

**Mahesh Vasant Kudchadkar**

B.A., LL.B

Advocate, High Court

Res.: Curchorem - Goa.

Phone : (Off./Res.) 2650225

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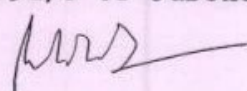
27.12.2023

To,

The Branch Manager,  
Central Bank of Indai,  
Kakoda Branch, Kakoda,  
P.O. Curchorem, Goa 403 706.

Dear Sir,

Please find herewith the Project Report about the creation of Equitable/Registered Mortgage to be executed by the borrower who applies for loan with Central Bank based on Registered Agreement For Sale/Sale deed in respect of Shop, Flat etc. in in the building named as Shaikh Complex in survey No.131/8 of Curchorem village.

  
(Mahesh Vasant Kudchadkar)

Panel Advocate

**ANNEXURE 'C'**  
**(Please refer to Clause 28 of SOP)**

Date:- 27.12.2023

**LEGAL SCRUTINY REPORT (LSR FORMAT - 1)**

To,  
The Branch Manager,  
Central Bank of India,  
Kakoda Branch, Kakoda,  
Post: Curchorem, Goa 403 706

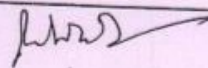
Dear Sir,

With reference to your instructions bearing letter no. \_\_\_\_\_ dated \_\_\_\_\_, I submit my Legal Scrutiny Report as hereunder:

1. Name and address of the present title holder:  
SHAikh MOHAMAD IRFAN,  
r/o Shaikh Mansion, Flat No.F-4, Pontemol, Curchorem - 403 706.

2. Name and address of the intended mortgagor:.  
The person who approaches the Bank with a proposal for loan based on the Shop/Flat which he intends to purchase from Shaikh Mohamad Irfan, which he intends to purchase in the building under construction in survey No.131/8 of Curchorem village

Annexure to Letter CO:LAW:TPE:2020-21:495 dtd. 05.10.2020



## 3. Details/Description of the Property/ies to be mortgaged

| Item No. | Survey No. Khata No., House No., Site No. | Extent/Areas of Land/Building                                                               | Location Sub-District/Disrict/Village/Municipality etc.                      | Boundary of Plot<br>East - Survey No.13<br>West - Survey No.13<br>North - Survey No.13 & 131/11<br>South - Survey No. 131/10 & 2. |
|----------|-------------------------------------------|---------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| 1        | Survey No. 131<br>Sub Div No.8            | Area of Plot is 1000 sq. metres.<br>Area of building under construction is 327.39 sq.metres | Pontemol, Curcholem in Sub-district of Quepem, Dist South Goa, State of Goa. |                                                                                                                                   |

## 4. Details/description of the documents scrutinized

| S.No. | Date of Document | Name of Document | Whether Original/Certified/True Copy/Photostat |
|-------|------------------|------------------|------------------------------------------------|
| 1     |                  | - See Annexure - |                                                |
| 2     |                  |                  |                                                |
| 3     |                  |                  |                                                |

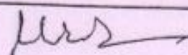
Annexure to Letter CO:LAW:TPE:2020-21:495 dtd. 05.10.2020

