

To,
The Administrator/SDO
Bally Municipality
384, GT Road
Bally,
Howrah – 711201

Dated: 23/02/2023

Request for Inspection of Controversial Construction at 57, Dingsai Para Rd.

Dear Sir,

I, Chirantan Mukherjee, S/O Late Wg. Cdr. A.K. Mukherjee, am a resident of 56, Dingsai Para Road, under your municipal area administration (Ward 5).

This is to draw your kind attention towards the controversial, and seemingly illegal, construction – ongoing at our adjacent holding at 57, Dingsai Para Road.

In this regard, I request an inspection and your immediate intervention into the matter.

I had previously requested the same through Bally PS, as advised, due to order U/s 144(2) CrPc (Misc Petition No. 295 of 2022) in the Office of 2nd Court of Ld. Executive Magistrate, Howrah – which is currently extended till the last week of February, 2023. The same is publicly available for your perusal at:

<https://www.storyof57.com/archives/request-inspection>

Subsequently, I had also placed a request in person and in reference to the previous communication. The same is publicly available for your perusal at:

<https://www.storyof57.com/municipality-inspect>

In this context, there has been no communication or confirmation from either your esteemed office or Bally PS, and that no inspection has been conducted so far – to the best of my knowledge.

Under such circumstances, and given the fact that we are immensely affected by the said construction, I have been forced to investigate myself and employ consultants over the matter. As such, I have already filed an RTI with Howrah Municipal Corporation (HMC) to further my queries in this regard, which is publicly available for your perusal at:

<https://www.storyof57.com/rti/corporation-57>

PLAN OF SALE DEED OF CERTAIN BASTU LAND
WITH TWO STORIED BUILDING UNDER HOLDING
NO. 57, DINGSAI PARA ROAD, UNDER H. M. C.
WARD NO. 53 (BALLY MUNICIPALITY WARD NO. 5):
COMPRISED IN DAS NO. 10034; KHATIAN NO. 5996;
J. L. NO. 14; MOUZA - BALLY; P. S. - BALLY;
DISTRICT - HOWRAH.

SCALE:- 1" = 20' 0"

LAND AREA:- 5 KA. 4 CH. 15 S. FT.

AS SHOWN IN RED BORDER

GROUND FLOOR COVERED AREA = 500 SQ. FT.

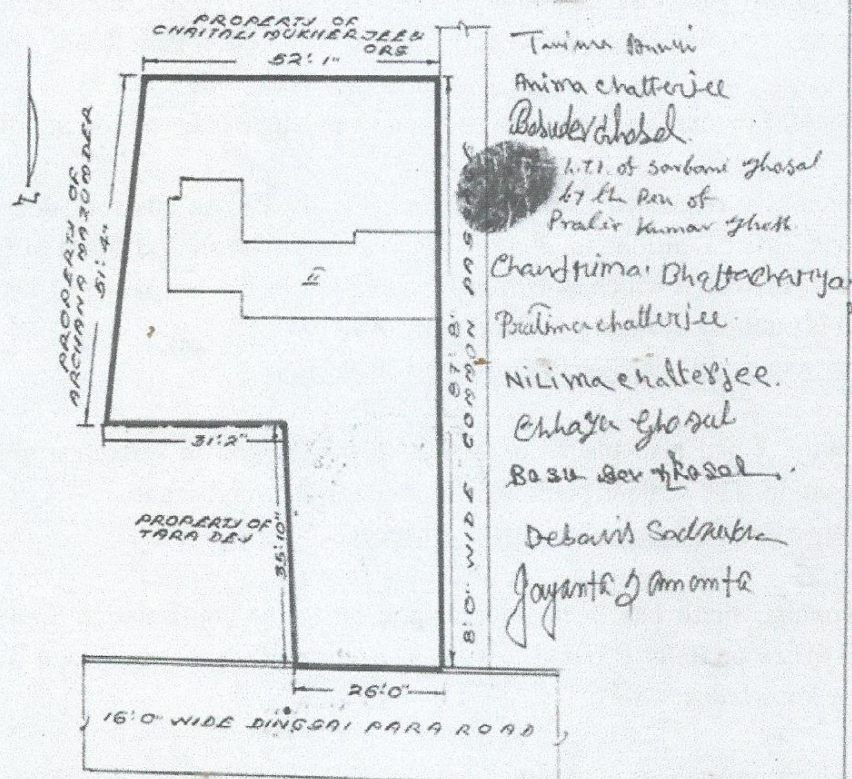
FIRST FLOOR COVERED AREA : 500 SQ. FT.

VENDORS :- SRI BASU DEV GHOSAL

SRI BOSU DEV GHOSAL AND ORS.

VENDEES :- DEBASIS SADHUKHAN.

JAYANTA SAMANTA.



Please note the previous page that contains the map/plan included in Sale Deed #954 dated 23.02.2016 at ADSR, Howrah (Book I, Volume 0502. Pages 29214-29264).

Considering the fact that this deed is not corroborated by the 3 parent deeds referred within itself – it is surprising and shocking how this deed may be accepted/formalized by HMC or Bally Municipality as the basis for the latest Mutation and present Assessment. This assumption is in accordance to your official response to the respective RTI application, which is available publicly for your perusal at:

<https://storyof57.com/rti/municipality-57>

Also note therein that the adjoining plot, clearly outside their premises is tactfully marked as ‘common’ – amongst multiple such misrepresentations – to mean anything between ‘our common’, ‘their common’, and ‘everybody’s common’ – and ultimately attempted to be sold as a ‘right to this plot’ en-masse. It would have been an obvious question to ask that this area, where there is not an inch of contribution from holding 57, must belong to someone – to whom? And where is the permission to do so?

