



Nelson Soares

ADVOCATE & NOTARY

TISK, PONDA - GOA 403 401

Ph. Office / Res.: 0832-2312536 Mobile: 9822982277

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Ref.

Date :

TO.

THE BRANCH MANAGER,
CORPORATION BANK,

PONDA, BRANCH.

DATE: 25.05.2018

ANNEXURE

1.	Name, father's name and address of the title holder:	M/s Shivani Builders and Real Estate Developers a partnership concern duly registered under the Partnership Act having its registered office at Flat No. B-2, Ground Floor, Jociana Apartments, Santa Cruz Ponda Goa through its partners i] Mr. Nagesh Dinkar Patil ii] Miss Pooja Dinkar Patil both residents of Flat No. B-2, Ground Floor, Jociana Apartments, Santa Cruz Ponda Goa iii] Shri Venkateswarlu Veeramusti and iv] Shri Uday Kumar Veeramusti both residents of Flat No. 207, Devi Gardens, J.S.N. Colony. St.No. 8 Habsiguda, Hyderabad, Andra Pradesh 500007
2.	Description of the property: (Here furnish the complete schedule of the property with Location, S. No/D.No. street Name, Taluka/District and Boundaries)	All that portion of land admeasuring 3995 sq. meters of the property, known as 'DHUME BHAT or FONDILBAGA situated at Village Orgao within the area and jurisdiction of the Village Panchayat of Tivrem Orgao of the Taluka and Sub District of Ponda of the South Goa District of the State of Goa and which land is not registered bunt he Land Registration Office of Ilhas Goa but is wholly enrolled in the Matriz records under No. 391 and forms part of the survey No. 5/1 of Village Orgao which land now forming a separate and distinct unit is bounded on the east by the village road of Orgao and partly with plot No. 1E and 1-D-1 on the west by the main road Tonca Banastarim on the north by the remaining portion of the same property covered by construction of building A,B and C and partly by the open space and on the south by the nalla and property of Anant Ghodekar and others.
3.	Documents studied: (In this table, furnish the complete particulars of the documents produced and verified)	

1.	Original Deed of sale dt. 27.09.2017.	This is a deed of sale dt. 27 th day of November 2017 dully registered before the Sub Registrar Office of Ponda under register No. 1973/A at pages 279 to 301 of Book No. I volume 3511 dt. 10.10.2017 by which deed the Borrower purchased the above land f of 3995 sq. meres rom the previous owner M/s Sagar Builders and Real Estate Developers a proprietorship concern of Mr. Dinkar Kasinthrao Patil and his wife residing at Flat No. B-2, Ground Floor, Jociana Apartments, Santa Cruz Ponda Goa and thus became the absolute owners of the same	T h i s
2.	Deed of sale dt 31.05.2006.	This is a deed of sale dt. 31 st day of May 2006 dully registered before the Sub Registrar Office of Ponda under register No. 944 at pages 161 to 179 of Book No. I volume 966 dt. 0.2.06.2006 by which deed one Anant Kamalaksha Ghodekar and wife as Vendors sold to M/s Sagar Builders and Real Estate Developers a proprietorship concern of Mr. Dinkar Kasinthrao Patil residing at Flat No. B-2, Ground Floor, Jociana Apartments, Santa Cruz Ponda Goa the Plot No. 1 of an area of 7000 sq. metres of the above mentioned property known as 'DHUME BHAT or FONDILBAGA situated at Village Orgao forming part of the survey No. 5/1 of Village Orgao and which land as a distinct unit is bounded on the east by the village road leading to Orgao on the west by the main road Tonca Banastarim on the north by the 8.00 meters internal road and open space and on the south b the nalla and property of Anant Ghodekar and others by which deed the said M/s Sagar Builders and Reai Estate Developers became the sole and exclusive owner of the said land out of which an area of 3995 sq. metres has been sold by the said M/s Sagar Builders and Real Estate Developers to M/s Shivani Builders and Real Estate Developers as stated above.	
3.	Deed of Succession dt. 18.09.1992 and Deed of Relinquishment dt. 14.10.1994.	It is seen that the above mentioned property 'DHUME BHAT or FONDILBAGA situated at Village Orgao under survey No. 5/1 of Village Orgao originally belonged to one Kamalaksha Ghodekar and his wife Mrs. Laximibai K. Ghodekear who hailed from Village Cumabarjua. Having the said Kamlaksha Ghodekar expired on 27 th day of November 1984 and his wife on 18 th day of	

