

**Mr. M. A. KHEDEKAR**  
**ADVOCATE**  
**D-5, 3<sup>rd</sup> floor, Shetye Sankul,**  
**Near Mamlatdar office**  
**Ponda – Goa**  
**Mob. 9823866837**

**Date: - 30/10/2018**

**LEGAL SCRUTINY REPORT**

**NAME OF THE BORROWERS: -Mr. Dilip Keshav Dessai**  
 Resident of Dhawali Ponda,

**I. Description of the Document scrutinized-**

| <b>Sr. no.</b> | <b>Date of Document</b> | <b>Name of document</b>                                                                     | <b>whether original certified /true copy/photosets</b> |
|----------------|-------------------------|---------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 1.             | 10/02/1999              | Matriz Certificate                                                                          | Xerox Copy                                             |
| 2.             |                         | Form No I and XIV of survey no. 98/6 and 99/2                                               | Xerox Copy                                             |
| 3.             | 19/06/2015              | Sanad                                                                                       | Xerox Copy                                             |
| 4.             | 05/09/2015              | Construction License                                                                        | Xerox Copy                                             |
| 5.             |                         | Survey Plan                                                                                 |                                                        |
| 6.             | 25/03/1914              | Deed of partition and allotment Portuguese document along with its English Translation      | Xerox Copy                                             |
| 7.             | 04/11/19929             | Deed of gift revocation and quitance Portuguese document along with its English Translation | Xerox Copy                                             |
| 8.             | 06/04/2006              | Deed of Succession                                                                          | Xerox Copy                                             |
| 9.             | 29/10/2015              | Deed of Sale                                                                                | Xerox Copy                                             |
| 10.            | 29/10/2015              | Deed of Sale                                                                                | Xerox Copy                                             |



|     |             |                                               |            |
|-----|-------------|-----------------------------------------------|------------|
| 11. | ---/10/2015 | Declaration Cum No Objection                  | Xerox Copy |
| 12. | 25/12/2012  | Power of Attorney                             | Xerox Copy |
| 13. | 25/02/2014  | Power of Attorney                             | Xerox Copy |
| 14. |             | Construction Plan                             |            |
| 15. | 3/8/2017    | Deed of Rectification (2 in Numbers )         |            |
| 16. | 11/02/2016  | Nil Encumbrance Certificates (two in numbers) | Xerox Copy |

## **II. Description of the Properties**

| Sr. No | Survey No | Extent/ area (in acres/sq.mt s.) | Location        | Boundaries (As per the Plan annexed to the Agreement)                                                                                                                                                       |
|--------|-----------|----------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1      | 99/2      | 1550.00 Sq Mtrs                  | Borim Ponda Goa | East:-By property bearing survey no. 98/1<br>West: - by property bearing survey no. 99/1<br>North: - by road leading to Siddhanath Mountain<br>South: - By property bearing survey no. 98/6 and 106/5       |
| 2.     | 98/6      | 1725.00 sq Mtrs                  | Borim Ponda Goa | East: - by Road and property bearing Survey No 98/2<br>West: - By Property under Survey No 106/5<br>North: - By Property under Survey No 98/1 and 99/2<br>South: - Rivlute and Property under Survey No 107 |



Search Report for 13 years: -

There exist a property by name “ TALASAI @ THOLSAI @ TOLSAI” situated at Village Borim, within the limits of Village Panchayat of Borim of Ponda Taluka, Sub District of Ponda , District of North Goa, Now in south Goa, State of Goa and registered in the office of Land Registration office Ilhas Panaji under No. 2897 of Book B-32 (old) at Folios 412 to folios 416 , and inscribed under no. 16303 and 16304 and enrolled in the Taluka Revenue Office , Ponda under No. 670 and 671 and 663 and 664 and bears survey no 98/6 and 99/2 of Village Borim and admeasuring an area of 1550 .00 Sq Mtrs and 1725.00 sq Mtrs respectively, More particularly described in schedule I hereunder Written.

