

September 09, 2015

LEGAL SCRUTINY REPORTDetails of Property:

All that residential/commercial building(s) constructed in the portion of land on the Western side of the property known as "Atafondem", situated in the Village of Moira, within the limits of the Gram Panchayat of Moira, Taluka and Sub District of Bardez, North Goa, District and State of Goa, surveyed in the Revenue Survey of Record of Rights under Survey No.19/18 (Part), admeasuring an area of 1370 sq. mtrs. identified as Plot "A".

Sr. no	Particulars	Remarks
1	Nature of Title (Ownership/Leasehold/Occupancy/Govt. Grant/allotments etc.)	Ownership
2	If Leasehold, Whether a) Lease deed is duly stamped and registered b) Lessee is permitted to mortgage the Leasehold right c) Duration of the Lease/unexpired period of lease 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.	No
3	If Govt. grant/allotment/Lease-cum-Sale agreement, whether: a) Grant/agreement etc, provides for	No

	alienable rights to the mortgagor with or without conditions, b) The mortgagor is competent to create charge on such property	
4	If occupancy right, whether a) Such right is heritable and transferable b) Mortgage can be created	Yes
5	a) Whether provision of Urban Land ceiling Act applicable/permission obtained b) Whether NOC under Income Tax Act is required/obtained c) Whether records with the Registrar of Assurances verified(if applicable)	No No Yes
6	Whether there are claim from minor/s and his/their interest in the property/ies. Specify the share of minor/s with name.	No
7	In case of Agriculture land, the position regarding creation and enforceability with regard to local laws	Not applicable
8	In case of conversion of Agriculture land for commercial purpose, whether requisite procedure/permissions complied with/obtained	Not applicable
9	a) In case of partition/settlement deeds, whether original deed is available for 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	No Yes

	c) Whether the partition is valid in law?	Yes
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/ Association, verify requisite resolution, bye laws, powers to borrow, encumbrances etc	No 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	Yes
14	If the property is a flat/apartment or residential/commercial complex, verify a) Promoter's/Land owners' title to the land /building b) Whether the property is developed by the Land owner or constructed on joint development basis c) Development agreement /POA d) Extent of Authority of the	Owners in possession of Plot Not applicable NO 100%



	Developer/ Builder	ownership
e)	Whether the construction is approved by the competent authority?	Yes
f)	Independent title verification of the land or building in question	Not applicable
g)	Deed of Sale (duly registered)	Registered before the Sub registrar of Mormugao
h)	Whether it is a second/ subsequent sale?	No
i)	Payment of proper stamp duty	Done
j)	Conveyance in favour of the society/ condominium concerned	Not applicable
k)	Occupancy certificate	Not applicable
l)	Membership details in the society etc.	Not applicable
m)	Share certificate	Not applicable
n)	NOC from the society	Not applicable
o)	Latest maintenance charge paid receipt from society	Not applicable
p)	Whether proportionate share in land is transferred to the mortgagor	Not applicable

	q) Documents evidence possession such as Telephone Bill, Electricity Bill, Tax paid receipt etc	Not applicable
	r) Other legal requirement under the local/municipal laws with regards to ownership of flats/ apartment/building regulations, society law etc	No
15	In case of joint family property and mortgage created for family benefit/legal necessity, verify whether major co-parceners have no objection, joined in execution, rights of female members, minor's share etc.	Not applicable
16	Genealogical tree is to be drawn up wherever the title has been acquired by succession	No
17	Pending litigation/court attachment/injunction/stay orders/acquisition by the Govt./local authorities etc. if any	No
18	Any other matters affecting the proposed creation of mortgage not covered elsewhere	No

Vasco da Gama,
Date: 09/09/2015

Adu. Dnyanesh P. Karpe
ADVOCATE
VASCO-1

CERTIFICATE

Inspection/Verification of Records of landed property at Registrar/
Sub-Registrar's Office, Bardez, Goa

TO,
THE SENIOR MANAGER,
CANARA BANK
VASCO BRANCH.

