

SUBHASIS DAS GUPTA  
Advocate

Resi. & Chamber :  
C-52, Panchasayar,  
Kolkata : 94.  
Phone : 9830049174

**Date: 02.03.2017**

**Re:-** ALL THAT the piece and parcel of land measuring an area of **9(Nine)Cottahs,2 (Two)Chittaks ,38(Thirty Eight) Square Feet** be the same a little more or less which includes the common passage for free egress and ingress for laying drain pipes, filtered and unfiltered water pipes and electric cable underneath the said common passage being Plot No.76 of the Surplus land in Calcutta Improvement Scheme No. XV(C) formed out of portion of old premises no. 15, Gariahat Road being part of Holding No.3 Sub Division K, Division V, Dihi Panchanna Gram, District 24 Parganas, Police Station -Gariahat, Kolkata - 700019, Sub-Registry Office at Sealdah together with two storied building standing thereon lying situate at and being Premises Nos. 3B/1A, 3E/1A,3A, 3B, 3C, 3D, 3E, and 3F,Ekdalia Road now known as P.C. Sorcar Sarani, now renumbered as **3A, P.C. Sorcar Sarani, P.S.Gariahat,Kolkata – 700019.**

**Present Owners:**

**AJIT KUMAR DATTA, MONOJIT KUMAR DUTTA, SRIKANTA DATTA, RUDRAJIT DATTA,ARGHYAJIT DUTTA & SWAPNA DUTTA**

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Profulla Kumar Dutt, son of Late Sashadhar Dutt on 10th February, 1938 purchased from the Calcutta Improvement Trust, ALL THAT the land measuring an area of 15 (Fifteen) Cottahs 1(One) Chittak 13 (Thirteen) Square Feet be the same a little more or less being Plot No. 76 of the Surplus land in Calcutta Improvement Scheme No. XV(C) formed out of portion of old Premises No.15, Gariahat Road, being a part of Holding No.3, Sub-Division - K, Division - V, Dihi Panchanna Gram, District-24-Parganas, Police Station -Ballygunge, Sub-Registry Office at Sealdah. The said Deed was registered in the office of Sub-Registrar at Sealdah on 8th March, 1938 and recorded in Book No. I, Volume No.20 at Pages 122 to 124, Being No.827 for the year 1938.

The said Profulla Kumar Dutt constructed a two storied brick built house thereon lying situate and had been mutated being Premises No. 3, Ekdalia Road, Kolkata – 700019.

The said property was differentiated into different premises i.e. 3A, 3B, 3C, 3D, 3E and 3F of the Corporation of Calcutta with effect from 4th Quarter (January-March) 1941-1942 but the said Profulla Kumar Dutt remained the sole owner of the said different premises.

On 09.02.1971, the said Profulla Kumar Dutt gifted, transferred and conveyed in favour of his daughter Ms. Karunamoyee Dutta, wife of Mr. Phakir Chandra Dutt, ALL THAT the land measuring an area of 1 (One) Cottah 22 (Twenty Two) Square Feet more or less being a portion of 3B and 3E, Ekdalia Road, containing together with portion of building standing thereon lying situate at and being part of Southern portion of Premises No. 3E, Ekdalia Road, now known as P.C. Sorcar Sarani, Police Station - Ballygunge now Gariahat, Kolkata

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- 700019, District - 24 Parganas now South 24-Parganas along with all easement rights to common passage and open space for free egress and ingress and for laying and using drain pipes, filtered and unfiltered water pipes and electric cable underneath the said common passage and open space. The said Deed of Gift was registered in the Sub Registration office at Alipore, 24-Parganas and recorded in Book No.I, Volume No.38, at Pages 33 to 40, Being No. 491 for the year 1971.

On 17.04.1971 the said Profulla Kumar Dutt further gifted, transferred and conveyed to his daughter Ms. Karunamoyee Dutta of ALL THAT the land measuring an area of 1 (One) Cottah 1 (One) Chittak 10 (Ten) Square Feet being a portion of 3B and 3E, Ekdalia Road, containing together with portion of building standing thereon lying situate at and being part of Southern portion of Premises No. 3B, Ekdalia Road, now known as P.C. Sorcar Sarani along with easement rights to common passage and open space for free egress and ingress and for laying and using drain pipes, filtered and unfiltered water pipes and electric cable underneath the said common passage.. The said Deed was registered in the office of District Sub Registrar at Alipore and recorded in Book No.I, Volume No.4 at Pages 224 to 231 Being No. 1331 for the year 1971.

