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ORIGINAL

## FORM "I"

Serial No.

## Search

of documents  
application

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The documents will be ready on ..... and  
copy

will be sent by registered post to  
delivered at this office

for Sub-Registrar

Please send the documents by registered post to the person named  
hand it over

**Not**  
You  
Amc  
**PAN**

below: **Presenter:**

(P. T. O)

of Adv.

## CHAM

gnelo Road

**Altinho - Panaji, Goa, 403001**  
Email : Amogh99p@gmail.com Ph: 7875090900

**Amogh V Prabhudesai**  
**(LLM)**  
**Advocate**

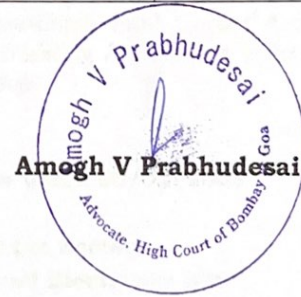
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25/07/2023

**To,**  
The Branch Manager  
Punjab National Bank  
LCB Noida

**Sub: Memo of professional fees.**

Particulars	Amount
<b>Search Report of Mr Sanjay and Mrs Asha Gupta,- Devashri Splendor Flat no. 201</b>	<b>Rs. 3,750/-</b>
<b>Search Report and Investigation Form T / visit to Sub Registrar, Bardez, and misc)</b>	
<b>Total</b>	<b>Rs. 3,750/-</b>



**NEFT/RTGS DETAILS**  
**Amogh V Prabhudesai**  
**50100183336031**  
**Hdfc Bank, caranzalem branch**  
**Ifsc: HDFC0000373**

**Note :**

You are requested to send a Crossed Cheque for Rs. 3,750/- in favour of Adv. Amogh V Prabhudesai along with your payment advice.

**PAN BTRPP4527L**

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**CHAMBERS:- G, Ground Floor, Pelican Apartments, Near Church Square, FR. Agnelo Road**  
**Altinho - Panaji, Goa, 403001**  
Email : [Amogh99p@gmail.com](mailto:Amogh99p@gmail.com) Ph: 7875090900



Date: 25/07/2023

**ANNEXURE – IV**

**INTERIM REPORT ON TITLE**

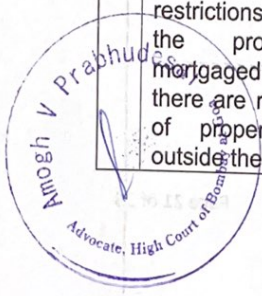
**Reg: Property ie.** Duplex Flat no. 201 admeasuring approximately 228 sq mts of Super Builtup area along with the use of Open Terraces on 2<sup>nd</sup> and 3<sup>rd</sup> floor having Carpet area of 86.73 sq mts and 64.62 sq mts respectively and combined total Carpet Area of 151.35 sq mts in Building A Devashri Splendor, Socorro, Bardez, Goa.

**Belonging to – Mr Sanjay Gupta and Mrs Asha Gupta.**

ASPECTS TO BE CONSIDERED	COUNSELS STATEMENT
<b>A. PARTICULARS</b> 1. Name of the Borrower with address : 2. Name of the person offering Mortgage with parentage/constitution and address : 3. Details of the property to be mortgaged: As per title deed --- As per present- -- <b>B. INVESTIGATIONS</b> 1. Details of the title deeds/documents (including Link Deeds/Parent deeds) to be deposited for creation of the mortgage (with full particulars regarding nature of document, date of execution and details of registration 2. Whether certified copies have been obtained from the Registrar's office. 3. Whether the documents in hand are compared with the certified copies and whether the documents given raise any doubt or suspicion? 4. Whether the registration particulars number & date and page particulars as given in the title deed shown to the counsel tally with the particulars as stated	<b>Mr Sanjay Gupta and Mrs Asha Gupta.</b>  <b>Mr Sanjay Gupta and Mrs Asha Gupta.</b>  Duplex Flat no. 201 admeasuring approximately 228 sq mts of Super Builtup area along with the use of Open Terraces on 2 <sup>nd</sup> and 3 <sup>rd</sup> floor having Carpet area of 86.73 sq mts and 64.62 sq mts respectively and combined total Carpet Area of 151.35 sq mts in Building A Devashri Splendor, Socorro, Bardez, Goa.  <b>Agreement for Sale dated 05/02/2008</b> <b>Share Certificate</b> <b>No Dues issued by the Society</b> <b>Latest House tax and Electricity Bill</b>  Yes  No.  Yes

