

**SHAMBHU MAHATO**

Advocate  
High Court, Calcutta,  
Bar Association Room No.2

**CORRESPONDENCE:-**

22E, Bhattacharya Para Lane, 1<sup>st</sup>, Flat No:  
4, Kolkata-700036  
Mob-9903132840/9830041484  
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**ANNEXURE - IV****SPECIAL REPORT ON TITLE**

<b>Details of property:</b>	<p style="text-align: center;">SCHEDULE ABOVE REFERRED TO:</p> <p>ALL THAT piece or parcel of land with Korfa right, situated and lying at Mouza-Dakshin Rajyadharpur comprising R.S. Dag Nos. 407, 408, 409 and 410 and L.R. Dag Nos. 527, 528, 529 and 530 under R.S. Khatian Nos. 197 and 434 and L.R. Khatian No. 3301 in P.S. and P.O. Serampore Dist Hooghly under Rajyadharpur Gram Panchayet ad-measuring an area of 2.64 Acres more or less out of which in Dag No. 497, Khatian No. 197, land measuring an area of 0.03 acres, in Dag No. 408, Khatian No. 434 land measuring an area of 1.97 acres in which different factory sheds are standing total measuring an area of 9000 square feet approx in Dag No. 409, Khatian No. 434 land measuring an area of 0.46 acres and in Dag No. 410 Khatian No. 434 land measuring an area of 0.18 acres i.e. total land area of four Dags 2.64 acres more or less and the entire property is butted and bounded ON THE NORTH : By Two feet wide drain, ON THE SOUTH : By land and sheds of Nipha Steels Ltd ON THE EAST : By Boundary Line ON THE WEST : Road.</p> <p style="text-align: center;"><b><u>The present use of the said land is Karkhana.</u></b></p>
<b>Name of the present Owner;</b>	M/S NIPHA EXPORTS PVT. LTD company incorporated under the Companies Act having its registered office at 48, Ganga Jamuna 28/1, Shakespeare Sarani P.S. Shakespeare Sarani P.O. Circus Avenue Kolkata Municipal Corporation Ward No. 63 Kolkata- 700017 West Bengal represented by MR. SIDDHARTH SHAH son of Sri. Mahesh Chandra Shah one of the Director of the company as an authorized person as per the resolution passed by the Board of Directors of the company on 30 <sup>th</sup> July 2015 residing at 17, NB/NC, Block-A Diamond Harbour Road P.S. and P.O. New Alipore Kolkata Municipal Corporation Ward No. 81 Kolkata- 700053.
<b>Name of the Borrowers:</b>	M/S NIPHA EXPORTS PVT. LTD company incorporated under the Companies Act having its registered office at 48, Ganga Jamuna 28/1, Shakespeare Sarani P.S. Shakespeare Sarani P.O. Circus Avenue Kolkata Municipal Corporation Ward No. 63 Kolkata- 700017 West Bengal represented by MR. SIDDHARTH SHAH son of Sri. Mahesh Chandra Shah one of the Director of the company as an authorized person as per the resolution passed by the Board of Directors of the company on 30 <sup>th</sup> July 2015 residing at 17, NB/NC, Block-A Diamond Harbour Road P.S. and P.O. New Alipore Kolkata Municipal Corporation Ward No. 81 Kolkata- 700053.

