

Dated 08/01/2021

To,
The Manager,
ICICI Bank Ltd,
Panaji, Goa - 403 001

CERTIFICATE OF TITLE

Ref: File of Project Approval of 'SHARAYU SUNNY DAYS' by M/s. Sharayu Global.

Description of the Plot: -

All that part and parcel of land bearing Survey No.93/2-D, Village Marna, Bardez admeasuring 2000 m2 being a plot admeasuring 1808.55 m2 along with a 6 meters wide strip admeasuring 191.45 m2 making a total area of 2000 m2 along with perpetual right of use of the 8 meters wide access abutting the Village Road and running through the property bearing Survey No.93/2 of Village Marna, Bardez up to the said plot. The said property is situated at Marna, within the limits of Village Panchayat of Marna - Siolim, Taluka and Registration Sub-District of Bardez, District North-Goa in the State of Goa which property is described in the Office of the Land Registrar under No.37,226 at Folio 141 of Book B-95 and is enrolled in the Taluka Revenue Office under Matriz No. 418 and said Plot is bounded as under:-

Towards the North: By Survey No.93/6, 7 and 8;

Towards the South: part of the Survey No.93/2;

Towards the East: By Survey No.93/2 and 93/11; and

Towards the West: By Survey No. 93/4.

II Description of documents scrutinized: -

1. Inscription and Description



Res: "H. No.46, Near Vethoba Temple, Betim, Bardez, Goa 403101
Mob No.9923551600, Email id: amardeep0602@gmail.com

2. Deed of Gift dated 31/03/1971 registered in the Office of the Sub-Registrar of Bardez under Reg. No. 4788 at page 135 to 141 of Book I, Volume No. 54
3. Sanad dated 12/05/2008 under No.RB/CNV/BAR/148/2007 issued by the Office of the Collector, North Goa District, Panaji Goa
4. Nil Certificate of Encumbrance on Property dated 07/08/2008
5. Deed of Sale dated 06/01/2009 registered before the Office of the Sub-Registrar of Bardez, Goa under Book -1 Document, Registration No.BRZ-BK1-00056-2009, CD No.BRZD16 dated 06/01/2009
6. Memorandum of Understanding dated 15/11/2020 executed before the Notary Arun Wadkar at Panaji Goa under Reg. No. 79 dated 04/01/2021
7. Form I and XIV dated 24/11/2020 in respect of Survey No.93/2-D of Village Marna
8. Order dated 24/11/2020 under No.TPB/6327/MARNA/TCP-2020/4363 issued by the Office of the Town and Country Planning Department
9. Provisional NOC dated 26/11/2020 under No.PHCS/NOC-Const/20-21/1657 issued by the Office of the Directorate of Health Services, Primary Health Centre, Siolim
10. Construction Licence dated 23/12/2020 under No.VP/S.M/2020-21/BAR/30/2020 issued by the Office of the Village Panchayat Siolim-Marna

Note: All the documents scrutinised by me are photocopies.

III Office searches: -

I have given searches in the offices of the Land Registrar/Sub Registrar Bardez/Director of archives/Land Revenue Office.



IV Flow of Title: -

The said property originally belonged to Naraina Camotim Dalal married to Jaiabai alias Radhabai Camotim Dalal as the same stands inscribed in his favour of 03/07/1946 under Inscription No. 34033 at folio 83V of Book G-38 in the Office of the Land Registrar of Bardez.

Deed of Gift dated 31/03/1971 registered in the Office of the Sub-Registrar of Bardez under Reg. No. 4788 at page 135 to 141 of Book I, Volume No. 54, the said Naraina Camotim Dalal and his wife Jaiabai alia Radhabai Camotim Dalal gifted interalia the said property to Shri Balkrishna Camotim Dalal.

The Office of the Deputy Collector issued Sanad dated 13/02/2007 under No.RB/CNV/BAR/93/2006 for residential purpose in respect of Survey No. 93/3.

