

BAIDYANATH MISHRA
ADVOCATE



Enrolment No.O-2202/2001

Plot No.PE/17,
Priyadarshi Enclave,
Patia Station Road, PO – KIIT,
Bhubaneswar-751024, Odisha.
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email:bhm.mishra27@gmail.com

Dt.14.08.2023

To

The Managing Director,
M/s Baishnodevi Engineers & Consultancy Pvt. Ltd.,
Regd. Office at Plot No.278/3181, Patrapara,
Near S.B.I., Aiginia Branch, Patrapara,
Bhubaneswar - 751019, Dist.- Khordha, Odisha.

Sub: Legal Search Report basing upon searching of Index in the Sub-Registrar Office, Jatani under D.S.R.O, Khurda at Bhubaneswar, verification of Record of Rights in the Office of the Tahasildar, Jatani and careful scrutiny of the land documents in respect of the property scheduled below.

Ref: Title Investigation Report and legal opinion on the question of right, title, interest and marketability of the property scheduled below pertaining to the proposed Housing Project, named & styled as , “SAI SUBAS”, developed and constructed by M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra for self as the Land Owner of the property in question.

Schedule of Property

District - Khurda, Tahasil - Jatani, Sub Registrar Office - Jatani, Thana - Bhubaneswar (Hal Thana-Air Field), Thana No.30, Mouza - Panchagaon.

(1) Sthitiban Khata No.469/1035, Plot No.625, Area-Ac.0.234.09 decimals after gift of Area-Ac.0.175.91 decimals (For the purpose of road and common area) out of Total Area-Ac.0.410 decimals, corresponding to Sabik Khata No.250, Plot No.625, Area-Ac.0.410 decimals, Kisam-Gharabari, Status-Sthitiban.

(2) Sthitiban Khata No.469/1935, Plot No.626, Area-Ac.0.219.91 decimals after gift of Area-Ac.0.190.09 decimals (For the purpose of road and common area) out of Total Area-Ac.0.410 decimals, further corresponding to Sabik Khata No.188, Plot No.626, Area-Ac.0.410 decimals, Kisam-Gharabari, Status-Sthitiban.

Project Boundary:- East - Revenue Road & Part of Revenue Plot No.650,
West - Revenue Plot No.624,
North - Revenue Plot No.624 & Govt. Land,
South - Part of Rev. Plot No.650 & 624.



Documents scrutinized:-

1	Settlement ROR/Patta published in the year 1962 in the names of Pitabasa Tripathy, S/o Panchu Tripathy; Bhaskar Upadhyaya, S/o Jadu Upadhyaya in respect of Khata No.250, Plot No.625, Area-Ac.0.410 decimals along with other plots, Kisam-Bagayat-2, Status-Sthitiban, Mouza Panchagaon. (Photocopy & iNet Copy)
2	Regd. General Power of Attorney bearing Document No.1081028105, dt.16.11.2010 executed by Sri Somanath Tripathy, S/o Late Pitabasa Tripathy in favour of Sri Susanta Kumar Tripathy, S/o Sri Raj Kishore Tripathy. (Photocopy)
3	Regd. Sale Deed bearing Document No.11121002670, dt.16.12.2010 executed by Sri Somanath Tripathy, S/o Late Pitabasa Tripathy, represented through his Power of Attorney Holder, Sri Susanta Kumar Tripathy, S/o Sri Raj Kishore Tripathy vide Regd. GPA bearing Document No.1081028105, dt.16.11.2010 in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra. (Photocopy)
4	Mutation-cum-Conversion ROR/Patta issued by the Office of the Tahasildar, Jatani vide Mutation Case No.489/2011 & OLR u/s 8(A) Case No.376/2011 in the name of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Biranchi Narayan Mishra, S/o Satyabadi Mishra in respect of Khata No.469/1035, Plot No.625, Area-Ac.0.410 decimals, Kisam-Gharabari, Status-Sthitiban, Mouza-Panchagaon. (Photocopy)
5	Regd. Sale Deed bearing Document No.11121305182, dt.18.07.2013 executed by (1) Sri Gopinath Tripathy, S/o Late Pitabasa Tripathy; (2) Sri Kasinath Tripathy, (3) Sri Biswanath Tripathy, both are sons of Late Pitabasa Tripathy; (4) Prafulla Kumari Tripathy, W/o Late Lokanath Tripathy; (5) Pramila Tiwari, W/o Natabar Tiwari & D/o Late Pitabasa Tripathy; (6) Chandrasekhar Tripathy, (7) Banamali Tripathy, both are sons of Late Lokanath Tripathy & (8) Pradip Kumar Tripathy, S/o Biswanath Tripathy in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra. (Photocopy)
6	Legal Heir Certificate of Late Pitabasa Tripathy, S/o Late Panchu Tripathy issued on dt.16.07.2013 by the Sarapanch, Jamukoli Gram Panchayat.
7	Settlement ROR/Patta published in the year 1962 in the name of Dulla Devi, W/o Dasarathi Tripathy in respect of Khata No.188, Plot No.626, Area-Ac.0.410 decimals along with other plots, Kisam-Bagayat-2, Status-Sthitiban, Mouza-Panchagaon. (Photocopy & iNet Copy)
8	Mutation-cum-Conversion ROR/Patta issued by the Office of the Tahasildar, Jatani vide Mutation Case No.430/2011 & OLR u/s 8(A) Case No.377/2011 in the name of Raj Kishore Tripathy, S/o Dasarathi Tripathy in respect of Khata No.469/1030, Plot No.626, Area-Ac.0.410 decimals, Kisam-Gharabari, Status-Sthitiban, Mouza-Panchagaon. (Photocopy)
9	Regd. Development Agreement bearing Document No.11121002672, dt.16.12.2010 executed between (1) Sri Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei;