Dear Sir,

Sub: Verification of records of landed property at Gram Panchayat of Moira

This is confirm that I have visited the Sub Registrar office at Bardez and verified the details of the all that residential/commercial building(s) construction in the portion of land on the Western side of the property known as "Atafondem", situated in the village of Moira, within the limits of the Gram Panchayat of Moira, Taluka and Sub District of Bardez, North Goa, District and State of Goa, surveyed in the Revenue Survey of Record of Rights under Survey No.19/18 (Part), admeasuring an area of 1370sq.mtrs identified as Plot "A" in the name of **Shri. Natividade Renato Veloso** and his wife **Smt. Ella Linda Veloso** and **Shri. T. T. Shreedharan** and his wife **Smt. Jeanne Loretta Maria Rosa D'Souza** alias **Loretta Shreedharan**.

The Property details as under

Schedule-I

All that separated portion of land of the property known as "Atafondem", situated in the village of Moira, Taluka and Sub District of Bardez, North Goa District and State of Goa, surveyed in the Revenue Survey of Record of Rights under, or thereabouts falling in the settlement zone.

Surveyed- surveyed under Survey No.19/18.

Admeasuring an area of 2475 sq.mtrs.

Boundaries

North: partly by properties under survey no.19/19, 19/20 and 19/11
South: by public road
East: by property under survey no.19/11
West: by property under survey no.19/11.

Schedule-II

All that portion of land on the Western side of the property known as "Atafondem", situated in the village of Moira, within the limits of the Gram Panchayat of Moira, Taluka and Sub District of Bardez, North Goa District and State of Goa, surveyed in the Revenue survey of Record of Rights identified as Plot "A".

Surveyed- surveyed under Survey No. 19/18 (Part)

Admeasuring an area of 1200 sq.mtrs

Boundaries

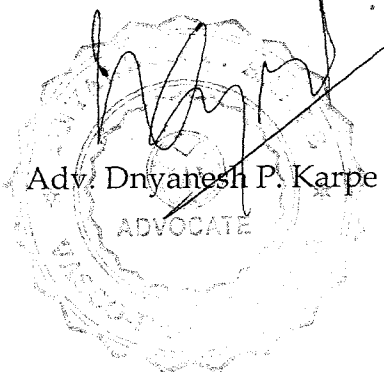
North: partly by properties under survey no.19/20 and 19/11
South: by public road
East: by property under survey no.19/11
West: by property under survey no.19/11.

Further, I certify as under

That there are no prior charges over the said Plot and **Shri. Natividade Renato Veloso** and his wife **Smt. Ella Linda Veloso** and **Shri. T. T. Shreedharan** and his wife **Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan** are the absolute owners of the said Plot as per the records available and verified by me in the Registrar /Sub-Registrar office

Place: Vasco da Gama

Date: 09/09/2015


Adv. Dnyanesh P. Karpe
ADVOCATE

LEGAL SCRUTINY REPORT

A. DESCRIPTION OF THE DOCUMENTS SCRUTINISED

Sr. no.	Date of Documents	Name of Document	Whether original/ certified/ true copy/ Photostat
1	22/04/2014	Addendum to Agreement executed between Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan, M/s. Sancoale Developers represented by its Managing Partner Mr. Phiroze Loran	Photostat
2	29/04/2013	Agreement for Sale, Exchange cum Development executed between Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T.T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan and M/s. Sancoale Developers represented by its Managing Partner Mr. Phiroze Loran	Photostat
3	29/04/2013	Irrevocable Power of Attorney executed between Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso, Shri. T.T. Shreedharan and his wife Smt. Loretta Shreedharan	Photostat

4		Inventory Proceedings No.104/97 before the Court of the Civil Judge Senior Division, at Mapusa Goa	Photostat
5		Inventory Proceedings No.104/97/A before the Court of the Civil Judge Senior Division, at Mapusa Goa	Photostat
6	30/11/2002	Agreement	Photostat
7	07/04/2014	Development Permission Ref. No. TPB/368/TCP-14/995 issued from the Town and Country Planning Department, Mapusa Goa	Photostat
8	16/06/2014	Sanad No. RB/CNV/BAR/COLL/52/2013 issued from the Office of the District Collector, Panjim, North Goa	Photostat
10		Form I & XIV	Photostat
11	30/07/2015	Construction license No. VP/MOI/F./per/5/2015- 2016/560 dated has been issued by Village Panchayat Moira.	Photostat
12		Approved Plan	Photostat

