

PRABHAT KUMAR PADHI
ADVOCATE,
MARELLA GARDEN, GIRI ROAD,
BRAHMAPUR- 760005,
DIST. GANJAM, ODISHA.
Enrollment No 0-300-1974.

Cell : 9861135783.

TO WHOM IT MAY CONCERN

Date 12-01-2022
Place Berhampur

Ref: In the matter of " **M/s BIXITA PROMOTERS & DEVELOPERS** " having its Registered Office at Co-operative Colony 2nd lane, Brahmapur, Dist. Ganjam, Odisha. Represented by its Partners Smt. Swapna Kumari Patnaik and Smt. Tomalo Patnaik among them Swapna Kumari Patnaik is the Managing Partner, residing at Co-operative Colony 2nd lane, Brahmapur . That the Capital contribution made by the partners shall bear interest @ 12% per annum and profit sharing ratio depends on profit or loss arising out of project business shall be shared equally amongst the partners of the firm (with reference to Partnership Deed dated 01-04-2017 in between them)

LEGAL OPINION & FLOW OF TITLE RELATING TO PROJECT "BIXITA'S PADMAVATI GARDEN"

"BIXITA'S PADMAVATI GARDEN", is a venture to construct B+S+6 i.e 30 individual Flats in a Apartment houses along with Basement and stilt reserved for Parking to be constructed and Developed by said "M/s BIXITA PROMOTERS & DEVELOPERS " A PARTENERSHIP FIRM, deals with Construction of Building etc. Having its office at Co-operative Colony 2nd lane, Brahmapur, Dist. Ganjam, Odisha. Represented by its Partners Smt. Swapna Kumari Patnaik and Smt. Tomalo Patnaik residing at Co-operative Colony 2nd lane, Brahmapur (with reference to Registered Development Agreement-cum-Power of Attorney Deed dated 26-11-2021 in between Land owner and Developer) Builder/Developer cum Promoter of the Project .

A. LAND OWNER OF THE PROPERTY, as per Government Documents:

Smt. BISALA PATRO w/o Mohendra Patro.
Residing at: Big Street, Lochapada, Via- Brahmapur,
P.S-Berhampur Sadar, Dist. Ganjam, Orissa.
Aadhar No 3526 9739 6048, PAN-CTFPP4962C,
Cell No: 9439803353.



B. Description of (Project) property:

House- site (Gharabari vacant site) ,situates at Mouza-Nimakhandi, Brahmapur, Revenue Circle- Nimakhandi, Gram Panchayet-Nimakhandi, P.S-Berhampur Sadar, Tahasil- Kukudakhandi, SRO-Berhampur-I, Dist. Ganjam, Orissa.Covered under

Khatian Sl. No 410/3083, Plot No 1066/5704, Ac 0.300 Dec.

Area: 1214.48 SQ .MT.

Boundary: East- Road, West- Road, North- Revenue Plot No 1074 and South-Revenue Plot No 1072.

Location: House-site (Gharabari), situated at Adi-Shakti Nagar 3rd line, Near Shakti Nagar, Lochapada, Berhampur-761001.

C. Specification of Project Property:

The above property i.e the project property of "**BIXITA'S PADMAVATI GARDEN**" consist of B+S+6 storied residential apartment i.e 30 individual Flats along with Basement and stilt reserved for Parking, to be constructed/ Developed and promoted by "M/s BIXITA PROMOTERS & DEVELOPERS" Brahmapur, stands recorded in the name of Smt. Bisala Patro vide Khatian Sl. No 410/3083 of Mouza-Nimakhandi (detailed in above Col-B). Permission under the provisions of Section16 of ODA Act has been granted in favour of Smt. Bisala Patro for construction of B+S+6 storied residential apartment in respect of her property vide Khatian Sl. No 410/3083 of Mouza-Nimakhandi, Berhampur as per Letter No 1739/BDA/BPBA-XXX-S01871-19/2021 dated 1-10-2021 of Brahmapur Development Authority, Courtpeta, Brahmapur-760004, the status of property as House-site

D. Documents studies relating "BIXITA'S PADMAVATI GARDEN"

Documents relating to flow of ownership right and title of Smt. Bisala Patro over the project property:

- I) Khatian Sl. No 208 of Mouza-Nimakhandi, recorded in the name of Golapali Padmavati, published in the year 1976.- Link Document.
- II) Registered Sale Deed No 10611301963/2013 of SRO-Brahmapur-T, executed by Mohendra Patro (son and heir of Golapali Padmavati of Document No I) in favour of present owner Smt. Bisala Patro- Title Deed.
- III) Khatian Sl. No 410/3083 of Mouza-Nimakhandi, recorded in the name of present owner Smt. Bisala Patro of Document No II, as per the orders of mutation passed in MC No 1809/13, followed by orders passed in OLR-8-A-Case No 676/17 passed by Tahasildar, Kukudakhandi, keeping the status of property as House site (Gharabari), in place of previous Khatian Sl. No 208 (Document No I).



