

Mrs. Sonali Chatterjee (Mukherjee)

L.L.B., Advocate

JUDGES' COURT, HOWRAH

9830337405 (M)
033-2640 0574 (Resi.)
033-2655 6087 (Cham.)

Ref. No.....

Date.....

06/12/2022

To
The Chief/Branch/Assistant General Manager,
State Bank of India
SME Branch, Park Street
District – Kolkata .

Branch – SME Park Street.

Sub :- Opinion Report of **M/s Shahi Construction Pvt. Ltd.**, Total 21 Nos. Flat, in respect of Sale Deed Nos. 3956, 3854, 5029, Development Agreement No. 5959, in the name of Sri Sukumar Roy, Smt. Anima Roy, Smt. Ashima Mandal Nee Roy (Legal heirs of Lt. Sachindra Kumar Roy), situated at Mouza – Daulatpur, J.L. No. 19, R.S. Dag No. 119, 120, 121, L.R. Khatian No. 3140, 3141, 3142, Ward No. 30, P.S. – Maheshtala, District - 24 Parganas (S). Flat details are given below:-

Sl. No.	Floor No.	Unit No.	Super Built Up Area (Sq.ft.)	Site
1	1	1C	959	North-South
2	2	2B	984	South
3	2	2C	959	North-South
4	2	2D	1031	North
5	2	2E	880	East-South
6	2	2F	795	East-North
7	2	2G	882	West-North
8	3	3A	1093	West (Road)
9	3	3B	984	South
10	3	3C	959	North-South
11	3	3D	1031	North
12	3	3E	880	East-South
13	3	3F	795	East-North
14	3	3G	882	West-North
15	4	4A	1093	West (Road)
16	4	4B	984	South
17	4	4C	959	North-South

Mrs. Sonali Chatterjee

L.L.B., Advocate

JUDGES' COURT, HOWRAH

Resi. : 23/1/2, Rajballav Saha Lane, Howrah-711 101 (Near Ramkrishnapur Arya Balika Vidyalaya)
Chem. : 45/2, Sri Ram Dhang Road, Salkia, Howrah-711 106 (Near Babudanga CESC Power House)

Enrolment No. - WB/793/2007

18	4	4D	1031	North
19	4	4E	880	East-South
20	4	4F	795	East-North
21	4	4G	882	West-North

Dear Sir ,

With Reference to your Letter No. _____, dated - _____, I have examined the title deeds and documents produced before me in respect of the property of Sri Sukumar Roy, Smt. Anima Roy, Smt. Ashima Mandal Nee Roy (Legal heirs of Lt. Sachindra Kumar Roy), and I am submitting my opinion in separate sheet as per format.

Thanking You ,

Yours faithfully ,

Sonali Chatterjee

Mrs. Sonali Chatterjee
L.L.B., Advocate
JUDGES' COURT, HOWRAH
Enrolment No. - WB/793/2007

No. REGN BB 337067

Receipt for Fees Deposited for Search or Inspection

1. Serial Number of application.....*4447*
2. Date of application*12/11/12*
- Search for the year (s)*1993-12*
- Name of office to which the record to be searched or inspected relates*h*
-
- Name of person or property to be searched*7*
- Nature of document
- Particulars of record to be inspected (year, number, book, volume and page in the case of registered document)*Shankarpur 0619*
-*R in 121 PS Mukeshpur*
- From whom received*S. Chatterjee*
- Fees paid under Article —
- 1) (i) *302*
- 2) (ii)
- (2)

West Bengal Form No. 1556

[New Rule Form No. 19 (Appendix)-I)]

No. REGN BB 337066

Receipt for Fees Deposited for Search or Inspection

Serial Number of application..... 88116
Date of application..... 22/11/22
Search for the year (s)..... 1921-22
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)..... 22/11/22
From whom received..... S. Chatterjee
Fees paid under Article —

(1)