	(2) Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Sri Susanta Tripathy, S/o Sri Raj Kishore Tripathy; (4) Sri Ramakrushna Tripathy, S/o Sri Raj Kishore Tripathy, called as the Party of the First Part/Land Owners and M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra, called as the Party of the Second Part. (Photocopy)
10	Regd. General Power of Attorney bearing Document No.41121002673, dt.16.12.2010 executed by (1) Sri Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Sri Susanta Tripathy, S/o Sri Raj Kishore Tripathy; (4) Sri Ramakrushna Tripathy, S/o Sri Raj Kishore Tripathy, called as the Principals/Land Owners in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra, called as the Attorney Holder. (Photocopy)
11	Regd. Sale Deed bearing Document No.11081114948, dt.23.06.2011 executed by (1) Mr. Laxmidhar Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Mrs. Satyabhama Tripathy, W/o Mr. Laxmidhar Tripathy; (3) Amiya Kumar Tripathy, S/o Mr. Laxmidhar Tripathy in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra. (Photocopy)
12	Regd. Deed of Cancellation of General Power of Attorney bearing Document No.41121102392, dt.18.07.2011 executed by (1) Sri Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Sri Susanta Tripathy, S/o Sri Raj Kishore Tripathy; (4) Sri Ramakrushna Tripathy, S/o Sri Raj Kishore Tripathy, called as the Principals/Land Owners in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra, called as the Attorney Holder. (Photocopy)
13	Regd. Deed of Cancellation of Development Agreement bearing Document No. 11121102393, dt.18.07.2011 executed between (1) Sri Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Sri Susanta Tripathy, S/o Sri Raj Kishore Tripathy; (4) Sri Ramakrushna Tripathy, S/o Sri Raj Kishore Tripathy, called as the Party of the First Part/Land Owners and M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra, called as the Party of the Second Part/Developer. (Photocopy)
14	Regd. Sale Deed Document No.11121102394, dt.19.07.2011 executed by (1) Mr. Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Mrs. Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Ashok Tripathy, S/o Raj Kishore Tripathy; (4) Susanta Tripathy, S/o Raj Kishore Tripathy & (5) Ramakrushna Tripathy, S/o Raj Kishore Tripathy in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra. (Photocopy)
15	Regd. Sale Deed bearing Document No.110811024514, dt.28.09.2011 executed by Mrs. Nirupama Tripathy, D/o Late Dasarathi Tripathy & Dulla Dei in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra. (Photocopy)



16	Regd. Deed of Cancellation of General Power of Attorney bearing Document No.11081310372, dt.28.06.2013 executed by Sri Somanath Tripathy, S/o Late Dasarathi Tripathy in favour of Sri Susanta Kumar Tripathy, S/o Sri Raj Kishore Tripathy. (Photocopy)
17	Regd. Sale Deed Document No.11121400435, dt.03.02.2014 executed by (1) Mr. Benudhar Nanda, S/o Late Narayan Nanda & Snehamani Devi (Grandson of Dulla Dei), (2) Mr. Ashok Kumar Nanda, S/o Benudhar Nanda (Great Grandson of Dulla Dei) in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra. (Photocopy)
18	Mutation ROR/Patta issued by the Office of the Tahasildar, Jatani vide Rev. Misc. Case No.49/2018 in the name of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Biranchi Narayan Mishra, S/o Satyabadi Mishra in respect of Khata No.469/1935, Plot No.626, Area-Ac.0.410 decimals, Kisam-Gharabari, Status-Sthitiban, Mouza- Panchagaon. (Photocopy)
19	Certified Copy of the Order Sheet issued in Rev. Misc. Case No.49/2018 by the Office of the Tahasildar, Jatani. (Photocopy of Certified Copy)
20	Regd. Gift Deed bearing Document No.11122107122, dt.31.12.2021 executed by M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra in favour of Jamukoli Gram Panchayat, represented by its Executive Officer, Sri Ramesh Chandra Tripathy, S/o Trilochan Tripathy. (Photocopy)
21	Regd. Gift Deed bearing Document No.11122302799, dt.11.05.2023 executed by M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra in favour of Jamukoli Gram Panchayat, represented by its Sarapanch, Smt. Gitanjali Raula, W/o Manas Raula. (Photocopy)
22	Land Lay Out Plan for sub-division of land approved by Bhubaneswar Development Authority (B.D.A). (Photocopy)
23	Permission Letter bearing No.17676/BDA, Bhubaneswar, dt.25.05.2023 (File No.LPBA-157/2020) issued by the Bhubaneswar Development Authority in favor of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra for sub-division of land (Layout Plan) consisting of 16 nos. of Sub-Plots over Plot No.625 & 626 under respective Khata No.469/1035 & 469/1935, Mouza - Panchagaon. (Photocopy)
24	Mutation ROR/Patta issued vide Mutation Case No.942/2022 by the Office of the Tahasildar, Jatani in favor of Jamukoli Gram Panchayat, represented by its Executive Officer in respect of Khata No.469/3242, Plot No.625/5481, Area-Ac.0.135 decimals, Kisam-Gharabari, Status-Sthitiban, Mouza-Panchagaon. (iNet Copy)
25	Mutation ROR/Patta issued vide Mutation Case No.943/2022 by the Office of the Tahasildar, Jatani in favor of Jamukoli Gram Panchayat, represented by its Executive Officer in respect of Khata No.469/3241, Plot No.626/5480, Area-Ac.0.148 decimals, Kisam-Gharabari, Status-Sthitiban, Mouza-Panchagaon. (iNet Copy)
26	Mutation ROR/Patta issued vide Mutation Case No.5845/2023 by the Office of the



