

M/S. S.S. LEGAL SERVICES

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Visa International

Report on : 19-12-2019

To,
RBSA Advisors

2nd Floor, IAPL House,

23, South Patel Nagar,

New Delhi-110008,
INDIA

Subject: Encumbrances Certificate and detailed Report on Title

Description of the property:

ALL THAT Flat no. 2D measuring about 1487 sq. ft. (super built up area) on the Second floor of the North-Western side of the building together with one Covered Car Parking Space no. 2D in the basement of the building together with one Store no. A on the Ground floor of the building named & known as "Mani Villa" built and constructed at or upon the plot of land measuring about 12 Cottahs 12 Chittacks & 35 sq.ft under P.S. Behala in the District South 24 Parganas presently known and numbered as municipal Premises no. 40, Diamond Harbour Road previously 40/34, Diamond Harbour Road under municipal Ward no. 119 within the limits of Kolkata Municipal Corporation.

Present owners of the said property: Sri. Vishal Agarwal and Sri. Vikas Agarwal

Searches made:

Based on the searches conducted through one Sri. D. Chakraborty in the Index II in the offices of A.D.S.R Behala & D.S.R. South 24 Parganas & A.R.A. Kolkata from the year 2006 to 2019 (as per available record) and no adverse entries were observed although some of the volumes of the concerned years were in torn and incomplete condition. The fee deposit receipts bearing nos. AA 327378 & AA 033798 are enclosed in original.

Particulars of all documents:

- a) Photocopy of registered Deed of Conveyance dated 24-03-1992 between James Long Properties Private Limited and Niharika Constructions Private Limited (Vendors) and Teage Tools & Constructions (India) Private Limited (Developer) and Vishal Agarwal (minors) and Vikas Agarwal (minor) represented by their guardian their father Sri. Vishambhar Saran (Purchaser). The said deed was

registered in the office of Sub Registrar-Behala, Dist South 24 Parganas and recorded in its book No. I, as being no. 7722 for the year 1992 (No back page)-Annexure-A

- b) Photocopy of Municipal Tax Receipt dated 29-04-2019 in the name of Vishal Agarwal & Vikash Agarwal from the office of Kolkata Municipal Corporation for the period of 2019-2020, 4th Qtr-Annexure-B
- c) Photocopy of No Outstanding Certificate dated 19-12-2019 in the name of Vishal Agarwal & Vikash Agarwal from the office of Kolkata Municipal Corporation till 19-12-2019-Annexure-C
- d) Original Certified copy of registered Deed of Conveyance dated 20-08-2014 between M/s Visa International Ltd (formerly- Visa Agro Industries Pvt Ltd)(Vendors) and Bilash Rai Chowdhary & Sons (HUF) (Purchaser). The said deed was registered in the office of Dist Sub Registrar-II, Alipore, Dist South 24 Parganas and recorded in its book No. I, CD Volume no 15, Pages 5750 to 5782 as being no. 11283 for the year 2014-Annexure-D

Report:

Based upon the searches conducted through the searcher as aforesaid with the said various authorities and having perusal of the records pertaining to the said property i.e. the Deed, documents and papers relating to the title thereof the report is as follows:

Devolution of Title:-

PLOT A

WHEREAS at all material times one Sri. Prakash Narain Kapoor was the absolute owner of ALL THAT piece and parcel of land measuring about 05 Cottahs 11 Chittacks & 13 sq.ft together with structures standing thereon under P.S. Behala in the District South 24 Parganas known and numbered as municipal Premises no. 41/35, Diamond Harbour Road under municipal Ward no. 119 within the limits of Calcutta Municipal Corporation presently Kolkata Municipal Corporation (hereinafter referred to as the "Said Plot A").

AND WHEREAS by and through a registered Deed of Conveyance dated 04-08-1988 said Sri. Prakash Narain Kapoor for the consideration therein mentioned sold, transferred, conveyed, assigned ALL THAT undivided $\frac{1}{2}$ share of the said Plot A in favour of James Long Properties Private Limited. The said Deed was registered in the office of ADSR Behala and recorded in its Book no, I as being no. 3520 for the year 1988.

