



Date: 25-02-2026

No Encumbrances Certificate and detailed report on title

Ref : All that the piece and parcel of freehold Land measuring 14 (fourteen) Cottahs, 14 (fourteen) Chittacks more or less, situated, at and being Premises No. 15 Bal Mukund Mackar Road, Kolkata-700007 within Police Station Burrabazar and Ward No.041 of the Kolkata Municipal Corporation.

Present Owner of the said Plot: **1) SHEIKH NASIRUDDIN**, son of Sheikh Zahooruddin, residing at Premises No. 153, Park Street, 2nd Floor, Flat No.7, Kolkata-700017 under P.O. Circus Avenue & P.S. Beniapukur and **2) SHABNAM NASEER**, wife of Sheikh Nasiruddin, residing at Premises No. 153, Park Street, 2nd Floor, Flat No.7, Kolkata-700017 under P.O. Circus Avenue & P.S. Beniapukur.

I have caused necessary searches in the office of Additional Registrar of Assurances (all offices) for the period from 2007 to 2025 in respect of the aforesaid Property.

My report is as follows:

NOTE FROM THE ADVOCATE

- A) One Sarat Chandra Mullick by virtue of two deeds of Indenture both dated 8th June 1926, being Deed No. 2347 and 2346 of 1926 became the absolute owner of Plot No. 15 and 15/1 of the Scheme framed for improvement of the then Calcutta city by the Trustees for the improvement of Calcutta. It is mentioned that the total area as per two deeds were 15 Cottahs 11 Chittacks 04 Square feet;
- B) The said Sarat Chandra Mullick amalgamated the two plots then Calcutta Corporation (then it was) and the plot was renumbered as 15, Bal Mukund Makkar Road, Kolkata-700007 and had duly mutated his name in the then Calcutta Corporation. The said Sarat Chandra Mullick had constructed a two-storied building



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- thereon sometime in an around 1931 and seized and possessed the said property and enjoyed the property throughout his life time as an absolute owner thereof;
- C) The said Sarat Chandra Mullick who was a Hindu governed by Dayabhaga School of Hindu Law died on the 8th day of May, One Thousand Nine Hundred and Fifty Seven having previous thereto made and published his last Will and Testament and a Codicil respectively dated the 18th day of April, 1956 and 18th day of February, 1957 bequeathing his properties as therein contained and appointing his only son Tarak Nath Mullick as the Executor of his Will and Codicil;
- D) The Will and Codicil of the Testator above named were duly proved in the High Court, Calcutta and the respective grants of Probate of the said Will and Codicil were issued by the said Court on 11th day of February, 1959 and the 4th day of June, 1963;
- E) By way of aforesaid Codicil dated 18th February, 1957 the above named Testator bequeathed to his daughter-in-law Bedana Mullick (since deceased) inter alia the Premises No. 15, Bal Mukund Makkar Road, Kolkata-700 007, absolutely;
- F) The above named Executor of the said Will and Codicil of Sarat Chandra Mullick had since accented to the said Bedana Mullick (since deceased) the aforesaid legacy under the said Codicil dated 18th February, 1957;
- G) Furtherance of the above, the above-named Executor namely Tarak Nath Mullick of the Will and Codicil of Sarat Chandra Mullick by a Deed of Transfer dated 26th March, 1968 duly registered in Registrar of Assurances, Kolkata by Book No.-I, Volume No. 74, Being No. 1459, pages from 141 to 145 of 1968 had transferred the said premises No 15, Bal Mukund Makkar Road, Kolkata-700007 particularly described in the Schedule here under written unto the said Bedana Mullick as absolute owner and legatee under the aforesaid Codicil dated 18th Februray, 1957;



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- H) In the premises aforesaid the said Bedana Mullick, wife of Tarak Nath Mullick became the absolute owner of the premises No. 15, Bal Mukund Makkar Road, Kolkata-700007;
- I) The said Bedana Mullick by two registered Deeds of Gift both dated 26th March, 1968, duly registered in Registrar of Assurance recorded in Book No. I, Volume No. 61, Being No. 1460, Pages 72 to 78, and Book No. I, Volume No. 39, Being No. 1461, pages 283 to 289 had transferred by way of absolute and unconditional gift divided and demarcated portion marked as lot A & C in the Plan annexed therein bordered Red and Blue respectively to Sekhar Nath Mullick and Somenath Mullick of the premises No. 15, Bal Mukund Makkar Road, Kolkata – 700 007 more fully described in Schedule appended to the said Deeds of Gift and the Plans annexed therein. The said deceased Bedana Mullick retained the lot "B" of the said premises as her own property;
- J) The said Tarak Nath Mullick died intestate on 22.04.1993 leaving behind his wife Bedana Mullick and three sons namely Amar Nath Mullick (since deceased), Sekhar Nath Mullick and Somenath Mullick;
- K) During her lifetime Bedana Mullick executed a registered Will and Testament dated 4th September, 1995 inter alia bequeathed her undivided 30th part out of her 35% share of the property of 15, Bal Mukund Makkar Road, Kolkata – 700 007 to her son Somenath Mullick and 5th part share out of her undivided 35% share to Sekhar Nath Mullick in the said property as such Somenath Mullick would get 60% and Sekhar Nath Mullick would get 40% of the undivided share of the property;
- L) The said Bedana Mullick died on 07.12.2007. Upon the death of Bedana Mullick, Somenath Mullick being the Executor of last Will and Testament of Bedana Mullick



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applied for grant of Probate of the said Will before the Hon'ble High Court at Calcutta being PLA No. 73 of 2009. The other two sons of Bedana Mullick (since deceased), Sri Amar Nath Mullick and Sri Sekhar Nath Mullick challenged the said Will by way of filing caveat. Thus, to prove the last Will and Testament dated 4th September, 1995 of Bedana Mullick (since deceased) the PLA No. 73 of 2009 had been converted to a Suit which was subsequently numbered as TS 11 of 2016;

