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LEGAL SCRUTINY REPORT

1	Name of the Branch seeking opinion Please give reference of letter if any.	Karnataka Bank Ltd, Mapusa Branch, Mapusa, Bardez, Goa.
2	Name of the Borrower/s	M/S S.K. Constructions
3	Name of the owner/s of the property	M/S S. K. Constructions
4	Full and detailed description of the property including the following details. (Description may be changed depending on the nature of the property and local condition. Please give description in such a way that it can be copied in loan documents/mortgage deed)	ALL THAT Property known as "MORDACHEM BATT'A", situated at Mapusa, Goa, within the jurisdiction of the Mapusa Municipal Council, Taluka Bardez, Sub-District of North Goa, State of Goa, described under No. 23414 & 23412 in the Land Registration Office of Bardez and surveyed under Old Cadastral Numbers 3141 and 3139 and presently surveyed

	<p>under chalta No. 12 of P.T.Sheet No. 163 having an area of 235 sq. mts. consisting therein a residential house bearing No. 13/74 and property bearing chalta No. 11 of P.T.Sheet No. 163 having an area of 141 sq. mts. The property surveyed under Chalta No. 12 of P. T.Sheet No. 163 having an area of 235 sq. mts. consisting therein a residential house bearing No. 13/74 is bounded as follows:-</p> <p>To the East :- By property bearing chalta No. 9 of P. T. Sheet No. 163 of Mapusa.</p> <p>To the West :- By the property bearing chalta No. 5 of P. T.Sheet No. 167 of Mapusa.</p> <p>To the South :- By property bearing chalta No. 45 and 46 of P. T.Sheet No. 168 of Mapusa.</p>
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	<p>To the North :- By property bearing chalta No. 10 of P.T.Sheet No. 163 of Mapusa.</p> <p>ii) The property bearing chalta No. 11 of P.T.Sheet No. 163 having an area of 141 sq. mts. is bounded as follows:-</p> <p>To the East:- By property bearing chalta No.6 of P.T.Sheet No. 164 of Mapusa.</p> <p>To the West :- By property bearing chalta No. 10 of P.T.Sheet No. 163 of Mapusa.</p> <p>To the North :- By Road.</p> <p>To the South:- By property chalta No. 10 of P.T.Sheet No. 163 of Mapusa.</p> <p>(b) All That Property presently surveyed under chalta No.10 of P.T.Sheet No. 163 having an area of 81 sq. mts. situated at Morod, Mapusa, Goa, within</p>
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		<p>the jurisdiction of the Mapusa Municipal Council, Taluka Bardez , Sub-district of North Goa, State of Goa, neither found described in the Land Registration Office nor enrolled in the Taluka Revenue Office of Bardez and is bounded as follows:-</p> <p>To the East :- Partly by the property surveyed under chalta No. 11 of P.T.Sheet No. 163 and by S/167 of City of Mapusa .</p> <p>To the West :- By the property surveyed under chalta No. 9 of P.T.Sheet No. 163 of City of Mapusa.</p> <p>To the North : By Road.</p> <p>To the South:- By the property surveyed under chalta No. 12 of P.T.Sheet No. 163 of City of Mapusa.</p>
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5	Particulars of documents scrutinized:	
Sr. No.	Date	Description of document
		Original/Photo copy of original/Notarized copy/Sub-Registrar Certified copy/Photocopy of Notarized/Certified copy
1.	16/5/1921	Gift Deed
2.	3/1/1986	Will
3.	16/1/2014	Deed of Sale
4.		Inventory Proceedings No. 304/2014/C
5.		Survey Form D of Chalta No.11 P.T.Sheet No.163
6.		Survey Form D of Chalta No. 12 of P.T.Sheet No. 163
7.	26/11/2013	Deed of Sale
8.	10/4/2015	Sanad
9.		Survey Form D of Chalta No.10 of P.T.Sheet No. 163
10.	28/10/2014	Amalgamation Order from Survey

		Department	
11.	16/1/2015	Construction Licence	Photo copy
12	7/11/2014	NOC from Electricity Department	Photocopy
13	24/11/2014	NOC from Urban Health Centre	Photocopy

6 **Tracing of title of property-**

It is expected that the title deed is traced for a period up to 30 years. Please discuss chain of title systematically referring to each document in the chain.

