



Ref. No.:

Date:

To,  
Mr. Jyoti Rath,  
148, Vista Villas, Sector -46  
Gurgaon, Haryana.

Date: 1<sup>st</sup> January 2023

**Sub: Investigation of title of the property at Nachinola, Bardez, Goa, bearing survey no. 66/1, admeasures 4100 square meters of Village Survey of Nachinola-Bardez, Goa.**

As instructed by you, I having perused the following documents that were furnished to me and having made my observations thereon, I am to give my opinion as regards the marketability of the title of ownership thereto, as follows:-

**TITLE REPORT**

**DOCUMENTS INSPECTED AND SCRUTINIZE:-**

1. Copy of Description Certificate no. 4933 at folio 21v of Book B- 34 (old)
2. Copy of Inscription Certificate no. 13389 at folio 131 of Book G-19
3. Copy of Matriz Certificate no. 434
4. Copy of Deed of Purchase and Sale dated 14<sup>th</sup> June 1913
5. Copy of Orphanological Inventory Proceedings no. 74.519/1928
6. Copy of Inventory Proceedings no. 172/06/C





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7. Copy of Deed of Succession dated 6<sup>th</sup> July 2021
8. Copy of Form I&XIV
9. Copy of Form III
10. Copy of Form IX
11. Copy of Survey Plan
12. Deed of Sale dated 18<sup>th</sup> July 2022

**BRIEF BACKGROUND OF THE PROPERTY**

In the present case it is seen from the documents that originally the property known as **"MADVALBATA"** also known as **"MOLVOLBATA"** also known as **"MODVOLBATA"** bearing survey no. 66 sub-division no. 1 of Village Nachinola, situated in Village Nachinola, Bardez, Goa, within the limits of the Village Panchayat of Nachinola, Bardez Taluka, Sub-District of Bardez, District of North Goa, State of Goa, described in the Land Registration Office of Bardez under no. 4933 at folio 21v of Book B- 34 (old) enrolled in the Taluka Revenue office of Bardez under no. 434 and said property admeasures 4100 square meters and the same is bounded as per new survey as under:

On the East: by property bearing survey no. 66 sub-division no. 2;

On the West: by Nalla beyond which lies properties bearing survey no. 81 sub-division nos. 12, 13, 4 and survey no. 1 sub-division no. 7;





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On the North: by Nalla beyond which lies property bearing survey no. 64 sub-division no. 1;  
On the South: by property bearing survey no. 80 sub-division nos. 6 and 7;

belonged to Luis Antonio Nolasco de Sousa and his wife Luisa Maria Generosa de Faria.

That by Deed of Purchase and Sale dated 14<sup>th</sup> June 1913, recorded at folio 22 onwards of Book no. 140 by the then Notary Public of Notarial Office of Judicial Division of Bardez, Joao Copertino da Caridade Frias, the said Luis Antonio Nolasco de Sousa and his wife Luisa Maria Generosa de Faria sold the said property along with its adjoining plot to Jose Francisco Anselmo de Sousa;

That the said property is duly inscribed in favour of Jose Francisco Anselmo de Sousa in the Land Registration Office of Bardez, under no. 13389 at folio 131 of Book G-19.

That the said property is duly enrolled in favour of Jose Francisco Anselmo de Sousa in the land revenue Office of Bardez, under Matriz no. 434.

That on the demise of Jose Francisco Anselmo de Sousa, an Orphanological Inventory Proceedings no. 74.519/1928, were initiated in the Judicial Division of Bardez at Mapusa in its 3<sup>rd</sup>





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Office and the said property was listed under item No. 4 of the list of assets and the said property along with other properties were allotted to Camilo Manuel do Rosario Souza alias Camilo Manuel Antonio Henriques Rosario e Souza;

That the Nachinola Village was not surveyed during the erstwhile Portuguese regime as such old Cadastral survey plan is not available. However old Comunidade Plan no. N2-11 shows the above property in their plan with the name Camilo Manuel Antonio Henriques Rosario e Souza which plan almost corresponds with the new survey plan.

That the name of the said Camilo D'Souza alias Camilo Manuel do Rosario Souza alias Camilo Manuel Antonio Henriques Rosario e Souza is found in form III (Index of Lands-Promulgation) of survey no. 1 sub-division no. 15 prepared under Goa Land Revenue Code, 1968. Similarly, in the records of Form IX dated 7<sup>th</sup> September 1971, the name of said Camilo D'Souza alias Camilo Manuel do Rosario Souza alias Camilo Manuel Antonio Henriques Rosario e Souza is found recorded in the column of Nature of Rights acquired; at serial no. 67 with a remark that the rights acquired before the promulgation of survey.