B. DESCRIPTION OF PROPERTY/IES

Item No.	Survey No.	Extent of area/s (in acres/hectare)	Location	Boundaries
1	surveyed under	Admeasuring an area of 2475 sq.mtrs.	<u>Schedule-I</u> All that separated portion of land of the property known as "Atafondem",	North: partly by properties under

	Survey No.19/18.		situated in the village of Moira, Taluka and Sub District of Bardez, North Goa District and State of Goa, surveyed in the Revenue Survey of Record of Rights under, or thereabouts falling in the settlement zone.	survey no.19/19, 19/20 and 19/11 South: by public road East: by property under survey no.19/11 West: by property under survey no.19/11.
2	surveyed under Survey No. 19/18 (Part)	Admeasuring an area of 1200 sq.mtrs	<u>Schedule-II</u> All that portion of land on the Western side of the property known as "Atafondem", situated in the village of Moira, within the limits of the Gram Panchayat of Moira, Taluka and Sub District of Bardez, North Goa District and State of Goa, surveyed in the Revenue survey of Record of Rights identified as Plot "A".	North: partly by properties under survey no.19/20 and 19/11 South: by public road East: by property under survey no.19/11 West: by property under survey no.19/11.

C. TRACING OF PROPERTY

In the Inventory Proceedings before the Court of the Civil Judge Senior Division at Mapusa under No. 104/97, the property under survey No.19/18 of Moira village, Bardez Goa admeasuring an area of 2475 sq.mtrs more particularly described in the Schedule I was taken on auction and jointly allotted to Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan and they are legal owners of the said property in terms of the law of communion of assets.

In terms of an agreement dated 30/11/2002 executed between Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan a double bedroom flat is to be provided in the residential building to be constructed in the property for the common use of the legal heirs of Shri. Pascoal Jose Joaquim D'Souza and a trust shall be formed in the name and style as "Pascoal Jose Joaquim D'Souza Memorial Trust" to manage the affairs of the said flat by Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan.

In view the aforesaid commitments Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan have approached M/s. Sancoale Developers with a request to develop a part of the said property admeasuring 1200 sq.mtrs identified as Plot A more particularly described in the Schedule II hereinabove written and hereinafter referred to as "The Said Plot" by constructing residential/commercial building(s).

Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan are the owners of the property known



as "Atafondem" situated at village Moira which is more particularly described in Schedule I.

Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan are the parties of the Third Part, who are the Developers entered into an Agreement for Sale, Exchange cum Development dated 29/04/2013 executed between before Notary Public Adv. D. S. Petkar, under Sr. No.11409/2013 dated 29/04/2013 and before Notary Public Adv. T.T. Shreedharan under Reg. No.6717 dated 29/04/2013 shall hereinafter be referred to as the 'Principal Agreement'.

Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan have through the execution of the Principal Agreement empowered M/s. Sancoale Developers to, inter alia, do all things necessary to develop part of the Said Property situated in settlement zone under Survey No.19/18 (Part) admeasuring 1370 sq.mtrs hereinafter referred to as the 'Said Plot' and more particularly described in Schedule II.

The Principal Agreement was found deficient in as much as the area of the Said Plot in the Principal Agreement was erroneously shown as 1200 sq.mtrs instead of 1370 sq.mtrs

Addendum to Agreement dated 22/04/2014 executed between Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan and M/s. Sancoale Developers, represented by its Managing Partner Mr. Phiroze Loran.

❖ ABOUT LEGALITY OF CONSTRUCTION:

In order to put up construction for the said property certain conditions have to be fulfilled by the builders.

1. Construction license No. VP/MOI/F./per/5/2015-2016/560 dated 30/07/2015 has been issued by Village Panchayat Moira.
2. Development Permission Ref. No. TPB/368/TCP-14/995 dated 07/04/2014 issued from the Town and Country Planning Department, Mapusa Goa.
3. Sanad No. RB/CNV/BAR/COLL/52/2013 dated 16/06/2014 issued from the Office of the District Collector, Panjim, North Goa.