301

Registrar of

No. REGN BB 337065

Receipt for Fees Deposited for Search or Inspection

1. Serial Number of application.....
2. Date of application 22/11/12
3. Search for the year (s) 1992-93
4. Name of office to which the record to be searched or inspected relates R
5. Name of person or property to be searched 3
5. Nature of document
7. Particulars of record to be inspected (year, number, book, volume and page in the case of registered document) 12/11/12 RS Mahesh Kumar
- From whom received S. Chatterjee
- Fees paid under Article — 307
- (1) (i)
- (2) (ii)
- (2)

..... Registrar of

No. REGN BB 538408

Receipt for Fees Deposited for Search or Inspection

1. Serial Number of application..... 34008
2. Date of application 21/11/2
3. Search for the year (s) 1992 - 2
1. Name of office to which the record to be searched or inspected relates
M.R. + Bhalu
5. Name of person or property to be searched M - Daulatpur
6. Nature of document Das - 119
7. Particulars of record to be inspected (year, number, book, volume and page in the case of registered document)
SA
8. From whom received Sonali
9. Fees paid under Article —
- F (1) (i)
- F (2) (ii)
- F (2)
- for
- SEAL OF THE ADDITIONAL DISTRICT SURAR
RECORDS. 24-EGS
- Registrar of

No. REGN BB 538407

Receipt for Fees Deposited for Search or Inspection

1. Serial Number of application..... 34007
2. Date of application 1992-2022
3. Search for the year (s)
4. Name of office to which the record to be searched or inspected relates D.R. + Behala
5. Name of person or property to be searched M. Daulatpur
6. Nature of document D.R. - 121
7. Particulars of record to be inspected (year, number, book, volume and page in the case of registered document) II

From whom received Sonu

Fees paid under Article —

- (i)
- (ii)



..... Registrar of

No. REGN BB 538409

Receipt for Fees Deposited for Search or Inspection

1. Serial Number of application..... 34609
2. Date of application
3. Search for the year (s) 1992 - 2022
4. Name of office to which the record to be searched or inspected relates
DPR + Betalal
5. Name of person or property to be searched M - Daulatpur
6. Nature of document DAG - 120
7. Particulars of record to be inspected (year, number, book, volume and page in the case of registered document)
11
Sale
8. From whom received S. Chatterjee
9. Fees paid under Article —
- (1) (i)
- (2) (ii)
- (2)



HIGH COURT FORM NO. (M) 55 Civil / ~~(H) 30 Criminal~~ **APPLICATION FOR INFORMATION**



Serial No. & date 1	Name and residence of the applicant 2	Nature of information required 3	Date on which Information is to be ready 4	Signature of Officer receiving the application 5	Remarks 6
21/11/2022 56 74	Adv Sonali Chatterjee Judges' Court Howrah	7 th Civil Judge (S.D) Alipore T/S Whether any Title Suit filed/ pending against Ashima Mandal Nee Roy, D/o Lt. Schindra Kumar Roy of Mouza – Daulatpur, J.L. No. 19, R.S. Dag No. 119, 120, 121, P.S. – Maheshtala, District - 24 Parganas (S), from 2011 to upto date.	21/4/22		No Such.....T.S. been filed in the during the year 2011 to 21/4/22 As it appears from Enclines

HIGH COURT FORM NO. (M) 55 Civil / ~~(H) 30 Criminal~~ APPLICATION FOR INFORMATION

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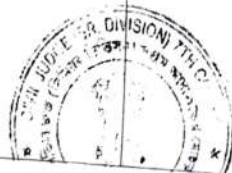
HIGH COURT FORM NO. (M) 55 Civil / ~~(H) 30 Criminal~~ **APPLICATION FOR INFORMATION**

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HIGH COURT FORM NO. (M) 55 Civil / ~~(H) 30 Criminal~~ **APPLICATION FOR INFORMATION**

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HIGH COURT FORM NO. (M) 55 Civil / (H) 30 Criminal **APPLICATION FOR INFORMATION**

Serial No. & date	Name and residence of the applicant	Nature of information required	Date on which Information is to be ready	Signature of Officer receiving the application	Remarks
1	2	3	4	5	6
21/11/2022	Adv Sonali Chatterjee Judges' Court Howrah	6th Civil Judge (J.D) Alipore T/S Whether any Title Suit filed/ pending against Ashima Mandal Nee Roy, D/o Lt. Schindra Kumar Roy of Mouza - Daulatpur, J.L. No. 19, R.S. Dag No. 119, 120, 121, P.S. - Maheshtala, District - 24 Parganas (S), from 2011 to upto date.	21/11/22	21/11/22	As per cis NO SUCH T. SUIT / M. SUIT - EX / M. EX has been filed during the year from 2011 to 21-11-22




Received information on.....

