

303

Sri Prasanta Joarder
ADVOCATE

Bar Association, Siliguri Court, Siliguri
Phone : 2420091

Chamber :
"GOLLAN HEIGHTS"
(1st Floor)
Mitra Sammilani Road
Khudiram Pally, Siliguri
Phone : 2535949

✓
Corresponding Address & Residence
SUKUMAR ROY ROAD
Subhaspalli, Siliguri
Dist. Darjeeling
Phone : 2435489 (R)

Ref. No _____

Date 23.02.04

To
The Branch Manager,
State Bank of India,
Commercial Branch,
Howrah.

Sub: Searching Report in respect of the Land of
PRAKASH ENDEAVOURS PVT. LTD.

Dear Sir,

In pursuance of your instructions, I examined the available documents in respect of the land of **PRAKASH ENDEAVOURS PVT. LTD.**, having its registered Office at 2nd Miles, Sevoke Road, Siliguri for the period commencing from 1990 to 2004 (upto the date of my search) both at District Sub-Registry Office and Addl. District Sub-Registry Office Jalpaiguri and also at Rajganj Sub-Registry Office, Jalpaiguri at Rajganj and at the Office of the B.L. & L.R.O., Rajganj and I have conducted search from 1993 to 2004 (upto the date of my search) at the Court of the Ld. Civil Judge, Senior Division, Jalpaiguri and the Ld. Civil Judge, Junior Division at Jalpaiguri.

On perusal of the documents produced before me, prima-facie, it transpires to me as follows: -

1. PARTICULARS OF DOCUMENTS EXAMINED BY ME:

- a) Xerox copy of original Deed of Conveyance being No. 2554 executed on 13.02.2003 and registered on 03.09.2003 at Sub-Registry Office, Rajganj at Jalpaiguri;
- b) Xerox copy of application for Mutation dated 18.02.2004;
- c) Xerox copy of Rent Receipt being No. 4589174;
- d) Affidavit sworn by **Sri Manoj Kumar Jain**, one of the Directors of Prakash Endeavours Pvt. Ltd. before the Notary Public at Siliguri;
- e) Court Information Slips;
- f) Search Receipts (three in Nos.)

Contd...P/2.



Ref. No _____

Date _____

:: 2 ::

2. DESCRIPTION OF LAND:

All that piece or parcel of land measuring 4 Kathas, recorded in Khatian No. 701/2, Sheet No. 8, Part of Plot No. 563, held under the State of West Bengal, situates within Mouza Dabgram, Pargana Baikunthapur, J.L. No. 2, Touji No. 3, Police Station Bhaktinagar, within Siliguri Municipal Corporation Ward No. 41, District Jalpaiguri.

The Land is butted and bounded as follows: -

- On the North : Land of Manju Bajaj sold to-day to Prakash Endeavours;
- On the South : Sold Land of Lachinlal Rasaili;
- On the East : 24 Feet wide Anchal Road;
- On the West : Land of Manju Bajaj sold to-day to Prakash Endeavours.

3. REPORT OF DEVOLUTION:

That from the documents submitted to me and enclosed herewith it appears that Smt. Manju Bajaj, Wife of Sri Mohan Bajaj, acquired a piece or parcel of land measuring 4 Kathas, recorded in Khatian No. 701/2, Sheet No. 8, Part of Plot No. 563, held under the State of West Bengal, situates within Mouza Dabgram, Pargana Baikunthapur, J.L. No. 2, Touji No. 3, Police Station Bhaktinagar, District Jalpaiguri, by virtue of purchase from Sri Man Bahadur Biswakarma, Son of Late Jeet Man Biswakarma, by a Deed of Conveyance registered on 10.03.1989 at 2nd Sadar Joint Sub-Registry Office, Jalpaiguri at Rajganj and recorded in Book No. I, Volume No. 11, at Pages 105 to 114, Being No. 1179 for the year 1989. Being in such possession Smt. Manju Bajaj sold and transferred all that piece or parcel of land measuring 4 Kathas in favour of Prakash Endeavours Pvt. Ltd., having it's Office at 2nd Miles, Sevoke Road, Siliguri, by a Deed of Conveyance executed on

Contd...P/2.



Ref. No _____

Date _____

:: 2 ::