	Tahasildar, Jatani in favor of Jamukoli Gram Panchayat, represented by its Sarapanch in respect of Khata No.469/3357, Plot No.625/5540, Area-Ac.0.037 decimals, Kisam-Gharabari, Status-Sthitiban, Mouza-Panchagaon. (iNet Copy)
27	Mutation ROR/Patta issued vide Mutation Case No.5846/2023 by the Office of the Tahasildar, Jatani in favor of Jamukoli Gram Panchayat, represented by its Sarapanch in respect of Khata No.469/3358, Plot No.626/5541, Area-Ac.0.012 decimals, Kisam-Gharabari, Status-Sthitiban, Mouza-Panchagaon. (iNet Copy)
28	Revenue Rent Receipt No.2023-242006010400318, dt.23.07.2023 of the year 2023-24 in respect of Khata No.409/1035, Area-Ac.0.237 decimals, Mouza - Panchagaon. (e-Pauti)
29	Revenue Rent Receipt No.2023-242006010400319, dt.23.07.2023 of the year 2023-24 in respect of Khata No.409/1935, Area-Ac.0.239 decimals, Mouza - Panchagaon. (e-Pauti)
30	Certificate of Incorporation & Memorandum & Articles of Association of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd. (Photocopy)
31	Extract of Board Resolution passed in the meeting of the Board of Directors of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd. on dt.02.01.2020 regarding the authorised signatory for the Project - "SAI SUBAS" situated under Mouza - Panchagaon. (Photocopy)
32	Encumbrance Certificate bearing Certificate No.EC1122023012830, dt.23.07.2023 issued by the Office of the Sub-Registrar, Jatani for the period of 29 years from dt.01.01.1995 to 23.07.2023. (Digital Copy)

TRACING OF TITLE :

Dear Sir,

As requested, I have carefully perused and scrutinized all the documents in relevance to the property as mentioned above. I have made thorough search in the Index of the concerned Sub-Registrar Office and caused verification of the records in relevance to the property in question in the concerned revenue offices to find out whether the present owner of the property in question, the Land Owner-cum-Developer, M/s Baishnodevi Engineers & Consultancy Pvt. Ltd. has acquired a clear, valid, absolute and marketable title over the same and is competent enough to deal with the property in its own and free will without being fettered by any restrictions or limitations what-so-ever. Whether the land owner-cum-developer company, M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra has derived valid right and authority over the scheduled property and is competent enough to construct the proposed project under plotted development scheme and dispose of the Sub-Plots in favour of the intending purchaser/s without being fettered by any restrictions or limitations what-so-ever.

On careful perusal of the documents in relevance to the property scheduled above, it reveals that M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., a company incorporated under the Companies Act, 1956, is going to launch a plotted development scheme over a compact patch of land measuring an Area-Ac.0.454 decimals after making a gift of an Area-Ac.0.366 decimals of land out of Total Area-Ac.0.820 decimals of land under Khata No.469/1035 and 469/1935, situated in Mouza-Panchagaon to the Jamukoli Gram Panchayat for the purpose of development of road, open space area and public utility for public purpose in view of its nourished project i.e. Plotted Development Scheme named and styled as "SAI SUBAS" at Village-Panchagaon in accordance to the layout plan



approved by the Bhubaneswar Development Authority (BDA). After causing necessary search and thorough verification and perusal of the relevant records available, I am submitting my legal opinion with the following findings, observation & views.