The said Properties originally belongs to Late Sirdora Narana Sinai Goducar and in terms of Compromise before the Ordinary Tribunal and by virtue of deed dated 4/11/1929 executed by Notary of Ponda court in the book No 158 of 26 at Pg. 21 the property was sold to Narana Panduranga Porobo Dessai and others i.e. ancestors of the Vendors herein above

That vide deed of partition and allotment dated 25/3/1914 registered at pages 37 to 40 V of book No 63 of Notary Ex Officio Ponda Executed between (1) Shri Vinaica Pandurangs Porobo Dessay and his Daughter Baizu Alisa Parvoty widow of late Horim Rama Porobo as the first parties (3) Shri Pandurang Narana Porobo Dessai and his wife (4) Rucominim (5) Visvombora Narana Porobo Dessai and his wife (6) Loximim and his sisters and brother in Law Fattu Alias Sagunabai and her husband Babya Sacarama Porobo Dessay wherein the heirs of aid Narana Panduranga Porobo Dessay Codesgucar Partitioned the estate left behind by him and allotted 1/8<sup>th</sup> part of the properties no 1739, Tildemvoril Madda plus 1/4<sup>th</sup> of the property consisting of 4 Plots/ Sub Parcels of whole property to said Shri Pandurang Narana Porobo and Shri Vidhvambora Narana Porobo Dessai.

That upon the death of Said Vishvombora Narana Porobo Dessai, the said property was inherited by their only son Shri Ramchandra Vishwamber Porobo Dessai and his wife Smt. Sitabai Ramchandra Porobo Dessai. The said Shri Ramchandra Vishwamber P. Dessai alias Ramchandra V Prabhu



Dessai Alias Ramchandra Prabhu Dessai and his wife Smt. Sitabai Ramchandra Porobo Dessai expired on 28/11/1979 and 02/07/1985 respectively leaving behind Shri Xantilal Ramchandro Porobo Dessai also Known as Shri Shantilal Ramchandro Porobo Dessai also Known as Shantilal Ramchandra Prabhu Dessai as their universal heir , who became the owner of the said properties by virtue of the deed of succession duly executed on the office of the notary Ex-officio of Ponda on 14/8/2000 under no/103 at pages 87 onwards of the notorial book of deeds No 388.

That said Shri Xantilal Ramchandro Porobo Dessai also Known as Shri Shantilal Ramchandro Porobo Dessai also Known as Shantilal Ramchandra Prabhu Dessai expired on 15/12/2005 leaving behind the legal heirs by name Smt. Shuba Shantilal Prabhudessai, Shri Prashant Shantilal Prabhudessai, Smt Deepa Prashanta Prabhudessai, Shri Rudresh Shantilal Prabhudessai, Mrs Reva Rudresh Prabhudessai, Mrs. Swati Niranjana Tamhankar, Mrs. Niranjana Somnath Tamhankar as the legal heirs and successor which were conform vide Deed of Succession Dated 26/4/2006 which is executed before the office of Notary Public Ex-officio of Salcete at Margao at folio 34 to 35 of Deed of Book No 1492.

That Mr. Prashant S. Prabhudessai and others applied before the Collector South Goa for the conversion Sanad which was granted under no. AC-2/Sal/SG/CONV/28/2015/6292 dated 19/06/2015.

