

# SEARCH REPORT

Borrower Company: **TIL LTD. having its registered office at 1, Taratala Road, P.S.- West Port, Kolkata- 700024.**

Immovable property situated at: Mouza- Agarpara, J.L. No. 11, Touzi No. 155, Dag Nos. 1524, 1525, 1526, 1527, 1527/1600, 1528 & 1523/1625, Khatian Nos. 196, 218 & 716, land measuring an area **19 Bighas 6 Cottahs 1 Chittack 17 Sq. ft. (as per Deed)** within the limits of Panihati Municipality, Ward No. 7, Holding No. 66, P.S.- Khardah, Dist.- 24 Pgs(N), consisting one factory shed and office building bounded by boundary wall thereon namely "**TIL LTD**".

Prepared By  
*Debashis Banerjee*  
Advocate

Ph- 98300-71033  
Ph- 2546-9614  
Email- [b.debashis@rediffmail.com](mailto:b.debashis@rediffmail.com)  
[bdebashis12@gmail.com](mailto:bdebashis12@gmail.com)

Bar Association  
C. M. M.'s Court  
2&3, Bankshall Street  
Kolkata- 700001.

Chamber  
22/E, Srinath Mukherjee Lane  
Ground Floor  
Kolkata – 700030.

*Debashis Banerjee*

Advocate

Ph- 98300-71033

Ph- 2546-9614

Email- [b.debashis@rediffmail.com](mailto:b.debashis@rediffmail.com)

*Bar Association*

C. M. M.'s Court

2&3, Bankshall Street

Kolkata- 700001.

*Chamber*

22E, Sreenath Mukherjee Lane

Ground Floor

Kolkata – 700030.

Date: 26.10.2018

The Deputy General Manager,  
Bank of India,  
Large Corporate Branch.  
Kolkata-700001, State- West Bengal.

Dear Sir,

Re: Title Search Report on the property situated at Mouza- Agarpara, J.L. No. 11, Touzi No. 155, Dag Nos. 1524, 1525, 1526, 1527, 1527/1600, 1528 & 1523/1625, Khatian Nos. 196, 218 & 716, land measuring an area **19 Bighas 6 Cottahs 1 Chittack 17 Sq. ft. (as per Deed)** within the limits of Panihati Municipality, Ward No. 7, Holding No. 66, P.S.- Khardah, Dist.- 24 Pgs(N), consisting one factory shed and office building bounded by boundary wall thereon namely "**TIL LTD**".

With reference to your Letter No. NIL dated NIL, I on the basis of the original title deeds forwarded to me pertaining to the said immovable property/ies and the other information submitted by you, have conducted a detailed search and investigation and submit my report as under :-

**1. Name(s) and Address (es) of the Mortgagor(s) and The Title holder(s):-** TIL LTD. having its registered office at 1, Taratala Road, P.S.- West Port, Kolkata- 700024 (**Mortgagor and Title Holder**).

**2. Title Deed in original seen by me:-** Yes. Mortgage with of BOI Consortium & Axis Bank is the custodian of the Original Deeds.

- i) The Deed of Sale vide Nos. 4691 of 1961 & 4740 of 2002 both are registered at ARA- Kolkata.
- ii) The L & LR Porcha.

**3. Description of immovable property**

Survey No.	Extent Areas	Location	Boundaries
	(in acres/hectares)		
Nil	19 Bigha 5 Cottahs 17 Chittacks	Mouza- Agarpara,	North:- By P.B. Ghat Road.
	17 Sq. ft.	J.L. No. 11	South:- By Agarpara Jute Mill.
		P.S.- Khardah	East:- By B.T. Road.
		Dist.- 24 Pgs (N).	West:- By Municipal Lane & Basti.

**4. Search in ADSR- Sodepur, DSR- Barasat and Registrar of Assurances, Kolkata:** enclose Vide Receipt No. 707979 at ARA Kolkata, Receipt No. 807604 of DSR- Barasat & ADSR- Sodepur.

**i) Location of Property:**

Mouza- Agarpara, J.L. No. 11, Touzi No. 155, Dag Nos. 1524, 1525, 1526, 1527, 1527/1600, 1528 & 1523/1625, Khatian Nos. 196, 218 & 716, land measuring an area **19 Bighas 6 Cottahs 1 Chittack 17 Sq. ft. (as per Deed)** within the limits of Panihati Municipality, Ward No. 7, Holding No. 66, P.S.- Khardah, Dist.- 24 Pgs(N), consisting one factory shed and office building bounded by boundary wall thereon namely "**TIL LTD**".

ii) Search and investigation (Chain of Title)

Land measuring 19 Bighas 1 Cottah 12 Chittacks 3 Sq. ft.

