

SHRI ROHAN R. FADTE
ADVOCATE

Res.
Indira Niwas,
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19/04/2023

To,
The Managing Director,
The Bicholim Urban Co-op. Bank Ltd.,
C.O.
Bicholim-Goa.

Sub:- Legal Scrutiny Report in respect of property bearing survey No.69/2-A-T and 69/2-EK of Village Harvalem of Bicholim Taluka belonging to Smt. Vidya Ajay Shetgaonkar alias Vidya Suresh SALunke.

Sir,

The documents (Xerox Copies) which are furnished are as under:-

1. Nil certificate of Encumbrance on property bearing No.805 of 2019 dated 10/07/2019 issued by Office of Sub Registrar of Bicholim.
2. Nil certificate of Encumbrance on property bearing No.163 of 2023 dated 10/04/2023 issued by Office of Sub Registrar of Bicholim.
3. Nil certificate of Encumbrance on property bearing No.164 of 2023 dated 10/04/2023 issued by Office of Sub Registrar of Bicholim
4. Form I & XIV of the property bearing survey No.69/2-A-T of Village Harvalem of Bicholim Taluka issued by Mamlatdar of Bicholim Taluka dated 28/05/2014.



5. Form I & XIV of the property bearing survey No.69/2-EK of Village Harvalem of Bicholim Taluka issued by Mamlatdar of Bicholim Taluka dated 28/05/2014.
6. Part Construction licence No.11/2019-20 dated 01/07/2019 issued by Sankhali Municipal Council, Sankhali-Goa.
7. Revised Construction licence No.15/2021-22 dated 09/02/2022 issued by Sankhali Municipal Council, Sankhali-Goa.
8. Renewal licence No.1st & 2nd Licence No. 12/SMC/Tech/Ren.lic/2021-22/1002 dated 24/08/2021 issued by Sankhali Municipal Council, Sankhali-Goa.
9. Technical Clearance Order No. DC/7182/ARVALEM/TCP-21/1075 dated 27/05/2021 issued by the Dy. Town Planner, Town & Country Planning Department, Bicholim/Sattari Taluka, Bicholim-Goa.
10. Order dated 01/08/2012 passed by the Court of Dy. Collector and SDO, Bicholim Sub Division, Bicholim-Goa in case No.8-110-2009-part-BICH.
11. Sanad bearing No.CNV/BICH/8/9e4 dated 13/08/1997 issued by Office of the Dy. Collector and SDO, Mapusa Sub Division, Mapusa-Goa.
12. Deed of Rectification dated 08/08/2019 duly registered in the Office of Sub Registrar of Bicholim under No.BCH-1-494-2019, Book-1 Document dated 16/08/2019.
13. Deed of Sale dated 01/11/2002 duly registered in the Office of Sub Registrar of Bicholim under No.925 of Book No. I, volume No.294 dated 07/11/2002.
14. Deed of Sale dated 28/03/2001 duly registered in the Office of Sub Registrar of Bicholim under No.322 of Book No.1, volume No.240 dated 05/04/2001.
15. Deed of Rectification dated 13/07/2012 duly registered in the Office of Sub Registrar of Bicholim under No.1024/12 art pages 296 to 305 of Book No. I, Volume No.1007 dated 12/10/2012.



16. Deed of Conveyance dated 01/03/2012 duly registered in the Office of Sub Registrar of Bicholim under No.289/2012 at pages 131 to 145 of Book No.I, Volume No.959 dated 29/03/2012.
17. Deed of Conveyance dated 16/04/2012 duly registered in the Office of Sub Registrar of Bicholim under No.400/2012 at pages 178 to 193 of Book No.I, Volume No.966 dated 23/04/2012.
18. Deed of Conveyance dated 03/02/1998 duly registered in the Office of Sub Registrar of Bicholim under No.82 of Book No. I, Volume No.159 dated 10/02/1998.

SCHEDULE OF THE PLOTS

- i) ALL THAT PLOT admeasuring 1575.00 square meters of the property known as "PANDOVACHE VONVORECODIL BORODO" situated at Village Harvalem, within the limits of Sankhali Municipal Council, Taluka and Sub District of Bicholim, North Goa District, State of Goa, described in the Land Registration Office of Bicholim under No.550 of Book B- new, not enrolled for Matriz Predial in the Taluka Revenue Office of Bicholim, surveyed under Survey No. 69/2-A-T of Village Harvalem and is bounded as under:-
- East : By 8 meters wide road;
- West : By part of the property bearing survey No.69/2 of Village Harvalem;
- North : By service road; and
- South : By remaining part of the property bearing survey No.69/2 of Village Harvalem.