The Office of the Village Panchayat of Siolim Marna issued Revised Construction Licence dated 08/03/2007 under No.VP/S-M/29/2006-07/1920 for construction of Residential Villas in Survey No.93/2 and 93/3 of Village Marna.

The Office of the Collector, North Goa District, Panaji Goa issued Sanad dated 12/05/2008 under No.RB/CNV/BAR/148/2007 for residential purpose in respect of Survey No.93/2.

Order dated 02/05/2008 in Case No.RB/CNV/BAR/148/2007 issued by the Office of the Collector, North Goa District, Panaji Goa for conversion of use of land from agriculture into non-agriculture purpose.

Nil Certificate of Encumbrance on Property dated 07/08/2008 shows that there are no encumbrances on the said property for the period from 01/11/1965 to 06/08/2008.

Vide Deed of Sale dated 06/01/2009 registered before the Office of the Sub-Registrar of Bardez, Goa under Book -I Document, Registration No.BRZ-BK1-00056-2009.



CD No.BRZD16 dated 06/01/2009, Shri Balkrishna Narayan Kamat Dalal and his wife Smt. Rukmini Balkrishna Kamat Dalal (represented by their attorney Shri Rahul Balkrishna Kamat Dalal, by virtue of Power of Attorney dated 20/10/2008 executed before the Notary S. J. Sardessai of Mapusa as the **"VENDORS"** sold the said Plot to Shri Gaurish Pereira as the **"PURCHASER"**.

By virtue of the above Deed of Sale dated 06/01/2009, said Shri Gaurish Pereira became the absolute owner in possession of the said Plot.

By Memorandum of Understanding dated 15/11/2020 executed before the Notary Arun Wadkar at Panaji Goa under Reg. No. 79 dated 04/01/2021, Mr. Gaurish Pereira as the **"OWNER/VENDOR"** agreed to permit development on the said Plot M/s. Sharayu Global, a Partnership Firm, represented by its partners Mr. Gaurish Pereira and Ms. Ashwini Pereira as **"THE DEVELOPER"**.

Form I and XIV dated 24/11/2020 in respect of Survey No.93/2-D of Village Marna shows the name of Gaurish Pereira in the occupants column.

The Office of the Town and Country Planning Department issued Order dated 24/11/2020 under No.TPB/6327/MARNA/TCP-2020/4363 for construction of Residential Building Block A & B, Swimming Pool and part Compound in Survey No.93/2-D at Marna Village, Taluka Bardez-Goa.

The Office of the Directorate of Health Services, Primary Health Centre, Siolim issued Provisional NOC dated 26/11/2020 under No.PHCS/NOC-Const/20-21/1657 for proposed construction of Residential House.

The Office of the Village Panchayat Siolim-Marna issued Construction Licence dated 23/12/2020 under No.VP/S.M/2020-21/BAR/30/2020 for the proposed residential development comprising of 35 single bedroom apartments.



Agreement for Sale to be executed before the Sub-Registrar of Bardez in respect of the concerned premises between Mr. Gaurish Pereira as the "OWNER/VENDOR" and M/s. Sharayu Global, a Partnership Firm, represented by its partners Mr. Gaurish Pereira and Ms. Ashwini Pereira as "THE DEVELOPER" and Prospective Purchasers..

The Name of the Project to be constructed in the said property is "SHARAYU SUNNY DAYS".

Based upon the documents produced and scrutinised and the searches conducted, I opine that Mr. Gaurish Pereira is the absolute owner in possession the said land bearing Survey No.93/2-D, Village Marna, Bardez admeasuring 2000 m2 being a plot admeasuring 1808.55 m2 along with a 6 meters wide strip admeasuring 191.45 m2 making a total area of 2000 m2 along with perpetual right of use of the 8 meters wide access abutting the Village Road and running through the property bearing Survey No.93/2 of Village Marna, Bardez up to the said plot. The said property is situated at Marna, within the limits of Village Panchayat of Marna - Siolim, Taluka and Registration Sub-District of Bardez, District North-Goa in the State of Goa which property is described in the Office of the Land Registrar under No.37,226 at Folio 141 of Book B-95 and is enrolled in the Taluka Revenue Office under Matriz No. 418 and has a clear and marketable title to the same subject to the production of latest Nil Certificate of Encumbrance of the plot and M/s. Sharayu Global, a Partnership Firm, represented by its partners Mr. Gaurish Pereira and Ms. Ashwini Pereira has development powers on the said plot. The permissions obtained show that the on-going construction in the said plot is legal and permissible.