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13.02.2003 and registered on 03.09.2003 at Sub-Registry Office, Rajganj at Jalpaiguri and recorded in Book No. I, Volume No. 34, at Pages 143 to 150, Being No. 2554 for the year 2003. From the xerox copy of application for mutation produced before and enclosed herewith it appears that Prakash Endeavours Pvt. Ltd. has applied for mutate it's name in the R.O.R. for the said property at the Office of the B.L. & L.R.O., Rajganj dated 18.02.2004 and from the xerox copy of Rent Receipt produced before me and enclosed herewith it appears that Prakash Endeavours Pvt. Ltd. has paid/deposited rent upto 1410 B.S. for the said property. The property in question is required to be mutated and necessary order/permission is required to be obtained from the concern B.L. & L.R.O's Office by Prakash Endeavours Pvt. Ltd.. I have also gone through the affidavit dated 23.02.2004 sworn by *Sri Manoj Kumar Jain*, one of the Directors of Prakash Endeavours Pvt. Ltd. before the Notary Public, Siliguri wherein he has stated/declared, inter-alia, that their company is the owner in possession of the aforesaid property mentioned in clause-2 herein above free from all encumbrances and charges whatsoever, the Company has not sold or transferred or in any way encumbered the said property or any part thereof to anybody, the Company has not entered into any agreement for sell of the said property or any part thereof with any body, the Company are not possessing any land in excess of ceiling area, the land is not subject matter of any acquisition or requisition, by the Govt. or any other authority concerned, the property is not subject matter of any suit proceedings or litigation, the property in question is not subject matter of any attachment order.

Considering the above I am, prima-facie, of the opinion as enumerated hereunder: -

4. OPINION:

- a) From the documents submitted to me I did not find any adverse which could lead me to opine that the property in question is encumbered or that the same is either acquisition or requisition by the Govt.

Contd...P/3.



Sri Prasanta Joarder

ADVOCATE

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✓
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Subhaspalli, Siliguri
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:: 3 ::

- b) That from the Affidavit sworn by the owner above named and submitted to me and enclosed herewith it appears, inter-alia, that the property is not subject matter of any suit or proceedings pending at Jalpaiguri Court, there is no attachment order, the property is not subject matter of any acquisition or requisition by the Government or any other authority and the property is free from all encumbrances.
- c) That from the Court Information Slips issued from the Court of the Ld. Civil Judge, Senior Division and the Court of the Ld. Civil Judge, Junior Division at Jalpaiguri it appears that no Money Execution Case/O.C/Title Suit or Execution Case is pending against Prakash Endeavours Pvt. Ltd. in respect of the said property.
- d) That it further transpires that the land in question is not affected under any provision of Urban Land (Ceiling and Regulations) Act, 1976.
- e) On perusal of the documents submitted to me, I am, prima-facie, of the opinion that the property in question as described in Clause-2 above is free, clear and marketable.
- f) That the property as described in Clause-2 above may be accepted by way of mortgage against loan complying the provisions of law provided the company should comply the observations and instruction made herein before creation of mortgage of the said property: -



Contd...P/4.

Sri Prasanta Joarder

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:: 4 ::



INSTRUCTION:

- i) That Prakash Endeavours Pvt. Ltd. be asked to deposit all the documents as noted in Clause-1 above in original instead of certified copies or xerox copies in Bank.

Thanking You.

ENCLO:

As stated in
Clause-1 above.

Yours faithfully,

(PRASANTA JOARDER)
Advocate, Siliguri.
23.02.04

The said property belongs to me/us absolutely and no one else has any interest therein. The said property is under my/our sole occupation.

There is no subsisting agreement for the sale of the said property not has any prospective or any intending purchaser taken possession of it or part of it. The said property is free from encumbrance.

Undeveloped property at Dabgram

Sidegini.

- (1) Deed No 2578 dt 13.2.2003
in SRO Rajgauri, Book No-1,
Volume No. 34, Page No. 299 to 306
with 10 katha 6 ainta 24 sy ft land
(2) Deed No 2554 dt 13.2.2003
in SRO Rajgauri, Book No 1,
Volume No. 34, Page No. 143 to 150
with 4 katha land.

Prakash Enterprises Pvt. Ltd.

Munir Khan
DIRECTOR

First Fold

अन्तर्देशीय पत्र कार्ड
INLAND LETTER CARD

To
The Manager

State Bank of India
Commercial Branch, Howrah
9, G. T. Road (South)
Howrah-711 101

RECEIVED
13/05/2004

Third Fold

जीवित मोह

भेजनेवाले का नाम और पता

Sender's name and address

Prakash Enterprises Pvt. Ltd.

Pratap Market, 2nd Mile

Sevoke Road, 2nd Floor

Sidegini

PIN CODE

734401

INDIA POST

The said property belongs to me/us absolutely and no one else has any interest therein. The said property is under my/our sole occupation.

There is no subsisting agreement for the sale of the said property not has any prospective or any intending purchaser taken possession of it or part of it. The said property is free from encumbrances.

Standard property at Indragiri

(i) Deed No. 2578 dt 13.2.2003
in SRO - Rajgarh's Book No. -1,
Volume No 34, Page No. 289 & 306.
with 10 Katha Ekitak by Regt 2100.
(ii) Deed No. 2574 dt 13.2.2003.
in SRO Rajgarh's Book No. 1, Volume
No 34, Page No 143 & 150 with 4 Katha
(and)

Prakash Endowment Pvt. Ltd

M. J. Singh
DIRECTOR

भारतीय डाक
INLAND LETTER CARD

To

The Chief Manager,

State Bank of India,

Commercial Branch, Howrah.