Applicant

Received from _____
 application no. _____ of date _____
 for information which will be ready on _____
 Date _____

Clerk-in-Charge

HIGH COURT FORM NO. (M) 55 Civil / (H) 30 Criminal **APPLICATION FOR INFORMATION**

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Received information on _____

Applicant

Received from _____
 application no. _____ of date _____
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Clerk-in-Charge

HIGH COURT FORM NO. (M) 55 Civil / (H) 30 Criminal **APPLICATION FOR INFORMATION**

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Received information on.....

Applicant

Received from _____
 application no. _____ of date _____
 for information which will be ready on _____
 Date _____

Clerk-in-Charge

Annexure-B

Report of Investigation of Title in respect of immovable Property
(All columns/items are to be completed/commented by the Advocate)

1	a	Name of the Branch/ Business Unit/Office seeking opinion.	SBI SME Park Street Branch.
	b	Reference No. and date of the letter under the cover of which the documents tendered for scrutiny are forwarded.	
	c	Name of the Borrower.	M/s Shahi Construction Pvt. Ltd.
2	a	Type of Loan	SME Advance.
	b	Type of property	Residential Complex.
3	a	Name of the unit/concern/ company/person offering the property/ (ies) as security.	Sri Sukumar Roy, Smt. Anima Roy, Smt. Ashima Mandal Nee Roy (Legal heirs of Lt. Sachindra Kumar Roy).
	b	Constitution of the unit/concern/ person/body/authority offering the property for creation of charge.	Person / s
	c	State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.)	Guarantor / s
4	a	Value of Loan (Rs. in crores)	
5		Complete or full description of the immovable property (ies) offered as security including the following details.	Total 21 Nos. Flat, situated at Mouza – Daulatpur, J.L. No. 19, R.S. Dag No. 119, 120, 121, L.R. Khatian No. 3140, 3141, 3142, Ward No. 30, P.S. – Maheshtala, District - 24 Parganas (S).
	a	Survey No.	Not Available.
	b	Door/House no. (in case of house property)	N.A
	c	Extent/ area including plinth/ built up area in case of house property	Area – 19738 Sq.ft. (Super Built up area).
	d	Locations like name of the place, village, city, registration, sub-district etc. Boundaries.	Total 21 Nos. Flat, situated at Mouza – Daulatpur, J.L. No. 19, R.S. Dag No. 119, 120,

121, L.R. Khatian No. 3140,
3141, 3142, Ward No. 30, P.S.
- Maheshtala, District - 24
Parganas (S).

Sub Registry office at Behala,
District Registry Office at
Alipore & ARA Kolkata.

Present Boundaries of The
Property :-

On The North - By property of
Asima Mondal ;

On The South - By Others
property ;

On The East - By Others
property ;

On the West - By Doulatpur
Balarampur Road ;

6	a	Particulars of the documents scrutinized-serially and chronologically.		
	b	Nature of documents verified and as to whether they are originals or certified copies or registration extracts duly certified. Note: Only originals or certified extracts from the registering/land/ revenue/ other authorities be examined.		
Sr. No	Date	Name/ Nature of the Document	Original/ certified copy/ certified extract/ photocopy, etc.	In case of copies, whether the original was scrutinized by the advocate.
1.	30/12/1983	Deed of Sale , Being No. 3956 in the Year 1983.	Original Copy	
2.	06/05/1961	Deed of Sale , Being No. 3854 in the Year 1961.	Original Copy	
3.	13/06/1960	Deed of Sale , Being No. 5029 in the Year 1960.	Original Copy	