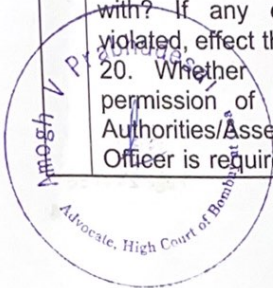
**Amogh V Prabhudesai**  
(LLM)  
Advocate

<p>in the records of the registrar's</p> <p>5. Whether the registration particulars number &amp; date and page particulars as given in the title deed tally with the particulars as stated in the certified copy as obtained from the registrars office?</p>	<p>Yes</p>
<p>6. 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?</p>	<p>Yes</p>
<p>7. Whether contents of the as given in the title deed tally verbatim with the contents as stated in the certified copy obtained from the registrar's office? If not, variations be specified. What is its effect?</p>	<p>Yes</p>
<p>8. Whether the property has been mutated in the name of the person offering the mortgage?</p>	<p>The property is a Flat.</p>
<p>9. Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated?</p>	<p>Yes.</p>
<p>10. Whether there is any bar under any local law for creation of the mortgage of the property to be mortgaged? (In some States, there are legal restrictions on creation of the mortgage of agricultural property for non-agricultural purposes).</p>	<p>Conversion Sanad has been obtained.</p>
<p>11. Whether there are any restrictions regarding sale of the property to be mortgaged? (In some States, there are restrictions for sale of property to residents outside the State).</p>	<p>No.</p>

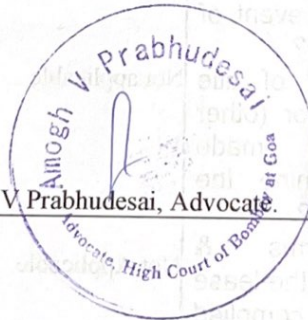




12. Whether all the approvals, clearance/sanctions required for creation of the mortgage have been obtained? If not obtained, what are such sanctions, approvals and clearances yet to be obtained?	Yes.
13. Whether the property is ancestral/ or under joint ownership or the minor is having interest in the property? If so, its effect thereof.	No.
14. Whether the property to be mortgaged has been acquired under Land Acquisition Act, 1894?	No.
15. Whether Urban Land Ceiling Act is applicable in the State where the property is located?	No.
16. In case of leasehold property, permission/ NOC from the lessor is required for creation of mortgage? Whether permission of the lessor/NOC is obtained?	Not applicable.
17. What is the rate of sharing of unearned income with lessor, in the event of sale of the property?	Not applicable
18. Whether copy of title deed favoring lessor (other than Govt.) is made available to examine the validity of the lease?	Not applicable
19. Whether terms & conditions given in the lease deed have been complied with? If any condition is violated, effect thereof.	Not Applicable.
20. Whether any permission of Income Tax Authorities/Assessing Officer is required under the	Not Applicable



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?	
21. In respect of agriculture land, whether land is declared surplus or under consolidation of holdings?	Not Applicable.
22. Whether certified copies of Revenue Records has been obtained and examined to confirm that no dues are outstanding toward the mortgagor? (Copies of revenue record be submitted to the Bank while submitting the Certificate of Title Investigation)	Yes.
23. Whether the Owners Title is Valid, Absolute and Marketable one?	Yes
24. Based on the Documents available, whether the owners title is Saleable?	Yes
25. Based on the documents available, whether the owners title is transferable?	Yes
26. Whether the mortgaged property is enforceable under SARFAESI Act 2002.	Yes
Place : Panaji – Goa Date: 25/07/2023	Amogh V Prabhudesai, Advocate.



**Annexure V-B**

**SEARCH REPORT**

**Account Mr Sanjay Gupta and Mrs Asha Gupta**

**BO: LCB Noida**

**Search report relates to searches made in:**

a) Sub Registrar Office. – , Bardez, - Goa

b) Registrar of Companies.

c) Courts. –

d) Other offices : Not Applicable

a) Office of the Co-operative Society.

b)                      Development Authority.  
(DDA/HUDA/and the like)

**e) Any other documents**

**1. Sub Registrar /Registrar Bardez, - Goa**

**2. A personal search was carried out by me for the purpose. Inspection was made at the following sub registrar / offices:-**

a) Office of the Sub – Registrar, Bardez, - Goa





The search report disclosed the followings encumbrances:- the Property is already Mortgaged with PNB Bank

3. The Ownership of the property being of a company, search was conducted in the following offices of the registrar of companies: -