(a) That the properties bearing chalta No.11 and 12 of P.T.Sheet No. 163 of City Survey Mapusa originally belonged to Jose Filipe De Souza and the same were inscribed under Nos. 8473 and 8474 of Book No. F-11 Folio 4 Bardez dated 16/5/1921.

(b) That Jose Filipe De Souza gifted the said properties in favour of his two sons namely Jacinto Deniel de Souza married and Santana Gabriel de Souza, bachelor by Deed of Gift dated 16/5/1921.

(c) That upon the execution of the said Deed of Gift dated 16/5/1921, the said properties were again inscribed under No. 16931 in the names of Jacinto Deniel de Souza and Santana Gabriel de Souza.

(d) That Santana Gabriel de Souza died in the status of bachelor.

(e) That Jacinto Deniel de Souza was married to Maria Conceissao Rosaria Fernands , both died leaving behind two children namely Maria Sebastiana de Souza alias Sebastiao D'Souza or Maria Sebastiana Fernandes married to Joao Pedro Fernandes and Francisco D'Souza alias Francisco Sales D'Souza, bachelor.

(f) That Maria Sebastiana de Souza and her husband Joao Pedro Fernandes died leaving behind legal heirs as Regina Fernandes, unmarried, Mr. Baptist Fernandes,unmarried, Alicine Fernandes, unmarried and Aurolia Fernandes , unmarried.

(g) That Francisco D'Souza son of Jacinto as bachelor bequeathed his disposable share to Dominic Ferrao alias Domingos Joaquim Ferrao by Will dated 3/1/1986.

(h) That Francisco died bachelor leaving behind beneficiary of the Will Dominic Ferrao alias Domingos Joaquim Ferrao.

(i) That Dominic Ferrao also died leaving behind his wife Apolina Romuldina Ferrao and children Joseph Paul Ferrao married to Mrs. Veronica Ferrao, Mr. Melwyn Cosme Ferrao married to Mrs. Jacqueline Jonita Pires Ferrao , Mr. Nelson Constantino Ferrao married to Annabella Ferrao as the Legal heirs.

(j) That by Deed of Sale dated 16/1/2014 Regina Fernandes, Mr. Baptist Fernandes, Alicine Fernandes, and Aurolia Fernandes , Apolina Romuldina Ferrao , Joseph Paul Ferrao and his wife Mrs. Veronica Ferrao, Mr. Melwyn Cosme Ferrao and his wife Mrs. Jacqueline Jonita Pires Ferrao , Mr. Nelson Constantino

Ferrao and his wife Annabella Ferrao sold the properties bearing chalta No.11 and 12 of P.T.Sheet No. 163,described above to M/S S.K. Constructions, a Partnership Firm and M/S Anvi Real Estate Agent and Developers as the Confirming Party .

The said Sale Deed is duly registered in the Office of Sub-Registrar of Bardez under No. BRZ-BK1-00356-2014, Cd No. BRZD615, dated 24/1/2014.

(k) That M/S Anvi Real Estate Agent and Developers is the Confirming Party on account of the Agreement dated 14/7/2010 they had with Regina, Baptist, Alicine and Aurolia.

(l) That Inventory Proceedings bearing No. 304/2014/C was filed by Ms. Aurolia alias Aurora Fernandes on the death of Jose Filipe De Souza and the property under Item No.1 i.e property bearing chalta No.11 and 12 of P.T.Sheet 163 were allotted in two equal shares/parts as under:-

- (i) Ms. Regina Fernandes 1/8th share of Item No 1.
- (ii) Mr.Baptist Alban Fernandes 1/8th share of Item No.1.
- (iii) Mr. Alicine alias Alex Fernandes 1/8th share of Item No.1.
- (iv) Ms.Aurolia alias Aurora Fernandes 1/8th share of Item No.1.
- (v) Mrs.Apolina Romuldina Ferrao 1/4th share of Item No.1.
- (vi) Mr. Joseph Paul Ferrao and his wife 1/12th share of Item No.1.
- (vii) Mr. Melwyn Cosme Ferrao and his wife 1/12th share of Item No.1.
- (viii) Mr. Nelson Constantino Ferrao and his wife 1/12th share of Item No.1.