Mrs. Sonali Chatterjee

L.L.B., Advocate


JUDGES' COURT, HOWRAH

Enrolment No. - WB/793/2007

4.	20/06/2014	Development Agreement, Being No. 5959 in the Year 2014.	Original Copy	
5.	25/11/2014	Conversion certificate.	Original Copy	
6.		Parcha.	Original Copy	
7.	22/06/2021 20/12/2021	Municipal Tax receipts.	Original Copy	
8.	09/08/2018	Khajna Receipts.	Original Copy	
9.	04/08/2014	Building Sanction Plan.	Original Copy	
7	a	Whether certified copy of all title documents are obtained from the relevant sub-registrar office and compared with the documents made available by the proposed mortgagor? (Please also enclose all such certified copies and relevant fee receipts along with the TIR.) (HL : If the value of loan => Rs.1 crore and in case of commercial loans irrespective of the loan component)	Yes.	
	b	Whether all pages in the certified copies of title documents which are obtained directly from Sub-Registrar's office have been verified page by page with the original documents submitted? (In case originals title deed is not produced for comparing with the certified or ordinary copies, the matter should be handled more diligently & cautiously).	Yes .	
8	a	Whether the records of registrar office or revenue authorities relevant to the property in question are available for verification through any online portal or computer system?	Yes , checked .	
	b	If such online/computer records are available, whether any verification or cross checking are made and the comments/ findings in this regard.	Yes , checked .	

Mrs. Sonali Chatterjee
L.L.B., Advocate
JUDGES' COURT, HOWRAH
Enrolment No. - WB/793/2002

	c	Whether the genuineness of the stamp paper is possible to be got verified from any online portal and if so whether such verification was made?	No.
	d	Whether proper registration of documents completed. Details thereof to be provided.	Yes.
9	a	Property offered as security falls within the jurisdiction of which sub-registrar office?	Sub Registry office at Behala.
	b	Whether it is possible to have registration of documents in respect of the property in question, at more than one office of sub-registrar/ district registrar/ registrar- general. If so, please name all such offices?	Yes . Sub Registry office at Behala, District Registry Office at Alipore & ARA Kolkata.
	c	Whether search has been made at all the offices named at (b) above?	Yes . Sub Registry office at Behala, District Registry Office at Alipore & ARA Kolkata.
	d	Whether the searches in the offices of registering authorities or any other records reveal registration of multiple title documents in respect of the property in question?	No.
10	a	Chain of title tracing the title from the oldest title deed to the latest title deed establishing title of the property in question from the predecessors in title/interest to the current title holder.	
	b	wherever Minor's interest or other clog on title is involved, search should be made for a further period, depending on the need for clearance of such clog on the Title. In case of property offered as security for loans of Rs.1.00 crore and above, search of title/ encumbrances for a period of not less than 30 years is mandatory. (Separate Sheets may be used)	There is no minor's interest involved here.
	c	Nature of Minor's interest, if any and if so, whether creation of mortgage could be possible, the modalities/procedure to be followed including court permission to be obtained and the reasons for coming to such conclusion.	N.A


Mrs. Sonali Chatterjee
 L.L.B., Advocate
 JUDGES' COURT, HOWRAH
 Enrolment No. - WB/793/2007

11

a	Nature of Title of the intended Mortgagor over the Property (whether full ownership rights, Leasehold Rights, Occupancy/ Possessory Rights or Inam Holder or Govt. Grantee/ Allottee etc.)	Full Ownership Rights.
	If Ownership Rights,	
a	Details of the Conveyance Documents	1. Deed of Sale , Being No. 3956 in the Year 1983. 2. Deed of Sale , Being No. 3854 in the Year 1961. 3. Deed of Sale , Being No. 5029 in the Year 1960.
b	Whether the document is properly stamped.	Yes.
c	Whether the document is properly registered.	Yes.
	If leasehold, whether;	No.
a	lease Deed is duly stamped and registered	N.A
b	lessee is permitted to mortgage the Leasehold right,	N.A
c	duration of the Lease/unexpired period of lease,	N.A
d	if, a sub-lease, check the lease deed in favour of Lessee as to whether Lease deed permits sub-leasing and mortgage by Sub-Lessee also.	N.A
e	Whether the leasehold rights permits for the creation of any superstructure (if applicable)?	N.A
f	Right to get renewal of the leasehold rights and nature thereof.	N.A
	If Govt. grant/ allotment/Lease-cum/Sale Agreement / Occupancy / Inam Holder / Allottee etc, whether;	N.A
a	grant/ agreement etc. provides for alienable rights to the mortgagor with or without conditions?	N.A
b	the mortgagor is competent to create charge on such property?	N.A

