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To,
The Manager,
Goa State Co-operative Bank Ltd.,
Sanquelim Branch,
Sanquelim Goa.

Date: 24/01/2024

Ref: With reference to oral request

LEGAL OPINION

That the Manager, The Goa State Co-Op. Bank Valpoi Branch has referred to me a loan file of Vasant Muktai Construction of partnership firms represented by its partner Mr. Rajesh Vasant Raikar resident of Valpoi Sattari Goa, for my legal opinion.

I do hereby submit my legal opinion as under:

1. That loan file submitted to me includes following documents:
 - a) Sale Deed executed on 12th August 2021 register before sub registrar of Bicholim under registration No. BCH-1-599-2021, Dated: 12 Aug 2021.

- b) Copy of Judgement in Special Civil Suit No. 22/2022/A
Dated: 19th July 2023.
- c) Copy of I & XIV form of bearing Survey No. 90/1-A of Village
Carapur Taluka Bicholim Goa.
- d) Copy of Sanad of Conversion issued by Collector North Goa
bearing No. RB/CNV/BICH/AC-II/17/2022/552 dated:
20/02/2023.
- e) Copy of Construction License issued by V.P. Karapur Sarvan
Bearing Ref. No. VP/KS/2022-23/4382 dated: 09/11/2022.
- f) Copy of Nil Encumbrance Certificate of the property under
Survey No. 90/1-A admeasuring an area of 2265 sq. mts., for
the period from 19/08/2010 to 20/08/2023 issued by Sub
Registrar of Bicholim Goa.
- g) Copy of Partnership Deed, Dated: 02/11/2022.

2. FLOW OF TRACING OF TITLES

- a) That there exist property surveyed under Survey No. 90/1
admeasuring total area of 5700 sq. Mts. commonly known as

"VITTALPUR" situated at Carapur within the Jurisdiction of Village Panchayat of Carapur-Sarvan, Taluka & Sub district of Bicholim, District North Goa, in the State of Goa, not described in the Land Registration Office Bicholim nor enrolled in Land Revenue Office for Matriz Predial, fully described in schedule herein under written and the same is bounded as under:

- North : By main road proceeding from Bicholim to Valpoi.
South : By Property Surveyed No. 89 and Survey No. 90
Sub Division No. 2, 3, 4, 5, 6, 7, 8, and 16.
East : By path way
West : By Property Surveyed under No. 88/2

This property is hereinafter referred to as **"SAID PROPERTY"** for the sake of brevity.

AND WHEREAS the said property was originally belonged to Smt. Manoramabai Raoji Rane by other name Monoramabai Rauji Ranes Sar Dessai and her husband Raugi Satrojirau Ranes Sar Dessai.

AND WHEREAS said Manorama bestowed the said property unto 3 persons Mr. Pratapsingh Raoji Rane by other name Pratapsing Raugirau Rane, Mr. Fattesingh Raoji Rane by other name Fateising Raugirau Rane, Mr. Rajsingh Satroji Rane by virtue of Will dated 03/05/1969 executed by Smt. Manoramabai Raoji Rane.

AND WHEREAS the said property came to be owned and possessed by Mr. Pratapsingh Raoji Rane, Mr. Fattesingh Raoji Rane and Mr. Rajsingh Satroji Rane through Smt. Manoramabai and names and their names are recorded in the occupants Column of the survey record vide mutation no. 1056 in the survey record of the said property.

AND WHEREAS all the above stated person's along with their respective spouses, authorized signatory herein constituted and formed a registered company named Karapur estates private Limited.

AND WHEREAS the said persons who constituted Karapur Estates Private Limited are Mr. Pratapsingh Raoji Rane, Mr.

Fattesingh Raoji Rane, Mrs. Asharaje Fateisingh Rane, Mrs. Vijayadevi Pratapsingh Rane, Mr. Rajsingh Satroji Rane, Mrs. Sarita Rajsingh Rane and Mr. Vishwajit P. Rane.

AND WHEREAS all the above stated persons transferred said property unto the company for exclusive ownership, possession and use of said company Karapur Estates Private Limited.

AND WHEREAS the said company has acquired title to the said property being transferred by Mr. Pratapsingh Raoji Rane, Mr. Fattesingh Raoji Rane and Mr. Rajsingh Satroji Rane, with their respective spouses and have got the name of company recorded in the Occupants Column of the survey record vide mutation no. 1131 by complying the procedure of law.

AND WHEREAS the applicant Shri. Rajesh Raikar, Rati Raikar, Uday Raikar and Smt. Suchita Raikar along with Gopesh Shirodkar, Gauraksha Shirodkar, Nagesh majik and Gandhali Majik jointly became the owner of said property by virtue of Deed of Sale executed on 12th August 2021 which is duly register before sub registrar of

Bicholim under registration No. BCH-1-599-2021, Dated: 12 Aug 2021.

AND WHEREAS said property was partitioned among them by virtue of Civil suit filed before In the Court of Civil Judge Junior Division of Bicholim being Special Civil Suit No. 22/2022/A whereby the parties to the suit amicably settle dispute and filed consent terms in the said case dividing the said property into 3 Plots, wherein the applicant Shri. Rajesh Raikar, his wife Rati Raikar, Shri. Uday Raikar and his wife Suchita Raikar where allotted Plot No. A admeasuring area of 2,265 Sq. Mts. in the said property and accordingly suit was decreed by the Hon'ble court on 19/07/2023.