The said Chart of Partition/Allotment was confirmed by Judgement dated 20/10/2014. This Inventory Proceeding was done in order to prove the legal heirship .

(m) That the property bearing chalta No.10 of P.T.Sheet No. 163 belonging to Tertuliana Fernandes as per the Survey Form "D" . The property is neither registered in the Land Registration Office nor enrolled in the Taluka Revenue Office.

(n) That by Deed of Sale dated 26/11/2013 Mrs. Tertuliana Fernandes Pinto sold the property bearing chalta No.10 of P.T.Sheet No.163 to M/S S.K.Constructions .

The said Sale Deed is duly registered in the Office of Sub-Registrar of Bardez under No. BRZ-BK1-05346-2013, Cd No. BRZD588, dated 26/11/2013.

(o) Survey Form D of City Survey Mapusa bearing chalta No 10,11 and 12 of P.T.Sheet No. 163 shows the name of M/S S.K.Constructions after Mutation as per the Provision of Land Revenue Code, applicable to the State of Goa.

(p) That the three properties bearing chalta No.10,11 and 12 of P.T.Sheet No.163 were amalgamated into one and given one survey No. i.e Chalta No.10 of P.T.Sheet No.163 of City Survy Mapusa by Order dated 28/10/2014 of Inspector of Survey & Land Records, City Survey Mapusa.

(q) That the Deputy Collector has granted Sanad dated 10/4/2015 for converting the property bearing chalta No.10 of P.T.Sheet No.163 for the purpose of Residential.

(r) That Mapusa Municipal Council has Approved the Plan and also granted licence dated 16/1/2015 to M/S S. K.

	<p>Construction for construction of Residential Building , amalgamation of property and construction of Compound wall.</p> <p>(s) Electricity Department has also granted NOC dated 7/11/2014 for construction of Residential cum Commercial Building and Compound wall.</p> <p>(t) Urban Health Centre Mapusa has granted NOC dated 24/11/2014 for construction of Residential Building , amalgamation of property and construction of Compound wall.</p> <p>(u) In the premises, I certify title of M/S. S.K. Constructions , a Partnership Firm to the properties bearing Chalta No. 10,11 and 12 of P.T.Sheet No.163 ,together with semi-completed Building, described above as CLEAN, CLEAR AND MARKETABLE.</p>	
7	<p>Extent of ownership-</p> <p>Please discuss whether entitlement to property is on full ownership basis or limited ownership basis. For eg: leasehold rights, tenancy rights, occupancy rights etc. What are the implications of limitation?</p> <p>Please discuss about the permissions</p>	<p>Full Ownership Basis</p>

	etc needed for mortgage in case of lease hold/tenancy/occupancy rights etc.	
8	<p>In case the property proposed to be mortgaged belongs to special constitution/ special legal entities listed below, please discuss about the requirements including the ones given below.</p> <p>1) Company:</p> <p>i) Compliance with the provisions of Companies Act 2013 and in particular section 186.</p> <p>ii) Compliance with the object clause in the Memorandum of Association.</p> <p>iii) Compliance with the borrowing powers/ power to give property as security in the Memorandum of Association/article of Association.</p> <p>iv) Necessary resolutions.</p> <p>2) Trust/Society/Partnership Firm:</p> <p>i) Compliance with the applicable law relating to the trust/Society/Partnership firm.</p> <p>ii) Borrowing powers/ power to give property as security under the applicable trust law and also under the trust deed/ Society By-Laws/ Partnership deed and its applicable laws.</p> <p>iii) Necessary resolution.</p>	N.A.

9	Minor's interest- a. Have you considered whether the title scrutinized includes minor's rights? If so how bank's interest can be safeguarded fully?	N.A.
10	Whether there are any restrictions under State/local law, custom or otherwise for mortgaging the property in favor of Bank. For eg: In Karnataka agricultural property cannot be mortgaged for non-agricultural loans. Please discuss in detail.	No.
11	Whether the location of the property is subject to any legal restriction or restriction regarding its transferability or use. For eg: Coastal Zone regulation. If specific orders are needed for use of the property for the intended purpose for example industrial use etc., please discuss about the same.	No.
12	Whether the location of the property is subject to any legal restriction or restriction regarding its transfer or use under town planning or similar laws. For eg: property in greenbelt area, residential zone etc.	No.
13	Whether there is any indication in the documents to show that the property is under acquisition proceedings under Land Acquisition Act. Similarly whether by usual exposure to local affairs, the Advocate suspects that the	No.