That thereafter Vide Deed of Sale dated 29/10/2015 Smt. Shuba Shantilal Prabhudessai Shri Prashant Shantilal Prabhudessai, Smt. Deepa Prashanta Prabhudessai, Shri Rudresh Shantilal Prabhudessai, Mrs. Reva Rudresh Prabhudessai, Mrs. Swati Niranjana Tamhankar, Mr. Niranjana Somnath Tamhankar sold the property by name "TALSAL @ THOLSAI @ TOLSAI" situated at Village Borim, within the limits of Village Panchayat of Borim of Ponda Taluka , Sub District of Ponda , District of North Goa, Now in south Goa, State of Goa and registered in the office of Land Registration office Ilhas Panaji under No. 2897 of Book B-32 (old) at Folios 412 to folios 416, and inscribed under no. 16303 and 16304 and enrolled in the Taluka Revenue Office , Ponda under No. 670 and 671 and 663 and 664



and bears survey no 99/2 of Village Borim and admeasuring an area of 1550 .00 Sq Mtrs to the Vendor no. 1 hereinabove.

The said deed of Sale is duly registered under serial no. 2531/2015 bearing registration no. 2797 at pages 190 to 210 Book I, Vol. 3003 dated 17/12/2015.

Thereafter Vide another Deed of Sale dated 29/10/2015 Smt. Shuba Shantilal Prabhudessai, Shri Prashant Shantilal Prabhudessai, Smt. Deepa Prashanta Prabhudessai, Shri Rudresh Shantilal Prabhudessai, Mrs. Reva Rudresh Prabhudessai, Mrs. Swati Niranjana Tamhankar, Mrs. Niranjana Somnath Tamhankar sold the property by name "TALSAI @ THOLSAI @ TOLSAI" situated at Village Borim, within the limits of Village Panchayat of Borim of Ponda Taluka, Sub District of Ponda, District of North Goa, Now in south Goa, State of Goa and registered in the office of Land Registration office Ilhas Panaji under No. 2897 of Book B-32 (old) at Folios 412 to folios 416, and inscribed under no. 16303 and 16304 and enrolled in the Taluka Revenue Office, Ponda under No. 670 and 671 and 663 and 664 and bears survey no. 98/6 of Village Borim and admeasuring an area of 1725 .00 Sq Mtrs to the Vendor no. 1 hereinabove.

The said deed of Sale dated 29/10/2015 is duly registered before the Sub registrar of Ponda under serial no. 2530/2015 bearing registration no. 2796 at pages 171 to 189 Book I, Vol. 3003 dated 17/12/2015.

The said Mr. Dilip K Dessai became the absolute owner in possession of the property by name "TALSAI @ THOLSAI @ TOLSAI" situated at Village Borim, within the limits of Village Panchayat of Borim of Ponda Taluka, Sub District of Ponda, District of North Goa, Now in south Goa, State of Goa and registered in the office of Land Registration office Ilhas Panaji under No. 2897 of Book B-32 (old) at Folios 412 to folios 416 and enrolled in the Taluka Revenue Office, Ponda under No. 670 and 671 and 663 and 664 and bears survey no 99/2 and 98/6 of Village Borim and admeasuring an area of 1550 .00 Sq Mtrs and 1725.00 sq Mtrs. respectively.

The said Mr. Dilip K Dessai prepared the plan for the construction of 14 bungalows thereby amalgamating both the survey numbers and approved the construction plan from Town and Country Planning Department under



no. TPP/384/Borim/98/2015/735 dated 15/06/2011 and also obtained the construction License from the Village Panchayat of Borim under no. VPV/const/Bor/2015-16/3146 dated 05/09/2015.1

That as there was mistake in both deed of sale dated 29/10/2015, which was rectified vide two deed of rectification dated 3/8/2017 by the vendors herein above

That the First deed of rectification dated 3/8/2017 was duly registered before the office of the Sub registrar of Ponda under serial no 1547, Registered under No 1559 at pages 237 to 271 of Book I Volume no 3471 dated 16/8/2017.

That the Second deed of rectification dated 3/8/2017 was duly registered before the office of the Sub registrar of Ponda under serial no 1548, Registered under No. 1560 at pages 272 to 308 of Book I Volume no 3471 dated 16/8/2017.