On close scrutiny of the documents relevant to the above scheduled property, as mentioned above and after searching of Index in the concerned Registrar's Office and thorough verification of records from the concerned Tahasil and revenue offices, it is revealed that Sri Pitabasa Tripathy, S/o Panchu Tripathy and Bhaskar Upadhya, S/o Jadu Upadhya enjoyed the land in question along with some other patch of land by doing cultivation as the tenants under the pleasure of the Intermediaries of the Govt. continuously and uninterruptedly by paying revenue rent to the Intermediaries regularly and as such acquired the possessory rights over the property according to the tenancy law or rules in pursuance of the provisions of law under Section 116 (2) of Orissa Tenancy Act, 1913. It is pertinent to mention here that after enactment of Estate Abolition Act, 1951 in the State of Orissa, all rights, title and interest over the land of the Intermediaries were abolished and all rights, title and interest in the land were vested with the State Government while the Raiyat/Tenant remained in the possession of the land by performing various acts of ownership and paying the revenue rent to the Govt. regularly. When the settlement operation was held in the Revenue Mouza-Panchagaon under the District of Puri, the draft record of rights was prepared in the names of the tenants, Pitabasa Tripathy, S/o Panchu Tripathy and Bhaskar Upadhya, S/o Jadu Upadhya. Istahar/Notice was issued inviting objections from the public, if any and finding no objections from the public within the prescribed periods, the Settlement Rent Roll was incorporated with the record under Section 124, Sub-section (3) of the Orissa Tenancy Act, 1913. Subsequently, after following the due procedure of law, the Record of Rights was framed & finally published in pursuance of the provisions of law under Section 116 (2) of Orissa Tenancy Act, 1913 on dt.08.03.1962 in the joint names of Pitabasa Tripathy, S/o Panchu Tripathy and Bhaskar Upadhya, S/o Jadu Upadhya in respect of Khata No.250, Plot No.625, Area-Ac.0.410 decimals along with some other plots with separate possession note in favor of the tenants, Kisam-Bagayat-2, Mouza-Panchagaon, Thana-Bhubaneswar (Thana No.30), District-Puri in Sthitiban Status and the Settlement R.O.R/Patta was issued by the Settlement Authority in their joint names in respect of the properties. Since then, the recorded tenants remained in peaceful possession uninterruptedly by performing various acts of ownership over the properties as per possession note in the R.O.R/Patta in their favor and paying revenue rent to the Govt. regularly.

On recital of the documents, it transpires that after death of Pitabasa Tripathy, S/o Late Panchu Tripathy, his son, Sri Somanath Tripathy, one of the legal heirs/successors-in-interest of his deceased father, being unable to look after the property, appointed, nominated and constituted Sri Susanta Kumar Tripathy, S/o Sri Raj Kishore Tripathy as his true and lawful attorney to do and perform certain acts, deeds and things including sale of the property for & on his behalf vide execution and registration of one General Power of Attorney bearing Document No.1081028105, dt.16.11.2010 in respect of the property bearing Khata No.250, Plot No.625, Area-Ac.0.410 decimals, Kissam-Bagayat-2, Status-Sthitiban, Mouza - Panchagaon and delivered the possession of the property in favor of his Attorney.

Subsequently, Sri Somanath Tripathy, S/o Late Pitabasa Tripathy, represented through his Attorney Holder, Sri Susanta Kumar Tripathy, S/o Sri Raj Kishore Tripathy empowered vide Regd. GPA bearing Document No.1081028105, dt.16.11.2010 sold the property in respect of Khata No.250, Plot No.625, Area-Ac.0.410 decimals, Kissam-Bagayat-2, Status-Sthitiban, Mouza - Panchagaon in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director,



Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra duly registered in the Sub-Registrar Office, Jatani and delivered the possession of the property sold in favor of the vendee.

After purchase of the property, M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Biranchi Narayan Mishra, S/o Satyabadi Mishra applied before the Tahasildar, Jatani for correction of record of rights in its favor in respect of the purchased area of land i.e. Khata No.250, Plot No.625, Area-Ac.0.410 decimals, Kissam-Bagayat-2, Status-Sthitiban, Mouza - Panchagaon and record its name in the Jamabandi Register or Continuous Khatian of the Tahasil, Jatani by virtue of mutation proceeding vide Mutation Case No.489/2011 and applied for conversion of the Kisam of the case land vide OLR u/s 8(A) Case No.376/2011. The Tahasildar, Bhubaneswar, after causing verification of the documents in relevance to the property and following the due procedure of law under the provisions of Mutation Manual, 1962, allowed the mutation proceeding and issued the order for correction of the records in favor of the petitioner in respect of the case land. After correction of the record of rights in favor of the petitioner, the Kisam of the land was converted from Agricultural to Non-Agricultural purpose i.e. Homestead purpose (Gharabari) under section 8(A) of OLR Act, 1960 and the Mutation-cum-Conversion R.O.R/Patta was issued by the Office of the Tahasildar, Jatani in the name of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Biranchi Narayan Mishra, S/o Satyabadi Mishra in respect of Khata No.469/1035, Plot No.625, Area-Ac.0.410 decimals, Kisam-Gharabari, Mouza-Panchagaon in sthitiban status.