1. That the Kamarhati Company Ltd. is seized and possessed of and/or otherwise well and sufficiently entitled to All Those several pieces or parcels of lands measuring about 19 Bighas 1 Cottah 12 Chittacks 3 Sq. ft. lying and situated at Mouza- Agarpara, P.S.- Khardah being Municipal Holding No. 517 of the Panihati Municipality, Dist.- 24 Pgs (N) since before 1955.
2. That by a Deed of Debenture Trust (hereinafter called the Trust Deed) dated 17.09.1955 made between the Kamarhati Company Ltd. and the Bank of the other part which was duly registered at RA- Kolkata and recorded in Book No. I, Volume 133, Pages 126 to 180 being No. 5268 of 1955.
3. That Kamarhati Company Ltd. agreed to sell to the purchaser Coles Cranes of India Ltd. presently Til Ltd. the said property at or for the price of Rs. 2,86,315/- free from all encumbrances in the manner hereinafter appearing.
4. That the sum secured by the Trust Deed has not been fully satisfied and the Bank has at request of the Kamarhati Company Ltd. agreed to join in these presents to confirm the sale of the said property by the Kamarhati Company Ltd. to the Purchaser and to release the said property from the said mortgage created by the Trust Deed in the manner hereinafter appearing.
5. That the Kamarhati Company Ltd. has represented to the Purchaser Coles Cranes of India Ltd. presently Til Ltd. that the said property or any part or portion thereof or any interest therein have or has not vested in and/or are or is not acquired by the State of West Bengal under the West Bengal Estates Acquisition Act, 1953 or any statutory modification thereof.
6. That on 19.09.1961 Coles Cranes of India Ltd. presently Til Ltd. purchased the aforesaid property and said Deed was registered at ARA- Kolkata in Book No. I, Volume No. 106, Pages 223 to 232 being Deed No. 4916 of 1961.

Land measuring 4 Cottahs 5 Chittacks 14 Sq. ft.

7. That one Mahangu Das was the absolute owner of a piece and parcel of land measuring 5 Cottahs comprised in Dag No. 1593 under Khatian No. 312/1, Mouza- Agarpara, P.S.- Khardah, Dist.- 24 Pgs (N).
8. That said Mahangu Das sold and transferred the above mentioned property to Sri Dineswar Dosad by a Registered Kobala on 03.03.1960 and the said was registered at SR- Barrackpore in Book No. I, Volume No. 25, Pages 197 to 199 being No. 2195 of 1960.
9. That after purchasing the aforesaid property said Dineswar Dosad became the absolute owner and mutating his name in the Panihati Municipality and constructed a Tiled shed structure thereon and enjoying the same.
10. That on 16.08.2002 M/s. Til Ltd. purchased 4 Cottahs 5 Chittacks 14 Sq. ft. land from the aforesaid property and said Deed was registered at ARA- II, Kolkata in Book No. I, Volume No. I, Pages 1 to 11 being Deed No. 4740 of 2002.
11. That after purchased the aforesaid two properties M/s. Til Ltd. became the absolute legal owner of 19 Bighas 6 Cottahs 1 Chittack 17 Sq. ft. land in respect of aforesaid property.
12. That M/s. Til Ltd. duly mutated their names in L & LR Records in respect of aforesaid property after getting necessary permissions from the competent Authority started factory thereon.

iii) I have obtained the certify copies of registered deed vide Nos. 4916 of 1961 & 4740 of 2002 both were registered at ARA- Kolkata and found entries in the Index Book and found no irregularities. I have searched & verified ARA Kolkata for 35 years from the period of 1987 to 09.10.2018 and found no transfer or other entries (receipt enclosed).

iv) Whether the property is ancestral and/or under joint ownership: No, Mentioned in chain of title written above.

v) Minor's interest: No

vi) Documents pending for registration: No.

5) Whether Urban Land (Ceiling and Regulation) Act 1976 is applicable in the State where the property is located. If applicable whether the immovable property (ies) fall(s) within the purview of the Act, verification and investigation should be made under sections 26, 27 and 28 of the Act to ensure that mortgagor(s) has/have obtained necessary permission from the competent authority under the Act. Documentary evidence showing such permission is obtained has to be attached with the report : No

6) Whether the property is acquired under Land Acquisition Act, 1894/2014 and applicability of other State Legislations : No

7) Leasehold immovable Property: No.

