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DEVIDAS R. GOVENKAR
ADVOCATE

House no. 16/637,
Cardozo Waddo,
Taleigao, Post Caranzalem,
Ilhas Goa 403002.

Date: 07/07/2022

To,
M/s. Anant Laxmi & Sons Ventures Pvt. Ltd.,
A Company through its Director
Mr. Sham Shetye,
Alto Porvorim, Bardez Goa

This Title report issued at the request of M/s.
Anant Laxmi & Sons Ventures Pvt. Ltd, A
company Alto Porvorim, Bardez Goa.

I. Detail description of the property

All that property known as Savarcatto
admeasuring 7850 Sq. mtrs surveyed under no.
32/1, situated at Borim within the limit of V.P. of
Borim, Ponda Goa not described in the land
registration office of Ponda nor enrolled in the
Taluka revenue office and is bounded as under:-

On the North	: By Property surveyed under no. 32/2
On the South	: By survey no. 32/2 and 32/8 of Village Borim.
On the East	: By property surveyed under no. 32/2
On the West	: By rain water Rivulet and thereafter by existing road.

II. Documents inspected



- a) Deed of succession and qualification of heirs dtd. 1/4/2011 drawn at pages 11 to 12 V of notarial book of heirs deed no. 405 Ponda Goa.
- b) Deed of purchase and sale with quittance dtd. 19/11/1952.
- c) Will dtd. 26/7/1975 drawn at pages 39 to 42 V of notarial book for will no. 16 before notary ex officio at Ponda.
- d) Translational form Orphonological inventory proceedings which took place for partition of properties issued by office of civil judge Ilhas Goa.
- e) Deed of doacao (Gift deed) dtd. 27/11/1911 drawn at pages 16 onwards of notarial book for deeds no. 43 before notary ex officio Ponda.
- f) Certificate in inventory proceeding no. 22/87 issued by CJSD Ponda held by Gopinath Sawcar against Sarita Gopinath Sawcar.
- g) Certificate in inventory proceeding no. 36/2011A issued by CJSD Ponda held by Subhash Naraina Porobo Sawcar v/s. Yashwant Sawcar.
- h) Deed of sale dtd. 18/7/2018 registered in office of Sub registrar Ponda under no. PON-BK1-01202-2018 CD no. POND31 24/7/2018 by Subhash Sawcar and others as vendors in favour of M/s. Avishkar Enterprises



proprietary concern of Ujvala Keshav Naik with attached power of attorney by Sukanti Sawcar in favour of Subhash Desai.

- i) Agreement and sale dtd. 12/9/2020 by Avishkar Enterprises in favour of Anant Laxmi Sons Ventures Pvt. Ltd.
- j) Technical clearance order by Sr. Town Planner no. TPP/562/BORIM/32/1/2021/22/853 dtd. 27/4/22 permitting residential construction in survey no. 32/1 at Borim.
- k) Deed of succession dtd. 20/6/2018 recorded at page 10 V to 12 V of book no. 42 before civil registrar cum sub registrar and special notary Ponda declaring that Gopinath Sawkar, widower expired on 14/4/2018 leaving behind his 3 children Mr. Satyajit G. Sawkar married to Smt. Vijaya S. Sawkar who also expired on 21/1/2006 leaving behind her son Swapnil Satyajit Sawkar. Smt. Leena G. Sawkar alias Desai married to Prasanna Desai. Mr. Prasanna Desai expired on 5/10/2009 leaving behind his wife Leena and son Prasad alias Rajiv Desai and Smt. Indira G. Sawkar alias Sulabha married to Sandesh Vithal Prabhu Desai as their heirs.