LWS

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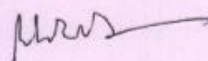
|    |                                                                                                                                                                                                                                                                                                                                         |                                                    |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| 5  | Brief history of the property/ies and how the present title holder/owner has derived the title.<br>Give the derivation/history of tile in chronological order<br>Search and investigation:                                                                                                                                              | See Annexure                                       |
| 6  | Name of The persons who is/are the present owner/s of the property/ies.                                                                                                                                                                                                                                                                 | Shaikh Mohamad Irfan                               |
| 7  | Whether the property is ancestral/ or under joint ownership or the minor is having interest in the property?<br>If the property is in joint names, whether the share of all the co-owners is identified?<br>If so, its effect thereof                                                                                                   | Not applicable                                     |
| 8  | Whether the party has absolute, clear and marketable title over the property/ies proposed to be mortgaged and can create to valid mortgage on the property/ies.                                                                                                                                                                         | Yes                                                |
| 9  | If the intended Mortgagor is not owner at present, how the title shall be transferred in favour of intended mortgagor                                                                                                                                                                                                                   | Intended mortgagor will become owner upon purchase |
| 10 | Whether the permission from any Authority is necessary before creation of mortgage by the intended mortgagor?                                                                                                                                                                                                                           | No                                                 |
| 11 | Whether the Bank will be able to enforce SARFAESI Act, if required against the property offered as security?                                                                                                                                                                                                                            | Yes                                                |
| 12 | a) What is the nature of the title of the owner i.e. tenancy right, full ownership, occupancy right, possessory right, minor's right or any other type of right? Clarify.<br>b) Leasehold immovable property/ies.<br>(Whether the land/building(s) is/are leasehold. Please verify the terms of the lesc(s) the name and address(es) of | Not applicable                                     |

|      |                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                       |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
|      | the lessor(s) and whether any permission/NOC from the lessor(s)/ company authority is required for transfer (such as mortgage, sale, etc.) of the property/ies).                                                                                                                                                                                                                                                                           |                                                                       |
| 13   | Whether there is any restriction/ prohibition under personal laws of the owner/mortgagor to hold the property/ies under the title deeds through which he has derived the title.                                                                                                                                                                                                                                                            | No                                                                    |
| 14   | Whether the latest title deed and the immediately previous title deeds (all) are available in originals.                                                                                                                                                                                                                                                                                                                                   | Yes                                                                   |
| 14.1 | If all the title deeds are not available in Original, reasons thereof, in writing?                                                                                                                                                                                                                                                                                                                                                         | Not applicable                                                        |
| 14.2 | In case the original title deeds are not available, the details thereof and the impact on creation of Equitable Mortgage.                                                                                                                                                                                                                                                                                                                  | Not applicable                                                        |
| 14.3 | a) Whether any Power Of Attorney (POA) is involved in the chain of title?                                                                                                                                                                                                                                                                                                                                                                  |                                                                       |
|      | b) Whether the POA involved is one coupled with interest, i.e. a Development Agreement-cum-Power of Attorney. If so, please clarify whether the same is a registered document and hence it has created an interest in favour of the builder/developer and as such is irrevocable as per law.                                                                                                                                               | Sale deed dated 13.12.2021 does not make mention of Power of Attorney |
|      | c) In case the title document is executed by the POA holder, please clarify whether the POA involved is (i) one executed by the Builders viz. Companies/ Firms/Individual or Proprietary Concerns in favour of their Partners/ Employees/ Authorized Representatives to sign Flat Allotment Letters, NOCs, Agreements of Sale, Sale Deeds, etc. in favour of buyers of flats/units (Builder's POA) or (ii) other type of POA (Common POA). | Not applicable                                                        |
|      | d) In case of Builder's POA, whether a certified copy of POA is available and the same has been verified/compared with the original POA.                                                                                                                                                                                                                                                                                                   | Not applicable                                                        |
|      | e) In case of Common POA (i.e. POA other than Builder's POA), please clarify the following clauses in respect of POA.                                                                                                                                                                                                                                                                                                                      | - do -                                                                |