	property is under acquisition proceedings or is likely to be acquired soon under Land Acquisition Act. Please discuss in detail.	
14	Whether there is any indication in the document (for eg: a document is marked as 'an Exhibit' in Court proceedings) that the property is subject to any litigation. Similarly whether by usual exposure to cases in local Courts, Advocate suspects that the property is subject to any litigation. Please discuss in detail.	No.
15	Please discuss about the recognition of the ownership/ possession by the Revenue, Municipal or other authorities concerned by reference to RTC, Khata etc.	Discussed above
16	Please discuss about approval of building plan, building license, completion certificate, occupancy certificate and such other documents to ensure that the building is in compliance with the relevant laws.	Discussed above
17	Please discuss about up to date payment of outgoings of the property like land revenue, property tax etc., with reference to the related receipts.	N.A.
18	Whether documents indicate that the owner is in the occupation of the property. If the property is tenanted, details of tenancy may be discussed.	N.A.

	Are there any indications in the documents to show that somebody else than the owner is in the possession of the property. If yes, please discuss in detail.	
19	Please discuss about the Encumbrance and Registered transactions concerning the property with reference to Encumbrance certificate, search reports etc., for a minimum period of 13 completed years.	Upto date Nil Encumbrance has to be obtained from the Office of Sub-Registrar
20	Please discuss as to whether the documents indicate any attachment or other proceedings by Revenue authorities, tax authorities, court/other authorities	No.
21	Whether as per documents the property is clearly demarcated on the grounds or is un-demarcated portion of larger area. Please discuss.	Yes.
22	Mention nature of property: Like agricultural, non agricultural, residential, commercial, industrial etc. Whether the Bank can proceed against the property under the SARFAESI Act.	Residential. Bank can enforce SARFAESI Act
23	In case of Flat/ Apartment/Unit in commercial complex etc, please discuss about relevant by laws, permission from the society, restrictions on transfer etc.	N.A
24	Whether as a professional, having exposure to title deeds/ other documents, lawyer notices any features/discrepancies in them giving rise to suspicion that they may be fabricated or forged.	No.
25	In case any Power Of Attorney is used in the documents verify the	N.A.

	genuineness and accuracy of Power Of Attorney and the extent of powers. Whether the Power Of Attorney is properly executed/ stamped/ authenticated/ enforceable as per the law. Whether it is in currency?			
26	List of title deeds to be deposited for creating Equitable Mortgage.			
	Sr. No.	Description of document	Date of document	Original/Certified copy
	1	Deed of Sale	16/1/2014	Original
	2	Deed of Sale	26/11/2013	Original
27	List of persons who should join in Simple Mortgage/ Deposit of Title Deeds and execute mortgage deed/ Memorandum of Deposit of Title Deeds.			M/S S. K. Constructions
28	Whether MDTD is compulsorily registered in the state under Registration Act.			No.
29	Additional issues and discussions, if any.			No.

CERTIFICATE

I certify that M/S S.K. Constructions, a Partnership Firm, have clear and marketable title to the properties bearing Chalta No. 10,11 and 12 of P.T.Sheet No.163 ,together with semi-completed Building, described below and the same can be taken by the Bank as security for the loan.

SCHEDULE OF THE PROPERTY IN QUESTION :-

(a)(i)ALL THAT Property known as "MORDACHEM BATTA", situated at Mapusa, Goa, within the jurisdiction of the Mapusa Municipal Council, Taluka Bardez, Sub-District of North Goa, State of Goa, described under No. 23414 & 23412 in the Land Registration Office of Bardez and

surveyed under Old Cadastral Numbers 3141 and 3139 and presently surveyed under chalta No. 12 of P.T.Sheet No. 163 having an area of 235 sq. mts. consisting therein a residential house bearing No. 13/74 and property bearing chalta No. 11 of P.T.Sheet No. 163 having an area of 141 sq. mts. The property surveyed under Chalta No. 12 of P. T. Sheet No. 163 having an area of 235 sq. mts. consisting therein a residential house bearing No. 13/74 is bounded as follows:-

To the East :- By property bearing chalta No. 9 of P. T. Sheet No. 163 of Mapusa.