The Prospective Purchasers can mortgage respective tenements by depositing duly executed Agreement for Construction and Sale between Prospective



Purchaser and M/s. Sharayu Global as Developer, Mr. Gaurish Pereira as the Owner along with NOC to mortgage from M/s. Sharayu Global. The Prospective Purchasers will acquire a valid title to the premises constructed as per approved plans and they can create equitable mortgage in favour of the Bank on deposit of documents of title.

V. Opinion: -

From the documents produced I am of the opinion that Mr. Gaurish Pereira is the absolute owner in possession the said land bearing Survey No.93/2-D, Village Marna, Bardez admeasuring 2000 m² being a plot admeasuring 1808.55 m² along with a 6 meters wide strip admeasuring 191.45 m² making a total area of 2000 m² along with perpetual right of use of the 8 meters wide access abutting the Village Road and running through the property bearing Survey No.93/2 of Village Marna, Bardez up to the said plot. The said property is situated at Marna, within the limits of Village Panchayat of Marna - Siolim, Taluka and Registration Sub-District of Bardez, District North-Goa in the State of Goa which property is described in the Office of the Land Registrar under No.37,226 at Folio 141 of Book B-95 and is enrolled in the Taluka Revenue Office under Matriz No. 418 and has a clear and marketable title to the same subject to the production of latest Nil Certificate of Encumbrance of the plot and M/s. Sharayu Global, a Partnership Firm, represented by its partners Mr. Gaurish Pereira and Ms. Ashwini Pereira has development powers on the said plot. The permissions obtained show that the on-going construction in the said plot is legal and permissible.

The Prospective Purchaser/s buying in the said Project "SHARAYU SUNNY DAYS" can create Equitable Mortgage in respect of the respective premises for the security of loan.



The mortgage if created will be available to ICICI Bank Ltd for liability of the intending Borrowers/Prospective Purchasers.


There is no claim of any minor to the said property.

Urban Land Ceiling Act is not applicable.

All the relevant documents be executed as per the prescribed format of ICICI Bank Ltd.

The Equitable mortgage should be created by the Prospective Purchaser/s on the deposit of the following original documents: -

1. Original Registered Agreement for Construction and Sale
2. Original Nil Certificate of Encumbrance of the Plot.
3. Original NOC to mortgage from the Developer.
4. Xerox copy of RERA Certificate as and when received.


Amardeep Valvaikar
Advocate





Dated 07th January 2021

To,
The Manager,
ICICI Bank,
Panaji, Goa

OPINION

Sub: Opinion with respect to Project Approval of M/s. Sharayu Global of the Project 'SHARAYU SUNNY DAYS'.

Description of the Plot: -

All that part and parcel of land bearing Survey No.93/2-D, Village Marna, Bardez admeasuring 2000 m² being a plot admeasuring 1808.55 m² along with a 6 meters wide strip admeasuring 191.45 m² making a total area of 2000 m² along with perpetual right of use of the 8 meters wide access abutting the Village Road and running through the property bearing Survey No.93/2 of Village Marna, Bardez up to the said plot. The said property is situated at Marna, within the limits of Village Panchayat of Marna - Siolim, Taluka and Registration Sub-District of Bardez, District North-Goa in the State of Goa which property is described in the Office of the Land Registrar under No.37,226 at Folio 141 of Book B-95 and is enrolled in the Taluka Revenue Office under Matriz No. 418 and said Plot is bounded as under:-

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Towards the East: By Survey No.93/2 and 93/11; and

Towards the West: By Survey No. 93/4.

