

AJAY KUMAR MITRUKA

"LAWYERPLEX"

KHALPARA, SILIGURI

DIST-DARJEELING-05

98323-86752

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**No Encumbrance Certificate and detailed report**

Ref. :

1. SRI ABHIJEET ROY S/O LATE PALTU ROY
2. SRI MOU ROY S/O LATE PALTU ROY
3. SMT. DIPALI SARKAR W/O SRI MANINDRANATH SARKAR
4. SMT. MINATI MANDAL W/O PRASANTA KUMAR MANDAL
5. SMT.JHARNA BISWAS W/O SRI MIHIR KANTI BISWAS
6. SMT.KANAN DEY ROY W/O LATE ARABINDA ROY
7. SOMA ROY D/O LATE ARABINDA
8. SRI GOUTAM ROY S/O LATE ANIL KRISHNA ROY
9. SRI GOPAL ROY S/O LATE ANIL KRISHNA ROY
10. SMT. RITA ROY W/O LATE AMALENDU ROY
11. SMT. APARUPA ROY@BASAK D/O LATE AMALENDU ROY
12. SMT.ANINDITA ROY D/O LATE AMALENDU ROY
13. SMT.DEEPIKA ROY D/O LATE AMALENDU ROY
14. SMT. ITI ROY W/O LATE ARDHENDU ROY
15. SMT. SNIGDHA ROY D/O LATE ARDHENDU ROY
16. SMT. SMITA ROY D/O LATE ARDHENDU ROY

All are Hindu By faith, Indian by Citizenship, Business by occupation, residing at South Bharat Nagar, 86, Ambika Chakraborty, P.O. & P.S. Siliguri, Dist-Darjeeling, Pin-734004, hereinafter called the "**ACTUAL OWNER**"

**WHEREAS** One Late Rani Bala Roy Late w/o Anil Krishna Roy was the owner of land measuring 17 Decimal, appertaining and forming part of R.S Plot No. 12291, recorded in R.S Khatian No. 4273, Mouza – Siliguri, J.L. No.110, Ward No.24, Holding No. 348/127/182/139, Pargana- Baikunthapur, P.S. Siliguri, Dist. Darjeeling, by virtue of deed of Sale being No. **I-2265** dated 1960, registered in the office of the Sub Registrar Siliguri, Dist-Darjeeling, for the year 1960, having all permanent, heritable and transferable rights, title and interest therein.



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**AND WHEREAS** that during her lifetime Rani Bala Roy sold her land measuring 4.4 Decimal, appertaining and forming part of R.S Plot No. 12291, recorded in R.S Khatian No. 4273, Mouza – Siliguri, J.L. No.110, Ward No.24, Holding No. 348/127/182/139, Pargana- Baikunthapur, P.S. Siliguri, Dist. Darjeeling.

**AND WHEREAS** the said Late Anil Krishna Roy & Rani Bala Roy expired leaving behind the following as his legal heirs to jointly inherit his landed property measuring 12.6 Decimal as per the law of inheritance, i.e each getting 1/9<sup>th</sup> share in the said land (land measuring 1.4 Decimal each) according to the Hindu Succession Act, 1956:-

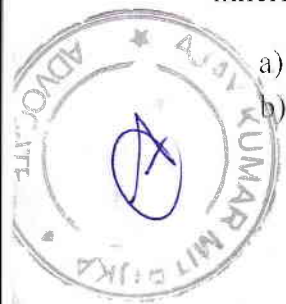
- a) Sri Paltu Roy- Deceased Son
- b) Smt. Dipali Sarkar- Married Daughter
- c) Smt. Minati Mandal- Married Daughter
- d) Smt. Jharna Biswas- Married daughter
- e) Late Arabinda Roy- Deceased Son
- f) Sri Goutam Roy- Son
- g) Sri Gopal Roy – Son
- h) Late Amalendu Roy- Deceased son
- i) Late Ardhendu Roy- Deceased son.

**AND WHEREAS** the said Late Paltu Roy expired leaving behind the following as his legal heirs to jointly inherit his share in the said landed property left behind by his late mother Late Rani Bala Roy, i.e land measuring 0.7 Decimal each, as per the law of inheritance according to the Hindu Succession Act, 1956:-

- a) Sri Abhijeet Roy- Son
- b) Sri Mou Roy - Son

**AND WHEREAS** the said Late Arabinda Roy also expired leaving behind the following as his legal heirs to jointly inherit his share in the said landed property left behind by his late mother Late Rani Bala Roy, i.e land measuring 0.7 Decimal each, as per the law of inheritance according to the Hindu Succession Act, 1956:-