To the West :- By the property bearing chalta No. 5 of P. T. Sheet No. 167 of Mapusa.

To the South :- By property bearing chalta No. 45 and 46 of P. T. Sheet No. 168 of Mapusa.

To the North :- By property bearing chalta No. 10 of P.T.Sheet No. 163 of Mapusa.

ii) The property bearing chalta No. 11 of P.T.Sheet No. 163 having an area of 141 sq. mts. is bounded as follows:-

To the East:- By property bearing chalta No.6 of P.T.Sheet No. 164 of Mapusa.

To the West :- By property bearing chalta No. 10 of P.T.Sheet No. 163 of Mapusa.

To the North :- By Road.

To the South:- By property bearing chalta No. 10 of P.T.Sheet No. 163 of Mapusa.

(b) All That Property presently surveyed under chalta No.10 of P.T.Sheet No. 163 having an area of 81 sq. mts. situated at Morod , Mapusa , Goa, within the jurisdiction of the Mapusa Municipal Council, Taluka Bardez, Sub-district of North Goa, State of Goa, neither found described in the Land Registration Office nor enrolled in the Taluka Revenue Office of Bardez and is bounded as follows:-

To the East :- Partly by the property surveyed under chalta No. 11 of P.T.Sheet No. 163 and by S/167 of City of Mapusa .

To the West :- By the property surveyed under chalta No. 9 of P.T.Sheet
No. 163 of City of Mapusa.
To the North : By Road.
To the South:- By the property surveyed under chalta No. 12 of P.T.Sheet
No. 163 of City of Mapusa.

Place: Mapusa

Date: 07/01/2020


SATISH J. RAO
ADVOCATE
Adv. Satish J. Rao

NOTE:

Bank to ensure that original Sale Deed dated 16/01/2014 & 26/11/20
are in possession of the Bank and records of the Bank
may be updated in that regard.


SATISH J. RAO
ADVOCATE
Adv. Satish J. Rao
MAPUSA - GDA





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LEGAL SCRUTINY REPORT

1	Name of the Branch seeking opinion Please give reference of letter if any.	Karnataka Bank Ltd., Mapusa Branch, Mapusa, Bardez, Goa.
2	Name of the Borrower/s	M/S S.K. Constructions
3	Name of the owner/s of the property	M/S.S.K. Constructions
4	Full and detailed description of the property including the following details. (Description may be changed depending on the nature of the property and local condition. Please give description in such a way that it can be copied in loan documents/mortgage deed)	ALL THAT Property known as "MODDACHEM BATTA", situated at Morod or Moroddo, of city of Mapusa-Goa, described under No. 1133 at Fls. 346 of B-3 new in the Land registration office of Bardez and surveyed under Old Cadastral Number 3142 and presently surveyed under Chalra No.5 of P.T.Sheet No. 167 having an area of 201 sq. mts. consisting therein a residential house bearing No. 73/13 and bounded as

		<p>follows:-</p> <p>To the East :- By property bearing chalta No. 6 of P.T.Sheet No. 167 of Mapusa.</p> <p>To the West:- By property bearing chalta No. 10 P.T.Sheet No. 163 of Mapusa.</p> <p>To the North:- By property bearing chalta No. 3 P.T.Sheet No. 164 of Mapusa.</p> <p>To the South:- By Property bearing chalta No. 47 P.T.Sheet No. 168 of Mapusa.</p>
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5 Particulars of documents scrutinized:				
Sr. No.	Date	Description of document	of	Original/Photo copy of original/Notarized copy/Sub-Registrar Certified copy/Photocopy of Notarized/Certified copy
1.	17/7/1934	Deed of Sale and Discharge		Photo copy
2.		Survey Form D		Photo copy
3.		Inventory Proceedings No. 101/2003/F		Photo copy
4.	29/7/2014	Agreement for Sale		Photo copy
5.	13/3/2018	Sanad		Photo copy
6.	15/11/2018	NOC from Electricity Department		Photo copy
7.	14/11/2018	NOC from Urban Health Centre.		Photo copy
8.	19/11/2018	NOC from PWD		Photo copy
9.	14/1/2019	Directorate of Fire and Emergency Services		Photo copy
10.	2/11/2018	North Goa Planning and Development Authority		Photo copy
11.	12/4/2019	Licence from Mapusa Municipal Council		Photo copy

