



SWAPNIL NASNOLKAR

Advocate

TITLE REPORT

I- DESCRIPTION OF THE PROPERTY

ALL THAT immovable property having Plot No. '133 CS2 667" totally admeasuring an area of **1054 sq. mts.** which is presently surveyed under **Survey No. 130 Sub Division 1-A of Village Ella**, which are sub divided Plot forming a part of the larger immovable forming the part of the larger property known as "**BHRAMAPUR**" admeasuring 43278 sq. mts. situated at Ella within the limits of Village Panchayat of Se - Old Goa, Taluka of Tiswadi, Sub Registration District of Ilhas, District of North Goa, State of Goa, which property is described as whole under No. 6148 at Folio 48 of Book B-16 (New) and 3/4th portion of the Third Division of the same independently described under No. 6152 at Folio 148(R) of Book B16 New and 1/4th of the same division being described under No. 6153 at Folio 149 of Book B-16 (New) and the same is not enrolled in the Taluka Revenue Office and the same is bounded as under :-

Towards the East: By Plot No. 134 and 136 ;

Towards the West: By Open Space ;

Towards the North : By internal road ;

Towards the South : By 10 metres Road ;


II- DESCRIPTION OF THE DOCUMENTS SCRUTINISED

1. Inscription and Description of the Said Property along with certified Translation of the Said Property. (PHOTO COPY).
2. Inventory Proceedings Order dated 18/2/1994 passed by the Hon'ble Civil Judge, Panaji, Goa. (PHOTO COPY).
3. Agreement for Sale dated 28/4/1992. (PHOTO COPY).
4. Deed of Sale dated 23/2/1995. (PHOTO COPY).
5. Partition Proceedings Order dated 25/1/1996 and 28/1/1997, passed by the Deputy Collector & SDO, Panaji, Goa. (PHOTO COPY).
6. Conversion Sanad issued by the Office of the Collector of North Goa, Panaji granted vide Order No. CNV/TIS/10/97 dated 1/7/1997 (PHOTO COPY).
7. Final Development Certificate dated 16/10/2002 under No. VP/SOG/599/15/2002-03 from the Office of Village Panchayat Se Old Goa. (PHOTO COPY).
8. Final NOC issued by the Senior Town Planning Department, Government of Goa Panjim, Ilhas, Goa vide letter No. TIS/959/ELL/02/403 dated 1/10/2002 and final NOC of Sub-Division has been granted by Village Panchayat of Se-Old- Goa.
9. Approved Sub Division Plan of Phase II in the Said Property. (PHOTO COPY).



10. Deed of Sale dated 20/4/2006 ; (PHOTO COPY).
11. Form I & IV of Survey No. 130 Sub Division No. 1-A of Village Ella. (PHOTO COPY).
12. Survey Plan of Survey No. 130 Sub Division No. 1-A of Village Ella. (PHOTO COPY).
13. Technical Clearance Order issued by the Office of the Town Planner, Town and Country Planning Department, Panaji, Goa vide Order Reference No. TIS/9992/ELLA/TCP/2022/379 dated 11/March/2022 and TIS/9993/ELLA/TCP/2022/382 dated 11/March/2022 ; (PHOTO COPY).
14. Approval from Directorate of Health Services, Primary Health Centre, Corlim, Tiswadi, Goa under Reference No. DHS/2022/DHS0901/O0017/798 dated 7/June/2022 and DHS/2022/DHS0901/O0017/798 dated 7/June/2022, by the Health Officer, Primary Health Centre, Corlim, Goa. (PHOTO COPY).
15. Office of the Town and Country Planning Department vide under Nos. Tis/4390/Ella/07/380 dated 19/03/08, for Plot bearing No. C-S-2- 815. Tis/4393/Ella/07/381 dated 19/03/08 for Plot bearing No. C-S-2-894, Tis/4391/Ella/08/407 dated 26/03/08, for Plot No. 133 and C-S-2 667 (amalgamated) and Tis/4392/Ella/08/408 dated 26/03/08, for Plot bearing No. 103 and C-S-2 544 (amalgamated) for construction of residential buildings (revised). (PHOTO COPY).

16. Licence bearing Nos. VP/SOG/173/File/2011-12 dated 16/05/2011, for plot No. CS2 815, under no. VP/SOG/174/2011-12 for Plot no. 133 CS2 667, under no. VP/SOG/175/File/2011-12 for plot No CS2 894 dated 17/05/2011, and under no. VP/ SOG/176/File/2011- 12 for Plot No. 103 CS2 544 dated 17/05/2011. (PHOTO COPY).
17. Deed of Sale dated 30/11/2011. (PHOTO COPY).
18. Deed of Sale dated 18/3/2016. (PHOTO COPY).
19. Approved Plan of the proposed Building to be constructed in the Said Plot No. "133" admeasuring an area of 387 sq. mts. having stamps and seals of all the concerned Authorities. (PHOTO COPY).
20. Approved Plan of the proposed Building to be constructed in the Said Plot No. "133 CS2" admeasuring an area of 667 sq. mts. having stamps and seals of all the concerned Authorities. (PHOTO COPY).
21. Construction License bearing No. VP/SOG/TIS/2022-2023/343 dated 28/5/2022 construction of Building Complex in Said Plot No. "133" granted by the Village Panchayat of Se-Old Goa. (PHOTO COPY).
22. Construction License bearing No. VP/SOG/TIS/2022-2023/344 dated 28/5/2022 construction of Building Complex in Said Plot No. "133 CS2" granted by the Village Panchayat of Se-Old Goa. (PHOTO COPY).