8) Investigation under Income Tax Act 1961: N.A.

9) Investigation in to agricultural land: The aforesaid land is in nature 'partly Bastu and partly Danga, Doba, Shop, Pond, Sali'. This property is mortgageable under the provision of 58(f) of the Transfer of Property Act.

10) The details of the certified copies of the revenue records obtained to confirm that no dues are outstanding by the Mortgagor: Obtained

11) Any other special enactment which is applicable to the property proposed to be mortgaged and affects the title: Confirmation from Axis Bank is required for transferring of security documents to SBI Cap on behalf of BOI Consortium. The aforesaid property mortgage with the Bank since before and as per Banks NPA Management Policy- 2016 Column No. 10.12, I hereby certify that the mortgage over the said property/ies can be enforced through process of law including under the provisions of SARFAESI Act, for recovery of dues to the Bank.

12) If it is a property owned by the Company the additional safeguards like search before the Registrar of Companies to be obtained be stated: Obtained.

13) Whether the records of sub-registrar office or revenue authorities relevant to the property in question are available for verification through any online portal or computer system. If so, whether any verification or cross checking are made and the comments/findings in this regard: Yes. Found no irregularities.

14) In case of partition/family settlement deeds, whether the partition made is valid in law, whether the original deed is available for deposit, whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his/her/their share. The modality/procedure to be followed to create a valid and enforceable mortgage. Whether any of the documents in question are executed in counterparts or in more than one set? If so, additional precautions to be taken for avoiding multiple mortgages: N.A

15) Whether the property belongs to any trust or is subject to the rights of any trust? Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property? Is there any bar under local laws for creation of mortgage? The additional precautions/permissions to be obtained for creation of valid mortgage as per the respective state/central laws: N.A

Contd...p4.

16) In case of partnership firm, whether the property belongs to the firm and the partnership deed is properly registered. Whether the partners have authority to create mortgage for and on behalf of the firm: N.A

17) If the property belongs to a Limited Company, Advocate to check the Borrowing powers, Board resolution and authorization to create mortgage/execution of documents, registration of any prior charges with the Company Registrar (ROC), Memorandum of Association and Articles of Association etc. and submit details: Yes

18) In case of Societies, Association, check the required authority/power to borrow and whether the mortgage can be created as per their constitutional documents and applicable laws and the requisite resolutions, bye-laws etc. the additional precautions/permissions to be obtained for creation of valid mortgage as per the respective state/central laws to be stated: N.A

19) If the property is a flat/apartment or residential/commercial complex, Advocate to interalia check/verify

a) Promoter's/Land owner's title to the land/building: Land owner's

b) Development Agreement/Power of Attorney: N.A

c) Independent title verification of the Land and/or building in question: No

d) Agreement for Sale (duly registered): Deed of Conveyance duly registered.

e) Payment of proper stamp duty: Yes

f) Approval of building plan, permission of appropriate/local authority, etc.: Yes

g) Conveyance in favour of Society/Condominium concerned: N.A

h) Occupancy Certificate/allotment letter/letter of possession: N.A

i) Membership details in the Society etc.: N.A

j) Share Certificates: N.A

k) No Objection Letter from the Society: N.A

l) All legal requirements under the local/Municipal laws, regarding ownership of Flats/Apartments/Building Regulations, Development Control Regulations, Co-operative Societies' Laws etc.: Obtained

m) Requirements for nothing the Bank charges on the records of the Housing Society, etc. and comment: Nil.

20) Advocate also to check whether the name of mortgagor is reflected as owner in the Revenue/Municipal/Village records, whether the property offered as security is clearly demarcated in the title documents, whether the property has clear access as per documents? : Yes

21) Any bar/restriction for creation of mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duty etc.: No

22) Whether the governing law, the constitutional documents of the mortgagors (other than natural persons) permits creation of mortgage and additional precautions, if any to be taken in such cases: N.A

**Certificate:-**

I have examined the Original Title Deed intended to be deposited relating to the aforesaid property/ies and offered as security by way of equitable Mortgage and that the documents of title referred to in the Opinion are valid evidence of right, title and interest and that if the said Equitable Mortgage is created, it will satisfy the requirements of creation of Equitable Mortgage.

