No.72, pages No.48 to 56 being deed no. 2968 for the year 1983.


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That in terms of the said gift of the aforesaid property said Dibyendra Krishna Sarkar, became the absolute owner and was in peaceful and uninterrupted possession of ALL THAT plot No.9/2 measuring about 4 (four) cottahs 3 (three) Chittak 42 (forty-two) sq.ft. referred to as the Plot I be the same a little less or more being portion of 20, Padmapukur Road, in Thana Bhawanipore, Dihi Panchanan gram Division VI, Mouza East Chakraberia Holding No.169 District 24 Parganas and pursuant thereto got it mutated and recorded his name in the records of Kolkata Municipal Corporation under Assessee no 110702400314.

Babu Harendra Krishna Sarkar by virtue of a Deed of Conveyance executed by Kharuria Wards Estate Khulna became entitled to equal share in the said plot No.9 measuring about 4 (four) cottahs 3 (three) Chittak be the same a little less or more being portion of 20, Padmapukur Road, in Thana Bhawanipore, Dihi Panchanan gram Division VI, Mouza East Chakraberia Holding No.169 District 24 Parganas, renumbered as Premises No.9, Madhab Chatterjee Lane, Kolkata 700020 and was seised and possessed thereof.

That Babu Harendra Krishna Sarkar died intestate on 03rd March 1970 leaving behind him his wife and his four sons, and daughter namely, (i) Renu Probha Sarkar, (ii) Birendra Krishna Sarkar, (iii) Dharendra Krishna Sarkar (iii) Samarendra Krishna Sarkar, (iv) Ranendra Krishna Sarkar and (v) Ila Baul who jointly became entitled to in equal shares ownership in the said plot No.9 measuring about 4 (four) cottahs 3 (three) Chittak be the same a little less or more being portion of 20, Padmapukur Road, in Thana Bhawanipore, Dihi Panchanan gram Division VI, Mouza East Chakraberia Holding No.169 District 24 Parganas, renumbered as Premises No.9, Madhab Chatterjee Lane hereinafter referred to as the Plot II.

That subsequent upon the death of Babu Harendra Krishna Sarkar on 03rd March 1970 his legal heirs being (i) Renu Probha Sarkar, (ii) Birendra Krishna Sarkar, (iii) Dharendra Krishna Sarkar (iii) Samarendra Krishna Sarkar, (iv) Ranendra Krishna Sarkar and other who jointly and amicably entered and executed into a Partition deed dated 04th day of July 1972 and divided and demarcated their shares by metes and bounds and by virtue of the same Birendra Krishna Sarkar and Dharendra Krishna Sarkar became entitled to in equal share in the said plot No.9 measuring about 4 (four) cottahs 3 (three) Chittak be the same a little less or more being portion of 20, Padmapukur Road, in Thana Bhawanipore, Dihi Panchanan gram Division VI, Mouza East Chakraberia Holding No.169 District 24 Parganas, renumbered as Premises No.9, Madhab Chatterjee Lane therein referred to in "Schedule KH" and referred to as the Plot II. The said Deed of Partition dated 04th day of July 1972 was registered at the office of the Registrar at Alipore and recorded under Book -I, Volume 59, Pages 173 to 178 and Being no 2806 for the year 1972.

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The said Birendra Krishna Sarkar while owning and possessing his undivided share in the said land hereditament tenements and premises as absolute owner died intestate on 18.08.1979 being survived by his wife Shefali Sarkar as his legal successors who inherited his share in his place under the provision of Hindu Succession Act, 1956.

The said Sefali Sarkar and Dhirendra Krishna Sarkar out of their natural love and affection for Dibyendra Krishna Sarkar son of Dhirendra Krishna Sarkar executed a Deed of Settlement dated 10th day of July 1985 whereby and where under the said Sefali Sarkar and Dhirendra Krishna Sarkar gifted/settled their respective share in the said plot No.9 measuring about 4 (four) cottahs 3 (three) Chittak a little less or more (PLOT II) being portion of 20, Padmapukur Road, in Thana Bhawanipore, Dihi Panchanan gram Division VI, Mouza East Chakraberia Holding No.169 District 24 Parganas, renumbered as Premises No.9, Madhab Chatterjee Lane unto and in favor of Dibyendra Krishna Sarkar son of Dhirendra Krishna Sarkar. The said Deed of Settlement dated 10th day of July 1985 was not registered with any of the registrar offices in Kolkata.

That subsequent upon execution of the said unregistered Settlement Deed the aforesaid property said Dibyendra Krishna Sarkar, was exercising all rights of ownership and pursuant thereto got Plot II mutated and recorded his name in the records of Kolkata Municipal Corporation vide Municipal Assessee no 110702400296. By virtue, thereof the said Dibyendra Krishna Sarkar has been establishing absolute ownership of the said land comprised at Premises No.9, Madhab Chatterjee Lane.