Subsequently, it came to the notice of the present purchaser that except the above named vendor, there were some other legal heirs of Late Pitabasa Tripathy for which he approached Sri Somanath Tripathy for execution of sale deed by the other legal heirs in favor of the company to make its title clear, valid and absolute. Hence, one Regd. Sale Deed bearing Document No.11121305182, dt.18.07.2013 was executed by the other legal heirs of Late Pitabasa Tripathy, namely, (1) Sri Gopinath Tripathy, S/o Late Pitabasa Tripathy; (2) Sri Kasinath Tripathy, (3) Sri Biswanath Tripathy, both are sons of Late Pitabasa Tripathy; (4) Prafulla Kumari Tripathy, W/o Late Lokanath Tripathy; (5) Pramila Tiwari, W/o Natabar Tiwari & D/o Late Pitabasa Tripathy; (6) Chandrasekhar Tripathy, (7) Banamali Tripathy, both are sons of Late Lokanath Tripathy & (8) Pradip Kumar Tripathy, S/o Biswanath Tripathy in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra. After registration of the sale deed, M/s Baishnodevi Engineers & Consultancy Pvt. Ltd. became the absolute owner of the purchased property with right, title, interest and possession over the property. It is to be noted here that the names of the legal heirs of Late Pitabasa Tripathy, S/o Late Panchu Tripathy is evident from the Legal Heir Certificate issued on dt.16.07.2013 by the Sarapanch, Jamukoli Gram Panchayat.

On close scrutiny of the documents relevant to the above scheduled property as mentioned above and after searching of Index in the concerned Registrar's Office and thorough verification of records from the concerned Tahasil and revenue offices, it is revealed that one, Dulla Devi, W/o Dasarathi Tripathy enjoyed the land in question along with some other patch of land by doing cultivation as the tenants under the pleasure of the Intermediaries of the Govt. continuously and uninterruptedly by paying revenue rent to the Intermediaries regularly and as such acquired the possessory rights over the property according to the tenancy law or rules in pursuance of the provisions of law under Section 116 (2) of Orissa Tenancy Act, 1913. It is pertinent to mention here that after enactment of Estate Abolition Act, 1951 in the State of Orissa, all rights, title and interest



over the land of the Intermediaries were abolished and all rights, title and interest in the land were vested with the State Government while the Raiyat/Tenant remained in the possession of the land by performing various acts of ownership and paying the revenue rent to the Govt. regularly. When the settlement operation was held in the Revenue Mouza-Panchagaon under the District of Puri, the draft record of rights was prepared in the name of the tenant, Dulla Devi, W/o Dasarathi Tripathy. Istahar/Notice was issued inviting objections from the public, if any and finding no objections from the public within the prescribed periods, the Settlement Rent Roll was incorporated with the record under Section 124, Sub-section (3) of the Orissa Tenancy Act, 1913. Subsequently, after following the due procedure of law, the Record of Rights was framed & finally published in pursuance of the provisions of law under Section 116 (2) of Orissa Tenancy Act, 1913 on dt.08.03.1962 in the name of Dulla Devi, W/o Dasarathi Tripathy in respect of Khata No.188, Plot No.626, Area-Ac.0.410 decimals along with some other plots with separate possession note in favor of the tenants, Kisam-Bagayat-2, Mouza-Panchagaon, Thana-Bhubaneswar (Thana No.30), District-Puri in Sthitiban Status and the Settlement R.O.R/Patta was issued by the Settlement Authority in her name in respect of the properties. Since then, the recorded tenant remained in peaceful possession uninterruptedly by performing various acts of ownership over the properties as per possession note in the R.O.R/Patta in her favor and paying revenue rent to the Govt. regularly.

On recital of the documents, it transpires that with the passage of time, Dula Devi, W/o Late Dasarathi Tripathy passed away leaving behind his son, Raj Kishore Tripathy, S/o Late Dasarathi Tripathy as her legal heir/successor-in-interest who succeeded to the estate of the deceased as per the provisions of Hindu Succession Act, 1956 (Amendment 2005) and acquired absolute ownership over the property with right, title, interest and possession over the same.

It further reveals that one Regd. Development Agreement bearing Document No.11121002672, dt.16.12.2010 was executed between (1) Sri Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Sri Susanta Tripathy, S/o Sri Raj Kishore Tripathy; (4) Sri Ramakrushna Tripathy, S/o Sri Raj Kishore Tripathy, called as the Party of the First Part/Land Owners and M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra, called as the Party of the Second Part in respect of the property bearing Khata No.188, Plot No.626, Area-Ac.0.410 decimals, Kisam-Bagayat-2, Status-Sthitiban, Mouza-Panchagaon for development of the land and construction of residential apartment building over the land by the Second Party/Promoter for & on behalf of the First Party/Land Owners on sharing basis.

To effectuate the said development agreement, the above land owners, namely, (1) Sri Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Sri Susanta Tripathy, S/o Sri Raj Kishore Tripathy; (4) Sri Ramakrushna Tripathy, S/o Sri Raj Kishore Tripathy, called as the Principals/Executants appointed, nominated and constituted M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra as their true & lawful attorney to do and perform certain acts, deeds and things including construction of residential apartment building and sale of the independent residential unit/flat in respect of the property bearing Khata No.188, Plot No.626, Area-Ac.0.410 decimals, Kisam-Bagayat-2, Status-Sthitiban, Mouza-Panchagaon vide execution and registration of one General Power of Attorney bearing Document No.41121002673, dt.16.12.2010 duly registered in the Sub-Registrar Office, Jatani.



