

PRIYANKA KAMAT
Advocate

To,
The Manager,
Canara Bank
Porvorim Branch.

03/02/2018

Sub:- Search report and legal opinion

Dear Sir,

I am submitting the legal opinion as per the format specified by your Bank in respect of the property to be purchased.

I have carefully studied the papers and I certify that there are no prior charges over the said property described above and Shri. Sunil Mahadev Salkar has a clear and marketable title over the said property. Mr. Sanjay Shetye is desirous of purchasing the said property and upon execution of registered Deed of Sale between Mr. Sunil Mahadev Salkar and Shri. Sanjay Shetye, Shri. Sanjay Shetye will derive a clear and marketable title to the said property.

Thanking you,
Yours sincerely,

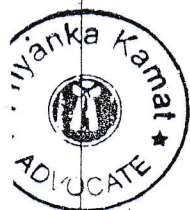


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ANNEXURE - II

CHECKLIST FOR THE GUIDANCE OF THE ADVOCATES FOR SUBMISSION OF LEGAL SCRUTINY REPORT

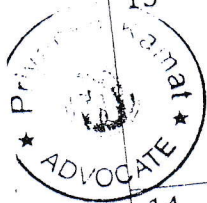
Sr.No.	Particulars	Remarks
1	Nature of Title (Ownership/ Leasehold/ Occupancy/ Govt. Grant/ allotments etc.)	ALL THAT Plot admeasuring 3250 square metres of the property "MOIDECARACHE MERECHER GORBATULEM MARGAVORIL" commonly known as "MOIDECARACHE MERECHER GHARBHATLE", situated in Mulgao in Bicholim Taluka, the entire property is described in the land Registration office under no. 916 of book no. B- 10 old enrolled in the Taluka Revenue office under Matriz no. 721 and entirely surveyed in the old cadastral Survey under no. 56 and entirely surveyed in the New survey under Survey no. 267/0 of Village Mulgao of Bicholim Taluka, and this Plot hereby gifted forms part of new survey no. 267/0 of village Mulgao of Bicholim Taluka of the property belonging to the Donors, on the other side by remaining part of the property allotted to Shivram Manguesh Salkar by virtue of Deed of Partition, on the third side also by remaining part of the property allotted to Shivram Manguesh Salkar, by virtue of Deed of Partition and on the fourth side by Mapusa-Bicholim main road.



[Handwritten Signature]

2	<p>If Leasehold, Whether</p> <p>a) a) Lease deed is duly stamped and registered</p> <p>b) b) Lessee is permitted to mortgage the Leasehold right</p> <p>c) c) Duration of the Lease/unexpired period of lease</p> <p>d) d) If, a sub-lease, check the lease deed in favour of Lessee as to whether Lease deed permits sub-leasing and mortgage by sub-lessee also.</p>	Points 2a,2b,2c and 2d are not applicable.
3	<p>If Govt. grant/allotment/Lease cum Sale agreement, whether:</p> <p>a) a) Grant/agreement etc. provides for alienable rights to the mortgagor with or without conditions,</p> <p>b) b) The mortgagor is competent to create charge on such property.</p>	Points 3a, 3b are not applicable
4	<p>If, Occupancy right, whether</p> <p>a) a) Such right is heritable and transferable</p> <p>b) b) Mortgage can be created.</p>	Points 4 a and 4 b are not applicable
	<p>a) a) Whether provisions of Urban Land Ceiling Act applicable / permission obtained.</p> <p>b) b) Whether NOC under Income Tax Act is required / obtained.</p> <p>c) c) Whether records with the Registrar of Assurances verified (If applicable).</p>	Not applicable
6	Whether there are claims from Minor/s and his/their interest in the property/ies. Specify the share of minor/s with name.	No
7	In case of Agricultural land, the position regarding creation and enforceability with regard to local laws.	Not applicable
8	In case of conversion of Agricultural land for commercial purposes, whether requisite procedure / permissions complied with / obtained.	Yes
9	a) In case of partition/settlement deeds, whether original deed is available for	Yes