I hereby further certify that I have searched and verified the information furnished in this report and have compared the title deeds given to me with the records/copy of it in the office of the Sub-Registrar and has found both tallying with each other. I confirmed having made search in the land/revenue records. I also confirmed having verified and checked the records of the relevant Government Officers/Sub-Registrar(s) Register of Companies office. I do not find anything adverse which would prevent the Title Holders from creating a valid mortgage. The statements and other information given in the report are correct and true.

I certify that, there are no prior Mortgage/Charges/ encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from 1987 to 09.10.2018 pertaining to the immovable property/(ies) covered by above said Title Deeds. The property is free from all encumbrances, charges or claims **except Mortgage with Axis Bank on behalf of BOI Consortium.**

I certify that **TIL LTD. having its registered office at 1, Taratala Road, P.S.- West Port, Kolkata- 700024**, have got a valid, clear, absolute and marketable title over the property shown above free of any encumbrances, charge or claims. There are no legal impediments for creation of the mortgage under any applicable law/rules in force. I certify that the mortgage over the said property/ies can be enforced through process of law including under the provisions of SARFAESI Act, for recovery of dues to the Bank.

If the **Authorised person of TIL LTD. having its registered office at 1, Taratala Road, P.S.- West Port, Kolkata- 700024** is personally present and deposit the following title deeds in original with intention to create equitable mortgage it will satisfy the requirements of creation of equitable mortgage. The following person/s should be present personally to deposit the Original Title Deeds with your Branch for creation of Equitable Mortgage.

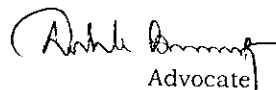
- a) **Authorised person of TIL LTD. having its registered office at 1, Taratala Road, P.S.- West Port, Kolkata- 700024.**

**The following documents in original have to be obtained for creation of valid Equitable Mortgage by deposit of Title Deeds.**

- a) **Original 2 Nos. Deed of Sale vide Nos. 4916 of 1961 & 4740 of 2002 both were registered at ARA- Kolkata.**  
b) Photocopy of L & LR Porcha and Tax Receipt in the name of Borrower Company.  
c) Photocopy application for Conversion.  
d) Original Board Resolution of the Borrower Company regarding mortgage of aforesaid Deeds.  
e) Original Confirmation from Axis Bank is required for transferring of security documents to SBI Cap on behalf of BOI Consortium.

I hereby return the photocopies of all documents forwarded to me by you.

Yours faithfully,

  
Advocate

(Empanelled with BOI, UBI, OBC  
Canara Bank, NABARD &  
Allahabad Bank)

*Debashis Banerjee*

Advocate

Ph- 98300-71033

Ph- 2546-9614

Email- [b.debashis@rediffmail.com](mailto:b.debashis@rediffmail.com)

*Bar Association*

C. M. M.'s Court

2&3, Bankshall Street

Kolkata- 700001.

*Chamber*

22E, Sreenath Mukherjee Lane

Ground Floor

Kolkata – 700030.

**Certificate:-**

1) Where the property is occupied by others: No

2) I have caused search to the office of the Ld. Civil Judge Senior Division at Barasat Court, Dist.- 24 Pgs (N) for 12 years as the case may be, according to the value of the suit and to certify that no litigation is pending pertaining to the property to be mortgaged. (Information slip enclosed)

i) Whether any tenancy disputes pending against the property proposed to be mortgaged: No.

ii) Whether any compensation claims payable in respect of the property proposed to be mortgage: No.

iii) Whether any title suits pending against the property proposed to be mortgaged: No

iv) Whether any mortgage suits pending against the property proposed to be mortgaged: No

v) Whether any money suits involving the property or arising out of the property pending: No

3) Whether any permission is required to be obtained under any Act or from any authority whatsoever for creation of mortgage charge in favour of the Bank: No.

**Certificate:-**

I hereby further certify

a) That the deeds/s is/are original and genuine and not duplicate or fake.

b) That no legal suit is initialed or pending against the property, in question.

c) That the property is free from all encumbrances except Mortgage with Axis Bank on behalf of BOI Consortium.

d) That the registered deed/s is/are properly and adequately stamped as per requirements of law of the state.

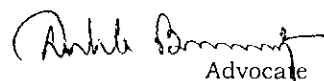
e) That in case of creation of equitable mortgage of the property, the security is **enforceable**.

Enclose: 1) Search receipt Nos. 707979 & 807604.

2) Information slip from relevant Court.

3) Certified copies of 2 Nos. Registered Deeds.

Yours faithfully,

  
Advocate

(Empanelled with BOI, UBI, OBC  
Canara Bank, NABARD &  
Allahabad Bank)