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ASPECTS TO BE CONSIDERED	COUNSEL'S STATEMENT
<b>A. PARTICULARS</b>  1. Name of the Borrower with address :	M/S NIPHA EXPORTS PVT. LTD company incorporated under the Companies Act having its registered office at 48, Ganga Jamuna 28/1, Shakespeare Sarani P.S. Shakespeare Sarani P.O. Circus Avenue Kolkata Municipal Corporation Ward No. 63 Kolkata- 700017 West Bengal represented by MR. SIDDHARTH SHAH son of Sri. Mahesh Chandra Shah one of the Director of the company as an authorized person as per the resolution passed by the Board of Directors of the company on 30 <sup>th</sup> July 2015 residing at 17, NB/NC, Block-A Diamond Harbour Road P.S. and P.O. New Alipore Kolkata Municipal Corporation Ward No. 81 Kolkata- 700053.
2. Name of the person offering Mortgage with parentage/constitution and address :	Do.
3. Details of the property to be mortgaged : As per title deed --- As per present Position	As stated above.
<b>B. INVESTIGATIONS</b>  1. Details of the title deeds/documents (including Link Deeds/Parent deeds) to be deposited for creation of the mortgage (with full particulars regarding nature of document, date of execution and details of registration)	1) Deed of Conveyance registered in the office of the A.R.A.-III, Kolkata and recorded in Book No:1, Volume No: 1903-2015, Pages 24024 to 24068 being No: 19030224 for the year 2015 (Original); 2) Sale Deed registered in the office of the A.D.S.R-Serapore and recorded in Book No:1, Volume No: 43,Pages 182 to 184 being No: 2539 for the year 1974 (Certified copy); 3) Sale Deed registered in the office of the A.D.S.R-Serapore recorded in Book No: 1, Volume No: 43, Pages 185 to 186 being No:2540 for the year 1974(Certified copy). 4) Lease Deed registered in the office of the A.D.S.R-Serampore and recorded in Book No:1, Volume No: 129,Pages 95 to 101 being No: 5924

		for the year 1985 (Copy); 5) Indenture dated 07.06.2000 (Copy); 6) Sanctioned Plan of Factory Shed (Copy); 7) Khajna (Copy); 8) Parcha (Copy); 9) Tax receipt (Copy). 10) G.D. Entry of lost Deeds of 1974 along with paper publication (Copy); 11) Order passed in BIFR 199 of 1988 (Copy).
2.	Whether certified copies have been obtained from the Registrar's office.	Yes.
3.	Whether documents in hands are compared with the certified copies. Whether documents given as original title deeds raise any doubt or suspicion?	
4.	Whether the registration particulars number & date and page particulars as given in the title deed shown to the counsel tally with the particulars as stated in the records of the registrar's office?	Yes.
5.	Whether the registration particulars number & date and page particulars as given in the title deed tally with the particulars as stated in the certified copy as obtained from the registrar's office?	Yes.
6.	Whether the photographs of parties as affixed in conveyance deed/ title deed tally with the photograph seen in the certified copy as obtained from the registrar's office?	Yes.
7.	Whether contents of the as given in the title deed tally verbatim with the contents as stated in the certified copy obtained from the registrar's office? If not, variations be specified. What is its effect?	Yes.
8.	Whether the property has been mutated in the name of the person offering the mortgage?	Yes.
9.	Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated?	Yes.
10.	Whether there is any bar under any local law for creation of the mortgage of the property to be mortgaged? (In some States, there are legal restrictions on creation of the mortgage of agricultural property for non-agricultural purposes).	No.

<p>22. Whether certified copies of Revenue Records has been obtained and examined to confirm that no dues are outstanding toward the mortgagor?          (Copies of revenue record be submitted to the Bank while submitting the Certificate of Title Investigation.)</p>	<p>Yes.</p>
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Date: 20.03.2018  
 PLACE: Kolkata

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 Advocate  
 High Court, Calcutta



**J MAHATO**  
Advocate  
Calcutta,  
Session Room No. 2

**Correspondence**

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Flat No: 4, Kolkata-700036.  
Mob-9903132840/9830041484  
Email: smahatoadvocate@gmail.com

**CERTIFICATE**

**ANNEXURE - VI**

**REFERENCE NO...**

**ENTRY SERIAL NO.PNB SR 14-03-2018 REGISTER NO 01 OF YEAR 2018.**

**(Counsel to give serial no. to the certificate as entered in register of searches maintained by him)**

Date: 20.03.2018

To

The Assistant General Manager

Punjab National Bank

IBB Branch-Kolkata.