Res: "Siddhivinayak", Plot No.118, PDA Colony, Alto-Porvorim Goa. 403 521
Email: pratiksha.adv@gmail.com



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I have perused the documents enlisted at **ANNEXURE A** herein after attached to this opinion in respect of the above mentioned property.

Based on the certificate of title and upon verifying the documents listed at Annexure A hereto, I opine that Mr. Gaurish Pereira is the absolute owner in possession the said land bearing Survey No.93/2-D, Village Marna, Bardez admeasuring 2000 m² being a plot admeasuring 1808.55 m² along with a 6 meters wide strip admeasuring 191.45 m² making a total area of 2000 m² along with perpetual right of use of the 8 meters wide access abutting the Village Road and running through the property bearing Survey No.93/2 of Village Marna, Bardez up to the said plot. The said property is situated at Marna, within the limits of Village Panchayat of Marna - Siolim, Taluka and Registration Sub-District of Bardez, District North-Goa in the State of Goa which property is described in the Office of the Land Registrar under No.37,226 at Folio 141 of Book B-95 and is enrolled in the Taluka Revenue Office under Matriz No. 418 and has a clear and marketable title to the same subject to the production of latest Nil Certificate of Encumbrance of the plot and M/s. Sharayu Global, a Partnership Firm, represented by its partners Mr. Gaurish Pereira and Ms. Ashwini Pereira has development powers on the said plot. The permissions obtained show that the on-going construction in the said plot is legal and permissible.

If ICICI Bank intends to accept the concerned premises of the Applicant Borrower as security for repayment of loan amount, the said original Agreement for Construction and Sale of the Premises along with Original Nil Certificate of Encumbrance of the Premises, Original NOC to mortgage from the Developer and Xerox copy of RERA Certificate as and when required is sufficient to create equitable mortgage in favour of this Bank. It is also imperative that prior to disbursement of the loan amount, all





sorts of declarations, forms, affidavits, pledges in respect of the said premises be obtained by the bank.

In my opinion besides the observation made above, it is advisable to obtain the following documents for creation of security in respect of the loan which may be granted: -

1. Original Registered Agreement for Construction and Sale.
2. Original Nil Certificate of Encumbrance of the plot.
3. Original NOC to mortgage from the Developer
4. Xerox copy of RERA Certificate as and when received

Subject to what is stated above the title of Mr. Gaurish Pereira is clear and marketable subject to production of latest Nil Certificate of Encumbrance.

Place: Panaji, Goa

Date: 07/01/2021

Pratiksha Kamat

Advocate



ANNEXURE A

1. Inscription and Description
2. Deed of Gift dated 31/03/1971 registered in the Office of the Sub-Registrar of Bardez under Reg. No. 4788 at page 135 to 141 of Book I, Volume No. 54
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4. Nil Certificate of Encumbrance on Property dated 07/08/2008
5. Deed of Sale dated 06/01/2009 registered before the Office of the Sub-Registrar of Bardez, Goa under Book -1 Document, Registration No.BRZ-BK1-00056-2009, CD No.BRZD16 dated 06/01/2009
6. Memorandum of Understanding dated 15/11/2020 executed before the Notary Arun Wadkar at Panaji Goa under Reg. No. 79 dated 04/01/2021
7. Form I and XIV dated 24/11/2020 in respect of Survey No.93/2-D of Village Marna
8. Order dated 24/11/2020 under No.TPB/6327/MARNA/TCP-2020/4363 issued by the Office of the Town and Country Planning Department
9. Provisional NOC dated 26/11/2020 under No.PHCS/NOC-Const/20-21/1657 issued by the Office of the Directorate of Health Services, Primary Health Centre, Siolim
10. Construction Licence dated 23/12/2020 under No.VP/S.M/2020-21/BAR/30/2020 issued by the Office of the Village Panchayat Siolim-Marna


Pratiksha Kamat



Advocate