- a) Smt. Kanan Dey Roy- wife
- b) Soma Roy- Daughter



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**AND WHEREAS** the said Late Amalendu Roy also expired leaving behind the following as his legal heirs to jointly inherit his share in the said landed property left behind by his late mother Late Rani Bala Roy, i.e land measuring 0.35 Decimal each, as per the law of inheritance according to the Hindu Succession Act, 1956:-

- a) Smt. Rita Roy- wife
- b) Smt. Aparupa Roy- Daughter
- c) Smt. Anindita Roy- Daughter
- d) Smt. Deepika Roy- Daughter

**AND WHEREAS** the said Late Ardhendu Roy also expired leaving behind the following as his legal heirs to jointly inherit his share in the said landed property left behind by his late mother Late Rani Bala Roy, i.e land measuring 0.46 Decimal each, as per the law of inheritance according to the Hindu Succession Act, 1956:-

- a) Smt. Iti Roy- wife
- b) Smt. Snigdha Roy- Daughter
- c) Smt. Smita Roy- Daughter

**AND WHEREAS** therefore the owners became the owners of total land measuring 12.6 Decimal, having their/her/their permanent heritable and transferable right, title and interest therein.

**DECLARATION OF TITLE SEARCHING:** I have pursued and scrutinized the relevant papers and documents available in respect of the landed property owned and possessed by the actual owners besides that I have caused necessary searches in the office of the Addl. Dist. Sub-Registrar at Siliguri for the period of 2000 (Upto-date) and I have also inspect the settlement record in the office of the B.L. & L.R.O. at Siliguri and I came to opine that the said property is free from all encumbrances and charges and is marketable.



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The said **owners** then got the land mutated and obtained a separate L.R Khatain being No. 6596,6597, 6598 & 6599, 6590, 6595, 6600, 6602, 6601, 6603, 6591, 6592, 6593, 6604, 6594 and L.R Plot No. 2166, under Mouza Siliguri Dakshin , P.S Siliguri, Dist-Darjeeling and classification of land is Bastu.

SCHEDULE

All that piece or parcel of Homestead land measuring Bastu vacant land measuring 12.6 Decimal, appertaining and forming part of R.S Plot No. 12291, recorded in R.S Khatian No. 4273, Mouza – Siliguri, J.L. No.110, Ward No.24, Holding No. 348/127/182/1/139, Pargana- Baikunthapur, P.S. Siliguri, Dist. Darjeeling. Situated at South Bharat Nagar.

The said land is butted and bounded as follows:

- On the North : Land of Mohan Prasad  
On the South : Land & House of Rani Bala Roy  
On the East : 14 Feet S.M.C Road;  
On the West : Land & House of Rani Bala Roy

I have caused necessary searches in the Sub Registry Office at A.D.S.R, Siliguri, for a period from 2000 to 2026. My report is as follows:

OPINION:

- (i) On perusal the documents and records available and conducting searching in the concern offices, it may be certified that the title of the aforesaid land measuring **12.6 Decimal**, as mentioned above hereinabove, owned and possessed by the owners as mentioned above, is free from all sorts of encumbrances, charges, liabilities lines and lispendents attachments of any kind of whatsoever and the said property has an absolutely clear, free and marketable title.
- (ii) The Land is duly mutated in the name of the owners hereof.



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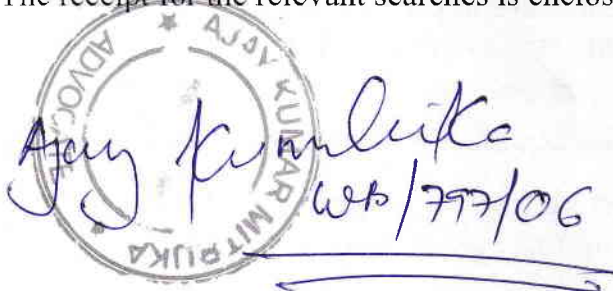
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- (iii) It is certified that neither any acquisition or requisition has been made by the Govt. authority over the aforesaid land nor the same is affected by any scheme of alignment.
- (iv) It is also certified that the aforesaid land is not affected under any restriction of the Urban Land (Ceiling and Regulation) Act. 1976 and the same is not under any claim of the CMDA and The CIT and any other authority and is fit for equitable mortgage.
- (v) It is further certified that owners, have got saleable and marketable right, title and interest over the aforesaid property as mention above hereinabove and it has entitled to create equitable mortgage U/S 58(f) of the Transfer of Property Act, 1882.
- (vi) That the said property is not only free from all encumbrance but also free from all encumbrance but also free from charges, liens, lispences, claims, demands, attachment, mortgages, vested whatsoever or howsoever in nature and the said property have got a clear, free and good marketable title.

The receipt for the relevant searches is enclosed herewith.

  
Ajay Kumar Mitruka  
06/11/06