On perusal of the documents, it transpires that after death of the recorded tenant, namely, Dula Devi, her son, namely, Sri Raj Kishore Tripathy, S/o Late Dasarathi Tripathy applied before the Tahasildar, Jatani for correction of record of rights in its favor in respect of the purchased area of land i.e. Khata No.188, Plot No.626, Area-Ac.0.410 decimals, Kissam-Bagayat-2, Status-Sthitiban, Mouza - Panchagaon and record his name in the Jamabandi Register or Continuous Khatian of the Tahasil, Jatani by virtue of mutation proceeding vide Mutation Case No.430/2011 and applied for conversion of the Kisam of the case land vide OLR u/s 8(A) Case No.377/2011. The Tahasildar, Bhubaneswar, after causing verification of the documents in relevance to the property and following the due procedure of law under the provisions of Mutation Manual, 1962, allowed the mutation proceeding and issued the order for correction of the records in favor of the petitioner in respect of the case land. After correction of the record of rights in favor of the petitioner, the Kisam of the land was converted from Agricultural to Non-Agricultural purpose i.e. Homestead purpose (Gharabari) under section 8(A) of OLR Act, 1960 and the Mutation-cum-Conversion R.O.R/Patta was issued by the Office of the Tahasildar, Jatani in the name of Raj Kishore Tripathy, S/o Dasarathi Tripathy in respect of Khata No.469/1030, Plot No.626, Area-Ac.0.410 decimals, Kisam-Gharabari, Mouza-Panchagaon in sthitiban status.

On close scrutiny of the documents, it is observed that there were some other legal heirs of Late Dulla Dei, Late Dasarathi Tripathy who acquired right, title, interest and possession over the properties under Khata No.188, Mouza-Panchagaon as the legal heirs of Late Dulla Dei. It further reveals that, one of the remaining legal heirs, namely, (1) Mr. Laxmidhar Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Mrs. Satyabhama Tripathy, W/o Mr. Laxmidhar Tripathy; (3) Amiya Kumar Tripathy, S/o Mr. Laxmidhar Tripathy for their legal necessities sold the property in respect of the coparcenary share of Laxmidhar Tripathy in respect of the property bearing Khata No.188, Plot No.626, Area-Ac.0.205 decimals out of Total Area-Ac.0.410 decimals, Kisam-Bagayat-2, Status-Sthitiban, Mouza-Panchagaon in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra vide execution of Regd. Sale Deed bearing Document No. 11081114948, dt.23.06.2011 and delivered the possession of the sold area of land in favour of the Vendee.

It is to be noted here that due to some financial stringency and some other legal necessities, the above named Principals, namely, (1) Sri Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Sri Susanta Tripathy, S/o Sri Raj Kishore Tripathy; (4) Sri Ramakrushna Tripathy, S/o Sri Raj Kishore Tripathy became desirous of selling the property in question and to meet this purpose, the principals approached the attorney holder for mutual cancellation of the POA and as such, (1) Sri Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Sri Susanta Tripathy, S/o Sri Raj Kishore Tripathy; (4) Sri Ramakrushna Tripathy, S/o Sri Raj Kishore Tripathy cancelled the Regd. General Power of Attorney bearing Document No.41121002673, dt.16.12.2010 executed in favor of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra vide execution of one Regd. Deed of Cancellation of General Power of Attorney bearing Document No.41121102392, dt.18.07.2011 by virtue of which the POA bearing Document No.41121002673, dt.16.12.2010 lost its force and validity.

Similarly, the Regd. Development Agreement bearing Document No.11121002672, dt.16.12.2010 executed between the land owners, (1) Sri Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Sri Susanta Tripathy,



S/o Sri Raj Kishore Tripathy; (4) Sri Ramakrushna Tripathy, S/o Sri Raj Kishore Tripathy and M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra was mutually cancelled vide execution of one Regd. Deed of Cancellation of Development Agreement bearing Document No. 11121102393, dt.18.07.2011 between (1) Sri Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Sri Susanta Tripathy, S/o Sri Raj Kishore Tripathy; (4) Sri Ramakrushna Tripathy, S/o Sri Raj Kishore Tripathy, called as the Party of the First Part/Land Owners and M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra, called as the Party of the Second Part/Developer.

It further reveals that after cancellation of the aforesaid Regd. GPA and Regd. Development Agreement, (1) Mr. Raj Kishore Tripathy, S/o Late Dasarathi Tripathy & Dulla Dei; (2) Mrs. Kanakalata Tripathy, W/o Raj Kishore Tripathy; (3) Ashok Tripathy, S/o Raj Kishore Tripathy; (4) Susanta Tripathy, S/o Raj Kishore Tripathy & (5) Ramakrushna Tripathy, S/o Raj Kishore Tripathy for their legal necessities sold the property in respect of Khata No.469/1030, Plot No.626, Area-Ac.0.205 decimals out of Area-Ac.0.410 decimals, Kisam- Gharabari, Status- Sthitiban, Mouza- Panchagaon in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra vide execution of Regd. Sale Deed bearing Document No.11121102394, dt.19.07.2011 and delivered the possession of the property sold in favor of the Vendee.

It further reveals that the Regd. General Power of Attorney bearing Document No.1081028105, dt.16.11.2010 executed by Sri Somanath Tripathy, S/o Late Dasarathi Tripathy in favour of Sri Susanta Kumar Tripathy, S/o Sri Raj Kishore Tripathy was mutually cancelled vide execution of the Regd. Deed of Cancellation of General Power of Attorney bearing Document No.11081310372, dt.28.06.2013 executed by Sri Somanath Tripathy, S/o Late Dasarathi Tripathy in favour of Sri Susanta Kumar Tripathy, S/o Sri Raj Kishore Tripathy. After execution of the aforesaid Cancellation Deed of GPA, Regd. General Power of Attorney bearing Document No.1081028105, dt.16.11.2010 lost its force and validity.