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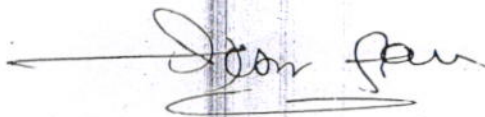
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		<p>August 1989 they left behind them two children being one son by name Anant Kamalaksha Ghodekar married to Smt. Aruna A. Ghodekar and a daughter by name Smt. Suchitabai Ghodekar alias Sushila or Supriya Gopal Velangi married to Vassudev Velangi which fact has been certified by virtue of execution of a Deed of Succession dt. 18th day of September 1992 before the Notary Ex officio of Ponda recorded at pages 77 onwards of the Notarial Book of Deed No. 379.</p> <p>That subsequently by a Deed of Relinquishment of illiquid rights dt. 14th day of October 1994 recorded at pages 51 onwards of the Notarial book of Deeds No. 392 of Ex officio Notary of Ponda the aforesaid Smt. Suchitabai Ghodekar alias Sushila or Supriya Gopal Velangi along with her husband Vassudev Velangi relinquished their undivided right in favour of other co heirs in the estate of their late parents and parents in law respectively so that her brother by name Anant Kamalaksha Ghodekar married to Smt. Aruna A. Ghodekar became the sole and exclusive owners of the said property.</p>
4.	N.A. Sanad dt. 08.06.2007	<p>This is the Conversion certificate issued by the Additional Collector II North Goa District converting the said land to residential use in an area of 2738 sq. metres forming part of the survey No. 5/1 of Village Orgao vide Sanad bearing No. RB/CONV/PON/2/2004 dt. 8.06.2004.</p>
5.	Sub Division of Plots and its approval by own Planning Department.	<p>The said land has been sub divided into plots after obtaining the approval and NOC from the Town and Country Planning Department Ponda vide its letter bearing No. TPP/Sub-Div/ORG/5/95/389 dt. 22.06.1995 as also necessary NOC from the Village Panchayat of Orgao vide its letter bearing No. VPTC/FIN/NO/95-96/2003 dt. 28.06.1995 in favour M/s Shivani Builders and Real Estate Developers</p>
6.	Technical clearance from the Town and Country Planning Department dt. 14.10.2016.	<p>This is the Technical Clearance Order issued by the Town and Country Planning Department Ponda Goa vide its letter bearing No. TPP/274/Orgao/5/1/2016/1334 dt. 14.10.2016 in favour of M/s Shivani Builders and Real Estate Developers by which letter necessary permission was accorded for</p>

← *[Signature]* *[Signature]*

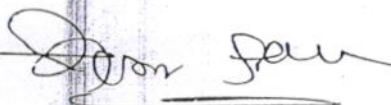
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7.	Construction Licence dt. 29.12.2016.	carrying on the work of proposed construction of residential cum commercial building and compound wall as per the enclosed plans under survey No. 5/1 [part] of Village Orgao which area has been now been re surveyed as a distinct unit under survey No. 5/1-D of Village Orgao. This is a construction Licence issued by the Village Panchayat of Fivrem Orgao in favour of M/s Shivani Builders and Real Estate Developers for the construction of residential cum commercial building and compound wall in survey No. 5/1 of Village Orgao after complying with all the legal formalities and after checking all the sanctions granted by the Town and Country Planning Department, PWD and the Health Office which licence bears No. VPTO/CL/16-17/12/1638 dt. 30.12.2016.
8.	NOC from the Health Office dt. 28.10.2016.	This is the NOC granted by the Primary Health Centre Betki vide its letter bearing No. PHCB/NOC/2016-17/1242 dt. 28.10.2016 by which letter the Primary Health Office who having verified the site granted it NOC for the construction of the residential cum commercial building and compound wall which NOC is from the Sanitary point of view in favour of M/s Shivani Builders and Real Estate Developers.
9.	Form 1 and 14 and Plan under No. 5/1 ad now 5/1-D of Village Orgao.	Having verified the Form 1 and 14 issued by the Mamlatdar of Ponda dt 10.04.2018 it is seen that the said Form 1 and 14 now bears No. 5/1-D of Village Orgao having an area of 7000 sq. metres which is solely surveyed in the name of M/s Sagar Builder and Real Estate Developers and M/s Shivani Builders and Real Estate Developers with no tenants or Munukars or any other person/s having any right to it except the person/s who have purchased plots have inserted their names in the said Column.
10.	N.E.C.	The party has produced the NEC for the entire plot for the period from November 1979 up to June 2006 and in respect of the survey No. 5/1-D of Village Orgao for the period from October 2017 up to December 2017 and from the said document it is seen that there are no encumbrances pending over the said land. I have filed an application before the Sub Registrar Office of Ponda and verified the NEC for the period