- i) ALL THAT PLOT admeasuring 1575.00 square meters of the property known as "PANDOVACHE VONVORECODIL BORODO" situated at Village Harvalem, within the limits of Sankhali Municipal Council, Taluka and Sub District of Bicholim, North Goa District, State of Goa, described in the Land Registration Office of Bicholim under No.550 of Book B- new, not enrolled for Matriz Predial in the Taluka Revenue Office of Bicholim, surveyed under Survey No. 69/2-EK of Village Harvalem and is bounded as under:-

East : By 8 meters wide road;

West : By part of the property bearing survey No.69/2 of Village Harvalem;

North : By service road; and

South : By remaining part of the property bearing survey No.69/2 of Village Harvalem.

TRACING OF TITLE OF OWNERSHIP

At Village Harvalem, within the limits of Sankhali Municipal Council, Taluka and Sub District of Bicholim, North Goa District, State of Goa, there exists a property known as "PANDOVACHE VONVORECODIL BORODO" described in the Land Registration Office of Bicholim under No.550 of Book B- new, not enrolled for Matriz Predial in the Taluka Revenue Office of Bicholim, surveyed under Survey No. 69/2 of Village Harvalem.

The said entire property was originally owned and possessed by Shri Bicu Sinai Budculo and his wife Durgabai and upon their death the same was devolved on to their adopted son namely Shri Vassudeva Sinai Budculo and his wife Indirabai .

Upon the death of Shri Vassudeva Sinai Budculo and his wife Indirabai, the said property was devolved on to their adopted son



namely Vassanta Xamba Sinai Budculo alias Vassanta Vassudeva Sinai Budculo and his wife Smt. Muctabai.

On the death of Vassanta Xamba Sinai Budculo alias Vassanta Vassudeva Sinai Budculo, an Inventory Proceedings was initiated in the Court of Civil Judge Senior Division of Bicholim and the said property was allotted to Shri Dinkar Vassant Sinai Budkule.

Thereafter Shri Dinkar Vassant Sinai Budkule entered into an Agreement on 15/11/1996 with M/s. Jagdesh Builders and Real Estate Developers, a partnership firm having its office at Sankhali-Goa for the development said property into plots.

Thereafter Shri Dinkar Vassant Sinai Budkule converted an area of 13654.00 square meters for the purpose residential commercial vide Sanad bearing No.CNV/BICH/8/9e4 dated 13/08/1997 issued by Office of the Dy. Collector and SDO, Mapusa Sub Division, Mapusa-Goa.

Thereafter M/s. Jagdesh Builders and Real Estate Developers developed the said property into various plots with all the prescribed formalities and as per the Agreement dated 15/11/1996 said Shri Dinkar Vassant Sinai Budkule and his wife Smt. Sharad transferred the ownership right in respect of plots Nos. 1 to 5 and 31 to 42 totally admeasuring 5794.00 square meters in favour of M/s. Jagdesh Builders and Real Estate Developers in terms of Deed of Conveyance dated 03/02/1998 duly registered in the Office of Sub Registrar of Bicholim under No.82 of Book No.1, Volume No.159 dated 10/02/1998.

Thereafter Shri Dinkar Vassant Sinai Budkule and his wife Smt. Sharad sold plots 6, 7 and 8 totally admeasuring 945.00 square meters to Shri Suresh Balkrishna Salunke, resident of Valpoi, Sattari-Goa in terms of Deed of Sale dated 28/03/2001 duly registered in the Office of Sub Registrar of Bicholim under No.322 of Book No.1, volume No.240 dated 05/04/2001.



Thereafter Shri Shri Dinkar Vassant Sinai Budkule and his wife Smt. Sharad sold plots 9 and 10 totally admeasuring 630.00 square meters to Shri Suresh Balkrishna Salunke, resident of Valpoi, Sattari-Goa in terms of Deed of Sale dated 01/11/2002 duly registered in the Office of Sub Registrar of Bicholim under No.925 of Book No.I, volume No.294 dated 07/11/2002.

Thereafter Shri Suresh Balkrishna Salunke applied for partitioning of the area of 1575.00 square meters into a distinct survey number and vide Order dated 01/08/2012 passed by the Court of Dy. Collector and SDO, Bicholim Sub Division, Bicholim-Goa in case No.8-110-2009-part-BICH, the area of 1575.00 square meters is now surveyed under survey No.69/2-EK of Village Harvalem.