That the said Plot A admeasuring an area of 2,265 Sq. Mts. was further allotted separate Survey Number as Survey No. 90/1-A in the partitioned proceeding filed before the Dy. Collector and Sub Divisional Officer of Bicholim and thereby the applicant Shri. Rajesh Raikar and others became the absolute owner of the property bearing Survey No. 90/1-A which is moiré particularly describe in the Schedule and hereinafter referred to as the **"SAID PLOT"**.

3. Scrutiny of the Documents

a) Sale Deed executed on 12th August 2021 register before sub registrar of Bicholim under Registration No. BCH-1-599-2021, Dated: 12 Aug 2021 transpire that the applicant along with others jointly as purchase the said property bearing Survey No. 90/1 admeasuring an area of 5700 sq. Mts. and same is duly register before the competent authority and consideration of the said property is duly paid to the owner of the said property as can be seen from the sale Deed.

b) Copy of Judgement in Special Civil Suit No. 22/2022/A Dated: 19th July 2023 transpire that the said property bearing Survey No. 90/1 is portioned among the Co-owners INTO 3 Plots and Plot no. A admeasuring an area 2,265 Sq. Mts., of is allotted in favour of the Applicant Shri. Rajesh Raikar, his wife Rati Raikar, Shri. Uday Raikar and his wife Suchita Raikar and said suit was decreed on 19/07/2023 as per the Consent terms filed by the parties to the said suit.

c) Copy of I & XIV form of bearing Survey No. 90/1-A of Village Carapur Taluka Bicholim Goa transpire that name of the applicant

Shri. Rajesh Raikar, his wife Rati Raikar, Shri. Uday Raikar and his wife Suchita Raikar if duly found recorded in occupant column of the said property which is further proof of the applicant is the owner of an area of 2,265 Sq. . Mts of the said property.

d) Copy of Sanad of Conversion issued by Collector North Goa bearing No. RB/CNV/BICH/AC-II/17/2022/552 dated: 20/02/2023 transpire that an area of 1,142 Sq. Mts. of the property bearing Survey No. 90/1-A is converted to Non Agricultural purpose for construction.

e) Copy of Construction License issued by V.P. Karapur Sarvan Bearing Ref. No. VP/KS/2022-23/4382 dated: 09/11/2022 transpire that the Rajesh Raikar and others have been given permission to construct residential cum commercial building in the said Plot bearing Survey No. 90/1-A which was approved vide resolution No. 8(6) dated 29/06/2022 of the Village Panchayat Carapur Sarvan.

f) Copy of Nil Encumbrance Certificate of the property under Survey No. 90/1-A admeasuring an area of 2265 sq. mts., issued by Sub Registrar of Bicholim Goa transpire that there is no encumbrances

affecting the said property and same is free from encumbrances for the period from for the period from 19/08/2010 to 20/08/2023.

g) Copy of Partnership Deed, Dated: 02/11/2022 transpire that said Rajesh Raikar his wife Rati Rajesh Raikar, Shri. Uday Raikar and his wife Suchita Raikar has formed Partnership firm in the name and Style as **"VASANT MUKTRAI CONSTRUCTION"** and same is found to be duly registered before the Notary Public Adv. Shri. G.P. Gaonkar at Valpoi Sattari Goa under Reg. No. 2062/2022 dated 02/11/2022.

4. I confirm having made a search in the Land Records. I do not find anything adverse which would prevent the title holders from creating a valid Mortgage of the said Plot.

5. Following scrutiny of Land Records/ Revenue Records and relative title deeds I hereby certify genuineness of the title deeds suspicious/ Doubt, if any, had been clarify by making necessary inquiries.

6. There is no prior mortgage charges/encumbrances whatsoever as been form the encumbrance certificate pertaining to the

immovable property covered by above said title deeds. The property is free from all encumbrances.

7. There is no, mortgages/ charges created by the applicant in favour of financial institution and or any individual.

8. Minors interest is not involved in the property which is to be mortgaged.

9. The Mortgage if created will be available to the Bank for the Liability of the intending Borrowers, Mr. Rajesh Raikar and his wife Smt. Rati Rajesh Raikar, and all the co-owners of the property namely Shri. Uday Vasant Raikar and his wife Smt. Suchita Uday Raikar.

LEGAL OPINION

I therefore Certify That The applicant Shri. Rajesh Raikar his wife Smt. Rati Rajesh Raikar and Shri. Uday Vasant Raikar and his wife Smt. Suchita Uday Raikar, are exclusive owner in possession and well sufficiently entitled to the area of 2,265 sq. Mts. of the property described in the Schedule I, written here under and there title to the property is absolutely free from any encumbrances, charges or attachments of any kind whatsoever.

I Certify that the Applicant Mr. Rajesh Raikar and his wife Smt. Rati Rajesh Raikar, and Shri. Uday Vasant Raikar and his wife Smt. Suchita Uday Raikar, have an absolute clear and marketable title over the said property and all of them are required to be made parties to the Mortgage which is to be executed at the time of disbursing of loan. I further certify that the above said mortgage would be enforceable.

SCHEDULE - I

SCHEDULE OF THE PROPERTY

All that area admeasuring 2,265 Sq. Mts. forming part of the property known as "VITTALPUR" newly surveyed under survey No. 90 Sub division 1-A situated at Village Carapur, Taluka Bicholim North Goa District, State of Goa and the said property is bounded as under:

On the East : By Survey No. 90/1

On the West : By Survey No. 88/2-C and by Survey No. 88/2

On the North : By Road

On the South : By Survey No. 89/0 and by Survey No. 90/2

Place:- Valpoi-Goa

Date:- 24/01/2024