9, G. T. Road (South)

Howrah-711 101

PIN CODE

Third Fold

भेजनेवाले का नाम और पता

STATE BANK OF INDIA
COMMERCIAL BRANCH
Sender's name and address

Prakash Endowment Pvt Ltd

Pratap Market, 2nd Mile

Salt Lake Road, 2nd Floor

Calcutta

PIN CODE

734401

इस पत्र के अन्दर कुछ न रखिये

NO ENCLOSURES ALLOWED

DAK RECEIVED SPECIMEN 'B'

To 24 APR 2006

The Chief Manager,

State Bank of India,

Prakash Endearment P.O.
2nd Mile, Postaparnat
Gore Road, 2nd Floor.
Siddhiguni - 734401

Commercial Branch,

Howrah.

18-4-2006

Dear Sir,

I/We are writing this to confirm that I/we deposited
with you on 11.10.15-2005 the title deeds

relative to my/our property situated at Dakgrau, Silpin
village Taluk

District described below (hereinafter referred to as the
"SAID PROPERTY") with the intention of creating an
equitable mortgage over the said property by way of
security for the amounts due to the Bank from me/us/the
concern of Thakurta Builders Pvt under the following
credit facilities extended to me/us/the concern of
by the Bank.

Nature of facility

Limit
Rs.
350.00
50.00

- (a) Cash Credit
- (b) Stand by letter of Credit
- (c)
- (d)

Total 400.00

At my/our request you were pleased to grant me/us/the
said concern of Thakurta Builders Pvt an enhancement
of the above-mentioned credit facilities as noted below:-

<u>Nature of facility</u>	<u>Original Limit</u>	<u>Enhanced Limit</u>
<u>Cash Credit</u>	<u>Rs. 350.00</u>	<u>Rs. 350.00</u>
<u>Stand by letter of Credit</u>	<u>50.00</u>	<u>50.00</u>
<u>Total</u>	<u>400.00</u>	<u>400.00</u>

Thakurta Builders Pvt
Stand by letter of Credit
Address: Hpa. C/O

This is to confirm that consequent upon the enhance-
ment of the credit facilities as state above and for the
purpose of having the enhanced limits of the credit
facilities covered by the security of the said property I/we
called on you on 7.4.06 and admitted and declared
in the presence of yourself and S.N. Dasgupta & R. Chatterjee
that the benefit to the Bank of the mortgage by deposit of
title deeds relating to the said property created, as stated
above on the 11-11-2005 shall also apply
for stand extended to and cover the
enhanced aggregate limits of Rs. granted
to me/us/the concern of by
the Bank

अन्तर्देशीय पत्र कार्ड

INLAND LETTER CARD

म

To
The Manager

State Bank of India

Commercial Branch, Howrah

9, G. T. Road (South)

Howrah-711 101

STATE
HOWRAH

Third Fold

तीसरा मोड़

भेजनेवाले का नाम और पता

Sender's name and address

Prakash Endearments Pvt Ltd.
Postop Chambers, 2nd Mile.

Sevoke Road, 2nd Floor

Siliguri

PIN CODE 734401



IN D 600000
Number 1014, 18-12-1988

INDIA POSTAGE

Amount: Rs. 27.00

43/63/20000 1/2/24

Net: 15grams to: HOWRAH, PIN: 711101

DAK RE SPECIMEN 'A'

To
The Manager,
State Bank of India,
Howrah. Commercial Branch,
From :-
Prakash Endeavour Pvt. Ltd.
2nd Mile, Paschupat Road,
Sewage Road, 2nd Floor.
Siliguri - 733040
13-11-2005

Dear Sir,

I am writing this to confirm that I have deposited with you on 11-11-2005 title deeds relating to my property Sabgram, Siliguri described below (hereinafter referred to as the "said property") with the intention of creating an equitable mortgage on the said property by way of collateral security for the amounts due to the Bank from me/the concern of Tushita Builders Pvt. Ltd. under the following credit facilities extended to me/it by the Bank :

- (a) Loan A/c Rs 350,000
- (b) Standing Limit Rs 50,000
- (c)
- (d)

The said property is self-acquired and as such no one else has any interest in the said property. The said property is under my sole occupation (a portion of the building is under tenancy occupation of on monthly rent;)

There is no subsisting agreement for the sale of the said property nor has any prospective or any intending purchaser taken possession of it or a part of it. The said property is free encumbrances.

Yours faithfully,
Prakash Endeavour Pvt. Ltd.

Prakash K. Jain
DIRECTOR

Description of the property given as security :

Landed property at Sabgram, Siliguri.

- (1) Deed No. 2578 dt 13.2.2003 in SRO - Rajgari, Book No. 1 Volume No. 34, Page No. 299 to 306 with 10 Kathas 6 Centall 24 sq ft gbw.
- (2) Deed No. 2554 dt 13.2.2003 in SRO - Rajgari, Book No. 1, Volume No. 34, Page No. 143 to 150 with 4 Kathas Landed.