- IV) Revenue Tax receipt dated 11-01-2022, bearing Receipt No 2021-220523004400431, paid by Bisala Patro .
- V) Order relating to Permission under the provisions of Section 16 of ODA Act has been granted in favour of Smt. Bisala Patro for construction of B+S+6 storied residential apartment in respect of her property vide Khatian Sl. No 410/3083 of Mouza-Nimakhandi, Berhampur as per Letter No 1739/BDA/BPBA-XXX-S01871-19/2021 dated 1-10-2021 of Beahampur Development Authority, Courtpetta, Brahmapur-760004.
- VI) No objection Certificate issued by Suptd. Engineer RWSS , Division, Berhampur relating to water supply vide its Letter No 4117/2-8-2021, No objection Certificate issued by Range Fire Officer, SR-Berhampur, dated 2-8-2021 regarding Fire safety etc and No objection Certificate issued by Block Development officer, Kukudakhandi vide Letter No 2335/29-07-2021 relating to drainage system etc concerning to project "Baxita's Padmavati Garden "at Nimakhandi Mouza.
- VII) Development Agreement -cum- Power of Attorney (With possession) bearing Document No 10612106916 dated 26-11-2021, Volume No 140, of SRO-Berhampur-I, executed by Smt. Bisala Patro (Land owner with reference to Document No II & III) as The First Part in favour of "M/s BIXITA PROMOTERS & DEVELOPERS" Brahmapur, (Developer/ Builder) as the Second Part. relating to development/ construction/promotion/sale etc. of property mentioned therein.
- VIII) EC No 0612021015166/28-12-2021 (1-1-1995 to 31-12-2007)- Transaction during this period-NIL ; EC No 0612021015161/28-12-2021(1-1-2008 to 28-12-2021) Transaction during this period one and the same relates to Development Agreement cum Power of Attorney in favour of M/S Bixita Promoters and Developers (Document No VII).

Documents relating to the status and existence of Builder cum promoter "M/s BIXITA PROMOTERS & DEVELOPERS" concerning to construction of project etc.

- IX) Deed of Partnership dated 01-04-2017 (Notarized), executed in between 1.Smt. Swapna Kumari Patanaik W/o Pramod Kumar Patanaik , 2. Smt. Tomalo Patanaik W/o Late Harish Chandra Patanaik both are residing at Co- Operative Colony 2nd Lane, Berhampur, Dist- Ganjam, all of are called as Partners. Among them Swapna Kumari Patnaik is the Managing Partner .This relates to business/construction organization named and styled as "M/s BIXITA PROMOTERS & DEVELOPERS", construction of Independent Houses /Apartments/ Duplex houses /, having its Registered Office at Co- Operative Colony 2nd Lane, Berhampur, Dist- Ganjam, Odisha. The prime object of the Firm is for construction, Development, sale and purchase of land & Buildings etc relating to it.
- X) PERMANENT ACCOUNT NUMBER CARD OF "M/s BIXITA PROMOTERS & DEVELOPERS" No- AARFB8827D dated 01-04-2017.



E. Tracing of the title of the Land Owner- Smt. Bisala Patro, relating to Project "BIXITA'S PADMAVATI GARDEN" at Mouza-Nimakhandi, Berhampur.

The property in shape of land was recorded at initial stage in the name of one Golapali Padmavati, as per Khatian Sl. No 208 of Mouza-Nimakhandi, published in the year 1976. --- Document No I.

After death of said recorded owner her only son Mohendra Patro sold the property under Khatia No 208, Plot No 1066, Ac 0.300 Dec of Mouza-Nimakhandi to the present owner Smt. Bisala Patro by means of RSD No 10611301963/2013 of SRO-Berhampur-T- Document No II.

Basing on which, the property in question has been mutated and recorded in the name of the present owner Sm. Bisala Patro, vide Khatian Sl. No 410/3083 of Mouza-Nimakhandi (Document No III), as per orders of mutation passed in MC No 1809/13, followed by orders passed in OLR-8-A-Case No 676/17, passed by Tahasildar, Brahmapur, keeping the status of property as House-site (Gharabari), in place of previous Khata No 208 (Document No I).