On 27.03.1984 said Profulla Kumar Dutt by a Deed of Settlement in respect of ALL THAT the land measuring an area of 3 (Three) Cottahs 13 (Thirteen) Chittacks 5 (Five) Square Feet be the same little more or less together with portion of building partly two storied and partly three storied standing thereon lying situate at and being Premises No.3A, Ekdalia Road now known as P.C Sorcar Sarani appointed his son-in-law, Sri Phakir Chandra Dutt, son of Late Gosto Behari Dutta, as the Trustee of the said Deed of Settlement and transferred the said land in favour of said Phakir Chandra Dutt till his lifetime and upon the

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death of said Phakir Chandra Dutt the aforesaid property at Premises No. 3A, Ekdalia Road now known as 3A, P.C. Sorcar Sarani was to devolve upon the ultimate beneficiary Mr. Ajit Kumar Datta, along with all easement rights to use common passage for free egress and ingress for laying drain pipes filtered and unfiltered water pipes water reservoir and electric cable underneath the said common passage and open space. The said Deed was registered on 28th March, 1984 in the office of District Sub-Registrar at Alipore and recorded in Book No. I, Volume No. 121 (X), Pages 91 to 98, Being No. 4380 for the year 1984.

On 27.03.1984 ,said Profulla Kumar Dutt executed a Deed of Settlement in respect of ALL THAT the land measuring an area of 04 (Four) Cottahs 14 (Fourteen) Chittacks 06 (Six) Square Feet be the same a little more or less comprised in Part of Holding No.3, Sub-Division - K, Division - V Dihi Panchannagram, District : 24-Parganas, Sub-Registry Office at Sealdah being a portion of Plot No.76 of the Surplus land of the Calcutta Improvement Scheme No. XV(C) formed out of portion of Old Premises No. 15, Gariahat Road, together with portion of building standing thereon lying situate at and being Premises Nos. 3B, 3C, 3D and 3E, Ekdalia Road now known as P.C Sorcar Sarani, appointing Ms. Karunamoyee Dutta as the sole Trustee of the said Trust and transferred the aforesaid property in favour of said Ms. Karunamoyee Dutta as a Trustee thereof and on her death the said property was to devolve upon his grandsons namely Ranjit Kumar Datta, Ajit Kumar Datta, Monojit Kumar Dutta and Srikanta Datta in equal shares along with all easement right to use common passage for free egress and ingress for laying drain pipes filtered and unfiltered water pipes water reservoir and electric cable underneath the said common passage. The said Deed was registered on 28<sup>th</sup> March, 1984 in the office of District Sub-

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Registrar at Alipore and recorded in Book No. I, Volume No. 121(X) at Pages 99 to 105, Being No. 4381 for the year 1984.

The said Ms. Karunamoyee Dutta died on 21.04.2007 and Phakir Chandra Dutt died on 02.02.1998 and in terms of the Deed of settlement the said Premises No. 3B, 3C, 3D and 3E P. C. Sorcar Sarani devolved upon the said Ranjit Kumar Datta, Ajit Kumar Datta, Monojit Kumar Dutta and Srikanta Datta jointly and each of them became the Owner having undivided 1/4th (one Fourth) share each therein.

The said Ranjit Kumar Dutta died intestate on 8<sup>th</sup> January, 2010 leaving his two sons namely Rudrajit Datta and Arghyajit Dutta and none else and his wife Alpana Dutta pre-deceased him on 17.07.2007 and as such they inherited his 1/4<sup>th</sup> (one fourth) undivided share jointly.

On 27.03.1984 the said Profulla Kumar Dutt gifted, transferred and conveyed to his grandson Sri Ajit Kumar Datta, son of Sri Phakir Chandra Dutt ALL THAT the land measuring an area of 2 (Two) Cottahs 2(Two) Chittacks 20 (Twenty) Square Feet together with one storied building standing thereon lying situate at and being Premises No.3F, Ekdalia Road, now known as P.C Sorcar Sarani. The said Deed was registered on 28th March. 1984 in the office of District Sub-Registrar at Alipore and recorded in Book No.I, Volume No. 121 (X), Pages 106 to 110, Being No. 4382 for the year 1984.

Ms. Karunamoyee Dutta by Gift Deeds dated 09.02.1971 & 17.04.1971 became the owner of ALL THAT the land measuring an area of 2 (Two) Cottahs 1 (One) Chittack 32 (Thirty Two) Square Feet more or less lying situate at and

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being Premises respectively No. 3E/1A and 3B/ 1A, Ekdalia Road, now known as P.C Sorcar Sarani.