6	<p data-bbox="2252 386 2292 797">Tracing of title of property-</p> <p data-bbox="2018 386 2171 1284">It is expected that the title deed is traced for a period up to 30 years. Please discuss chain of title systematically referring to each document in the chain.</p> <p data-bbox="1677 415 1884 1203">(a) That the property originally belonged to Associiana Dias , wife of Avelino Alexandre Celestino Ferrao having purchased the same by Deed of Sale and Discharge dated 17/7/1934.</p> <p data-bbox="1335 415 1542 1203">(b) That the property is described in the Land Registration Office under No. 1133 at Fls. 346 of B-3 new and inscribed in favour of Associiana Dias under No. 43105 at Fls. 159 of G-46.</p> <p data-bbox="1051 415 1204 1203">(c) That Avelino Ferrao and Assucena Ferrao died leaving behind two sons namely Domingos alias Dominic Ferrao and Menino Ferrao.</p> <p data-bbox="819 415 919 1203">(d) That Menino Ferrao died bachelor leaving behind his brother Domingos Ferrao.</p> <p data-bbox="540 415 693 1203">(e) That later on Domingos Ferrao died leaving behind his widow Apolina Ferrao and following children as the Legal heirs:</p> <p data-bbox="451 415 491 1105">(i) Joseph Paulo Ferrao married to Veronica Ferrao.</p>
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(ii) Melwyn Cosmo Ferrao married to Jacqueline Ferrao.

(iii) Nelson Constantino Ferrao.

(f) That Inventory Proceedings bearing No. 101/2003/F was filed by Apolina Ferrao on the death of Assucianna Dias e Ferroa and her husband Avelino Alexandre Celestino Ferrao , Domingos Ferrao and Menino Ferrao and the said property was listed under item No.1 and allotted $\frac{1}{2}$ to Apolina Ferrao , $\frac{1}{6}$ to Joseph Paulo Ferrao and his wife Veronica Ferrao, $\frac{1}{6}$ th to Melwyn Cosmo Ferrao and his wife Jacqueline Ferrao and $\frac{1}{6}$ to Nelson Constantino Ferrao. The Chart of Allotment was subsequently confirmed by Order dated 18/12/2004.

(g) That by Agreement for Sale and Development dated 29/7/2016 Mrs. Apolina R. Ferrao, Joseph Paul Ferrao and his wife Veronica Ferrao, Melwyn Cosme Ferrao and his wife Jacqueline Ferrao and Nelson Constantino Ferrao and his wife Annabella Ferrao alias Ana Bella Terezinha Ferrao agreed to sell the property bearing chalta No.5 of P.T.Sheet 167 to S. K. Constructions, a Partnership Firm

The said Agreement is duly registered in the Office of Sub-Registrar of Bardez under No. BRZ-BK1-03405-2016, Cd No. BRZD781, dated 29/7/2016.

(h) Survey Form D shows the names of Apolina Ferrao alias Leena Ferrao $\frac{1}{2}$ share, Joseph Paulo Ferrao and

<p>his wife 1/6th share, Melwyn Cosmo Ferrao and his wife 1/6th share and Nelson Constantino Ferrao and his wife as 1/6th share after mutation as per provision of Land Revenue Code, applicable to the State of Goa.</p> <p>(i) Deputy Collector has granted Sanad dated 13/3/2018 for converting the property bearing chalta No.5 of P.T.Sheet No. 167 of City Survey Mapusa for the purpose of commercial use.</p> <p>(j) Electricity Department has also granted NOC dated 15/11/2018 for construction of Commercial Building and Compound wall in chalta No.10 and 5 of P.T.Sheet No. 163 and 167 of City Survey Mapusa.</p> <p>(k) Urban Health Centre Mapusa has granted NOC dated 14/11/2018 for construction of commercial Building , amalgamation of plots and construction of Compound wall in chalta No.10 and 5 of P.T.Sheet No. 163 and 167 of City Survey Mapusa.</p> <p>(l) PWD has granted NOC dated 19/11/2018 for construction of Commercial Building and Compound wall in chalta No.10 and 5 of P.T.Sheet No. 163 and 167 of City Survey Mapusa.</p> <p>(m) Directorate of Fire & Emergency Services also granted NOC dated 14/1/2019 for the proposed</p>

Residential and Commercial Building "S.K.Towers" in chalta No.10 and 5 of P.T.Sheet No. 163 and 167 of City Survey Mapusa.