- l) V.P. of Borim construction license no. VPB/CONST/BOR/2022-23/559 dtd. 9/6/2022 permitting construction in survey no. 32/1 at Borim.
- m) Town and Country Planning department order no. TP/10/2293/204/Borim/2021/1367 dtd. 28/06/2021 stating that survey no. 32/1 admeasuring 7851 sq. mtrs of area at Borim have been declared settlement zone with FAR 80 as per regional plan for Goa 2021.
- n) Survey form I & XIV in respect of survey no. 32/1 having area of 7850 Sq. mtrs and in occupant column name of M/s. Avishkar Enterprises is appearing.
- o) Letter no. 5/CNV/PON/439/DCFN/TECH/2021-22 / 930 dtd. 23/2/2022 by forest conservator Ponda informing additional collector III Ponda that survey no. 32/1 doesn't apply (Forest conservation /) Act 1980.
- p) Sanad no. AC/PON/SG/CONV/23/2019/541 dtd. 20/7/2021 issued by additional collector III Ponda in respect of survey no. 32/1 having area of 7850 sq. mtrs Borim permitting construction in the above property.



III. Brief history of devolution of title in the property

- i. Originally the above property belong to Vinaeca alias Vinayak Jairam Porobo Desai and his wife Smt. Anusuiabai Desai.
- ii. By deed of purchase and sale with Quittance dtd. 19/11/1952 registered before Notary ex officio Ponda, Mr. Rajaram V. S. Borco under book of deeds no. 303 at folio 44 reverse Mr. Vinayak Desai and his wife Smt. Anusuyabai Desai sold the above property to Mrs. Essodabai Porobo, widow of Esvonta Xaba Porobo Gauncar alias Sawcar.
- iii. Mr. Exvonta Xaba Porobo Sawcar during his lifetime by deed of adoption dtd. 22/6/1975 adopted Mr. Narayan R. Porobo s/o of his brother in law namely Raghunath and he gave name to adopted son as Narayan Exvonta Porobo whom he gifted his entire assets.
- iv. Mr. Exvonta Xaba Porobo, husband of Smt. Yadhodabai died on 18/11/1924 leaving behind his widow Yashodabai Exvonta Porobo who had no children of their own.
- v. During the life time of Smt. Yashodabai Esvont Porobo by deed of adoption dtd.

22/6/1925 she adopted as her son one Mr. Narayan Raghunath Porobo, s/o of her brother in law, by name Raghunath Xaba Porobo.

- vi. After adoption Smt. Yashodabai named her son as Narayan Yashwant Porobo alias Yashwant Porobo to whom she gifted all her properties reserving usufruct in her favour.
- vii. Mrs. Sarita J. Sawcar, w/o Gopinath died on 3/7/1987 and on her death inventory proceeding no. 11/87 was initiated in the court of civil judge sr. division Ponda in which entire share in the property she allotted to her husband Gopinath Waman Sawcar.
- viii. Said Mr. Narayana Raghunath Porobo alias Narayana Yashwant Prabhu or Porobo married to Laxmibai N. Porobo and out of this marriage they had 3 children by name Yashwant Narayan Porobo, Subhash Narayan Porobo, Gopinath Narayan Porobo.
- ix. Mr. Vaman Raghunath Porobo who was bachelor and brother of above said Narayan Raghunath Porobo, by deed of adoption dtd. 15/8/1941 adopted his nephew i.e. son of his brother Narayan Raghunath Porobo. By said deed dtd. 15/8/1941, he gifted all his properties reserving usufruct right in favour of



- newly adopted son who is named as Gopinath Vaman Porobo who was earlier before adoption was known as Gopinath Narayan Porobo.
- x. All the above persons took the name as Sawcar as their surname and have been using the same along with Prabhu Sawcar since then.
- xi. Mrs. Sarith Prabhu Gopinath Prabhu Sawcar, w/o Gopinath Vaman Prabhu Sawcar expired on 3/7/1987 leaving behind her husband Mr. Gopinath Prabhu Vaman Sawcar and Satyajit G. Sawcar, Leena alias Lina and Sulabha G. Sawcar.
- xii. On death of Sarita Gopinath Prabhu Sawcar the inventory proceedings no. 11/1987 was initiated in the court of civil judge senior division Ponda in which inventory proceeding entire property which would have come to Sarita was allotted to her husband Gopinath Vaman Prabhu Sawcar and as such said Mr. Gopinath Prabhu Sawcar and Satyajit, Leena and Sulabha became the exclusive owner of all the properties which were inherited from his ancestors.
- xiii. Smt. Essodabai Exvonta Porobo expired and on her death, inventory proceeding were initiated in the court