Thus, the proposed construction of the residential/commercial building is legal.

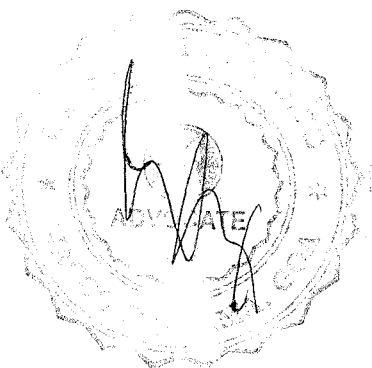
EVIDENCE OF POSSESSION

The documents perused by me show the possession of the property for the from 2002 onwards.

F. DOCUMENTS TO BE DEPOSITED FOR CREATING OF VALID AND ENFORCEABLE MORTGAGE:

- I. M/s. Sancoale Developers represented by its Managing Partner Mr. Phiroze Loran has to deposit the documents in original for obtaining loan.

1. ORIGINAL- Addendum to Agreement dated 22/04/2014 executed between Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan and M/s. Sancoale Developers represented by its Managing Partner Mr. Phiroze Loran.
2. ORIGINAL -Agreement for Sale, Exchange cum Development dated 29/04/2013 executed between Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T.T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan and



M/s. Sancoale Developers, represented by its Managing Partner Mr. Phiroze Loran.

3. **ORIGINAL** - No Objection Certificate to issued by Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan for mortgaging the property to Canara Bank.

THE SPECIFIC PERSONS WHO ARE REQUIRED TO CREATE MORTGAGE / TO DEPOSIT DOCUMENTS CREATING THE MORTGAGE

Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan along with M/s. Sancoale Developers are required to deposit documents to create mortgage.

CERTIFICATE TO TITLE:

- ❖ *Whether the party has an absolute, clear and marketable title over the property proposed to be mortgaged*

Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan are having clean, clear and marketable title over all that residential/commercial building(s) construction in the portion of land on the Western side of the property known as "Atafondem", situated in the village of Moira, within the limits of the Gram Panchayat of Moira, Taluka and Sub District of Bardez, North Goa, District and State of Goa, surveyed in the Revenue Survey of Record of Rights under Survey No.19/18 (Part), admeasuring an area of 1370 sq. mtrs. identified as Plot "A".

❖ Whether the party can execute valid equitable mortgage in favour of the Bank.

Yes

❖ Whether any of the property intended to be given by way of mortgage is subject any minor's or any other claims.

No.

APPENDIX

I have gone through the original title deeds intended to be deposited relating to the property and offered as security by way of equitable mortgage and that the documents of the title referred to above are perfect evidence of title and that if the said equitable mortgage is created are deposited in the manner required by law, it will satisfy the requirement of creation of equitable mortgage and I further certify that:

1. I have made a search in the land/revenue records and do not find any adverse features, which would prevent the title holders from creating a valid mortgage.
2. I have visited the registrar's office and verified the records/details of the property.
3. There are no prior mortgages/charges whatsoever as could be seen from the Nil Certificate of Encumbrances pertaining to the immovable property/ies covered by the above said titles deeds.
4. There are no prior mortgages/charges to the extent of said Plot which are liable to be cleared or satisfied by complying with the following
5. There are no claims from minor/s and his/their interest in the property/ies.



6. The no undivided share of the minor/s
7. The properties is not subject to the payment that is fastened or could be fastened on the properties
8. Provision of Urban Land Ceiling Act are not applicable.
9. No Holding/acquisition is in accordance with the provision of the Land Reforms Act.
10. The Mortgage, if created, will available to the Bank for the liability of **Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan.**

I certify that **Shri. Natividade Renato Veloso and his wife Smt. Ella Linda Veloso and Shri. T. T. Shreedharan and his wife Smt. Jeanne Loretta Maria Rosa D'Souza alias Loretta Shreedharan** shall have a valid and marketable title in the said Plot shown above

Place: Vasco da Gama, Goa
Date: 09/09/2015