The search made out in the office of Registrar of Companies disclosed:-

ROC	INFORMATION
Not Applicable	

4. Inspection of Court records disclosed:

(This may detail Suit pending, Decrees, Attachment before Judgment, Injunction, Appointment of Receiver, Appointment of Liquidator)

Name of Court	Date of Order	Nature of Order
Not Applicable		

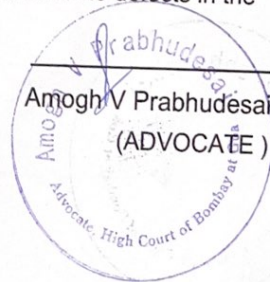
5. Searches made / Inspections carried out in the following offices disclosed : the documents submitted are in order.

Office	Date of search /Inspection	Information
Office of the Sub registrar Bardez, - Goa	24/04/2023	Search Receipt.

6. A study of the following documents disclosed:

Details of documents perused	Information

Defects noticed are indicated in the Certificate given by me. -there are no defects in the title of Mr Sanjay Gupta and Mrs Asha Gupta





**CERTIFICATE**

**REFERENCE NO.** Amogh V Prabhudesai, Chambers No. G, Ground Floor, Pelican Apartments,  
Near Church Square, Altinho, Goa.

**ENTRY SERIAL NO. .... /REGISTER NO.....OF YEAR**  
(Counsel to give serial no. to the certificate as entered in register of  
Searches maintained by him)

**DATE:** 25/07/2023

The Manager  
BO: LCB Noida

Opinion on investigation of title and obtaining of search report in respect of property i.e. Duplex  
Flat no. 201 admeasuring approximately 228 sq mts of Super Builtup area along with  
the use of Open Terraces on 2 and 3<sup>rd</sup> floor having Carpet area 151.35 sq mts in  
Building A Devashri Splendor, Sucorro, Bardez, Goa.

As requested, I have conducted the legal investigation of the title and made a search of  
records in the registration office and other offices as required in the matter.

I have answered all the queries in the Special Report which is enclosed. I hereby certify  
that the registration particulars - number, date and page particulars etc., as shown in the  
original title deed and contents thereof tally with the information as stated in the records  
of office of Sub-Registrar/ Registrar of assurances as well as with certified copy of the  
title deed, which was obtained by me is enclosed with this certificate.

I further certify that the photograph of previous owner and of intending mortgagor affixed  
/seen in the title deed tally with records of registration office as well as certified copy of  
the title deed.

Chain of title relating to the property is complete as given in the Annexure hereto.

I have verified, tallied and compared these documents from the record of the office of  
Sub-Registrar/Registrar of assurances and also from the records of other appropriate  
authorities.

1. Sub-registrar, Bardez – Goa

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.



The search report of which is annexed hereto, conducted by me

I have not given opinion earlier on investigation of title relating to the same

I find following no defects in the title of the person offering mortgage / Collateral

I hereby certify that **Mr Sanjay Gupta and Mrs Asha Gupta,,** have a clear, valid and marketable title over the above said property and he/she is competent to create the mortgage subject to the documents mentioned below being deposited with the bank.

The valid mortgage can be created by deposit of the **following** original title deed. The said title deeds are Original and genuine and are not duplicate or fake as observed by me—

(Give hereunder details of title deeds which are required to be deposited to create equitable mortgage)

1. **Original Document Agreement for Sale dated 05/02/2008**
2. **Original Latest paid House tax receipts and electricity bill.**
3. **Original Share Certificate bearing no.9 and Certificate of Allotment issued by Devashri Splendor Cooperative Housing Society Limited.**
4. **Original No Dues Certificate issued by the Society**
5. **Xerox copy of Registration details of Society**
6. **Xerox copy of Deed of Sale in Favor of Society**

Encl: 1. Interim Report.  
2. Chain of Title.  
3. Search Report





**Annexure V-B**

**SEARCH REPORT**

**Account\_ Mr Sanjay Gupta and Mrs Asha Gupta**

BO: LCB Noida

Search report relates to searches made in:

a) Sub Registrar Office. – , Bardez, - Goa

b) Registrar of Companies.

c) Courts. –

d) Other offices : Not Applicable

a) Office of the Co-operative Society.

b)                      Development Authority.  
(DDA/HUDA/and the like)

e) **Any other documents**

**1. Sub Registrar /Registrar Bardez, - Goa**

**2. A personal search was carried out by me for the purpose. Inspection was made at the following sub registrar / offices:-**

a) Office of the Sub – Registrar, Bardez, - Goa



The search report disclosed the followings encumbrances:- the Property is already Mortgaged with PNB Bank