Mrs. Sonali Chatterjee
L.L.B., Advocate
JUDGES' COURT, HOWRAH
Enrolment No. - WB/793/2002

	c	any permission from Govt. or any other authority is required for creation of mortgage and if so whether such valid permission is available?	N.A
		If occupancy right, whether;	
	a	Such right is heritable and transferable,	Yes.
	b	Mortgage can be created.	Yes
12		If the property has been transferred by way of Gift/Settlement Deed,	No.
	a	The Gift/Settlement Deed is duly stamped and registered;	N.A
	b	The Gift/Settlement Deed has been attested by two witnesses;	N.A
	c	Whether there is any restriction on the Donor in executing the gift/settlement deed in question?	N.A
	d	The Gift/Settlement Deed transfers the property to Donee;	N.A
	e	Whether the Donee has accepted the gift by signing the Gift/Settlement Deed or by a separated writing or by implication or by actions?	N.A
	f	Whether the Donee is in possession of the gifted property?	N.A
	g	Whether any life interest is reserved for the Donor or any other person and whether there is a need for any other person to join the creation of mortgage;	N.A
	h	Any other aspect affecting the validity of the title passed through the gift/settlement deed.	N.A
13		Has the property been transferred by way of partition / family settlement deed	No.
	a	whether the original deed is available for deposit. If not the modality / procedure to be followed to create a valid and enforceable mortgage.	N.A
	b	Whether mutation has been effected	N.A
	c	Whether the mortgagor is in possession and enjoyment of his share.	N.A


 Mrs. Sonali Chatterjee
 L.L.B., Advocate
 JUDGES' COURT, HOWRAH
 Enrolment No. - WB/793/2002

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	d	Whether the partition made is valid in law and the mortgagor has acquired a mortgageable title thereon.	N.A
	e	In respect of partition by a decree of court, whether such decree has become final and all other conditions/ formalities are completed/ complied with.	N.A
	f	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
14		Whether the title documents include any testamentary documents /wills?	No.
	a	In case of wills, whether the will is registered will or unregistered will?	N.A
	b	Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court?	N.A
	c	Whether the property is mutated on the basis of will?	N.A
	d	Whether the original will is available?	N.A
	e	Whether the original death certificate of the testator is available?	N.A
	f	What are the circumstances and/or documents to establish the will in question is the last and final will of the testator?	N.A
	g	Comments on the circumstances such as the availability of a declaration by all the beneficiaries about the genuineness/ validity of the will, all parties have acted upon the will, etc., which are relevant to rely on the will, availability of Mother/Original title deeds are to be explained.	N.A
15		Whether the property is subject to any wakf rights / belongs to church / temple or any religious / other institutions	No.
	a	any restriction in creation of charges on such properties?	N.A
	b	Precautions/ permissions, if any in respect of the above cases for creation of mortgage?	N.A

Mrs. Sonali Chatterjee
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 JUDGES' COURT, HOWRAH
 Enrolment No. - WB/793/2002