**Chain of title:**

**WHEREAS** Siddhartha Ferro Alloys Ltd purchased a peace and parcel of land measuring about 2.64 acres more or less in Dag Nos. 407, 408, 409 and 410 and Khatian Nos. 197 and 434 and also other land and property in Mouza- Dakshin Rajyadharpur P.S. Sreeampur Dist Hooghly by virtue of two separate Sale Deeds registered in the office of the A.D.S.R-Serapore and recorded in Book No:1, Volume No: 43, Pages 182 to 184 being No: 2539 for the year 1974 and recorded in Book No: 1, Volume No: 43, Pages 185 to 186 being No:2540 for the year 1974 and used and enjoy the same and also paid the taxes to the appropriate authorities.

**AND WHEREAS** the said Siddhartha Ferro Alloys Ltd executed a Deed of Lease dated 16<sup>th</sup> December 1985 in favour of M/S Saraf Iron Foundry & Rolling Mills Pvt. Ltd for a period of 15 years commencing from 16<sup>th</sup> December 1985 at the monthly lease rent of Rs. 5000/- per month for setting up the industry and the said Lessee paid the said Lease rent in respect of the Sali land in respect of the land area measuring 2.093 Acres more or less out of total land area measuring 2.64 acres more or less out of total land area measuring 2.64 acres more or less in Dag Nos. 407, 408, 409 and 410 which are morefully described in schedule hereunder written.

**AND WHEREAS** the name of Siddhartha Ferro Alloys Ltd has been changed as NIPHA STEELS LTD the vendor herein in the year 1990. The changed name of the Siddhartha Ferro Alloys Ltd has also been recorded in the office of the Registrar of Companies as NIPHA STEELS LTD who became the absolute owners of the properties as mentioned in the schedule hereunder written.

**AND WHEREAS** the said Deed of Lease expired on 15<sup>th</sup> December 2000 when NIPHA STEELS LTD renewed the said Lease Agreement with M/S SARAF IRON FOUNDRY & ROLLING MILLS PVT LTD for a further period of 15 years at the monthly lease rent of Rs. 8000/- (Rupees Eight Thousand only payable according to English Calendar Month

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High Court Calcutta

**AND WHEREAS** M/S SARAF IRON FOUNDRY & ROLLING MILLS PVT LTD has been amalgamated with NIPHA EXPORTS PVT LTD with effect from 1<sup>st</sup> April 2008 as per Order dated 10<sup>th</sup> September 2008 passed by Hon'ble High Court at Calcutta

**AND WHEREAS** BIFR Proceeding was initiated against Nipha Steels Limited (In liquidation) and Pawan Kumar Shah Versus Official Liquidator (BIFR 199 of 1988).

**AND WHEREAS** the present owner has acquired right title and interest in respect of the said property by virtue of Deed of Conveyance registered in the office of the A.R.A.-III, Kolkata and recorded in Book No:1, Volume No: 1903-2015, Pages 24024 to 24068 being No: 19030224 for the year 2015.

**AND WHEREAS** the then owner has lost the Sale Deeds registered in the office of the A.D.S.R-Serapore and recorded in Book No:1, Volume No: 43, Pages 182 to 184 being No: 2539 for the year 1974 and recorded in Book No: 1, Volume No: 43, Pages 185 to 186 being No:2540 for the year 1974.

#### SCHEDULE ABOVE REFERRED TO

ALL THAT piece or parcel of land with Korfa right, situated and lying at Mouza- Dakshin Rajyadharpur comprising R.S. Dag Nos. 407, 408, 409 and 410 and L.R. Dag Nos. 527, 528, 529 and 530 under R.S. Khatian Nos. 197 and 434 and L.R. Khatian No. 3301 in P.S. and P.O. Serampore Dist Hooghly under Rajyadharpur Gram Panchayet ad-measuring an area of 2.64 Acres more or less out of which in Dag No. 497, Khatian No. 197, land measuring an area of 0.03 acres, in Dag No. 408, Khatian No. 434 land measuring an area of 1.97 acres in which different factory sheds are standing total measuring an area of 9000 square feet approx in Dag No. 409, Khatian No. 434 land measuring an area of 0.46 acres and in Dag No. 410 Khatian No. 434 land measuring an area of 0.18 acres i.e. total land area of four Dags 2.64 acres more or less and the entire property is butted and bounded

ON THE NORTH : By Two feet wide drain,

ON THE SOUTH : By land and sheds of Nipha Steels Ltd

ON THE EAST : By Boundary Line

ON THE WEST : Road.