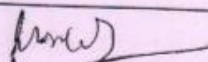
|    |                                                                                                                                                                                                                                                                                                              |                                |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
|    | i) Whether the original POA is verified and the title investigation is done on the basis of original POA?<br>ii) Whether the POA is a registered one?<br>iii) Whether the POA is a special or general one?<br>iv) Whether the POA contains a specific authority for execution of title document in question? |                                |
|    | f) Whether the POA was in force and not revoked or had become invalid on the date of execution of the document in question? (Please clarify whether the same has been ascertained from the office of sub-registrar also?)                                                                                    | Not applicable                 |
|    | g) Please comment on the genuineness of POA?                                                                                                                                                                                                                                                                 | - do -                         |
|    | h) The unequivocal opinion on the enforceability and validity of the POA.                                                                                                                                                                                                                                    | - do -                         |
| 15 | Whether the photographs of parties as affixed in conveyance deed/ title deed tally with the photograph seen in the certified copy as obtained from the registrar's office?                                                                                                                                   | Yes                            |
| 16 | Whether the building tax/land revenue has been paid, up to date.                                                                                                                                                                                                                                             | Building is under construction |
| 17 | Whether any dues recoverable as land revenue are outstanding.                                                                                                                                                                                                                                                | Not applicable                 |
| 18 | Whether the land has been converted under the Land Revenue laws? If not required to be converted, give reasons.                                                                                                                                                                                              | Yes                            |
| 19 | Whether the land is affected by any revenue and tenancy legislations? If so, how and to what extent and the remedy, if any.                                                                                                                                                                                  | No                             |
| 20 | Whether the permission under the Urban Land (ceiling & regulation) Act, 1976 is necessary or not?                                                                                                                                                                                                            | No                             |
| 21 | Whether the property is affected by any local laws or other regulations having a bearing on the creation security (viz. Agricultural Laws, weaker Sections, minorities, Land Laws, SEZ regulations, Costal Zone Regulations, Environmental Clearance, etc.)?                                                 | No                             |

Annexure to Letter CO:LAW:TPE:2020-21:495 dtd. 05.10.2020



|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                             |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| 22 | Whether the property is subject to any pending or proposed land acquisition proceedings?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | No                                                                                                          |
| 23 | Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search/enquiry?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Yes                                                                                                         |
| 24 | <p>(a) Is/Are the property/ies free from encumbrances, If no, give details of encumbrances</p> <p>(b) Please give detailed account of creation of charge/mortgage or redemptions for a minimum period of 13 years and also state the subsisting charge/mortgage if any, mentioned in the encumbrance certificate for the last 13 years in case of Priority sector advances and for the last 30 years in all other cases.</p> <p>(c) Chain of title tracing the title from the oldest title deed to the latest title deed establishing title of the property in question from the predecessors in title/interest to the current title holder. And wherever Minor's interest or other clog on title is involved, search should be made for a further period, depending on the need for clearance of such clog on the Title.</p> | <p>Free from encumbrances</p> <p>By depositing the title deed or agreement for sale</p> <p>See annexure</p> |
| 25 | a) Whether the property is involved in or subject matter of any litigation which is pending or concluded?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | No                                                                                                          |
|    | b) If so, whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Not applicable                                                                                              |
|    | c) Whether the title documents have any court seal/marking which points out any litigation/attachment/security to court in respect of the property in question? In such case please comment on such seal/marking?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Not applicable                                                                                              |
| 26 | a) In case of partnership firm, whether the property belongs to the firm and the deed is properly registered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Not applicable                                                                                              |
|    | b) Property belonging to partners, whether thrown on hotchpot? Whether formalities for the same have been completed as per applicable laws?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Not applicable                                                                                              |