16	a	Where the property is a HUF/joint family property?	No.
	b	Whether mortgage is created for family benefit/legal necessity, whether the Major Coparceners have no objection/join in execution, minor's share if any, rights of female members etc.	N.A
	c	Please also comment on any other aspect which may adversely affect the validity of security in such cases?	N.A
17	a	Whether the property belongs to any trust or is subject to the rights of any trust?	No.
	b	Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property?	N.A
	c	If YES, additional precautions / permissions to be obtained for creation of valid mortgage?	N.A
	d	Requirements, if any for creation of mortgage as per the central/state laws applicable to the trust in the matter.	N.A
18		Is the property an Agricultural land	No, Property already converted as Bastu vide Memo No. 1/1936/S/T.M. Behala/2014 dated 22/11/2014 issued by BL & LRO Thakurpukur Metiabruz Block, South 24 Parganas.
	a	whether the local laws permit mortgage of Agricultural land and whether there are any restrictions for creation / enforcement of mortgage?	N.A
	b	In case of agricultural property other relevant records/documents as per local laws, if any are to be verified to ensure the validity of the title and right to enforce the mortgage?	N.A
	c	In the case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed/permission obtained?	N.A


Mrs. Sonali Chatterjee

L.L.B., Advocate


JUDGES' COURT, HOWRAH

Enrolment No. - WB/793/2007

19	a	Whether the property is affected by any local laws or special enactments or other regulations having a bearing on the security creation / mortgage (viz. Agricultural Laws, weaker Sections, minorities, Land Laws, SEZ regulations, Costal Zone Regulations, Environmental Clearance, etc.)?	N.A
	b	Additional aspects relevant for investigation of title as per local laws.	N.A
20	a	Whether the property is subject to any pending or proposed land acquisition proceedings?	No.
	b	Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search/enquiry?	N.A
21	a	Whether the property is involved in or subject matter of any litigation which is pending or concluded?	No.
	b	If so, whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement?	N.A
	c	Whether the title documents have any court seal/ marking which points out any litigation/ attachment/security to court in respect of the property in question? In such case please comment on such seal/marking?	No.
22	a	In case of partnership firm, whether the property belongs to the firm and the deed is properly registered?	No.
	b	Property belonging to partner(s), whether thrown on hotchpot? Whether formalities for the same have been completed as per applicable laws?	N.A
	c	Whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm?	N.A
23	a	Whether the property belongs to a Limited Company, check the Board resolution, authorisation to create mortgage/execution of documents, Registration of any prior charges with the Company Registrar (ROC), Articles of Association /provision for common	No.


 Mrs. Sonali Chatterjee
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 JUDGES' COURT, HOWRAH
 Enrolment No. - WB/793/2002

		seal etc.	
	b/1	Whether the property (to be mortgaged) is purchased by the above Company from any other Company or Limited Liability Partnership (LLP) firm ? Yes / No.	N.A
	b/2	If yes, whether the search of charges of the property (to be mortgaged) has been carried out with Registrar of Companies (RoC) in respect of such vendor company / LLP (seller) and the vendee company (purchaser) ?	N.A
	b/3	Whether the above search of charges reveals any prior charges / encumbrances, on the property (proposed to be mortgaged) created by the vendor company (seller) ?	N.A
	b/4	If the search reveals encumbrances / charges, whether such charges / encumbrances have been satisfied?	N.A
24		In case of Societies, Association, the required authority/power to borrow and whether the mortgage can be created, and the requisite resolutions, bye-laws.	N.A
25	a	Whether any POA is involved in the chain of title during the period of search?	Yes.
	b	Whether the POA involved is one coupled with interest, i.e. a Development Agreement-cum-Power of Attorney. If so, please clarify whether the same is a registered document and hence it has created an interest in favour of the builder/developer and as such is irrevocable as per law.	Yes.
	c	In case the title document is executed by the POA holder, please clarify whether the POA involved is (i) one executed by the Builders viz. Companies/ Firms/Individual or Proprietary Concerns in favour of their Partners/ Employees/ Authorized Representatives to sign Flat Allotment Letters, NOCs, Agreements of Sale, Sale Deeds, etc. in favour of buyers of flats/units (Builder's POA) or (ii) other	Development POA as per Deed.


Mrs. Sonali Chatterjee
 L.L.B., Advocate
 JUDGES' COURT, HOWRAH
 Enrolment No. - WBI/793/2002