That on the demise of Camilo Manuel do Rosario Souza alias Camilo Manuel Antonio Henriques Rosario e Souza, an Inventory Proceedings no. 172/06/C, were initiated in the Court of Civil Judge Senior Division at Mapusa and the said property was listed





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under item No. 4 of the list of assets and the said property along with other properties were allotted and taken in auction by Ernestina D'Souza alias Ernestina Argemira de Souza alias Argemira Ernestina Rodrigues alias Ernestina Rodrigues;

That Ernestina D'Souza alias Ernestina Argemira de Souza alias Argemira Ernestina Rodrigues alias Ernestina Rodrigues included her name in the Occupant's Column of the Form no. I and XIV of the Survey Record of Rights pertaining to the said property bearing Survey no. 66 sub-division no. 1 of the Village survey of Nachinola - Bardez, Goa;

That on demise of Ernestina D'Souza alias Ernestina Argemira de Souza alias Argemira Ernestina Rodrigues alias Ernestina Rodrigues and Camilo Manuel do Rosario Souza alias Camilo Manuel Antonio Henriques Rosario e Souza, an Deed of Succession dated 6<sup>th</sup> July 2021, was recorded at pages 35 to 37 onwards of Book no. 874 executed before the Sub-Registrar and Notary Ex-officio at Bardez declaring Mr. Anselm Rosario De Souza alias Antonio Jose Francisco Anselmo Do Rosario E Souza alias Antonio J. F Do R E Souza alias Anselm D' Souza and Mr. Savio Geraldo De Souza alias Savio Antonio Geraldo Do Rosario E Souza alias Savio G De Souza as their legal heirs and successor.

That by Deed of Sale dated 18<sup>th</sup> July 2022, duly registered before the Sub-Registrar of Bardez at Mapusa under no. BRZ-1-3201-2022 dated 18<sup>th</sup> July 2022, the said Mr. Anselm Rosario De





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Souza alias Antonio Jose Francisco Anselmo Do Rosario E Souza alias Antonio J. F Do R E Souza alias Anselm D' Souza along with wife Mrs. Cheryl Marie D'Souza alias Cheryl D' Souza alias Cheryl Shanti Marie Souza and Mr. Savio Geraldo De Souza alias Savio Antonio Geraldo Do Rosario E Souza alias Savio G De Souza along with his wife Mrs. Cheryl De Souza sold the said property to Jyoti Rath;

That the Survey Record of Rights pertaining to the said property bearing Survey no. 66 sub-division no. 1 of the Village Survey of Nachinola - Bardez, is duly mutated with Jyoti Rath name duly included in the Occupant's Column of the Form no. I and XIV pertaining to the said property;

That there are no tenants/mundkars are reflected in the Survey Record of Rights pertaining to the said property bearing Survey no. 66 sub-division no. 1 of the Village Survey of Nachinola - Bardez;

In view of the above I am of the opinion that Jyoti Rath, who is the present owner and in possession of all that property known "**MADVALBATA**" also known as "**MOLVOLBATA**" also known as "**MODVOLBATA**" bearing survey no. 66 sub-division no. 1 of Village Nachinola, situated in Village Nachinola, Bardez, Goa, within the limits of the Village Panchayat of Nachinola, Bardez Taluka, Sub-District of Bardez, District of North Goa, State of Goa, described in the Land Registration Office of Bardez under no. 4933





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at folio 21v of Book B- 34 (old) enrolled in the Taluka Revenue office of Bardez under no. 434 and said property admeasures 4100 square meters, has clear and marketable title.

Yours faithfully,



*(Handwritten signature)*  
**(Chandrakant Kundaikar)**  
**(Advocate)**

Note:-

1. This report is based on the documents mentioned above and the Search of the record for the period commencing from 1913 to 2022 carried out at the Office of Sub-Registrar of Bardez, Directorate of Achieve and Archeology, Directorate of Survey and Land Record, Village Panchayat of Nachinola,
2. Inscription and Description certificate, Matriz Certificate are record maintained during the Portuguese Regime wherein the record of title was maintained. There is no method wherein one can correspond/identify the property or details of property mentioned in the said Description certificate, Matriz Certificate and Orphanological Inventory Proceedings with the new survey record such as form I&XIV and survey plan. For the purpose of identifying the above property based on the Description certificate, Matriz Certificate and Orphanological Inventory Proceedings, I tried to tally the boundaries mentioned in the Description certificate, Matriz Certificate and Orphanological Inventory Proceedings with the names mentioned in the manual form I&XIV and Comunidade Planta from all the four sides of the said property. The said property tallies with the surname/details of property mentioned in the form I&XIV and Comunidade Planta. I assume that it's belonging to the families/institution mentioned in the description certificate.
3. The search report has been prepared, based on the above mentioned documents which are believed to be correct and are not misleading.
4. I have not carried out a negative search in respect of litigation in relation to the said property.
5. This report on title is confined to the said property only.





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6. The accuracy of this report on title necessarily depends on the documents furnished to me and the information proved to me during the course of my discussion, being true, complete and accurate.

