

Raghuveer V. S. Varde

ADVOCATE

February 28, 2017

Ref: Title Search & Opinion in respect of property known as 'one part of the property Bodriachem with its annex Boroddo' having an area of 2573.00 sq. mtrs. situated at Ponda, surveyed under No.33/1-B of Village Ponda.

Sir,

Pursuant to your Letter under reference No. PND/ADV: 2016-17 dated 14/02/2017 and on the basis of documents forwarded to me pertaining to property having an area of 2573.00 sq. mtrs. forming part of the larger land known as 'one part of the property Bodriachem with its annex Boroddo', situated at Ponda, described as a whole in the Land Registration Office of Ponda under No. 8458 at page 132 of Book B-22 new, enrolled in Taluka Revenue office under Matriz No. 471, 559, 560, 562, 565 and 567, under Old Cadastral Survey Nos. 156-A, 156-B, 156-C and 156-D and surveyed under new Survey 33/1-B of Village Ponda, forming subject matter of present Title Report and having conducted a detailed search and investigation for last over thirty years, submit Title Report and Opinion as under:

1. Name(s) and address (es) of the Mortgagor(s)

AVR Realtors, a Partnership through its partner Shri. Jagannath Shrikrishna Kamat, R/o. Margao, Goa.



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Near Civil Court, Tisk, Ponda - Goa
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2. Title Deeds seen by me.

- a) Deed of Sale dated 04/05/1964(translated) with Portuguese copy
- b) Description certificate (Portuguese with translated copy)
- c) Succession of Shrikrishna J. Kamat dated 16/08/1999.
- d) Deed of Addendum & Rectification to Succession of Srikrishna J. Kamat dated 14/01/2000
- e) Deed of Succession dated 25/03/2013 of Gangabai S. Kamat
- f) Deed of Gift dated 16/01/2012
- g) Agreement of Development cum Sale dated 17/04/2014
- h) Power of Attorney dated 17/04/2014
- i) Order dated 11/02/1987 with Commissioner report in S.C.S. No. 50/79
- j) Form I & XIV of Survey No. 33/1-B
- k) Survey plan of Survey No. 33/1-B
- l) Nil Encumbrance Certificate dated 16/10/2015
- m) Conversion Sanad dated 21/11/2013
- n) NOC from Fire and emergency Services dated 31/12/2013
- o) NOC from Electricity Department dated 20/12/2013
- p) NOC from Community Health Centre dated 09/01/2014
- q) Development Permission from SGPDA dated 04/12/2013
- r) Approved plans
- s) Construction license dated 21/01/2014 with renewal dated 11/03/2015 and 24/08/2016

Photostat copies of the documents have been handed over to the undersigned and have examined and verified the genuineness from respective Offices.



3. Description of immovable property.

Survey No.	Extent Areas (in sq. mtrs.)	Location	Boundaries
Plot is bearing Survey No. 33/1-B of Village Ponda	Area admeasuring 2573.00 sq. mtrs.	Situated within Ponda city, and within jurisdiction of Ponda Municipal Council, Ponda Taluka.	Boundaries of Plot East: by Municipal Road West: by part of Plot B of Survey No.33/1 belonging to Mrs. Gangabai S. Kamat acquired by Government of Goa for the purpose of Telephone Exchange Building and further Kapileshwari Nalla and by Survey No. 32/0. North : by the part of the Plot-A of Survey No.33/1 belonging to Mrs. Rukmini Vithal Kamat and her husband Mr. Vithal Jagannath Kamat acquired by Government of Goa



		for the purpose of Telephone Exchange Building South: by property acquired by Ponda Municipal Council for Market Complex surveyed under No.33/2 and by the plot of Lotlikar Petrol pump surveyed under No. 34/1.
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4. Search in Sub-Registrar's Office.

i) Location of Property.

All that piece or parcel of land admeasuring an area of 2573.00 sq. mtrs. forming part of the larger land known as 'one part of the property Bodriachem with its annex Boroddo', situated at Ponda, described as a whole in the Land Registration Office of Ponda under No. 8458 at page 132 of Book B-22 new, enrolled in Taluka Revenue office under Matriz No. 471, 559, 560, 562, 565 and 567, under Old Cadastral Survey Nos. 156-A, 156-B, 156-C and 156-D and surveyed under new Survey 33/1-B of Village Ponda and bounded as under:

East: by Municipal Road

West: by part of Plot B of Survey No.33/1 belonging to Mrs. Gangabai S. Kamat acquired by Government of Goa for the purpose of



Telephone Exchange Building and further Kapileshwari Nalla and by Survey No. 32/0.