In connection with construction of Building over the property in question, the present owner Bisala Patro has obtained Order relating to Permission under the provisions of Section 16 of ODA Act which has been granted in favour of said Smt. Bisala Patro for construction of B+S+6 storied residential apartment in respect of her property vide Khatian Sl. No 410/3083 of Mouza-Nimakhandi, Berhampur as per Letter No 1739/BDA/ BPBA-XXX-S01871-19/2021 dated 1-10-2021 of Brahmapur Development Authority Courtpeta, Brahmapur-760004.(Document No V).

Up to date land Revenue Tax in respect of property is paid by present owner Smt. Bisala Patro (Document No IV).

The aforesaid property owner and Builder cum Developer, entered into an Development Agreement -cum- Power of Attorney (With possession) bearing Document No 10612106916 dated 26-11-2021, Volume No 140, of SRO-Berhampur-I, executed by Smt. Bisala Patro (Land owner with reference to Document No II & III) as The First Part in favour of "M/s BIXITA PROMOTERS & DEVELOPERS" Brahmapur, (Developer/Builder) as the Second Part. (Document No VII). Out of 30 flats to be constructed the land owner has share/right over 6 flats and rest with the builder, thereby agreed to construct 30 individual Flats in the apartment under the name and style of "Bixita's Padmavati Garden" over the site of the owner, as per the building plan approved by BeDA (Document No V) in her name.



From the contents of documents and discussion made therein, it is opined that the present owner Smt. Bisala Patro is the valid, absolute owner of the property and the same to be constructed and develop/promote by M/S Bixita Promoters & Developers as per Development Agreement Cum Power of Attorney (With possession)- Document No VII. Referring to approved building plan –Document No V and no objection Certificate issued by various authorities in connection with the matter, as per the contents of Document No VI. The land owner Bisala Patro own the property, in her personal capacity having marketable title to it and by virtue of which Building Plan approved in her name as per Document No V and the Firm "Bixita Promoters and Developers" (Developers and Promoters)" the builder has right over the property relating to construction/ Development/promotion of the Project " Bixita's Padmavati Garden" as per the Development Agreement –cum- Power of Attorney dated 26-11-2021.

- F. Minor's claim/interest, if any in the property:
No minor's claim or interest over the property is involved in any manner.
- G. Whether the latest Tax /Land Revenue/society/ Charges paid/Receipt has/have been produced :
Up to date Land Revenue Tax in respect of the property is paid vide Document Sl. No IV.
Society Tax or Charges in respect of the property are not required to be paid.
- H. Application of Land Reforms Act or any other law and its effect on title:
- I. The property is not affected by the Land Reforms Act or any other Act relating to it ,as per the facts and circumstances discussed above.
Whether Record or Rights/Patta Pass book/Khata are maintained and if so, whether for the latest period has been produced:
Khatain (ROR) Sl.No 410/3083 of Mouza- Nimakhandi, Brahmapur, assigned in favour of the title holder (present owner- Bisala Patro) , as discussed above (Document No III)
- J. Encumbrances, (Document No VIII) EC No 0612021015166/28-12-2021 (1-1-1995 to 31-12-2007)- Transaction during this period-NIL ; EC No 0612021015161/28-12-2021(1-1-2008 to 28-12-2021) Transaction during this period one and the same relates to Development Agreement cum Power of Attorney in favour of M/S Bixita Promoters and Developers (Document No VII).
Relating to the project property, it reveals that the properties is free from encumbrances, covering period from 01-01-1995 to 28-12-2021 (26 years).



K. Final Certificate:

As per the contents of documents referred above and discussions made in various columns relating to the matter of construction/ Development/promotion of the property in question, I am to Certify that said - "M/S Bixita Promoters and Developers " and Land owner Smt. Bisala Patro are the valid and joint authority, in their respective capacity, as per the contents of documents referred above . The present owner along with Partners of the said Firm are having marketable right to it .

Further, it is certified that, As per the contents of documents referred above and discussions made in various cols. relating to the matter , I am to Certify that said - "M/S Bixita Promoters and Developers" is competent to proceed with the construction and development/sale etc of project "Bixita's Padmavati Garden".



(Prabhat Kumar Padhi)

Advocate , Berhampur (Since 1974).

Practicing Advocate: Since-1974

License/Enrolment No: 0-300/1974

of Orissa State Bar Council, Cuttack

PRABHAT KUMAR PADHI
ADVOCATE

Marella Garden, Giri Road

BRAHMAPUR-760005

E. No:-0-300/1974