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		<p>from 2000 up to date and found that there are no encumbrances pending over the said land and the copy of the application and the fees paid for the said search are appended hereto.</p> <p><u>I have also directed the owners to produce the NEC from 2000 up to date to the Bank in respect of the land purchased by it as the same is required for the loan file.</u></p>	
4.		<p>In this table it is necessary to furnish the particulars from the earliest document produced by verification and whether it is the original or registered copy or Xerox / Photocopy of the documents.</p> <p><i>Answer to the above: The details of the above documents have discussed in detail from Sr. No. 1 to 10 herein above and I have also mentioned therein which documents are in original and which documents are Xerox copies. Earliest document dates back to the year 1992 being the Document at Sr. No. 4.</i></p>	
5.		<p>Wherever the document is registered under Registration Act, the particulars of Registration No. Folio, Book No. Volume No. Page No. and the Office of Registration also must be given.</p> <p><i>Answer to the above The documents listed from Sr. 1 and 2 are duly registered before the Sub Registrar Office of Ponda.</i></p>	
6.		<p>Record of rights/mutation entry/ Jamabandhi/ Patta/Pass Book/ Khata and all other revenue records (if, in existence) should be verified.</p>	

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7.	Requirement by the Borrower. State with reference to each document.	<i>Answer to the above: Form 1 and 14 has been verified at Item No. 3. And the same is fully valid as the name of the Owner M/s Shivani Builders and Real Estate Developers appears in the occupants column in respect of the land purchased by it.</i>	
8.	If Originals of the deeds/documents have not been produced reasons thereof	In case the original title deeds and prior documents of the title have not been produced to and verified by advocate, he/she should clearly specify the reasons claimed/stated for non-verification of originals. <i>Answer to the above. The original documents at Sr. 1 and 2 is available with the Owner.</i>	
9.		Where the title holder ought to be in possession of the original title deeds/ prior title deeds but the same is/are not produced, the opinion should specifically state the same with the reasons claimed thereof. <i>Answer to the above As stated above. Both the deeds in original are available and in possession of the Owner and the previous owner.</i>	
10.	Tracing of the title: A) for 13 years for loan/limit up to Rs.1 Crore. (Only for Agricultural Advances & Retail loans covered under SME/ Corp Scheme). B) for 30 years next before scrutiny for all other cases.	1. While tracing the history of title to the immovable property of the proposed mortgagor in respect of Agricultural Advances and Retail Loans covered under SME/Corp Schemes up to and inclusive of Rs.1.00 Crore, for a period of 13 years next before the date of scrutiny, it is to be ensured that there is no minors interest involved and no Government claim is involved in the property, in addition to the compliance of other existing guidelines. <u>Not applicable.</u> 2) The tracing of history for a period of 15 years as stated above is applicable to Agricultural Advances and Retail Loans covered under SME/Corp Schemes only up to and	

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inclusive of the limit Rs.1.00 Crore.

Not applicable

(In case of loans/limits, where the mortgaged property is taken as continuing security, the aggregate limit shall not exceed Rs.1.00 Crore for the above purpose – CRMC guidelines)

Not applicable

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3) In all loans/limits, other than the Agricultural loans and Retail Loans covered under SME/Corp Schemes as mentioned above, the history of title is to be traced for a period of 30 years (not for a period of 25-30 years) next before the date of scrutiny by following the existing procedure/guidelines.

Answer to the above Tracing of the title has been done from the year 1992 onwards as stated above.

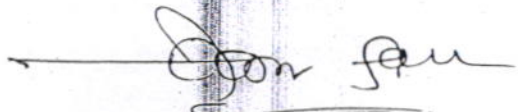
Tracing of title must be in chronological order, starting from the earliest document available. All the documents mentioned in Para - 3 should be discussed in full. No document should be left out. History should be traced by giving clear link from person to person with reference to the title documents/ property records without creating break in the chain of title.

Answer to the above: Title has been traced from 1992 onwards in chronological manner in the documents perused by me above.

Further, the tracing of title to land should not be based on the Encumbrance Certificate alone. The claim of title should be maintained. If there is a break, then reasons should be mentioned.

Answer to the above Tracing of title has been done as per above documents and report given by me from Item No.1 to 10 above.

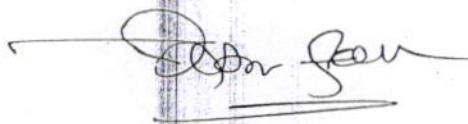
If the opinion pertains to title to flat/ apartment, the title of the applicant should also be traced with reference to special enactment/Act, if any, in force in the State.