- M) The contesting parties to the Suit filed an application being GA No. 2490 of 2016 has attached a term of settlement between the parties in litigation along with the application. On the basis of such terms of settlement attached with the joint application being GA No. 2490 of 2016 Probate of the last Will and Testament dated 4th September, 1995 of Bedana Mullick, since deceased, has been ordered and decreed by the Hon'ble Court at Calcutta,
- N) as per point No. xiv of the terms of settlement attached as an Annexure "A" to the joint application being GA No. 2490 of 2016 reproduced as a Schedule in the drawn-up order and decree passed by the Hon'ble Justice Debangsu Basak of the Hon'ble High Court at Calcutta on the basis of the terms of settlement, it was specifically mentioned as follows:
- "Undivided 35% share of the deceased in premises No. 15, Bal Mukund Makkar Road, Calcutta – 700 007 the plaintiff would be owner in respect of undivided 55% (30% his own share + 25th part or portion out of the share of the deceased) and the defendant No. 2 would be the owner in respect of undivided 45% (35% his own share + 10th part or portion of the share of the deceased)".
- O) Somenath Mullick and Sekhar Nath Mullick became the absolute owner of the property as per the terms of settlement filed along with the joint application by the



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litigants before the Hon'ble High Court at Calcutta in the Probate of the last Will and Testament dated 4th September, 1995 of Bedana Mullick, since deceased, and granted by the Hon'ble High Court at Calcutta;

- P) The said property at 15, Bal Mukund Makkar Road, Kolkata – 700 007 was requisitioned by the Government of West Bengal for the Department of Post (hereinafter referred to as "DOP") on a monthly rental basis and the rent was received by landlords of the property. At one point of time DOP has left the property deserted because the property became dilapidated and stopped paying rent and maintenance of the property. Thus, dispute and difference arose out of non-payment of rent by DOP and the said Sekhar Nath Mullick and Somenath Mullick got an award in their favour in this respect. DOP filed an application under Section 34 under Arbitration and Conciliation Act, 1996 before the Hon'ble High Court, Calcutta being AP No. 1184 of 2013 which was ultimately settled by way of a joint petition filed by the litigants annexing a terms of settlement. As per the terms of settlement the Hon'ble Justice Krishna Rao of the Hon'ble High Court at Calcutta was pleased to dismiss the AP 1184 of 2013 as withdrawn;
- Q) In accordance with the terms of settlement the DOP requested the First Land Acquisition Collector to complete the process of de-requisition as per the provision of law and accordingly in pursuance of an order No. 491-LA dated 6th September, 2022 of the First Land Acquisition Collector, Kolkata read with Memo No. 3761/LA/3M-65/22 dated 29th August, 2022 of the Additional Secretary of Land & Land Reforms and Refugee Relief and Rehabilitation Department handed over the said 15, Bal Mukund Makkar Road, Kolkata-700007 to the Sekhar Nath Mullick and Somenath Mullick on 9th September, 2022;

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ENROLMENT No. WB/98/2001



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- R) By a Deed of Conveyance dated 3rd day of August 2023 made between 1) Sekhar Nath Mullick and 2) Somenath Mullick therein jointly and severally referred to as the Vendors of the First Part and **SHEIKH NASIRUDDIN & SHABNAM NASEER** therein referred to as the Purchasers of the Second Part and duly registered in Book-I, Volume No. 1904-2023, Page from 582736 to 582774, Being No. 190412267 for the year 2023, at the Office of the Additional Registrar of Assurance-IV, Kolkata, the said Vendors for the consideration therein mentioned and on the terms conditions and covenants stated therein conveyed, transferred, assigned and assured unto and to the Purchasers All that the piece and parcel of land, with two storied brick-built dilapidated structure standing thereon and land appurtenant thereto containing an area a little more or less 14 (fourteen) Cottahs 14 (fourteen) Chittacks and 0 (Zero) Sq. ft. together with covered constructed area more or less for residential use only 8587 Sq. ft. on the Ground Floor and 8726 Sq. ft. on the First Floor along with Tin Shed area of 795 Sq. ft. more or less along with vacant land appurtenant thereto, having cemented floor, lying and situated at 15, Bal Mukund Makkar Road and in Kolkata Municipal Corporation records also known as 15 Bal Mukund Macker Road, Ward No.041, Assessee No.110410100149, Kolkata-700007, within Police Station Jorasanko, Post Office Burrabazar morefully described in the schedule thereunder written and delineated in the map or plan annexed thereto and bordered in colour Red thereon.
- S) The said **SHEIKH NASIRUDDIN & SHABNAM NASEER** after purchase of the aforesaid land caused mutation of their names as Owner in the records of the Kolkata Municipal Corporation.



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- T) The said **SHEIKH NASIRUDDIN & SHABNAM NASEER** thus became absolute owner of All that the piece and parcel of freehold Land measuring 14 (fourteen) Cottahs, 14 (fourteen) Chittacks more or less, situated, at and being Premises No. 15 Bal Mukund Mackar Road, Kolkata-700007 within Police Station Burrabazar and Ward No.041 of the Kolkata Municipal Corporation.
- U) I hereby say that the above mentioned land belonging to **SHEIKH NASIRUDDIN & SHABNAM NASEER** is free from all sorts of encumbrances, charges, liabilities, liens and lispendents attachment of any kind whatsoever and the said property has an absolutely clear, free and marketable title.

I also hereby certify that the above mentioned land is not subjected to any restriction and the same is not under any claim of any other authority and is fit for equitable mortgage.

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