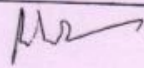
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|    |                                                                                                                                                                                                                                                                                                            |                                                                                                       |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
|    | c) Whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm?                                                                                                                                                                                            | Not applicable at present since it is not known if the firm is Purchase:                              |
| 27 | a) Whether the property belongs to a Limited Company, check the Borrowing powers, Board resolution, authorisation to create mortgage/execution of documents, Registration of any prior charges with the Company Registrar (ROC), Articles of Association /provision for common seal etc.                   | No                                                                                                    |
|    | b) i) Whether the property (to be mortgaged) is purchased by the above Company from any other Company or Limited Liability Partnership (LLP) firm ? Yes / No.                                                                                                                                              | Yes / No.<br>Not applicable                                                                           |
|    | ii) If yes, whether the search of charges of the property (to be mortgaged) has been carried out with Registrar of Companies (RoC) in respect of such vendor company / LLP (seller) and the vendee company (purchaser)?                                                                                    | Not applicable                                                                                        |
|    | iii) Whether the above search of charges reveals any prior charges/encumbrances, on the property (proposed to be mortgaged) created by the vendor company (seller) ?                                                                                                                                       | Yes/ No.<br><del>xxx</del>                                                                            |
| 28 | Whether the proposed equitable mortgage by deposit of title deeds is possible? If so, what are the documents to be deposited? If deposit is not possible, can there be a simple mortgage or by a Registered mortgage or by any other mode of mortgage?                                                     | Original document will have to be deposited by the proposed borrower for creating Equitable mortgage. |
| 29 | Whether the property/ies is/are freehold or leasehold or self occupied or tenanted? If lease-hold/tenanted, what is the remaining term of Lease/tenancy? Whether the property/ies can be taken as mortgage and what precautions to be taken?                                                               | property is freehold                                                                                  |
|    | In case of leasehold property, whether permission/ NOC from the lessor is required for creation of mortgage?                                                                                                                                                                                               | Not applicable                                                                                        |
|    | If Yes, Whether permission/NOC of the lessor is obtained?                                                                                                                                                                                                                                                  | Not applicable                                                                                        |
| 30 | If owner is a company, Partnership firm, Trust, Temple, Wakf or other legal persons, how the title is affected by its Memorandum and Articles of Association, Partnership deed, Trust deed or rules or bye laws and what are the precautions to be taken under rules or bye-laws and also how the right to | Not applicable                                                                                        |

|       |                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                   |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
|       | create mortgage is affected by Hindu Religious and Endowments Laws and/or Wakf Deed or Wakf Act, as the case may be.                                                                                                                                                                                                                                                            |                                                                                   |
| 31    | If property/ies to be mortgaged is/are flat/ apartment in residential or commercial complex, how far independent title is ensured and how the enjoyment of common areas and facilities are ensured to the flat-owner (mortgagor); what are the documents of title available for creating mortgage? Documents/records to be taken from builder/owners and their Bankers.         | Can answer after after executing the document to be mortgaged.                    |
| 31(a) | If the property is in the nature of flat/builder floor, please state whether the said property is governed by State Apartments/Flats Act or not?                                                                                                                                                                                                                                | Yes/No. Builder (tick states that he whichever has applied for RERA registration) |
| 31(b) | If the said property is governed by State Apartment Act/Flats Act, please give the name of the Act.                                                                                                                                                                                                                                                                             |                                                                                   |
| 31(c) | If the said property is governed by State Apartment Act/Flats Act please inform whether the seller is having absolute roof/terrace rights or is having common share in roof/terrace rights of the said property.<br>Please also inform whether State Apartment Act/Flats Act allows selling the property with absolute roof/terrace rights. If yes, then under which provision? |                                                                                   |
| 31(d) | If the said property is not governed by State Apartment Act/Flats Act whether the seller is having absolute roof/terrace rights or is having common share in roof/terrace rights of the said property?                                                                                                                                                                          |                                                                                   |
| 31(e) | If the said property is not governed by State Apartment Act/Flats Act, whether the seller is having legal right to sell the property with absolute roof/terrace rights.                                                                                                                                                                                                         |                                                                                   |
| 32    | Whether any permission of Income Tax Authorities/Assessing Officer is required under the provisions of Income Tax Act for creation of mortgage or any certificate is to be submitted to the Bank to show that no dues are outstanding to the Income Tax Department?                                                                                                             | No permission under Income Tax is necessary for creation or mortgage.             |
| 33    | Flats owned/controlled by societies: special requirements to be taken if society refuses to note bank lien/interest.                                                                                                                                                                                                                                                            | Building is under construction                                                    |
| 34    | Please state the names of the persons who should join in the creation of mortgage of the property/ies either by deposit of title deeds or by registered mortgage, etc.                                                                                                                                                                                                          | Depends upon the document executed by Builder in favour of proposed Mortgagor     |