On perusal of the documents, it reveals that one of the legal heirs of Late Dula Dei, W/o Late Dasarathi Tripathy, namely, Mrs. Nirupama Tripathy, D/o Late Dasarathi Tripathy and Late Dula Dei for her legal necessities sold her respective share in the property bearing Khata No.188, plot No.626, Area-Ac.0.137 decimals out of Total Area- Ac.0.410 decimals, Mouza- Panchagaon in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra vide execution of Regd. Sale Deed bearing Document No.110811024514, dt.28.09.2011 duly registered in Sub-Registrar Office, Jatni and delivered the possession of the area of land sold in favour of the Vendee.

Similarly, the legal heirs of Late Dula Dei, W/o Late Dasarathi Tripathy, namely, (1) Mr. Benudhar Nanda, S/o Late Narayan Nanda & Snehamani Devi (Grandson of Dulla Dei), (2) Mr. Ashok Kumar Nanda, S/o Benudhar Nanda (Great Grandson of Dulla Dei) for their legal necessities sold their respective share in the property bearing Khata No.188, plot No.626, Area-Ac.0.102.5 decimals out of Total Area- Ac.0.410 decimals, Mouza-Panchagaon in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra, S/o Satyabadi Mishra vide execution of Regd. Sale Deed Document No.11121400435, dt.03.02.2014 duly registered in Sub-Registrar Office, Jatni and delivered the possession of the area of



land sold in favour of the Vendee. After execution and registration of the aforesaid sale deeds by all the legal heirs of the recorded tenant, Late Dulla Dei, M/s Baishnodevi Engineers & Consultancy Pvt. Ltd. became the absolute owner of the property under Khata No.188, Plot No.626, Area-Ac.0.410 decimals, Mouza-Panchagaon with right, title, interest and possession over the same.

After execution of the aforesaid Regd. Sale Deeds in its favour by the legal heirs/successors-in-interest of Late Dulla Dei, M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Biranchi Narayan Mishra, S/o Satyabadi Mishra applied before the Tahasildar Jatni vide Rev. Misc. Case No.49/2018 issued in its favour vide Mutation Case No.10118/2013 in respect of Mutation Khata No.409/1935, Plot No.626, Area-Ac.0.410 decimals, Mouza-Panchagaon for correction of the records as there was certain legal complicity arising out of non-execution and registration of sale deeds by all the legal heirs of Late Dulla Dei, W/o Late Dasarathi Tripathy in pursuance of the order issued by the Sub-Collector, Bhubaneswar vide Mutation Appeal No.126/2016. After going through the relevant documents as well as sale deeds executed in favour of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd. and taking into consideration of the order issued in Mutation Appeal No.126/2016 and herein all the parties, the Correction ROR/Patta was issued by the Office of the Tahasildar, Jatani vide Rev. Misc. Case No.49/2018 in the name of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Biranchi Narayan Mishra, S/o Satyabadi Mishra in respect of Khata No.469/1935, Plot No.626, Area-Ac.0.410 decimals, Kisam-Gharabari, Mouza-Panchagaon in Sthitiban Status. The photo copy of the certified copy of the Order Sheet issued in Rev. Misc. Case No.49/2018 issued by the Tahasil, Jatni is attached herewith for reference.

It further reveals that one Gift Deed has been executed by M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Biranchi Narayan Mishra as the Party of the One Part, referred to as "THE DONOR" in favour of Jamukoli Gram Panchayat, represented by its Executive Officer, Sri Ramesh Chandra Tripathy, S/o Trilochan Tripathy, referred to as "THE DONEE" duly registered in the Office of the Sub-Registrar, Jatni vide Regd. Gift Deed bearing Document No.11122107122, dt.31.12.2021 in respect of Khata No.469/1035, Plot No.625, Area-Ac.0.135.91 decimals out of Area-Ac.0.410 decimals (Gift for Road) and Khata No.469/1935, Plot No.626, Area-Ac.0.148.09 decimals out of Area-Ac.0.410 decimals (Gift for Road), Kisam-Gharabari, Status-Sthitiban, Mouza-Jatani by virtue of which the Donor has gifted the aforesaid area of land for common internal road for public utility and for obtaining necessary approval in accordance with rules and regulation of the planning authority for approval of the layout plan for division of the land into sub plots according to CDP 2010 and the Donee has accepted the gift vide execution and registration of this Deed of Gift and the Donor has thus conveyed, transferred and assigned the demised land by way of gift in favor of the Donee with all rights, title, interest and possession over the same to utilize the gifted property for free access of general public.