Thereafter Shri Suresh Balkrishna Salunke and his wife Smt. Surekha sold the said plot bearing survey No.69/2-EK of Village Harvalem to Smt. Vidya Ajay Shetgaonkar alias Vidya Suresh Salunke, resident of Vasco da Gama, Goa in terms of Deed of Conveyance dated 16/04/2012 duly registered in the Office of Sub Registrar of Bicholim under No.400/2012 at pages 178 to 193 of Book No.I, Volume No.966 dated 23/04/2012.

Thereafter M/s. Jagdesh Builders and Real Estate Developers also got their area of 1575.00 square meters into a distinct survey No. i.e. 69/2-A-T of Village Harvalem and the same was sold Smt. Vidya Ajay Shetgaonkar alias Vidya Suresh Salunke, resident of Vasco da Gama, Goa in terms of Deed of Conveyance dated 01/03/2012 duly registered in the Office of Sub Registrar of Bicholim under No.289/2012 at pages 131 to 145 of Book No.I, Volume No.959 dated 29/03/2012 which was rectified by way of a Deed of Rectification dated 13/07/2012 duly registered in the Office of Sub Registrar of Bicholim under No.1024/12 art pages 296 to 305 of Book No.I, Volume No.1007 dated 12/10/2012 .

On the strength of said Deed of Conveyances dated 16/04/2012 and 01/03/2012, Smt. Vidya Ajay Shetgaonkar alias Vidya Suresh



Salunke got her name recorded in the occupants column of Form I & XIV of the properties bearing survey No.69/2-EK and 69/2-A-T of Village Harvalem of Bicholim Taluka.

Thereafter Sankhali Municipal Council vide part construction licence No.11/2019-20 dated 17/04/2019 issued construction licence, Renewal licence No.1st & 2nd Licence No. 12/SMC/Tech/Ren.lic/2021-22/1002 dated 24/08/2021 issued by Sankhali Municipal Council, Sankhali-Goa and Renewal licence No.1st & 2nd Licence No. 12/SMC/Tech/Ren.lic/2021-22/1002 dated 24/08/2021 issued by Sankhali Municipal Council, Sankhali-Goa and Technical Clearance Order No. DC/7182/ARVALEM/TCP-21/1075 dated 27/05/2021 issued by the Dy. Town Planner, Town & Country Planning Department, Bicholim/Sattari Taluka, Bicholim-Goa in favour of Smt. Vidya Ajay Shetgaonkar alias Vidya Suresh Salunke for the purpose of construction of a residential building in the said properties.

As seen from Nil certificate of Encumbrance on property bearing No.805 of 2019 dated 10/07/2019 and 806 of 2019 dated 10/07/2019 issued by Office of Sub Registrar of Bicholim, there are no encumbrances on the plots bearing survey No.69/2-EK and 69/2-B-T of Village Harvalem for the period commencing from 16th April 2012 till 08th July 2019 and as per Nil certificate of Encumbrance on property bearing No.163 of 2023 dated 10/04/2023 and Nil certificate of Encumbrance on property bearing No.164 of 2023 dated 10/04/2023 issued by Office of Sub Registrar of Bicholim, there are no encumbrances on the plot bearing survey No.69/2-EK and 69/2-B-T of Village Harvalem for the period commencing from 29/03/2012 till 06/04/2023.

CONCLUSION

After considering the documents mentioned hereinabove, it is my considered opinion that Smt. Vidya Ajay Shetgaonkar alias Vidya Suresh Salunke and her husband have a clear and marketable title to




the properties bearing survey No. 69/2-EK and 69/2-A-T of Village Harvalem of Bicholim Taluka, better described hereinabove as Schedule of the plots.

Bank can create charge on the said plots by depositing original Deed of Conveyances dated 16/04/2012 and 01/03/2012, original Deed of Rectifications dated 08/08/2019 and 13/07/2012, original Nil certificate of Encumbrance on property bearing No.163 of 2023 dated 10/04/2023, original Nil certificate of Encumbrance on property bearing No.164 of 2023 dated 10/04/2023 issued by Office of Sub Registrar of Bicholim, original Nil certificate of Encumbrance on property bearing No.805 of 2019 dated 10/07/2019 issued by Office of Sub Registrar of Bicholim and original Nil certificate of Encumbrance on property bearing No.806 of 2019 dated 10/07/2019 issued by Office of Sub Registrar of Bicholim for the purpose of equitable mortgage. Further, the husband of Smt. Vidya Ajay Shetgaonkar alias Vidya Suresh Salunke is a necessary party to the Equitable Mortgage

Thanking you,

Yours faithfully,

 19/4/23

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