North: by the part of the Plot-A of Survey No.33/1 belonging to Mrs. Rukmini Vithal Kamat and her husband Mr. Vithal Jagannath Kamat acquired by Government of Goa for the purpose of Telephone Exchange Building

South: by property acquired by Ponda Municipal Council for Market Complex surveyed under No.33/2 and by the plot of Lotlikar Petrol pump surveyed under No. 34/1.

ii) Search and Investigation.

a) The said entire property was originally belonging to one Shalini Kawlekar from Village Queula and by Deed of Sale, Declaration and Acquaintance of Loan dated 04/05/1964, duly registered in the Notarial Book No. 1214 at folio 4 reverse onwards of the Notary of Judicial Division of Ponda, said Shalini Kawlekar sold the said entire property jointly to Smt. Rukmini Vithal Kamat and Smt. Gangabai Shrikrishna Kamat.

b) That Smt. Rukmini Vithal Kamat and her husband Shri. Vithal Jagannath Kamat filed Special Civil Suit No. 50/79 against Smt. Gangabai Shrikrishna Kamat and her husband Shrikrishna Jagannath Kamat before the Civil Judge Senior Division, Ponda for partition of the entire property.

c) Vide Judgment and Decree dated 11/02/1987 duly modified/amended vide Order dated 23/03/1992 passed in the said suit, the entire property was divided into four plots Viz. Plot-A admeasuring 3,621.50 sq. mtrs. Plot-B admeasuring 3621.50 sq. mtrs., Plot-C admeasuring 808.50 sq. mtrs and Plot-D admeasuring 808.50 and Plot-a and Plot-C were allotted to said Smt.



Rukmini Vithal Kamat and her husband Shri. Vithal Jagannath Kamat and Plot-B and Plot-D were allotted to said Shri. Shrikrishna J. Kamat and his wife Smt. Gangabai S. Kamat.

d) That Shri. Shrikrishna J. Kamat expired on 01/01/1998 leaving behind his wife and children and the same was declared by Deed of Declaration and Succession dated 16/08/1999 drawn in the office of the Ex-officio Notary Public of Salcete at pages 55 onwards of Deeds Book No. 1407 and the same was subsequently rectified under the Notarial Deed of Addendum and Rectification dated 14/01/2000 drawn in the office of Ex-officio Notary Public of Salcete at pages 70 onwards of the Deeds Book No. 1411.

e) That Smt. Gangabai Shrikrishna Kamat expired on 15/11/2005 leaving behind and the legal heirs as mentioned in above paras were declared as successors as per Deed of Succession of heirs dated 25/03/2013 drawn in the office of Ex-officio Notary Public of Salcete at pages 51v to 53 onwards of the Deeds Book No. 1586.

f) That an area of 3574.50 sq. mtrs of Plot-A and an area of 1025.50 sq. mtrs. of Plot-B was acquired by Government of Goa for the purpose of construction of Telephone Exchange Building and an area of 320 sq. mtrs. was acquired from the entire property for improvement of Kapileshwari Nalla.

g) Pursuant to above acquisition, area of Plot-A is reduced to 47 sq. mtrs. and the area of Plot-B is reduced to 2526 sq. mtrs aggregating to an area of 2573 sq. mtrs of both the above two plots.