Ajit Kumar Datta by virtue of the said two Deeds ,both dated 28th March, 1984 became the sole owner of 7 (seven) Cottahs 3 (three) Chittaks 4 (four) Square Feet more or less together with partly three storied and partly one storied building lying situate at and being Premises No.3A and 3F Ekdalia Road, now known as P.C Sorcar Sarani

On 05.08.1993 the said Ms. Karunarnoyee Dutta, wife of Phakir Chandra Dutt executed a Deed of Family Settlement appointing herself as sole Trustee and transferred **ALL THAT** the land measuring an area of 01 (One) Cottah 03 (Three) Chittacks 03 (Three) Square Feet together with two storied building standing lying situate at a portion of Premises No.3E/1A, Ekdalia Road, now -known as P.C Sorcar Sarani, and upon the death of said Ms. Karunarnoyee Dutta the aforesaid property was to devolve upon Sri Ranjit Kumar Dutta (since deceased) and upon Ms.Swapna Dutta wife of Mr. Ajit Kumar Datta jointly having equal share. The said Deed was registered in the office of Additional District Sub-Registrar and recorded in Book No.I, Volume No.98, Pages 212 to 222, Being No.3581 for the year 1993.

Ranjit Kumar Dutta died intestate on 8th January, 2010 leaving behind his two sons namely Rudrajit Datta and Arghyajit Dutta as his heirs and none else according to the Hindu Succession Act 1956 since his wife Alpana Dutta pre-deceased him on 17.07.2007 and as such they have inherited the undivided half share of Late Ranjit Kumar Dutta jointly in the said Premises No 3E/1A, P.C. Sorcar Sarani, Kolkata 700019.

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The said Ms. Karunamoyee Dutta executed a Deed of Family Settlement on 5<sup>th</sup> August, 1993 of the Premises No. 3B/ 1A, P. C. Sorcar Sarani, Kolkata - 700019 containing an area of more or less 14 (Fourteen) Chittacks 29 (Twenty Nine) Square Feet together with a two storied building thereon and she appointed herself as the First Trustee and her husband Phakir Chandra Dutt as second Trustee. The said Deed was duly registered at the office of Additional District Sub-Registrar at Alipore, District -24 Parganas and recorded in Book No. I, Volume No. 98, Pages 223 to 233, Being No. 3582, for the year 1993.

In terms of the said Deed of Family Settlement after the death of the said Phakir Chandra Dutt and Karunamoyee Dutta, the First Floor of the said property devolved upon Monojit Kumar Dutta and the Ground Floor was devolved upon Srikanta Datta.

The said Profulla Kumar Dutt during his life time had, by way of several deeds of gifts and/or family settlement dealt with, in total 12 (Twelve) Cottahs 15 (Fifteen) Chittacks 18 (Eighteen) Square Feet of land out of the entire land comprising premises No. 3A, 3B, 3C, 3D, 3E and 3F P.C. Sorcar Sarani, Kolkata - 700019, Police Station - Gariahat, out of the entire land measuring an area of 15 (Fifteen) Cottahs 1 (One) Chittack 13 (Thirteen) Square Feet be the same a little more or less being original Plot No. 76 of the Surplus land in Calcutta Improvement Scheme No. XV(C) formed out of portion of old Premises No. 15, Gariahat Road comprised in Holding No.3 Sub Division K, Division V Dihi Panchanna Gram, District 24-Parganas, Police Station -Ballygunge, Sub-Registry Office at Sealdah Kolkata – 700019.

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The remaining 2(Two) Cottahs 1 (One) Chittack 40(Forty) Square Feet of land, be the same a little more or less, being Plot No. 76 of the Surplus land in Calcutta Improvement Scheme No. XV(C), formed out of a portion of old Premises No. 15, Gariahat Road being part of Holding No. 3 Sub Division K, Division V, Dihi Panchanna Gram, District-24-Parganas, Police Station - Ballygunge, Sub-Registry Office at Sealdah, is lying as a common open space and passage, created for better use and enjoyment of easement right and for free egress and ingress for laying drainpipes filtered and unfiltered water pipes and electric cable underneath the said common passage lying situate at and being Premises Nos. 3B/1A, 3E/ 1A, 3A, 3B, 3C, 3D, 3E, and 3F P.C. Sorcar Sarani, Kolkata - 700019, which is common amongst the aforesaid owners.

On 23<sup>rd</sup> March, 2012 the said Ajit Kumar Datta by executing a Deed of Conveyance sold out , transferred and conveyed a major portion of his property being Premises No. 3A and 3F, P.C. Sorcar Sarani, Kolkata - 700019, leaving an unsold area measuring more or less 1 (One) Chittack 5 (Five) Square Feet containing Premises No.3A and 3F, P.C. Sorcar Sarani, Kolkata – 700019.