As requested, I have conducted the legal investigation of the title and made a search of records in the registration office and other offices as required in the matter.

I have answered all the queries in the Special Report which is enclosed.

I hereby certify that the registration particulars- number, date and page particulars etc. as shown in the title deed and contents thereof tally with the information as stated in the records of office of Sub-Registrar/Registrar of assurances as well as with certified copy of the title deed, which was obtained by me is enclosed with this certificate.

Chain of title relating to the property is complete as given in the Annexure hereto.

I have verified, tallied and compared these documents from the record of the office of Sub-Registrar/Registrar of assurances and also from the documents available issued by the appropriate authorities.

Registrar of Assurances, Kolkata

A.D.S.R-Serampore and D.R-Hooghly

Court of the Civil Judge (Sr. Div) at Chinsurah.

The search report of which is annexed hereto, conducted by me, for the period from 1986 to 2018 does not disclose any encumbrances/disclose encumbrances as stated therein.

I have not given opinion earlier on investigation of title relating to the same property as detailed hereunder:

I shall be liable/responsible, if any loss is caused to the Bank due to negligence on my part in making the search and Bank has the unqualified right to publish my name for including in the caution list being

SHAMBU MAHATO  
Advocate  
High Court, Calcutta



maintained by the Indian Bank's Association or Reserve Bank of India or any other such body for circulation amongst Banks/Financial Institutions.

**I find no defects in the title of the person offering mortgage:-**

**I hereby certify that** M/S NIPHA EXPORTS PVT. LTD company incorporated under the Companies Act having its registered office at 48, Ganga Jamuna 28/1, Shakespeare Sarani P.S. Shakespeare Sarani P.O. Circus Avenue Kolkata Municipal Corporation Ward No. 63 Kolkata- 700017 West Bengal represented by MR. SIDDHARTH SHAH son of Sri. Mahesh Chandra Shah one of the Director of the company as an authorized person as per the resolution passed by the Board of Directors of the company on 30<sup>th</sup> July 2015 residing at 17, NB/NC, Block-A Diamond Harbour Road P.S. and P.O. New Alipore Kolkata Municipal Corporation Ward No. 81 Kolkata- 700053 has valid and marketable title in respect of the above said property and valid mortgage can be created by the present borrower after acquiring title in respect of the said property.

The valid mortgage can be created by deposit of the **following** original title deed

The said title deeds are Original and genuine and are not duplicate or fake as observed by me—

(Give hereunder details of title deeds which are required to be deposited to create equitable mortgage.

- 1) ✓ Deed of Conveyance registered in the office of the A.R.A.-III, Kolkata and recorded in Book No:1, Volume No: 1903-2015, Pages 24024 to 24068 being No: 19030224 for the year 2015 (Original);
- 2) ✓ Sale Deed registered in the office of the A.D.S.R-Serapore and recorded in Book No:1, Volume No: 43, Pages 182 to 184 being No: 2539 for the year 1974 (Certified copy);
- 3) ✓ Sale Deed registered in the office of the A.D.S.R-Serapore recorded in Book No: 1, Volume No: 43, Pages 185 to 186 being No:2540 for the year 1974(Certified copy).
- 4) ✓ Lease Deed registered in the office of the A.D.S.R-Serampore and recorded in Book No:1, Volume No: 129, Pages 95 to 101 being No: 5924 for the year 1985 (Copy);
- 5) ✓ Indenture dated 07.06.2000 (Copy);
- 6) ✓ Sanctioned Plan of Factory Shed (Copy);
- 7) ✓ Khajna (Copy);
- 8) ✓ Parcha (Copy);
- 9) Tax receipt (Copy).
- 10) ✓ G.D. Entry of lost Deeds of 1974 along with paper publication (Copy);
- 11) Order passed in BIFR 199 of 1988 (Copy).

I have returned the original title deeds and other documents shown to me to the Branch official Shri \_\_\_\_\_ against receipt.