- of civil judge sr. division Ponda. Smt. Laxmibai Narayan Porobo Sawcar, w/o Narayan Porobo Sawcar expired leaving behind her 3 children Yashwant Narayan Porobo and his wife. 2) Subhash Narayan Porobo and Gopinath Narayan Porobo.
- xiv. Mr. Yashwant Narayan Prabhu Sawcar and his wife Essodabai Yashwant Prabhu Sawcar expired.
- xv. On death of Yashwant Narayan Prabhu Sawcar and his wife Essodabai inventory proceeding no. 36/2011/A was initiated in the court of civil judge sr. division Ponda who have left behind Mr. Subhash Narayan Porobo Sawcar alias Subhash Narayan Prabhu Sawcar as sole and universal heir.
- xvi. In the above inventory proceeding the above property was listed at item no. 200.
- xvii. In the above inventory proceeding the above property was allotted to Mr. Subhash Narayan Prabhu Sawcar married to Mrs. Sukanti S.P. Sawcar and the said allotment was finalized by judgement and order dtd. 13/12/2011 by the civil judge Sr. division Ponda.
- xviii. In view of the above allotment Mr. Subhash Narayan Prabhu Sawcar and



- his wife Sukanti S.P. Sawcar became the owners of above said property.
- xix. Mr. Gopinath Vaman Prabhu Sawcar alias Gopinath Vaman Sawcar expired on 14/4/2018 as a widower leaving behind him Mrs. Sulabha Sandesh Prabhu Desai, Sandesh, Leena Prabhu Desai, Master Prasad alias Raju Prabhu Desai, Mrs. Vijaya Satyajit Prabhu Sawcar and Mr. Swapnil Satyajit Prabhu Sawcar.
- xx. Vide deed of succession and qualification of heirs dtd. 1/4/2011 drawn at pages 11 to 12V of notarial book for heirs deed no. 405. It is declared that on 17/1/2011 Mr. Yashwant Narayan Prabhu Sawcar expired without leaving behind any heirs married to Pushpamala Prorobo Desai under pre nuptial contract dtd. 20/6/1974 drawn at pages 32 to 33 of notarial book of deeds no. 374 before notary ex officio Ponda leaving behind their sole and universal heir his brother Subhash Narayan Desai.
- xxi. Since the above pre nuptual agreement was executed both couple, Yashwant as well as Pushpamala were not entitled for assets of each other and therefore Mr. Yashwant alone could declare his brother Subhash Narayan



Desai as his universal heir and could transfer / inherit his assets without the consent of his wife.

- xxii. The Sr. Town Planner Ponda have permitted the construction in the above property surveyed under no. 32/1 admeasuring 7850 Sq. mtrs and the additional collector III have granted Sanad / NA to use the above survey no. 32/1 admeasuring 7850 Sq. mtrs at Borim for construction purpose and the V.P. of Borim have granted construction license in the above survey no.
- xxiii. Vide deed of sale dtd. 18/4/2018 Mr. Subhash Narayan Prabhu Sawcar and others sold the above property to M/s. Avishkar Enterprises a proprietary concern of Mrs. Ujwala Keshav Naik alias Ujvala Keshav Naik.
- xxiv. By agreement for development and sale dtd. 12/9/2020 said M/s. Avishkar enterprises entrusted the work of development and sale of the above property to M/s. Anant Laxmi & Sons Ventures Pvt. Ltd. a company.

Opinion

In view of the above I am of the opinion that by virtue of deed of sale dtd. 18/7/2018, M/s. Avishkar Enterprises have good marketable title to




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the property surveyed under no. 32/1
admeasuring 7850 Sq. mtrs situated at Borim and
same good marketable title they can transfer in
favour of M/s. Anant Laxmi and Sons ventures
Pvt. Ltd. or in favour of his nominees on execution
of deed of sale.

Note: Party be asked to get nil encumbrance
certificate.


D. R. Govenkar
Advocate