AND WHEREAS by and through another registered Deed of Conveyance dated 04-08-1988 said Sri. Prakash Narain Kapoor for the consideration therein mentioned sold, transferred, conveyed, assigned ALL THAT the remaining undivided $\frac{1}{2}$ share of the said Plot A in favour of Niharika Constructions Private Limited. The said Deed was registered in the office of ADSR Behala and recorded in its Book no, I as being no. 3520 for the year 1988.

AND WHEREAS said James Long Properties Private Limited and Niharika Constructions Private Limited became the joint and absolute owners of the said Plot A

PLOT B

AND WHEREAS at all material times one Sri. Damodar Nandlal Chawla was the absolute owner of ALL THAT piece and parcel of land measuring about 05 Cottahs 12 Chittacks & 30 sq.ft together with structures standing thereon under P.S. Behala in the District South 24 Parganas known and numbered as municipal Premises no. 40/34, Diamond Harbour Road under municipal Ward no. 119 within the limits of Calcutta Municipal Corporation presently Kolkata Municipal Corporation (hereinafter referred to as the "Said Plot B").

AND WHEREAS by and through a registered Deed of Conveyance dated 04-08-1988 said Sri. Damodar Nandlal Chawla for the consideration therein mentioned sold, transferred, conveyed, assigned ALL THAT undivided ½ share of the said Plot B in favour of Niharika Constructions Private Limited. The said Deed was registered in the office of ADSR Behala and recorded in its Book no, I as being no. 3522 for the year 1988.

AND WHEREAS by and through another registered Deed of Conveyance dated 04-08-1988 said Sri. Damodar Nandlal Chawla for the consideration therein mentioned sold, transferred, conveyed, assigned ALL THAT the remaining undivided ½ share of the said Plot B in favour of James Long Properties Private Limited. The said Deed was registered in the office of ADSR Behala and recorded in its Book no, I as being no. 3523 for the year 1988.

AND WHEREAS said James Long Properties Private Limited and Niharika Constructions Private Limited became the joint and absolute owners of the said Plot B

AMALGAMATION & DEVELOPMENT

AND WHEREAS said James Long Properties Private Limited and Niharika Constructions Private Limited while seized possessed of and / or otherwise well and sufficiently entitled to the said plot A & B duly amalgamated the same as by dint of a registered Agreement dated 23-08-1988 as ALL THAT piece and parcel of land measuring about 11 Cottahs 7 Chittacks & 43 sq.ft under P.S. Behala in the District South 24 Parganas presently known and numbered as municipal Premises no. 40/34, Diamond Harbour Road under municipal Ward no. 119 within the limits of Calcutta Municipal Corporation presently Kolkata Municipal Corporation (hereinafter referred to as the "Said Land") and thereafter entered into a Development Agreement dated 26-09-1988 with one Teage Tools & Constructions (India) Private Limited (hereinafter referred to as the "Said Developer") for commercial exploitation of the said Land by constructing a multi-storied building consisting of various flats/apartments and other spaces on the land of the said properties as per the sanctioned building plan of Calcutta Municipal Corporation being Plan no. 4 of 1989-90 dated 16-06-1989.

STIP OF LAND

AND WHEREAS by and through a registered Deed of Conveyance dated 23-06-1989 one Smt. Deepali Dutta for the consideration therein mentioned sold, transferred, conveyed, assigned ALL THAT piece and parcel of land measuring about 1 Cottah 4 chittacks & 10 sq.ft along with a partly one storied and partly two storied building standing thereon under P.S. Behala in the District South 24 Parganas presently known and numbered as municipal Premises no. 102, Diamond Harbour Road within the limits of Calcutta Municipal Corporation (hereinafter referred to as the "Said Plot 1") in favour of James Long Properties Private Limited and Niharika Constructions Private Limited. The said

Deed was registered in the office of ADSR Behala and recorded in its Book no. I as being no. 2339 for the year 1989

AND WHEREAS by dint of a Deed of Exchange dated 12-08-1991 executed by and between the said James Long Properties Private Limited and Niharika Constructions Private Limited as the first party and one Sri Shankar Dey as the second party said first party transferred ALL THAT land measuring about 13 chittacks & 18 sq.ft out of the said Plot 1 in favour of the second party and the said Second party transferred ALL THAT Land measuring about 13 chittacks under P.S. Behala in the District South 24 Parganas being the Southern strip municipal Premises no. 88/10/1/2, Diamond Harbour Road within the limits of Calcutta Municipal Corporation (hereinafter referred to as the "Said Plot 2") in favour of the first party. The said Deed was registered in the office of ARA Calcutta as being no. 12309 for the year 1991.