3. The Ownership of the property being of a company, search was conducted in the following offices of the registrar of companies: -

The search made out in the office of Registrar of Companies disclosed:-

ROC	INFORMATION
Not Applicable	

**4. Inspection of Court records disclosed:**

(This may detail Suit pending, Decrees, Attachment before Judgment, Injunction, Appointment of Receiver, Appointment of Liquidator)

Name of Court	Date of Order	Nature of Order
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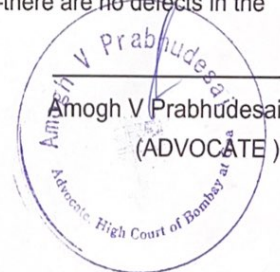
**5. Searches made / Inspections carried out in the following offices disclosed : the documents submitted are in order.**

Office	Date of search /Inspection	Information
Office of the Sub registrar Bardez, - Goa	24/04/2023	Search Receipt.

**6. A study of the following documents disclosed:**

Details of documents perused	Information

Defects noticed are indicated in the Certificate given by me. -there are no defects in the title of Mr Sanjay Gupta and Mrs Asha Gupta





Date: 25/07/2023

**Chain of Title**

1. Description of the flat:-Duplex **Flat no. 201** admeasuring **approximately 228 sq mts of Super Builtup area along with the use of Open Terraces on 2 and 3<sup>rd</sup> floor having Carpet area 151.35 sq mts in Building A Devashri Splendor, Sucorro, Bardez, Goa.**
2. Property: all that property known as Zambul Gallum situated at Village Sucorro, Taluka Bardez, Sub District of Bardez, of North Goa, State of Goa bearing Survey no. 372/13 admeasuring 3026 sq mts bearing Land Registration office no. 51158 at pages 75 of Book B 108 which represented half of the land registered and enrolled in the Land Revenue office of Bardez under Matriz no. 1555 of the first circumscription.
3. Vide deed of Sale dated 17/03/1970 bearing reg no. 3399 of Book I Vol 40 at pages 43 to 48 on 23/03/1970 one Alberto Jose De Lima Fernandes and his wife Mrs Berta Cecelia Conceicao Couto e Lima Fernandes sold their rights and interest in the said property to Master Norman John Mascarenhas, whose name appears in the Form I & XIV.
4. Deed of Sale dated 20/11/2007, bearing reg no. 5274 at pages 270 to 293 of Book I Vol no. 2362 on 22/11/2007 Norman John Mascarenhas and his wife sold the said property to Rasiklal Mohanlal Gangani.
5. Deed of Sale dated 16/01/2008 bearing reg no. 436 at page no. 291 to 326 of book I Vol no.2435 dated 18/01/2008, Rasiklal M Gangani and Anasuya sold the said plot to M/s Devashri Real Estate Developers.
6. The name of M/s Devashri Real Estate Developers. Appears in the Form I & XIV with respect to the said property.



**Amogh V Prabhudesai**  
**(LLM)**  
**Advocate**

7. M/s Devashri Real Estate Developers sought to construct a building scheme identified as Devashri Splendor.
8. **Agreement for Sale dated 05/02/2008 bearing reg No. BRZ-BK1-05694-2008 CD no BRZD15 on 05/12/2008** was entered into between M/s Devashri Real Estate Developers represented by its Asst Manager Nandan Helekar as Builder Seller And Mr Sanjay Gupta and Mrs Asha Gupta as Purchaser.
9. **Occupancy dated 02/06/2010 has been issued by the Village Panchayat of Socorro, bearing Vp/s/537/2010-11.**
10. **The residents have formed Devashri Splendor Cooperative Housing Society bearing reg no. HSG-(b)-319/NZ/GOA dated 24/05/2011.**
11. **Devashri Splendor Cooperative Housing Society has issued Share Certificate for 5 shares numbered 41 to 45 has been placed on record along with Certificate of Allotment the same is in the name of Mr. Sanjay Gupta.**
12. **The borrower will have to clarify if a Deed of Sale has been issued favor of Society and deposit a Xerox copy of the same with the bank.**
13. Mr Sanjay Gupta and Mrs Asha Gupta are the absolute owners in possession of the said Flat and the said Flat is mortgaged with PNB Bank.
14. The said property was mortgaged on 27/12/2019 and the then legal was made for a period of 13 years.

**Amogh V Prabhudesai**  
**Advocate**