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		<p>Eg (i) Apartment Ownership Act, (ii) Ownership Flats (Requisition of the Promotion, Consortium, Sale, Management and Transfer Act) (iii) Co-operative Housing Society Act etc.</p> <p><u>Answer to the above</u> N.A.</p>	
12.	Minor's claim/ interest, if any in the property	<p>It should be clearly stated whether the minor's interest is involved or not. If not involved, same is to be stated clearly. If Minor's interest is involved in the property, remedy / measure is to be suggested so as to protect the interest of the Bank.</p> <p><u>Answer to the above</u> There is no minors right involved in the present transaction.</p>	
13.	Whether the latest Tax/ Land Revenue / Society Charges paid. Receipt has / have been produced	<p>The Advocate should peruse the original and should give the details of latest Tax paid Receipt produced, the period for which it relates. It is also to be verified whether any Govt. charges/dues etc. are payable on the property.</p> <p><u>Answer to the above:</u> Land Revenue tax records are not available being in a dilapidated condition.</p>	
14.	Application of Land Reforms Act or any other law and its effect on title	<p>Here the Advocate should certify whether the property is affected by the Land Reforms act and/or any other Act and if so, safeguards if any, to be taken.</p> <p><u>Answer to the above</u> There are no such Act as applicable to the plots in question.</p>	
14.	Whether Record or Rights/ Patta Pass book/ Khata are maintained and if so, whether for the latest period has been produced.	<p>Details be provided</p> <p><u>Answer to the above</u> Form 1 and 14 has been produced and the same has been discussed above at Item No. 9.</p>	
15.	Encumbrance must be examined for 13 years and where situation warrants, the Encumbrance certificate is to be obtained and verified for 30 years.	<p>Encumbrance Certificate (EC) is to be obtained and verified for a period of 13 years and where the situation warrants, the Encumbrance certificate is to be obtained and verified for a period of 13 years.</p> <p><u>Answer to the above</u> NEC has been produced from the year 19979 up to December 2017. I have verified the</p>	



NEC from 2000 up to date for which documents have been produced by me.

The EC whether they are issued or search report made or obtained by the Advocates from the Office of Registrar/ Revenue Authorities, should be verified in original along with original receipt issued by Registration Office for making search in the Office or for the issue of Encumbrance Certificate for reporting about encumbrance.

Answer to the above Party has produced NEC from 1997 up to December 2017 in respect of the land purchased by it.

Wherever required, the registration of charges maintained by Registrar of Companies (ROC) or other Prescribed Authorities, if any, should also be verified in case of Companies.

Not Applicable.

16. Application of any special enactment/ Act, if any, which is applicable to property and affecting the title

Here the Advocate should state as to whether any special enactment /Act is applicable. If so, whether its requirement have been complied with.

Answer to the above There is no Special Enactment applicable to the flat in question.

17. Additional Documents.

Here the Advocate should state whether any additional document/s is required complete his/her report and to create valid mortgage.

Answer to the above: Besides the above documents the parties have no other documents and the earliest document is of the year 1992 so that more than 25 years tracing of title has been done and all the sanctions and permission have been obtained from the concerned government and other departments and hence there is no need of other documents to be produced by the owner M/s Shivani Builders and Real Estate Developers

18. Any other points/ issues which in the opinion of the Advocate are relevant

Comment/ Remark / Observations if any are to be stated. Documents are in order. The owners M/s Shivani Builders and Real Estate Developers have good and marketable title to the land purchased by it.




19.	Final Certificate	<p>Here the Advocate should certify the valid, clear and marketability of the title to land or flat/apartment etc. Type of Mortgage: Whether Advocate suggest for create Equitable Mortgage or mortgage by deposit of title deeds with or without the memorandum of agreement duly registered or simple Registered Mortgage and the reasons thereof.</p> <p>From the above documents I am of the opinion that the Owner M/s Shivani Builders and Real Estate Developers have a good title to the land purchased by it by the Deed of Sale dt. 27.09.2017 which plot had an area of 3995 sq. metres. The said owners have good and marketable title to the land and the construction which is being done in the same land and can enter into any valid agreement of sale and execute sale deeds based on the above documents and the purchasers from it can mortgage the flats/shops to the Bank by way of an Equitable Mortgage provided all the clauses as mentioned in the present opinion are inserted so as to make a clear title of the Owners/Vendor and/or the proposed purchaser/s.</p>
20.	The documents which are required to be deposited with Bank at the notified Town by the title holder/s for creation of Equitable Mortgage	<p>Here it should be mentioned as to which of the document/s stated in Para 3 and scrutinized by Advocate is/are required to be deposited for creating equitable mortgage as stated in Cl. No. 14.</p> <p><i>Answer to the above: <u>As stated in Cl. 19 above.</u></i></p>

The underlined items on the right hand side of the columns are the various answers given by the Advocate to the queries and/or questions raised by the Bank. Kindly note some underlined observations made by me need to be complied with which are also mentioned in the final certificate.

Place: Ponda.

Date: 25.05.2018.


Nelson Soares

The Advocate / Notary
NELSON SOARES

Advocate & Notary
TISK, PONDA-GOIA
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