|    |                                                                                                                                                                                     |                                           |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| 35 | a) Whether the records of registrar office or revenue authorities relevant to the property in question are available for verification through any online portal or computer system? | No                                        |
|    | b) If such online/computer records are available, whether any verification or cross checking are made and the comments/ findings in this regard.                                    | By taking search                          |
| 36 | Any additional documents/precautions, required to be taken.                                                                                                                         | At the moment no.                         |
| 37 | Investigation in regard to Agricultural Land:                                                                                                                                       | Sanad obtained                            |
| a) | Whether land is surplus. If so, give specific details                                                                                                                               | and it is not an agricultural land        |
| b) | Whether the land is under self-cultivation.                                                                                                                                         |                                           |
| c) | If land is owned in different Khatas or is under joint share, give specific share in each Khata.                                                                                    | Not applicable                            |
| d) | If consolidation of holdings/acquisition proceedings etc. are in progress in the area, whether the transfer of the land is possible under the state enactments.                     | Not applicable                            |
| e) | Whether any prior/hidden charges exists against the land. Non-encumbrance should be for a period of 13 years preceding the date of this non-encumbrance certificate.                | No                                        |
| f) | Whether mutation has been completed in case of existing charges/pending charges.                                                                                                    | Not applicable                            |
| g) | Inspection of land on the spot in regard to the quality of land (such as irrigated/unirrigated/water logged, etc.) in order to enable the bank to determine its value.              | Not applicable                            |
| h) | Whether any Government loan/taccavis/ Coop loan etc. have been raised against the land, and if so, details about the charges/encumbrances may be specified.                         | No                                        |
| 38 | Whether the Real Estate Project comes under Real Estate (Regulation and Development) Act, 2016? Y/N.                                                                                | Builder has applied for Rera registration |
| 39 | Whether the project is registered with the Real Estate Regulatory Authority? If so, the details of such registration are to be furnished,                                           |                                           |



|    |                                                                                                                                                                                                                                 |                                                                                             |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| 40 | Whether the registered agreement for sale as prescribed in the above Act/Rules there under is executed?                                                                                                                         | At the moment no but will execute with the buyer                                            |
| 41 | Whether the details of the apartment/ plot in question are verified with the list of number and types of apartments or plots booked as uploaded by the promoter in the website of Real Estate Regulatory Authority?             | In the documents submitted there is a list showing super builtup area of each shop and flat |
| 42 | Please also specify as to what additional documents, if any, are required for creating valid and enforceable mortgage, if the mortgagor is a company/partnership firm/trust/society/ association/LLP/ HUF/ proprietorship firm. | -                                                                                           |

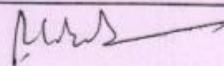
**CERTIFICATE:** Whether CONDITIONAL/UNCONDITIONAL-

If Conditional, Kindly mention the conditions to be completed before creation of Mortgage:

- A.
- B.
- C.

**CERTIFICATE :** I have scrutinized the original title deeds intended to be deposited relating to the property/ies to be offered as security by way of equitable mortgage/registered mortgage etc. and the documents of title referred to above are perfect evidence of title and that if the said documents are deposited and equitable mortgage/registered etc, is created in the manner required by law, it will satisfy the requirements of creation of equitable mortgage/registered mortgage etc. and I further certify that:-

Annexure to Letter CO:LAW:TPE:2020-21:495 dtd. 05.10.2020



- 1- There are no prior mortgages/charges whatsoever as could be seen from the encumbrance certificate for the period from 1.11.1993 to 1.11.2023 pertaining to the immovable property/ies covered by the above said title deeds.
  - 2- There are prior mortgages/charges to the extent of \_\_\_\_\_ which are liable to be cleared or satisfied by complying with the following :
    - (a)
    - (b) etc.

