

ROHAN RAMA DESSAI

Advocate
LLB (HONS), LLM.

with Office at

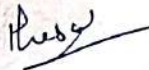
6th Floor, Reliance Magnum bldg.,
Opposite KTC Bus stand,
Margao, Goa Pin: 403601

Dated : 03/09/2020

TITLE REPORT

Documents perused

1. Deed of Sale dated 30th November 2012 registered under nos. MGO-BK1-06506-2012 CD Number MGOD64 Dated 4/12/2012.
2. Deed of Sale dt. 24th June 2013 registered under Nos. MGO-BK1-03441-2013 CD No. MGO D 69 on 24/06/2013.
3. Deed of Sale dated 20th June 2013 registered under nos. MGO-BK1-03398-2013CD Number MGOD69 Dated 20/06/2013.
4. Matriz No.3980.
5. Judgement and Decree dt. 27/1/2014 passed by the Civil Judge Junior Division F court at Margao passed in Regular Civil Suit no.281/2013/F.
6. Agreement of sale dated 14th June 2010 executed before Notary Menin Fernandes, registered under no. 9875/10 dated 14/06/10.
7. Deed of Succession and qualification of heirs dated 10th October 2008 registered before the Notary Public Ex-officio at Margao recorded at folio 53v to 54 of Deeds Book No- 2530 dated 17/10/2008.



8. Irrevocable power of Attorney dated 14/06/2010 executed before Notary Menino Fernandes under registration no. 9876/10 dated 14/06/10.
9. Conversion Sanad dt. 30/7/2020, 30/7/2020 and 26/6/2020.
10. Construction Licence dated 10/04/2018.
11. Renewal of Construction licence dated 16/01/2020.
12. Revised construction Licence dated 30/07/2020.
13. Technical Clearance order dated 1/2/18.
14. Form I and XIV of property bearing survey nos. 398/72, 398/73 and 398/75 of village Cuncolim.

PROPERTY BEARING SURVEY NO. 398/75 OF VILLAGE CUNCOLIM:

- Deed of Sale dated 30th November 2012 registered under no. MGO- BK1- 06506-2012 CD Number MGOD64 Dated 4/12/2012 Mr. Mario Melbon Igidio D'Costa purchased half of the property bearing survey no. 398/75 of Village Cuncolim from Maria Adolifina Leitao and Shri Jofcey Alladin Leitao.
- By Deed of Sale dated dt. 24th June 2013 registered under Nos. MGO-BK1-03441-2013, CD Number MGO D 69 on 24/06/2013 Mr. Mario Melbon Igidio D'Costa purchased remaining half of the undivided share in the property bearing

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survey no. 398/75 of Village Cuncolim from Smt. Ritina Baezinha Leitao Alias Ritina Fernandes.

- As per both above mentioned Deed of sale the property bearing survey no. 398/75 is a part of the bigger property known as “COMMBA PARRICOTTO”, situated at Cuncolim, Salcete, Goa, within the jurisdiction of Cuncolim Municipal Council, Taluka Salcete, South Goa District and state of Goa, not described in the Land Registration office of Salcete Judicial Division but enrolled in the Taluka Revenue office under matriz no. 3980. The property bearing survey no. 398/75 is bounded as follows:-

On the East :- by property bearing survey no. 398/76 of Cuncolim.

On the West :- property bearing survey no. 460 of Cuncolim.

On the North:- by property bearing survey nos. 398/73 and 398/74 of Cuncolim.

On the South : by the property bearing survey no. 398/78 of Cuncolim.

- The Form I & XIV of property bearing survey no. 398/75 currently shows only the name of Mr. Mario Melbon Igidio D'Costa as its sole occupant. . The name Mr. Mario Melbon Igidio D'Costa is recorded in said form vide order in mutation case no. 52548.



PROPERTY BEARING SURVEY NO. 398/72 OF VILLAGE CUNCOLIM:

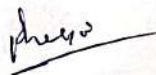
- By Deed of Sale dated 20th June 2013 registered under nos. MGO-BK1-03398-2013CD Number MGOD69 Dated 20/06/2013 Mr. Mario Melbon Igidio D'Costa purchased the property bearing survey no. 398/72 of Village Cuncolim from Teofilo Antonio Fernandes alias Jose Antonio Teofilo Fernandes alias Dr. Josef Anthony Ianoe Ferie and Smt. Maria Angella Zeferina Lilia Dias.
- As per above mentioned Deed of sale the property bearing survey no. 398/72 is a part of the bigger property known as "COMMBA PARRICOTO", situated at Cuncolim, Salcete, Goa, within the jurisdiction of Cuncolim Municipal Council, Taluka Salcete, South Goa District and state of Goa, not described in the Land Registration office of Salcete, but enrolled in the Taluka Revenue office under Matriz no. 3979. The property bearing survey no. 398/72 is bounded as follows:-

On the East :- by property bearing survey no. 398/71 of Cuncolim.

On the West :- property bearing survey no. 394 of Cuncolim.

On the North:- by property bearing survey nos. 398/70.