Similarly, another Gift Deed has been executed by M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Biranchi Narayan Mishra as the Party of the One Part, referred to as "THE DONOR" in favour of Jamukoli Gram Panchayat, represented by its Sarapanch, Smt. Gitanjali Raula, W/o Manas Raula, referred to as "THE DONEE" duly registered in the Office of the Sub-Registrar, Jatni vide Regd. Gift Deed bearing Document No.11122302799, dt.11.05.2023 in respect of Khata No.469/1035, Plot No.625, Area-Ac.0.040 decimals out of Area-Ac.0.410 decimals (Gift for civic amenities) and Khata No.469/1935, Plot No.626, Area-Ac.0.042



decimals out of Area-Ac.0.410 decimals (Gift for civic amenities), Kisam-Gharabari, Status-Sthitiban, Mouza-Jatani by virtue of which the Donor has gifted the aforesaid area of land for open space and public utilities (civic amenities) and for obtaining necessary approval in accordance with rules and regulation of the planning authority for approval of the layout plan for division of the land into sub plots according to CDP 2010 and the Donee has accepted the gift vide execution and registration of this Deed of Gift and the Donor has thus conveyed, transferred and assigned the demised land by way of gift in favor of the Donee with all rights, title, interest and possession over the same to utilize the gifted property for free access of general public.

After registration of the Gift Deeds, the Mutation ROR/Patta has been issued by the Office of the Tahasildar, Jatani in favor of Jamukoli Gram Panchayat in respect of the gifted area of land.

It further reveals that after issue of the R.O.R in the name of Jamukoli Gram Panchayat, the area of land gifted in favour of aforesaid Donee was deducted from the total area of land under Khata Mo.469/1035 & 469/1935 recorded in the name of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd. Subsequently, revenue rent for the year 2023-24 has been deposited by M/s Baishnodevi Engineers & Consultancy Pvt. Ltd. vide Receipt No.2023-242006010400318, dt.23.07.2023 in respect of Khata No.409/1035, Area-Ac.0.237.1 decimals and Receipt No.2023-242006010400319, dt.23.07.2023 in respect of Khata No.409/1935, Area-Ac.0.249.9 decimals, Mouza - Panchagaon.

Subsequently, M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented through its Managing Director, Sri Biranchi Narayan Mishra applied before the Bhubaneswar Development Authority (B.D.A.) for approval of the layout plan of the proposed project under plotted development scheme vide submission of the relevant documents of the property as required for the purpose. After examining the relevant documents relating to the proposed project, the Bhubaneswar Development Authority approved the layout plan and granted permission under Sub-Section (3) of the Section-16 of the Orissa Development Authorities Act, 1982 (Orissa Act, 1982) in favor of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd., represented by its Managing Director, Sri Biranchi Narayan Mishra vide its Letter No.17676/BDA, Bhubaneswar, dt.25.05.2023 (File No.LPBA-157/2020) for sub-division of land (Layout Plan) consisting of 16 nos. of Sub-Plots over Plot No.625 & 626 under respective Khata No.469/1035 & 469/1935, Mouza - Panchagaon in the Development Plan Area of Bhubaneswar.

M/s Baishnodevi Engineers & Consultancy Pvt. Ltd. is a company registered under the Companies Act, 1956 bearing Corporate Identity Number-U70101OR2008PTC009793 of the year 2007-08 having its Regd. Office at Plot No.278/3181, Patrapara, near S.B.I., Aiginia Branch, Patrapara, P.S-Khandagiri, Bhubaneswar-751019, Dist.-Khordha, Odisha. The company is the land owner-cum-developer of the project in question and it has derived valid and absolute right, title and interest over the property in question and is entitled enough to construct building, execute necessary documents and dispose of the residential units/flats along with undivided proportionate impartible interest in land of the project in favour of the intending purchaser/s without being fettered by any restrictions or limitations what-so-ever.

It is to be noted here that the one resolution was passed in the meeting of the Board of Directors of M/s Baishnodevi Engineers & Consultancy Pvt. Ltd. on dt.02.01.2020 and it was resolved in the said meeting that Sri Biranchi Narayan Mishra, Managing Director of the company is authorized and empowered to sign and execute all necessary papers, relevant documents and sale deed relating to the Project - "SAI SUBAS" being constructed over the Plot No.625 & 626 under



respective Khata No.469/1035 and 469/1935, situated in Mouza - Panchagaon for & on behalf of the company as and when required.

I have verified the POA involved with the Project - "SAI SUBAS", situated in Mouza - Panchagaon and it is ascertained that the POA was valid and in force at the time of execution of the title deed in favor of the present owner. I hereby certify that the Power of Attorney involved with the property in question was properly stamped, adequately valued and duly executed and registered before the competent authority.

The Encumbrance Certificate obtained from the Sub-Registrar Office, Jatani for a period of last 30 years leaves no manner of doubt that the property is not subject to any undisclosed charges or encumbrances. There is no such material to doubt the correctness of the documents as well as the record of rights of the land owners and there is no missing link in the chain of title.

In view of the aforesaid findings and tracing of title, I am of the opinion that the flow of title in respect of the scheduled property is complete and in order. The present land owners have acquired absolute right, title, interest and possession over the scheduled property and are quite competent enough to deal with the property at their own & free will without being fettered by any restrictions or limitations whatsoever.

Thanking You,

Yours sincerely

Baidyanath Mishra

Baidyanath Mishra (Advocate)

Dt.14.08.2023

Place: Bhubaneswar