Incidentally, that area happens to be part and parcel of our holding 56 – mutated and assessed by and in the name of my grandfather, Late Purnendu Bhushan Mukherjee, based on Deed of Sale No. 1374 dated 02.07.1938 at ADSR, Howrah – Pages 206-208 of Book 1, Volume 21. Due to his early demise (when my father was barely 10 years old, with more younger siblings), the property remains undivided and the records untouched.

And the property, the status quo of which is unilaterally being attempted to be changed, is the “suit property” in an ongoing legal proceeding under the 2nd Court of Ld. Executive Magistrate at Howrah (Ref: Misc. Petition No. 2049 of 2011) and subject to “order of absolute injunction” by the 2nd Court of Ld. Civil Judge (Sr. Div.) at Howrah (Ref.: Order dated 15.03.2016, T.S. No. 13 of 2012) w.r.t. above “suit property” – that explicitly directs to maintain status quo in respect of nature, character and possession of the “suit property”.

How a part of this property, a right of, is being sold en-mass is bewildering and requires understanding of a greater conspiracy from as early as 2016 – which we only recently investigated and unearthed, when all attempt to dissuade them and act lawfully failed.

We were caught unaware and only grew suspicious in 2021-2022 when the demarcating wall was demolished and no attempt was made to re-construct it – completely kept at dark and relied on their falsehood of (requesting to) using the premises temporarily for ongoing constructions, and their (assurances of) that the entrance remains from the front.

I apprehend the sale through Sale Deed #954 dated 23.02.2016 at ADSR is a cover-up, not without questions. For example:

1. If the property was indeed 'sold' in 2016, why was the 'Ghosal' family still residing till 2019 – when the construction works began?
2. Why was the property worth more than a Crore sold at a paltry amount (mostly in cash) that can be considered befitting only an advance for the constructions?
3. Given the property was sold for promoting more than 25 apartments – why was it sold at a price less than two apartments?
4. Given the fact that Bosudev Ghosal and family returned to reside, staying at a nearby rented space for the time being, as soon as the basic structure was complete – Did they purchase an apartment, then at what price and transaction, or was it part of understanding?

It remains no doubt that the Sale Deed #954 is a farce meant to misrepresent facts, and there is tacit, clandestine understanding between the vendee and vendor (beyond this deed) – for a greater conspiracy, of which, encroaching into our property is one of the objectives.

Since, the adjoining plots (holding 56 and 57) were initially purchased by two brothers (my grandfather and his elder brother) from the same owner – the two plots retained informality due to familial relationships, but always remained clearly demarcated. Such an attempt to exploit was also attempted previously – but the 3 Ghosal brothers who jointly owned holding 57 (Durga Das Ghosal, Sibadas Ghosal, and Haridas Ghosal) being gentlemen and men of words – never attempted such exploitation, and we shared a good relationship with them for decades.

But now, after their demise, as part of the greater conspiracy, I apprehend that the Sale Deed #954 is used as a tool to divert attention and sidetrack their previously original Master Parent Deed (#1373 dated 02.07.1938) and all investigations, to exploit mistakes of the past – and so that all parties involved can plead ignorance and play dumb.

I further apprehend the sale itself – to be a misrepresentation for ulterior objectives and all parties (as is evident in Sale Deed #954) are privy to this greater conspiracy: Vendor [Chaya Ghosal (deceased), Basudev Ghosal (deceased), Pratima Chatterjee, Anima Chatterjee, Nilima Chatterjee, Sarbani Ghosal (deceased), Bosudev Ghosal, Tanim Banerjee, and Chandrima Bhattacharya] – represented by Bosudev Ghosal and Vendee [Debasis Sadhukhan and Jayanta Samanta] – represented by Debasis Sadhukhan.

The point is: How such a fabricated document can be admitted as a basis for Assessment and Mutation, without appropriate verification – is as shocking as it is hilarious!

And armed with such approval, with such fabricated documents, these individuals: Bosudev Ghosal (representing the owner) and Debasis Sadhukhan (representing the developer) has continued to foster their evil and fraudulent objectives – in infringing and invading our property by themselves or through their representatives, or outright hoodlums – making a complete mockery of the afore-mentioned legal proceedings – as is evidenced in CCTV recordings.

Furthermore, it is astonishing how the Building Plan, that is currently executed, may be sanctioned – or for that matter, any Building Plan may be sanctioned based on such fabricated documents!

And if the HMC has erroneously approved such Mutation, Assessment and Building Plan, the Bally Municipality has been aiding and abetting such fraudulent motives by dilly-dallying over conducting a prompt inspection and strict intervention to rein this ongoing fraudulent activity of selling, purchasing, and providing access to our property.

Instead of taking prompt official and legal action against the parties involved for defrauding and misrepresenting documents to HMC (and therefore, Bally Municipality), your office has not taken any stringent action – that I know of, despite my repeatedly drawing your attention and explaining diagrammatically.

In the hope that you will understand our grievances and no longer continue to neglect your duties and responsibilities, please consider this my last and final request to your esteemed office for a thorough, precise, and stringent inspection of the controversial construction and fraudulent dealings.

For further understanding, you may also refer to:

<https://www.storyof57.com/deed>

<https://www.storyof57.com/map>

<https://storyof57.com/records>

I hope to receive, in written, details of your finding at the earliest.

Thanking you, in anticipation of your co-operation.

Yours Faithfully,

Chirantan Mukherjee

Chirantan Mukherjee

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