

Judin M. J. Usgaonkar

Advocate

TITLE REPORT

This title report is issued at the instance of **D. S. CONTRACTORS PVT. LTD.** for the following property.

PROPERTY :

ALL THOSE DISTINCT plots bearing No.53, 54, 55, 60, 61, 62, 63 and 64 admeasuring 4462 sq. mts. (hereinafter called as the said plots) forming a part of the larger property called MORGADO, situated at Village Curca, Taluka Tiswadi, District of South Goa, surveyed in the Record of Rights of Village Curca under no.23/1 and registered in the Land Registration Office under no.14930 of Book B-39 (new) (hereinafter called as the said property). The said plots jointly are bounded as under :

South, East and West: By the internal road of the sub-division.

North : Partly by the property of the Comunidade and by the internal road of the sub-division.

DOCUMENTS FURNISHED :

1. Description certificate.
2. Deed of Gift dated 19th July 1933.
3. Agreement of Sale dated 23/07/1990. (†)
4. Deed of Sale dated 09/06/2006.
5. Form I & XIV.

6. NIL Encumbrance Certificates :

- i) From 01/11/1965 to 06/02/2004.
- ii) From 01/02/2004 to 17/08/2006.

We have carefully examined the documents mentioned above and we opine as under :

OPINION :

1. The document at Serial No.2 shows that the said property, described in the Document at Serial No.1 originally belonged to Mr. Aliexo Clemente Messais Gomes, who by a Deed of Gift dated 19th July 1933, rectified on 07/08/1933 gifted the said property to his son Mr. Albino Messais Gomes, towards his disposable quota.

The said Mr. Albino Messais Gomes was married to Mrs. Belmira Rita Gomes under the Regime of Communion of Assets.

2. From the said Deed of Gift Deed it is clear that the said Mr. Albino Messais Gomes, became owner of the said property in the year 1933 and had been in enjoyment of the said property for more than 50 years and his name was duly entered in the column of Occupant in Survey Form No.I and XIV (document at Serial No.5) pertaining to the said property, thus proving that he was in lawful, physical and exclusive possession of the said property.

3. By an Agreement of Sale dated 23/07/1990, the said Mr. Albino Messais Gomes and his wife, said Mrs. Belmira Rita Gomes, agreed to sell the said property to the developer Mr. Raghurai Tamba to develop the same.

4. The said Mr. Raghurai Tamba after having obtained all the required permissions from the concerned authorities, sub-divided the said property into several plots and the said scheme was called "Trinity Valley Retreat".

5. By a Deed of Sale dated 09/06/2006, registered with the Sub- Registrar of Tiswadi at Panaji under No.1652 at pages 346 to 383, of Book No.I Volume No.1652 dated 19/06/2006, the said Mr.

Albino Messais Gomes and his wife said Mrs. Belmira Rita Gomes, alongwith the said Mr. Raghurai Tamba, as the Confirming Party, sold the said plots to Mr Rajendra Purshottam Halarnkar.

6. Therefore, till such Sale, the owner Mr. Albin Messias Gomes continued to be in lawful possession of the said property for more than 70 years.

7. We had published a notice in Daily Navhind Times (English) and Daily Gomantak (Marathi) both dated 27/08/2006 inviting objections from the public, within 10 days thereof to overrule any encumbrance over the said property, by way of mortgage by deposit of title deeds or any third party rights over the said property, by way of any prior lease, lean, agreement, etc.

8. No objection/claim has been received in response to the said notice within the date stipulated therein or till this date.

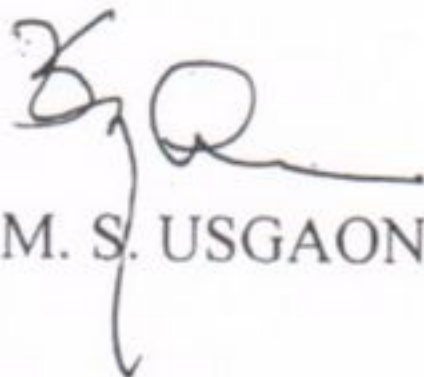
9. NIL encumbrance certificates (documents at Serial No.6) issued by the Sub-Registrar of Tiswadi, from 01/11/1965 till 17/08/2006 reveals that the said property is free of any registered encumbrance.

10. By a Deed of Sale dated 31/10/2006, registered under No.2925 at pages 476 to 507, Book No.I, Vol. 1708 dated 07/11/2006, with the Sub-Registrar of Ilhas, said Mr. Rajendra Halankar accompanied by his wife Mrs. Rameshwari Halankar sold the said plots to M/s. D. S. Contractors Pvt. Ltd.

Conclusion :

From the above analysis, it is clear that the present owner M/s. D. S. Contractors Pvt. Ltd. has clear, legal and marketable title to the said plots.

Panaji.
December 21, 2006


SUDIN M. S. USGAONKAR