- h) That vide Deed of Gift dated 16/01/2012 duly registered in the office of Sub Registrar of Ponda under No. 87 at pages 165 to 190 of Book No. I, Volume No. 2007 dated 17/01/2012, the owners of the Plot i.e. Rukmini Vithal Kamat alongwith her husband Shri. Vithal Jagannath Kamat gifted the available area of 47 sq. mtrs. from Plot-A to their son namely Shri. Virendra Vithal Kamat.
- i) That the Deputy Collector of Ponda vide Judgment & Order dated 25/11/2013 passed in Case No.PON/LRC/PART/185/2013 has portioned an area of 2573 from Survey No.33/1 and separate Survey No. 33/1-B of Village Ponda has been given to the said plot.
- j) That vide Agreement of Development cum Sale dated 17/04/2014 duly registered in the office of the Sub Registrar of Ponda under No. 994/14 at pages 170 to 242 of Book No. I, Volume No. 2567 dated 26/05/2014, the owners of the said plot have agreed to sell to M/s. AVR Realtors, a Partnership firm, having its office at Margao, Goa their 83% undivided rights, shares and interest in said plot and 17% in kind in the form of constructed premises more particularly described in schedule-C.
- k) That all the owners have also executed Power of attorney dated 17/04/2014 in favour of Shri. Jagannath Shrikrishna Kamat, the Partner of M/s. AVR Realtors to do all the acts mentioned in the said instrument including to mortgage said plot.
- l) The links in the chain of title have been properly established. All the transactions have been duly verified from the relevant records of Sub-Registrar, Municipal Council, Land Survey Department, Deputy Collector.



- m) That the names of Jagannath Shrikrishna Kamat and other owners are duly found recorded in Survey records under Survey No. 33/1-B of Village Ponda.
- n) The office of Additional Collector, Panaji under No. RB/CNV/PON/AC-II/02/2013 dated 21/11/2013 has also issued Conversion Sanad for commercial purpose.
- o) The SGPDA vide letter dated 04/12/2013 and 09/01/2014 has also granted Developmental permission to the developer M/s. AVR Realtors.
- p) All the concern offices i.e. Fire and emergency Services, electricity Department and Community Health Centre have issued NOC's dated 31/12/2013, 20/12/2013 and 09/01/2014 respectively.
- q) Ponda Municipal Council has also issued Construction. license No.78/2013-2014 dated 21/01/2014, which is further renewed by license No. 76/2014-15 dated 11/03/2015 and license No. 49/2016-2017 dated 24/08/2016.
- r) Nil Encumbrance Certificate dated 16/10/2015 shows that the said plot is free from any recorded encumbrances.

On the basis of searches made by me and the documents placed before me, I certify that the property referred in the schedule is owned by Shri. Jagannath Shrikrishna Kamat and others, who have entered into an Agreement of Development cum Sale with M/s. AVR Realtors, a Partnership Firm and the same is free from any encumbrances, charges, liens and mortgages or any other claim effecting the clear and marketable title.



iii) Whether the property is ancestral and /or under joint ownership. If so, details of the co-parceners/Karta and/or the co-owners. The respective shares should be incorporated specifically.

Not applicable.

iv) Minor's interest.

Not applicable.

v) Documents pending for registration.

Not applicable.

vi) Whether Urban Land (Ceiling and Regulation) Act 1976 is applicable in the State where the property is located.

Not applicable.

vii) Whether the report is acquired under Land Acquisition Act, 1894, and applicability of other State Legislations.

Land acquired by Government of Goa for Telephone Exchange and Kapileshwari Nalla improvement is already partitioned.

viii) Leasehold immoveable property.

Not applicable.

ix) Investigation under Income Tax Act 1961.

Not applicable.

x) Investigation in regard to agricultural land.

Property bearing Survey No. 33/1-B of Village Ponda is duly assessed for Commercial use.

xi) The details of the certified copies of the revenue records obtained to confirm that no dues are outstanding by the Mortgagor.

Not applicable.



xii) Any other special enactment which is applicable to the property proposed to be mortgaged and affects the title.

Not applicable.

Certificate

I hereby certify that I have searched and verified the information furnished in this report and have compared the title deeds given to me with the records/copy and has found both tallying with each other. The statements and other information given in the report are correct and true. I certify that Shri. Jagannath Shrikrishna Kamat and other co-owners are having a valid, clear, absolute and marketable title over the plot described above free of any encumbrances, charge or claims and 83% share in the said plot has agreed to sell to M/s. AVR Realtors, the borrower herein.

If the above named M/s. AVR Realtors i.e. the Borrower herein create equitable mortgage of 83% area agreed to be purchased and executes other documents as mentioned below, it will satisfy the requirements of creation of mortgage. The following person should be present personally for creation of equitable mortgage and execution of security documents with the Bank:

- a) Shri. Jagganath Shrikrishna Kamat
- b) Shri. Rama Dinanath Naik alias Rajiv Naik
- c) Shri. Amit Vyankatesh Kamat
- d) Shri. Virendra Vithal Kamat