That the said Dibyendra Krishna Sarkar had filed for Letter of Administration being PLA 141 of 2022 claiming that such order or orders be granted against the said Dibyendra Krishna Sarkar in case of intestacy in respect of estate of the deceased Dhirendra Krishna Sarkar of premises no 9 Madhab Chatterjee Lane Kolkata 700020 being identified as Plot no II hereinafter. The Hon'ble High Court at Calcutta vide order dated 15th December 2022 passed by Hon'ble Justice Arindam Mukherjee had ordered that "considering the view of the department upon complete scrutiny, the application for grant of letters of administration is allowed by granting order in terms of prayer (a) of the petition." That in terms thereof the said Dibyendra Krishna Sarkar became the administrator to the estate of the deceased Dhirendra Krishna Sarkar and is competent to enter into this Agreement with the developer herein towards development of ALL THAT plot No.9 measuring about 4 (four) cottahs 3 (three) Chittak be the same a little less or more being portion of 20, Padmapukur Road, in Thana Bhawanipore, Dihi Panchanan gram Division VI, Mouza East Chakraberia Holding No.169 District 24 Parganas, renumbered as Premises No.9, Madhab Chatterjee Lane being more fully and particularly detailed and described in the SCHEDULE appearing hereinafter.


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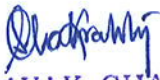
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That the said Dibyendra Krishna Sarkar had filed for a Letter of Administration being PLA 244 of 2022 claiming that such order or orders be granted against the said Dibyendra Krishna Sarkar in case of intestacy in respect of estate of the deceased Shefali Sarkar of premises no 9 Madhab Chatterjee Lane Kolkata 700020 being identified as Plot no II hereinafter. The Hon'ble High Court at Calcutta vide order dated 16th February 2023 passed by Hon'ble Justice Arindam Mukherjee had ordered that "considering the view of the department upon complete scrutiny, the application for grant of letters of administration is allowed by granting order in terms of prayer (a) of the petition subject to the applicant furnishing a personal bond of Rs. 5,00,000/- with one surety." That in terms thereof the said Dibyendra Krishna Sarkar became the administrator to the estate of the deceased Shefali Sarkar and is competent to enter into this Agreement with the Developer herein towards development of ALL THAT plot No.9 measuring about 4 (four) cottahs 3 (three) Chittak be the same a little less or more being portion of 20, Padmapukur Road, in Thana Bhawanipore, Dihi Panchanan gram Division VI, Mouza East Chakraberia Holding No.169 District 24 Parganas, renumbered as Premises No.9, Madhab Chatterjee Lane being more fully and particularly detailed and described in the SCHEDULE appearing hereinafter.

Thus the said Dibyendra Krishna Sarkar became sole owner of 9/2, Madhab Chatterjee Lane, P.S. Bhowanipore, P.O. Bhawanipore Kolkata 700020 and is the administrator to the estate of the deceased Dhirendra Krishna Sarkar and Shefali Sarkar towards the property being marked and identified as premises NO. 9 Madhab Chatterjee Lane, P.S. Bhowanipore, P.O. Bhawanipore Kolkata 700020 the subject matter of this agreement, and is exercising all rights of ownership and possession and is seised and possessed thereof and is rightfully entitled to enter into theses presents with the Developer herein.

That in terms thereof the said Dibyendra Krishna Sarakar had filed for amalgamation of the said two Plots of land being identified as PLOT I and PLOT II and had in term thereof amalgamated the said two plots into one and had recorded the said plot in the Municipal records as 9 Madhab Chatterjee Lane, Kolkata 700020 vide Assessee no 110702400296.

That in terms thereof the said Dibyendra Krishna Sarakar became entitled to and is seised and possessed of ALL THAT piece and parcel of Bastu Freehold Land admeasuring about 4 (four) cottahs 3 (three) Chittak little less or more, under Police Station - Bhawanipore, Dihi Panchanan gram Division VI, Mouza East Chakraberia Holding No.169, lying and situate at Premises No.9, Madhab Chatterjee Lane Kolkata- 700020 District South 24 Parganas, under the Kolkata Municipal Corporation Ward no 70.


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Searches Conducted: -

Court Searches online

Index Searching

Kolkata Municipal Corporation Search

C E R T I F I C A T E

THIS IS TO CERTIFY that Dibyendra Krishna Sarkar are having valid, absolute, clear and marketable title to the said property. The said property is free and clear from charges, claims, demands, mortgages, vesting's of whatsoever and howsoever in nature and is having a valid, free and clear title by virtue of which the said Dibyendra Krishna Sarkar shall have absolute authority to deal with and alienate the said property concerned with any third party.

Thanks & Regards



SAYAK CHAKRABARTY
Advocate
High Court at Calcutta
F/1837/2009