

SUDESH N. BORKAR

M.Com. L.L.B

Advocate

Off: S-08, 'D' Bldg, Apna bazaar Complex, Behind Old Collector
Office, Opp. Post Office, Margao-Goa
Ph: Res. 2714747/Mob: 9850453057 Email:
adv_borkar@rediffmail.com

Ref No

Date: 23/06/2022

TO WHOMSOEVER IT MAY CONCERN CERTIFICATE OF TITLE

DESCRIPTION OF THE PLOT/PROPERTY

All that Plot B admeasuring an area of 861 sq. mts forming part/portion of landed property known as "BIBEANGALLY or PILLEMAND", situated at village Sirvoi, within the limits of Quepem Municipal Council, Taluka and Sub District of Quepem, District of South Goa, State of Goa, not described in the Land Registration office of Quepem, but enrolled in the Taluka Revenue office under Matriz No. 582 and presently surveyed under survey no. 24/4-C of Village Sirvoi of Quepem Taluka and the said plot is bounded as follows:

- On the East : By road leading from Tilamol to Zambaulim and part by area acquired by Quepem Municipal Council;
- On the West : By Plot E of Survey no. 24/4 and 24/4-A ;
- On the North : By Plot D of survey No. 24/4 and 24/4A and part of property bearing survey no. 24/4A; and;
- On the South : By internal private road of 3 meters from the building Bene Plaza and part of survey no. 24/4 and 24/4A;

DOCUMENTS SCRUTINIZED

1. Regular Civil Suit No. 44/2004/B
2. Sanad dated 17/12/1997 of survey no. 24/4-A
3. Deed of Sale dated 27/08/2010
4. Survey Plan dated 04/10/2016 of survey no. 24/4 and 24/4-A
5. Form I and XIV dated 03/01/2018 of survey no. 24/4
6. Form I and XIV dated 18/01/2021 of survey no. 24/4-A
7. Judgment and Order dated 16/04/2021

S. Borkar



8. Form I and XIV dated 20/05/2021 of survey no. 24/4-C
9. Survey Plan dated 27/05/2021 of survey no. 24/4-C
10. Sanad dated 18/08/2021 of survey no. 24/4-C
11. Technical Clearance Order dated 16/12/2021
12. Construction Licence dated 18/02/2022
13. Agreement for development and Exchange dated 01/03/2022
14. Irrevocable Power of Attorney dated 23/03/2022
15. Nil Encumbrance Certificate dated 20/06/2022

SEARCH AND INVESTIGATION

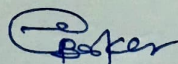
That there exist a property known as "BIBEANGALLY or PILLEMAND", situated at village Sirvoi, Quepem, Goa. That Shri Jaganath B. Bene has filed a Regular Civil Suit bearing No. 44/2004/B for permanent and mandatory injunction claiming that they are the owners of the property against Anand S. Bene and others. By virtue of Consent terms dated 12/04/2008 filed in the above suit Anand S. Bene and others were allotted property bearing survey no. 24/1, 24/3, 24/4, 24/4-A and 24/5 of village Quepem, Goa, as exclusive owner and accordingly the same properties were in possession of Anand S. Bene and others. The office of Deputy Collector & Sub Divisional officer, Sub Division, Quepem, Goa, was issued Sanad under no. 5-88/97-CONV dated 17/12/1997 by which plot bearing survey under survey No. 24/4-A which was converted for the purpose of residential use. Mr. Gautam Bene as one of defendant has contributed a sum of Rs. 4,75,000/- (Rupees Four Lakhs Seventy Five Thousand Only) to make payment to the Plaintiff for amicable settlement and as per the family settlement it was agreed to convey plot admeasuring 861 sq. mts. identified as plot B which was the part of the property bearing survey no. 24/4 and 24/4-A of village Sirvoi, Quepem Taluka. Subsequently by virtue of Deed of Sale dated 27/08/2010 duly registered in the office of Sub Registrar of Quepem under no. 992 at pages 37 to 50 of Book No. 1 Volume no. 562 dated 11/11/2010 Shri Anand Seshgiri Bene and his wife Ms. Vasanti Anand Bene as vendor along with the consent of Shri Seshgiri alias Girish Anand Bene and his wife Mrs. Pritam Seshgiri Bene and Mr. Yogesh Anand Bene and his wife Mrs. Sneha Yogesh Bene as confirming party sold/conveyed and transferred the said plot B admeasuring 861 sq. mts. which was forming part/portion of the said whole property bearing survey no. 24/4 and 24/4-A