	deposit. If not the modality/procedure to be followed to create a valid mortgage. b) Whether mutation has been effected and the mortgagor is in possession and enjoyment of his share. c) Whether the partition is valid in law?	
10	a) In case of partnership firm, whether the property belongs to the firm and registered. b) Whether the person/s creating the mortgage has/have the authority to execute on behalf of the firm.	Not applicable
11	In case of Limited Companies, verify the Borrowing Power Resolution, authority to create mortgage/ execution of documents, any prior charges with ROC, MOA/AOA, provision for common seal etc	Not applicable
12	In case of Societies / Associations, verify requisite resolutions, bye laws, powers to borrow, encumbrances etc	Not applicable
13	In case of POA holder, verify the genuineness of POA and the extent of powers. Whether the POA is properly executed / stamped / authenticated / enforceable as per the Law of the place.	N.A
14	If the property is a flat / apartment or residential / commercial complex, verify a) Promoter's / Land owner's title to the land / building. b) Whether the flats are developed by the Land owner or constructed on joint development basis. c) Development agreement / POA d) Extent of Authority of the Developer / Builder e) Whether the construction is approved by the competent authority f) Independent title verification of the land or building in question. g) Agreement of sale (duly registered). h) Whether it is a second / subsequent sale i) Payment of proper stamp duty. j) Conveyance in favour of the Society /	a) A plot of land admeasuring 3250 square metres of the property "MOIDECARACHE MERECHEM GORBATULEM MARGAVORIL" commonly known as "MOIDECARACHE MERECHEM GHARBHATLE", situated in Mulgao in Bicholim Taluka, the entire property is described in the Land Registration Office under no. 916 of Book No. B- 10 old enrolled in the Taluka Revenue Office under Matriz no. 721 and entirely surveyed in the Old Cadastral Survey under no. 56 and entirely surveyed in the New survey under Survey no. 267/0 of Village Mulgao of Bicholim Taluka, and this Plot hereby gifted forms part of new survey no. 267/0 of



Condominium concerned.

k) Occupancy certificate / allotment letter / letter of possession.

l) Membership details in the Society etc.

m) Share certificates

n) NOC from the Society

o) Latest maintenance charges paid receipt from Society

p) Whether proportionate share in land is transferred to the mortgagor

q) Documents evidencing possession such as Telephone Bill, Electricity Bill, Tax paid receipt etc

r) Other legal requirements under the local / municipal laws with regard to ownership of flats / apartments / building regulations, Society laws etc.

Village Mulgao of Bicholim Taluka of the property belonging to the Donors, on the other side by remaining part of the property allotted to Shivram Manguesh Salkar by virtue of Deed of Partition, on the third side also by remaining part of the property allotted to Shivram Manguesh Salkar, by virtue of Deed of Partition and on the fourth side by Mapusa-Bicholim main road.

By virtue of Deed of Gift dated 02/01/2001

Shri Mahadev Manguesh Sinai Salkar and Smt. Sundarabai Mahadev Salkar gifted the said property to Shri Sunil Mahadev Salkar.

The name of Shri Sunil Mahadev Salkar is entered in the occupants Column in Form I and XIV.

Sanad bearing No. RB/CNV/BICH/COLL/03/2015 dated 15/10/2015 is granted in favour of Shri Sunil Mahadev Salkar.

b) Not Applicable.

c) Not Applicable.

d) Not applicable.

e) Sanad under No. RB/CNV/BICH/COLL/03/2015 dated 15/10/2015 for conversion of 2589 m² of survey No. 267/1-A (part) of Village Calapur to Non agricultural use from Addl Collector North Goa.

f) Not Applicable

g) Deed of Gift dated 2/01/2001 is duly registered before the Sub-Registrar Bicholim-Goa.

h) second sale

i) Not Applicable

j) Not there on record.