**Enclo:**

1. Special Report
  2. Chain of Title
  3. Certified Copy of Title Deed
  4. Search Report
- .....

.....  
ADVOCATE  
**SHAMBHU MAHATO**  
Advocate  
High Court, Calcutta

**SEARCH REPORT****Account** \_\_\_\_\_

BO: PNB-IBB, Kolkata

**Search report relates to searches made in:**

- 1) Registrar of Assurances, Kolkata;
- 2) A.D.S.R-Serampore and D.R-Hooghly.
- 3) Court of the Civil Judge (Sr. Div) at Chinsurah.

***(If there is no system of issue of encumbrance certificate in the office of Sub registrar, it be stated accordingly)***

1. Personal search was carried out by me for the purpose. Inspection was made for the period from  
 · 1986 to 2018 at the following sub registrar/offices:-

- a) Registrar of Assurances, Kolkata;

**The search report disclosed the followings encumbrances:**

3. The Ownership of the property being of a company, search was conducted in the following  
 · offices of the registrar of companies: -

**The search made out in the office of Registrar of Companies disclosed:-**

ROC	INFORMATION
N.A.	N.A.

**4. Inspection of Court records disclosed:-**

(This may detail Suit pending, Decrees, Attachment before Judgment Injunction, Appointment of Receiver, Appointment of Liquidator)

Name of Court	Date of Order	Nature of Order
Court of the Civil Judge (SD) at Chinsurah.	06.12.2017	No title suit pending against the present owner.

**5. Searches made/Inspections carried out in the following offices disclosed: (As aforesaid).**

Office	Date of search/ Inspection	Information
R.A. Kolkata	20.03.2018	No adverse entry



A.D.S.R-Serampore and D.R-Hooghly	20.03.2018	
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6.

A study of the following documents disclosed

Details of documents perused	Information
<ol style="list-style-type: none"> <li>1) Deed of Conveyance registered in the office of the A.R.A.-III, Kolkata and recorded in Book No:1, Volume No: 1903-2015, Pages 24024 to 24068 being No: 19030224 for the year 2015 (Original);</li> <li>2) Sale Deed registered in the office of the A.D.S.R-Serapore and recorded in Book No:1, Volume No: 43,Pages 182 to 184 being No: 2539 for the year 1974 (Certified copy);</li> <li>3) Sale Deed registered in the office of the A.D.S.R-Serapore recorded in Book No: 1, Volume No: 43, Pages 185 to 186 being No:2540 for the year 1974(Certified copy).</li> <li>4) Lease Deed registered in the office of the A.D.S.R-Serampore and recorded in Book No:1, Volume No: 129,Pages 95 to 101 being No: 5924 for the year 1985 (Copy);</li> <li>5) Indenture dated 07.06.2000 (Copy);</li> <li>6) Khajna (Copy);</li> <li>7) Parcha (Copy);</li> <li>8) Tax receipt (Copy).</li> <li>9) G.D. Entry of lost Deeds of 1974 along with paper publication (Copy);</li> <li>10) Order passed in BIFR 199 of 1988;</li> </ol>	No defect in the title of the present owner.

(ADVOCATE)  
**SHAMBHU MAHATO**  
 Advocate  
 High Court, Calcutta

[New Rule Form No. 1]

1556

No. REGN X 859777

Receipt for Fees Deposited for Search of Inspection

Number of application.....

Date of application.....

Search for the year(s).....

Name of office to which the record to be searched or inspected relates.....

Name of person or property to be searched.....

Nature of document.....

Particulars of record to be inspected (year, number, book, volume and page in the case of

registered document).....

From whom received.....

Fees paid under Article—

F (1) (i)

F (1) (ii)

F (2)

Registrar of.....