That the Name of Mr. Dilip K. Desai is appearing in the Occupant Column of Form No. I and Xiv of survey No. 99/2 and 98/6 of Village Borim of Ponda Taluka

After the completion of the construction the Mr. Dilip K Dessai applied for the occupancy certificate which was granted by the village Panchayat of Borim under no.VPB/O.C./2017-18/1226, dated 30/08/2018, the said Bungalow No. 10 came to be registered for the purpose of house tax and was allotted the house bearing house no 734/10.

Therefore the links in the chain of title has been properly established for last 13 years. I certify that the said property by name "TALSAI @ THOLSAI @ TOLSAT" situated at Village Borim, within the limits of Village Panchayat of Borim of Ponda Taluka , Sub District of Ponda , District of North Goa, Now in south Goa, State of Goa and registered in the office of Land Registration office Ilhas Panaji under No. 2897 of Book B-32 (old) at Folios 412 to folios 416 and enrolled in the Taluka Revenue Office , Ponda under No. 670 and 671 and 663 and 664 and bears survey no 99/2 and Survey No 98/6 of Village Borim is owned and possessed by Shri.



Dilip Desai and his wife the title of the said properties is clean, clear and marketable.

**V- Evidence of possession:-**

Sale deed dated 29/10/2015 (two in numbers), Deed of Rectification ( 2 in Numbers) duly registered before Sub Registrar of Ponda, construction licence, Form No. I and XIV, Nil Encumbrance Certificate, in the name of Shri. Dilip Desai which proves that Shri. Dilip Desai and his wife is in peaceful possession of the property by name “TALSAI @ THOLSAI @ TOLSAI” situated at Village Borim, within the limits of Village Panchayat of Borim of Ponda Taluka, Sub District of Ponda, District of North Goa, Now in south Goa, State of Goa and registered in the office of Land Registration office Ilhas Panaji under No. 2897 of Book B-32 (old) at Folios 412 to folios 416 and enrolled in the Taluka Revenue Office, Ponda under No. 670 and 671 and 663 and 664 and bears survey no 99/2 and Survey No 98/6 of Village Borim

**VI- Certificate of title: -**

- a) That Shri. Dilip Desai and his wife are the absolute owner of the property by name “TALSAI @ THOLSAI @ TOLSAI” situated at Village Borim, within the limits of Village Panchayat of Borim of Ponda Taluka, Sub District of Ponda, District of North Goa, Now in south Goa, State of Goa and registered in the office of Land Registration office Ilhas Panaji under No. 2897 of Book B-32 (old) at Folios 412 to folios 416 and enrolled in the Taluka Revenue Office, Ponda under No. 670 and 671 and 663 and 664 and bears survey no 99/2 and Survey No 98/6 of Village Borim

- b) The property is not subject to any minor's or others claim.

**CERTIFICATE OF THE SCRUTINY DOCUMENT**

I have gone through the original title deeds intending to relate the property offered as scrutiny by way of equitable mortgage and that the



documents of the title reference to above are perfect evidence of title and that the said equitable mortgage can be created by depositing documents in manner by law. It will satisfy the requirement of equitable mortgage and that I further certify that

1. There are no prior mortgages/charges to any extent of whatsoever nature could be cleared or satisfied by complying the following.
2. There are no claims from minors or their interest in the property to the extent of whatsoever nature.
3. There is no undivided or any other type of share of the minor or any minor does not have any claim in property to be mortgaged.
4. The property is not subject to the payment of amount to anybody else.
5. Provisions of Urban ceiling Act are not applicable.
6. There is no separate holding or acquisition and therefore provision of land reforms Act are not applicable to it.
7. If the mortgage if created will be available to the bank for the liability of intending borrowers Shri. Dilip Desai .

I certify that Shri. Dilip K. Desai and his wife have valid and marketable title in the property mentioned hereinabove.

Place: - Ponda -Goa

Date: - 30/10/2018



(Adv. M. A. Khedekar)

Advocate/Legal