*1.11.1993 to 1.11.2023*
  - 3- There are claims from minor/s and his/their interest in the property/ies is/are to the extent of Minor's interest all interest (specify the share of minor's with name). *W*
  - 4- The undivided share of the minor/s is N.A. (specify the share of the minor/s).
  - 5- The property/ies is/are subject to the payment of Rs. \_\_\_\_\_ (specify the liability that is fastened or could be fastened on the property/ies) *W*
  - 6- Provision of Urban Land (Ceiling & Regulation) Act 1976 are not applicable. If applicable, permission is obtained.
  - 7- Holding/acquisition is in accordance with the provisions of the Land Reform Act.
  - 8- The mortgage if created will be perfect and available to the bank for the liability of the prospective borrower, Sri/Ms/Smt by Intended Mortgagor
  - 9- I have obtained the certified copies of the title deeds and have compared the same with the original title deeds which tallies with each other.
  - 10- I have examined the record of the Registrar's Office and certify the genuineness of the original title deeds.
- I shall be liable/responsible, if any loss is caused to the Bank due to negligence on my part in making the search and Bank has the unqualified right to publish my name for including in the caution list being maintained by the INDIAN BANKS' ASSOCIATION OR RESERVE BANK OF INDIA OR ANY OTHER SUCH BODY for circulation amongst Banks/Financial Institutions

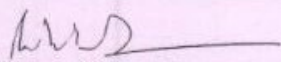
*[Signature]*

I certify that Sri/Ms/Smt Intended Mortgagor has/will have a valid, clear and marketable title to the property/ies shown above after completion of the following conditions:

- 1.
- 2.
- 3.

The following documents are required to be deposited for creation of Equitable Mortgage:

| Sr. No. | Name(Type) of Documents | Date of Documents | Original/ Copy/ Photocopy | Certified |
|---------|-------------------------|-------------------|---------------------------|-----------|
|         |                         |                   |                           |           |
|         |                         | - See Annexure -  |                           |           |
|         |                         |                   |                           |           |
|         |                         |                   |                           |           |

  
Signature of the Advocate who has  
scrutinized the title deeds/documents.

Place : CURCHOREM

Date : 27.12.2023

*Mahesh Chandra*  
ADVOCATE  
Res. : 65  
Off. : 20  
MANGALURU  
CWA 22 225  
Glu Lata

**Mahesh Vassant Kudchadkar**

B.A., LL.B

Advocate, High Court

Res.: Curchorem - Goa.

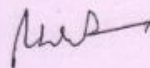
Phone: (Off./Res.) 2658225

Mob: 9096112607

ANNEXURE

27.12.23

1. That by a Deed of sale dated 13-12-2021 Shri. Thomas Anthony D'Souza and his wife Mrs. Kenneth Benedine D'Souza both r/o H.No.51/6, Gaunsawaddo, Mapusa as Vendors sold to Shri. Shaikh Mohamad Irfan, r/o Shaikh Mansion of Pontemol, Curchorem the landed property known as " Pontemol Bamanbag " bearing survey No.131/8 of Curchorem village in Quepem Taluka of Goa, being bounded:  
On East - by Survey No.130/1 of Curchorem village  
On West - by Survey No. 131/6 of Curchorem village  
On North - by Survey No.131/9 & 11 of Curchorem village,  
On South - by Survey No.131/10 & 2 of Curchorem village.  
This deed is registered in the office of the Sub-Registrar, Quepem under No. QPM-1-691-2021 dated 17.12.2021.
2. That by a registered sale deed 3.3.2020 under No. QPM-1-138-2020 said Thomas Anthony D'Souza purchased the said property from Mrs. Suzan D'Souza & her husband Mr. Rajpandyan Tamil Selvan under survey No.131/8 having an area of 1000 sq.metres alongwith the house therein and an outhouse being bounded having the same boundaries as mentioned at Serial No.1 above except the South which is now mentioned by 6 metres wide Panchayat Road. And this Deed was rectified by a Deed of Rectification dated 24th June, 2021 bearing No.QPM-1-353-2021 dated 16.7.2021
3. The said property originally belonged to Smt. Anandibai Atma Kakodkar who sold the same to Mrs. Piedade D'Souza.



- 2 -

4. That Regular Inventory Proceedings No.10/2012A were filed by Mrs. Suzan D'Souza upon the death of her parents namely, Inacio Manuel D'Souza and his wife Piedade D'Souza in the Court of the Civil Judge, Senior Division, Quepem and therein Item No.1 is the property under Survey No.131/8 having an area of 1000 sq.meters with a house, outhouse and well wherein an auction took place amongst the heirs of the deceased and the said property came to be allotted to Mrs. Suzan D'Souza and her husband Rajapandyan Tamil Selvan as per the licitation dated 21-10-2017.