2017

1009 onwards

© RS 00407

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HOOCHLY

HIGH COURT FORM NO(M) 55 CIVIL/(H) 30 (CRIMINAL)

APPLICATION FOR INFORMATION

SERIAL NO. & DATE	NAME & RESIDENCE OF THE APPLICANT	NATURE OF INFORMATION REQUIRED	DATE OF WHICH INFORMATION IS TO BE READY	SIGNATURE OF OFFICER RECEIVING THE APPLICATION	REMARKS
12.12.17 197	S. Mahata Adv. 17	IN THE COURT OF 2nd CIVIL JUDGE SENIOR/ JUDGE DIVISION at Hooghly	06-12-17	[Signature] 06.12.17	No case for 12 report [Signature]
WHETHER ANY TITLE/MONEY SUIT/EXECUTION HAS BEEN FILED AGAINST THE PERSON NAMED WITHIN THE PERIOD MENTIONED BELOW					
NAME: M/S Nipha Exports Pvt. Ltd.					
S/D/W OF:					
ADDRESS of Mahata. Dalkhin Rajadharpur					
POLICE STATION:- Serampore					
Period:- 2006-2017					
IF YES FURNISH THE PARTICULARS THEREOF					





Government of West Bengal  
Office of the HOOGHLY (D.S.R. - II)  
Receipt for fees deposited for Search  
Form - 1556

Date of Application: 06-12-2017

Serial No of Application	0602034545/2017	Search No	0602034545/2017
Search for the Years	From 1986 To 2017	Record Available	From 09/01/2009 onwards
Property to be Searched	District: Hooghly, PS: Serampur, Mouza: Dakshin Rajyadharpur, Plot No: RS- 00407		
From whom Received	Mr S Mahato		
Fees Paid under Articles	F1(i) 2 /-	F1(ii)	28 /-

Search Result: No Record Found



( Mr Debapratim Mitra )  
D.S.R. - II HOOGHLY  
OFFICE OF THE D.S.R. - II HOOGHLY

Government of West Bengal  
Office of the HOOGHLY (D S R - II)  
Receipt for fees deposited for Search  
Form - 1556

Date of Application 06-12-2017

Serial No of Application	0602034544/2017	Search No	0602034544/2017
Search for the Years	From 1986 To 2017	Record Available	From 09/01/2009 onwards
Property to be Searched	District: Hooghly, PS. Serampur, Mouza Dakshin Rajyadharpur, Plot No RS- 00407		
From whom Received	Mr S Mahato		
Fees Paid under Articles	F1(i) 2/-	F1(ii) 28/-	

Search Result: No Record Found



( Mr. Debapratim Mitra )  
D S R - II HOOGHLY  
OFFICE OF THE D S R - II HOOGHLY

A.D.S.R.

Index ..... II

Year ..... 1986 - 2017

For Registrar, Hooghly

Government of West Bengal  
Office of the HOOGHLY (D.S.R. - II)  
Receipt for fees deposited for Search  
Form - 1556

Date of Application: 06-12-2017

Serial No of Application	0602034543/2017	Search No	0602034543/2017
Search for the Years	From 1986 To 2017	Record Available	From 09/01/2009 onwards
Property to be Searched	District: Hooghly, PS: Serampur, Mouza: Dakshin Rajyadharpur, Plot No: RS- 00416		
From whom Received	Mr S Mahato		
Fees Paid under Articles	F1(i) 2 /-	F1(ii)	28 /-

Search Result: No Record Found



( Mr Debapratim Mitra )  
D.S.R. - II HOOGHLY  
OFFICE OF THE D.S.R. - II HOOGHLY



Government of West Bengal  
Office of the HOOGHLY (D.S.R. - II)  
Receipt for fees deposited for Search  
Form - 1556

06-12-2017

Application for the to be Searched	0602034542/2017	Search No	0602034542/2017
from whom Received	From 1986 To 2017	Record Available	From 09/01/2009 onwards
	District: Hooghly, PS: Serampore, Mouza: Dakshin Rajyadharpur, Plot No: RS- 00416		
	Mr S Mahato		

Fees Paid under Articles F1(i) 2 /- F1(ii) 28 /-

Search Result: No Record Found



( Mr Debapratim Mitra )  
D.S.R. - II HOOGHLY  
OFFICE OF THE D.S.R. - II HOOGHLY

*Serampore*  
A.D.S.R. *IT*  
Index ..... *1986-2017*  
Year ..... *1986-2017*  
For Registrar, Hooghly