The owners thus became the sole and absolute owners of and or well and sufficiently entitled to the premises nos. 3A, 3B, 3C, 3D, 3E, 3F, 3B/ 1A and 3E /1A P.C. Sorcar Sarani, P.S. Gariahat, Kolkata-700019 containing a total area of more or less 9 (Nine) Cottahs 2 (Two) Chittacks 38 (Thirty Eight) Square Feet together with old dilapidated two storied building standing thereon. The said properties were contiguous and upon amalgamation would form one seamless plot of land.

The present owners herein with a view to have one seamless plot of land and maintain one premises number of the property executed 4(four) nos of deed of

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gift amongst themselves for the purpose of amalgamation. The following gift deeds were executed by and between the owners, as detailed herein below :-

- a) Gift Deed dated 14<sup>th</sup> October, 2015 executed between Ajit Kumar Datta, Monojit Kumar Dutta, Srikanta Datta, Rudrajit Datta and Arghyajit Dutta as Donors and Swapna Dutta as Donee registered with the District Sub-Registrar-I, South 24 Parganas, recorded in Book No. I, Volume No. 1601-2015, pages 58978 to 59012, Being No. 160104187 for the year 2015.
- b) Gift Deed dated 14<sup>th</sup> October, 2015 executed between Ajit Kumar Datta as Donor and Monojit Kumar Dutta, Srikanta Datta, Rudrajit Datta and Arghyajit Dutta and Swapna Dutta as Donees registered with the District Sub-Registrar-I, South 24 Parganas recorded in Book No. I, Volume No. 1601-2015, pages 59013 to 59047, Being No. 160104188 for the year 2015.
- c) Gift Deed dated 14<sup>th</sup> October, 2015 executed between Swapna Dutta, Rudrajit Datta and Arghyajit Dutta as Donors and Ajit Kumar Datta, Monojit Kumar Dutta and Srikanta Datta as Donees registered with the District Sub-Registrar-I, South 24 Parganas recorded in Book No. I, Volume No. 1601-2015, pages 59048 to 59084, Being No. 160104189 for the year 2015.
- d) Gift Deed dated 14<sup>th</sup> October, 2015 executed between Monojit Kumar Dutta and Srikanta Datta as Donors and Ajit Kumar Datta, Swapna Dutta, Rudrajit Datta and Arghyajit Dutta as Donee registered with the District

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Sub-Registrar-I recorded in Book No. I, Volume No. 1601-2015, pages 59085 to 59121, Being No. 160104190 for the year 2015.

Subsequently the aforesaid properties have been amalgamated into one premises and renumbered as 3A, P.C. Sorcar Sarani, Kolkata – 700019.

On 9<sup>th</sup> May, 2016 the Owners entered in to an agreement for Development in relation to the property at Premises No.3A, P.C. Sorcar Sarani, Kolkata – 700019 with **SKYLINE PROJECTS**, a partnership firm (Holder of PAN ABWFS3367H) duly represented by its partners, (1) **PALASH MAZUMDER**, son of late Bijan Bandhu Mazumder, and (2) **LALIT BAID**, son of late Sampat Mull Baid. The said Development agreement was subsequently registered in the office of the D.S.R. I, South 24 Parganas and recorded in Book No. I, Volume No.1601-2016, pages from 46086 to 46139, being no.160101593 for the year 2016.

The Owners also executed a Development Power of Attorney on 11<sup>th</sup> May, 2016 registered in the office of D.S.R.-I, South 24 Parganas and recorded in Book no I, Volume no.1601-2016, at Pages from 47415 to 47454 being no.160101628 for the year 2016 in favour of Sri Palash Mazumder and Sri Lalit Baid, both partners of Skyline Projects, empowering them to do the acts and deeds mentioned therein.

The Owners also executed a Deed of Declaration in connection with the property at Premises No.3A, P.C. Sorcar Sarani, Kolkata – 700019. The said Declaration has been registered in the office of District Sub Registrar –I, South 24 Parganas, and recorded in Book No I, Volume No.1601-2016, at Pages from 52282 to 52298, Being No.160101785 for the year 2016.

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I have caused necessary searches in the office of the of the Index Book –II record through Sri Kamalendu Chakraborty in respect of the property under reference in the office of A.D.S.R. Alipore, District Sub Registrar-I at Alipore and Registrar of Assurances, Kolkata during the period from 1985 to 2017 and no adverse entry have been found as against the said property except the entries as stated hereinabove.

Thus after considering the aforesaid title deeds, other relevant documents as mentioned hereinabove and the search report, I am of the view that the said Owners have marketable title over the property under reference and the said property is free from all encumbrances.

Search receipts Enclosed

*Subhasis Das Gupta*

Advocate

No. F 751/778 of 1989