Thus, I am of the opinion that there is a chain of Title in favour of Shaikh Mohamad Irfan.

5. The Nil Encumbrance Certificate No. NEC/5/2023/297 issued by the Sub-Registrar, Quepem for the period 1.11.1993 to 1.11.2023 i.e. for a period of 30 years states that there is no encumbrance over the property bearing survey No. 131/8 of Curchorem village.
6. The Conversion Sanad bearing No.CCQUE22-103/10473 dated 1.8.2022 issued by the Collector of South Goa, Margao shows that conversion sanad has been issued for an area of 819.00 sq.meters of survey No.131/8 to Shaikh Mohamad Irfan, that Technical Clearance bearing No.TPQ/7681/Q=Curchorem/131/8/2023/875 dated 9.4.2023 has been issued to the proposed construction in survey No.131/8 and the Land Use Informatic dated 30-5-2022 shows that the survey No.131/8 falls in Settlement Zone with 100 FAR.
7. That Curchorem-Cacora Municipal Council has issued the

*hms*

Mahesh Vassant  
ADVOCATE  
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Off. : D.D.  
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Construction Licence under No.CONSTLICCCMC/2023-2024/1 dated 25.5.2023 to construct a residential and commercial building in survey No.131/8,Pontemol,Curchorem.

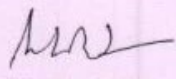
8. The survey form No. I & XIV of Survey No.131/8 of Curchorem village that the property bears the name Pontemol Bamnabag having an area of 1000 sq.metres and Shaikh Mohamad Irfan is shown as the sole occupant thereof.
9. The survey plan of Survey No.131/8 of Curchorem village shows that it is bounded on the South by drain of the Comunidade of Curchorem. However, the Managing Committee of the said Comunidade has permitted Shaikh Mohamad Irfan to take vehicle by construction of a slab over the said drain vide letter dated 23.2.2023.
10. The Intended Mortgagor will have to deposit following documents for creating Equitable Mortgage:
  - (a) The original Registered Agreement for sale/original sale deed.
  - (b) The xerox copy of the Sale Deed dated 13.12.2021.
  - (c) Xerox copy of the sale deed dated 3.3.2020.
  - (d) Judgement & Decree in Inventory No.10/20012/A dated 14.2.2019 of the Civil Judge, Sr.Div,Quepem. - xerox copy
  - (e) Nil Encumbrance Certificate No.NEC/5/2023/297 of Sub-Registrar, Quepem. - Xerox copy.
  - (f) Conversion Sanad dated 1.8.2022, Technical Clearance Order dated .4.2023 & Land Use Information dated 30.5.2022 - xerox copy.
  - (g) Construction Licence dated 25.5.2023 issued by Curchorem-Gacora Municipal Council and plan thereof.

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- (h) Deed of Rectification dated 24.6.2021.
- (i) Xerox copy of the General Power of Attorney dated 6.11.2020 executed by Mrs. Kenneth Bemedine D'Souza in favour of Mr. Thomas Anthony De Souza
- (j) Survey form No.I & XIV dated 21.7.2021 of Survey No. 131/8 of Curchorem village in the name of Thomas Anthony D'Souza and form No.I & XIV dated 12.6.2012 in the name of Piedade DSouza and dated 1.2.2022 in the name Shaikh Mohamad Irfan.
- (k) Proceedings of Reg.Inventory No.10/2012/A of the Civil Judge, Sr. Div., Quepem in particular the Judgement & Decree therein.

Each of the Prospective Intended Mortgagor approaching the Bank for loan on the security of the Shop, parking place and the flat will have to deposit with the Bank the original Sale Deed and or the Agreement for Sale duly registered and the aforementioned documents at Serial No.(a) to 10(k).

  
(Mahesh Vassant Kudchadkar)  
Panel Advocate of Central Bank of India.

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