On the South : by the property bearing survey no. 398/73, and 398/74 of Cuncolim.
- The Form I & XIV of property bearing survey no. 398/72 currently shows only the name of Mr. Mario Melbon Igidio D'Costa as its sole occupant. The name of Mr. Mario Melbon



Igidio D'Costa is recorded in said form vide order in mutation case no. 58252.

- In the Matriz certificate bearing no. 3979 the said property is recorded in the name of Josefina Souza of Cuncolim who is shown to be a Mother /Mother - in - law of vendors as per the said sale deed dated 20th June 2013.
- In the year 2013 Mr. Mario Melbon Igidio D'Costa filed a civil suit for a declaration of title in respect of property bearing survey no. 398/72 and other survey holdings against the vendors of deed of sale dated 20th June 2013. The said suit was filed before the Civil Judge Junior Division Margao and was registered as Regular civil suit no. 281/2013/F. The Hon'ble Civil Judge Junior Division F court Margao vide its Judgement and Decree dated 27th January 2014 decreed the said suit and Mr. Mario Melbon Igidio D'Costa was declared to be owner of property bearing survey no. 398/72 of village cuncolim along with other survey holdings.

PROPERTY BEARING SURVEY NO. 398/73 OF VILLAGE CUNCOLIM:

- By Agreement of sale dated 14th June 2010 executed before Notary Menino Fernandes, registered under no. 9875/10 dated 14/06/10 Smt. Clara Maria Conceicao Maura Fernandes and Mr. Milroy Fernandes agreed to sale property known as 'COMMBA PARRICOTTO' bearing survey no. 398/73 of village Cuncolim and other survey holdings to Mr. Mario Melbon Igidio D'Costa. As per the Agreement of sale dated 14th June 2010 the said property was originally owned by late

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Shri Conceicao Domingos Fernandes and Avelina Romana Fernandes.

- Deed of Succession and Qualification of Heirs dated 10/10/2008 drawn on 10/10/2008 recorded at folio 53V to 54 of Deeds book no. 1530 before the Notary Public Ex-Officio at Margao declare Smt. Clara Maria Conceicao Maura Fernandes along with her son Mr. Milroy Fernandes as the sole and universal heirs of Shri Conceicao Domingos Fernandes and Avelina Romana Fernandes.
- Smt. Clara Maria Conceicao Maura Fernandes and Mr. Milroy Fernandes has issued Irrevocable power of Attorney dated 14/06/2010 executed before Notary Menino Fernandes under registration no. 9876/10 dated 14/06/10 in favour of Mario Melbon Igidio D'Costa for development of the property bearing survey no. 398/73 along with other survey holdings.
- The Form I & XIV of property bearing survey no. 398/73 of village Cuncolim show the names of Clara Maria Conceicao Maura Fernandes and Mr. Milroy Fernandes as its occupants. Their name has been included by order passed in mutation case no. 43930 as recorded in said Form.

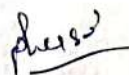
BUILDING CONSTRUCTED IN PROPERTY BEARING SURVEY NO. 398/72, 398/73 AND 398/75:-

- a) Town & Country Planning Department South Goa Margao has issued Technical Clearance Order with ref: TPM/29633/Cunc/398/72, 73 & 75 to Mr. Mario Melbon

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Igidio D'Costa for amalgamation and construction of residential building in property surveyed under survey no. 398 sub division 72, 73,& 75 dated 1/02/18.

- b) Cuncolim Municipal Council issued Construction Licence No. 201/CMC/TECH/LIC/2018-19/ 97/02 to Mario Melbon Igidio D'Costa dated 10/04/2018.
- c) Cuncolim Municipal Council issued Renewal of Construction Licence no. CMC/TECH/LIC/2019-2020/3261 to Mario Melbon Igidio D'Costa dated 16/01/2020.
- d) Cuncolim Municipal Council issued Revised Construction Licence No. CMC/TECH/LIC/2020-21/741 to Mario Melbon Igidio D'Costa dated 30/07/2020.
- e) Office of the collector, south Goa District issued Sanad no. COL/SAL/SG/CONV/31/2019/9004 to Mario Melbon Igidio D'Costa dated 30/07/2020.
- f) Office of the collector, south Goa District issued Sanad no. COL/SAL/SG/CONV/32/2019/9009 to Mario Melbon Igidio D'Costa dated 30/07/2020.
- g) Office of the collector, south Goa District issued Sanad no. COL/SAL/SG/CONV/48/2019/6022 to Mario Melbon Igidio D'Costa dated 30/07/2020.
- h) Based on the above Technical approvals Mr. Mario Melbon Igidio D'Costa has constructed a building which is only structurally complete.



CONCLUSION:

Based on the above and on scrutiny of the documents I am of the considered opinion that Mr. Mario Melbon Igidio D'Costa is in possession of the said properties. Mr. Mario Melbon Igidio D'Costa has possessory title to the property bearing survey no. 398/72, 398/75 of village Cuncolim. With respect to property bearing survey no. 398/73 Mario Melbon Igidio D'Costa has possessory right based upon the Agreement of sale dated 14th June 2010 and Irrevocable power of Attorney dated 14/06/2010 and possessory title of Smt. Clara Maria Conceicao Maura Fernandes and Mr. Milroy Fernandes.

Margao Goa

3/9/2020



Adv Rohan Rama Dessai