AND WHEREAS said James Long Properties Private Limited and Niharika Constructions Private Limited thus became the joint and absolute owners of ALL THAT Land measuring about 7 Chittacks & 37 sq.ft out of Plot 1 and Plot 2 and since the said plots were adjacent to the said land the same were amalgamated as ALL THAT piece and parcel of land measuring about 12 Cottahs 12 Chittacks & 35 sq.ft under P.S. Behala in the District South 24 Parganas presently known and numbered as municipal Premises no. 40/34, Diamond Harbour Road under municipal Ward no. 119 within the limits of Kolkata Municipal Corporation(hereinafter referred to as the "Said properties").

FLAT 2D

AND WHEREAS one Reliance Steels Ltd entered into one Agreement for Sale dated 29-06-1990 with the said James Long Properties Private Limited and Niharika Constructions Private Limited for the purchase of ALL THAT Flat no. 2D measuring about 1487 sq. ft. (super built up area) on the Second floor of the North-Western side of the building together with one Covered Car Parking Space no. 2D in the basement of the building together with one Store no. A on the Ground floor of the building named & known as "Mani Villa" built and constructed on the land of the said properties (hereinafter collectively referred to as the "Said Flat") at a consideration agreed between them.

AND WHEREAS said Reliance Steels Ltd entered into one Agreement for Sale dated 29-06-1990 with the said Developer for construction of the said Flat as per the terms and conditions mentioned therein.

AND WHEREAS said Reliance Steels Ltd for some reason and purposes did not agreed to proceed with the matter and did not execute a registered Deed of Conveyance in its favour and agreed to nominate and assign the said Flat in favour of Vishal Agarwal (minors) and Vikas Agarwal (minor) represented by their father Sri. Vishambhar Saranas their guardian by dint of an Agreement for Nomination dated 02-03-1992 joined by the said James Long Properties Private Limited and Niharika Constructions Private Limited and the Developer.

AND WHEREAS by dint of a registered Deed of Conveyance dated 24-03-1992 said James Long Properties Private Limited and Niharika Constructions Private Limited for the consideration therein mentioned sold, transferred, conveyed, assigned the said Flat in favour of Vishal Agarwal (minors) and Vikas Agarwal (minor) represented by their guardian their father Sri. Vishambhar Saran duly confirmed by Teage Tools & Constructions (India) Private Limited. The said deed was registered in the office of Sub Registrar-Behala, Dist South 24 Parganas and recorded in its book No. I, as being no. 7722 for the year 1992

MUTATION

AND WHEREAS said Sri. Vishal Agarwal and Sri. Vikas Agarwal after attainment of majority duly mutated their names in the records of Kolkata Municipal Corporation and paid taxes thereon.

OBSERVATIONS:

1. Our opinion is based on photocopies of the documents and representations made therein without perusal of originals.
2. Titleholders of the subject property are Sri.Vishal Agarwal and Sri. Vikas Agarwal
3. Subject property is mutated in the name of the present owners and upto date Municipal Tax Receipt paid
4. During the course of Searching one entry was found with respect to Deed 11283 for the year 2014 and after procurement of the certified copy of the same (Refer Annexure-D) it is found that the same is with respect to another property and not related to this

ADVICE :

1. Check all original documents specially the Title Deed being no. 7722 for the year 1992 (not from certified copy)
2. Appropriate Deed of Conveyance should be registered in favour of the Visa International Ltd as per the draft of which shall require examination and a deed plan should be attached for land for better clarity and obtain the IGR in original duly signed by the presenter on the reverse which should not be kept pending for payment of any additional stamp duty assessed by the Registrar (in due course of time)

Certificate:-

On going through the copies of the documents and on relying upon the contents of the same and subject to the observations and advice given above and also on the basis of the Searches conducted by the Searcher, it is certified that the said Property/Flat is owned by the Sri._Vishal Agarwal and Sri. Vikas Agarwal and prima facie the Property/Flat is having absolute clear, free and marketable title
The receipts for the relevant searches are enclosed herewith.

Enclosed: As above

Place: - Kolkata

Date: 19-12-2019

Yours faithfully,
For M/S. S.S. LEGAL SERVICES

Shoumya Roy
(ADVOCATE)