(n)North Goa Planning and Development Authority by its Order dated 2/11/2018 granted permission for proposed amalgamation of plots and construction of commercial building and compound wall.

(o)Mapusa Municipal Council also granted Licence dated 12/4/2019 for amalgamation of plots and construction of commercial Building and compound wall in in chalta No.10 and 5 of P.T.Sheet No. 163 and 167 of City Survey Mapusa.

(p)I certify title of Apolina Ferrao alias Leena Ferrao , Joseph Paulo Ferrao and his wife , Melwyn Cosmo Ferrao and his wife and Nelson Constantino Ferrao and his wife to the property bearing chalta No.5 of P.T.Sheet No.167 as CLEAN,CLEAR AND MARKERABLE, subject to Agreement for Sale and Development dated 29/6/2016 with M/S S.K.Constructions, who are authorized to develop the property, enter into sale agreement etc.

It appears that the Builder may join this property in chalta No.10,11, and 12 because they are situated to each.

7	<p>Extent of ownership-</p> <p>Please discuss whether entitlement to property is on full ownership basis or limited ownership basis. For eg: leasehold rights, tenancy rights, occupancy rights etc. What are the implications of limitation?</p> <p>Please discuss about the permissions etc needed for mortgage in case of lease hold/tenancy/occupancy rights etc.</p>	Full Ownership Basis
8	<p>In case the property proposed to be mortgaged belongs to special constitution/ special legal entities listed below, please discuss about the requirements including the ones given below.</p> <p>1) Company:</p> <p>i) Compliance with the provisions of Companies Act 2013 and in particular section 186.</p> <p>ii) Compliance with the object clause in the Memorandum of Association.</p> <p>iii) Compliance with the borrowing</p>	N.A.

	<p>powers/ power to give property as security in the Memorandum of Association/article of Association.</p> <p>iv) Necessary resolutions.</p> <p>2) Trust/Society/Partnership Firm:</p> <p>i) Compliance with the applicable law relating to the trust/Society/Partnership firm.</p> <p>ii) Borrowing powers/ power to give property as security under the applicable trust law and also under the trust deed/ Society By-Laws/ Partnership deed and its applicable laws.</p> <p>iii) Necessary resolution.</p>	
9	<p>Minor's interest-</p> <p>a. Have you considered whether the title scrutinized includes minor's rights? If so how bank's interest can be safeguarded fully?</p>	N.A.
10	<p>Whether there are any restrictions under State/local law, custom or otherwise for mortgaging the property in favor of Bank. For eg: In Karnataka agricultural property cannot be mortgaged for non-agricultural loans. Please discuss in detail.</p>	No.
11	<p>Whether the location of the property is subject to any legal restriction or restriction regarding its transferability or use. For eg: Coastal Zone regulation. If specific orders are needed for use of</p>	No.

	the property for the intended purpose for example industrial use etc., please discuss about the same.	
12	Whether the location of the property is subject to any legal restriction or restriction regarding its transfer or use under town planning or similar laws. For eg: property in greenbelt area, residential zone etc.	No.
13	Whether there is any indication in the documents to show that the property is under acquisition proceedings under Land Acquisition Act. Similarly whether by usual exposure to local affairs, the Advocate suspects that the property is under acquisition proceedings or is likely to be acquired soon under Land Acquisition Act. Please discuss in detail.	No.
14	Whether there is any indication in the document (for eg: a document is marked as 'an Exhibit' in Court proceedings) that the property is subject to any litigation. Similarly whether by usual exposure to cases in local Courts, Advocate suspects that the property is subject to any litigation. Please discuss in detail.	No.
15	Please discuss about the recognition of the ownership/ possession by the Revenue, Municipal or other authorities concerned by reference to	Discussed above