of village Sirvoi, Quepem, Goa, along with existing Shop cum Garage bearing H. No. 268 existing therein to Shri Gautam Anand Bene and his wife Mrs. Darshani Gautam Bene and became the owner of the said plot. The office of Directorate of Settlement and Land Records, Quepem, Goa has issued Survey Plan of Surveyed under survey no. 24/4 and 4-A of village Sirvoi, Quepem, Goa. The name of Shri Gautam Anand Bene and his wife Mrs. Darshani Gautam Bene are shown in the occupant column in form I and XIV of survey No. 24/4 of village Sirvoi, Quepem, Goa under mutation no. 24033 along with other people. The name of Shri Gautam Anand Bene and his wife Mrs. Darshani Gautam Bene are shown in the occupant column in form I and XIV of survey No. 24/4-A of village Sirvoi, Quepem, Goa under mutation no. 24034 along with other people. By Judgment and order dated 16/04/2021 passed by Sub Divisional officer in Partition case bearing No. LRC/PART/QPM/SIR/33/2021/1875, the said plot was issued new survey no. as 24/4-C of village Sirvoi, Quepem, Goa. The name of Shri Gautam Anand Bene and his wife Mrs. Darshani Gautam Bene are shown in the occupant column in form I and XIV of survey No. 24/4-C of village Sirvoi, Quepem, Goa under mutation no. 34775. The office of Directorate of Settlement and Land Records, Quepem, Goa has issued Survey Plan of Surveyed under survey no. 24/4-C of village Sirvoi, Quepem, Goa. The office of Deputy Collector & Sub Divisional officer, Sub Division, Quepem, Goa, was issued Sanad under no. A3/19/CONV/2021/4368 dated 18/08/2021 by which plot bearing survey under survey No. 24/4-C which was converted for the purpose of commercial use. The office of Town and Country Planning Department has issued Technical Clearance Order for construction of shops and multi family dwelling vide its order no. TPQ/CT/7449/Q-Sirvoi/24/4-C/2021/2285 dated 16/12/2021. The office of Quepem Municipal Council has issued Construction License for construction of residential and commercial building which Construction License bearing No. CONSTLIC/QUEPEM/2021-2022/6 dated 18/02/2022. By virtue of an Agreement for Development and Exchange dated 01/03/2022 duly executed before notary Purushottam K. Phaldesai under regd. no. 677/2022 dated 03/03/2022 Shri Gautam Anand Bene and his wife Mrs. Darshani Gautam Bene have agreed to develop/exchange the said plot to Shri Seshgiri Anand Bene and acquired the substantive right over the said plot and shall allot premises as stated in the said agreement to Shri Gautam Anand Bene and his

wife Mrs. Darshani Gautam Bene and balance premises to Shri Seshgiri Anand Bene who can sell transfer in favour of his prospective customers. By virtue of Irrevocable Power of Attorney was executed on 23/03/2022 by Shri Gautam Anand Bene and his wife Mrs. Darshani Gautam Bene in favour of Shri Seshgiri Anand Bene and by which irrevocable power of attorney was executed before notary Purushottam K. Phaldesai. The office of Sub Registrar of Quepem has issued nil encumbrance certificate bearing No. 135/2022 in respect of said plot certifying the said plot is free from encumbrances from 11/11/2010 to 20/06/2022 by virtue of certificate dated 20/06/2022. That Shri Seshgiri Anand Bene has full authority, power to sell the premises constructed in the said project identified as "RAMNATH DAMODAR COMMERCIAL CENTRE" to his prospective Customers with the consent of Shri Gautam Anand Bene and his wife Mrs. Darshani Gautam Bene. The said Shri Seshgiri Anand Bene shall sell the said premises to his prospective purchasers by virtue of Agreement for Sale/ Agreement for construction and Sale duly registered in the office of Sub registrar of Quepem as promoter, the prospective purchaser as Purchaser/Allottee and Shri Gautam Anand Bene and his wife Mrs. Darshani Gautam Bene as land owners/consenting party.

CERTIFICATE OF TITLE

From the above documents produced as whereas I am of the opinion that Shri Gautam Anand Bene and his wife Mrs. Darshani Gautam Bene has clean, clear, valid and marketable title over the said plot which is under construction and development and identified to be "RAMNATH DAMODAR COMMERCIAL CENTRE" and base on Agreement for development and exchange dated 01/03/2022 Shri Seshgiri Anand Bene in a capacity of promoter and developer has possession and authority to do construction of shops/flats in the project therein after obtaining necessary permission from the competent authorities in the name of Shri Gautam Anand Bene and his wife Mrs. Darshani Gautam Bene who agreed to allow him for development of the property and sell the premises to his prospective customers except the premises allotted to the Land owners. As per the certificate of Nil Encumbrance produced by the party from the office of Sub Registrar of Quepem who certified that the said plot is free from encumbrances for last 12 years. The Shri Seshgiri Anand Bene shall sell the



premises by executing agreement in the office of Sub Registrar of Quepem. I certify that Shri Gautam Anand Bene and his wife Mrs. Darshani Gautam Bene has clean, clear, Marketable title who entrusted the work of development and exchange of premises with Shri Seshgiri Anand Bene. This certificate is issued upon the request of Shri Seshgiri Anand Bene, resident of S-3, Louis E Noronha Mansion A, 2nd Floor, Opposite Padma Pharmacy, Near Pandav Chapel, Aquem, Margao, Goa.

Yours faithfully


(Sudesh N. Borkar)
Advocate

ADV. SUDESH N. BORKAR
Apna Bazar Complex, S-08, 'D' Bldg.,
Behind Collectorate Office,
V.V. Road,
Margao-Goa 403 601