	RTC, Khata etc.	
16	Please discuss about approval of building plan, building license, completion certificate, occupancy certificate and such other documents to ensure that the building is in compliance with the relevant laws.	Discussed above
17	Please discuss about up to date payment of outgoings of the property like land revenue, property tax etc., with reference to the related receipts.	N.A.
18	Whether documents indicate that the owner is in the occupation of the property. If the property is tenanted, details of tenancy may be discussed. Are there any indications in the documents to show that somebody else than the owner is in the possession of the property. If yes, please discuss in detail.	N.A.
19	Please discuss about the Encumbrance and Registered transaction is concerning the property with reference to Encumbrance certificate, search reports etc., for a minimum period of 13 completed years.	Upto date Nil Encumbrance has to be obtained from the Office of Sub-Registrar
20	Please discuss as to whether the documents indicate any attachment or other proceedings by Revenue authorities, tax authorities, court/other authorities	No.

21	Whether as per documents the property is clearly demarcated on the grounds or is un-demarcated portion of larger area. Please discuss.	Yes.																
22	Mention nature of property: Like agricultural, non agricultural, residential, commercial, industrial etc. Whether the Bank can proceed against the property under the SARFAESI Act.	Residential. Bank can enforce SARFAESI Act																
23	In case of Flat/ Apartment/Unit in commercial complex etc, please discuss about relevant by laws, permission from the society, restrictions on transfer etc.	N.A																
24	Whether as a professional, having exposure to title deeds/ other documents, lawyer notices any features/discrepancies in them giving rise to suspicion that they may be fabricated or forged.	No.																
25	In case any Power Of Attorney is used in the documents verify the genuineness and accuracy of Power Of Attorney and the extent of powers. Whether the Power Of Attorney is properly executed/ stamped/ authenticated/ enforceable as per the law. Whether it is in currency?	N.A.																
26	List of title deeds to be deposited for creating Equitable Mortgage.																	
	<table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Description of document</th> <th>Date of document</th> <th>Original/Certified copy</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Agreement for Sale</td> <td>29/7/2016</td> <td>Original</td> </tr> <tr> <td>2.</td> <td>Inventory Proceedings No.101/2003/C</td> <td></td> <td>Certified copy</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Sr. No.	Description of document	Date of document	Original/Certified copy	1	Agreement for Sale	29/7/2016	Original	2.	Inventory Proceedings No.101/2003/C		Certified copy					
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1	Agreement for Sale	29/7/2016	Original															
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27	List of persons who should join in Simple Mortgage/ Deposit of Title Deeds and execute mortgage deed/	M/S S. K. Constructions																

	Memorandum of Deposit of Title Deeds.	
28	Whether MDTD is compulsorily registered in the state under Registration Act.	No.
29	Additional issues and discussions, if any.	No.

CERTIFICATE

I certify title of Apolina Ferrao alias Leer a Ferrao , Joseph Paulo Ferrao and his wife , Melwyn Cosino Ferrao and his wife and Nelson Constantino Ferrao and his wife to the property bearing chalta No.5 of P.T.Sheet No.167 as CLEAN,CLEAR AND MARKERABLE, subject to Agreement for Sale and Development dated 29/6/2016 with M/S S.K.Constructions, who are authorized to develop the property, enter into sale agreement etc.and the same can be taken by the Bank as security for the loan.

SCHEDULE OF THE PROPERTY IN QUESTION :-

ALL THAT Property known as "MODDACHEM BATTA", situated at Morod or Moroddo, of city of Mapusa-Goa, described under No. 1133 at Fls. 346 of B-3 new in the Land registration office of Bardez and surveyed under Old Cadastral Number 3142 and presently surveyed under Chalta No.5 of P.T.Sheet No. 167 having an area of 201 sq. mts. consisting therein a residential house bearing No. 73/13 and bounded as follows:-

To the East :- By property bearing chalta No. 6 of P.T.Sheet No. 167 of Mapusa.

To the West:- By property bearing chalta No. 10 P.T.Sheet No. 163 of Mapusa.

To the North:- By property bearing chalta No. 3 P.T.Sheet No. 164 of Mapusa.

To the South:- By Property bearing chalta No. 47 P.T.Sheet No. 168 of Mapusa.

Place: Mapusa

Date: 08/01/2020

SATISH J. RAO
ADVOCATE HIGH COURT
MAPUSA, GOA
Adv. Satish J. Rao