23. NIL Encumbrance Certificate issued by Civil cum Sub Registrar of Tiswadi, Goa dated 21/2/2023.

III. HISTORY OF THE TITLE BASED ON THE DOCUMENTS

I have examined the documents referred herein above and in my considered opinion :

- A. There exists an immovable property bearing Survey No 130/1-A identified as **"BRAMAPUR"** situated at Ella within the limits of Village Panchayat Ella, Taluka and Registration Sub District of Ilhas, District North Goa in the State of Goa which property is described as a whole under No. 6148 at folio 143 of Book B-16 (New) and 3/4th portion of the Third Division of the same independently described under No. 6152 at folio 148 (R) of Book B-16(New) and 1/4th of the same Division being described under No. 6153 at Folio 149 of Book B-16 (New) and not enrolled in the Taluka Revenue Office and the same is hereinafter referred to as the Said Larger Property.
- B. The 3/4th of the said Third Division of the Said Larger Property is a distinct property by itself described in the Land Registration Office of Ilhas Taluka under No. 6152 at pages 148 overleaf of Book 16 (New) and inscribed in favour of Ramchandra Venkatexa Sinai Dhumatkar under No. 3361 at pages 79 overleaf of Book G-9.



- C. The $1/4^{\text{th}}$ of the same Third Division of the Said Larger Property being a distinct property by itself is described under no. 6153 at folio 149 of Book B-16 (New), stands inscribed in favour of Vinaeca Ramchandra Sinai Dumotcar under No. 1140C at folio 165 of Book F-19.
- D. Both the parts $3/4^{\text{th}}$ and $1/4^{\text{th}}$ of the above whole property "BRAMAPUR" admeasuring 99,500 sq. meters corresponds to Survey No. 130/0 of Ella Village, Taluka Tiswadi, Goa as one distinct and separate property by itself.
- E. Out of the entire area of 99,500 sq. meters an area of 1925 sq. meters has been acquired by the Government of Goa for public purpose 5 after due notification under Section 4 of the Land Acquisition Act 1874, published under No. 22/41/83/RD dated 11/03/83 at page 701 of Series II No. 52 of the Official Gazette dated 24/3/1983 and upon completion of the subsequent procedure the Order for acquisition was published on Page 895, Series II, No. 51 of the Official Gazette dated 21/03/1985 thereby reducing the area of the above said to 97,575 sq. meters.
- F. Upon the death of the said Ramchondra Vencatexa Sinai Dhumatkar and his wife Indirabai Ramchondra Dhumatkar and Vinaeca Ramchondra Sinai Dhumatkar their heirs initiated Inventory Proceedings bearing No. 60/1993 before the Court of the Civil Judge Senior Division at Panaji.
- G. Thereafter vide Judgment and Order dated 18/2/1994, the Said Larger Property came to devolve upon the legal heirs of the said Ramchondra



Venkatrao Sawai Dhumatkar, his wife Indirabai Ramchondra Dhumatkar and Vinayra Ramchondra Sawai Dhumatkar

H. Agreement for Sale dated 28/4/1992, one of the legal heirs Shri Ramchondra Vinayra Dhumatkar, executed before the Notary Public Ganesh Dhumatkar, at Aho-Porvora, Bunder, Goa, agreed to sell Said Larger Property better described in Schedule - 6 I to Mr. Eric Francis Sequerra and Mr. Pascoal Trindade.

I. Deed of Sale and Conveyance dated 23/2/1995 executed before the Sub Registrar of Ilhas, at Panaji under registration No. 1190 at pages 254 to 332 of Book 1 Volume No. 427 dated 7/7/1995, all the legal heirs of late Ramchondra Venkatrao Sawai Dhumatkar, his wife Indirabai Ramchondra Dhumatkar and Vinayra Ramchondra Sawai Dhumatkar, as Vendors of the one part sold all that property admeasuring 97,575 sq. meters of area part of the larger immovable forming the part of the larger property known as "BHARAMPUK" admeasuring 43278 sq. mts. situated at Villa within the limits of Village Panchayat of Se - Old Goa, Taluka of Liswadi, Sub Registration District of Ilhas, District of North Goa, State of Goa, sold to Mr. Pascoal Trindade and the Confirming Party Mr. Eric Francis Sequerra who had agreed to purchase the Said Larger Property along with the said Mr. Pascoal Trindade confirmed having received his part of the consideration money paid to the late Ramchondra Venkatrao Sawai Dhumatkar, his wife Indirabai Ramchondra Dhumatkar and Vinayra Ramchondra Sawai Dhumatkar, at the time of execution of the Agreement for Sale dated 28/4/1992.



- J. Thereupon, Mr. Pascoal Trindade became the exclusive owner in possession of the admeasuring 43278 sq. mts., filed a suit for Partition before the Deputy Collector at Panaji, Goa, under Case No. LND/PART/49/96 for partition of his holding land admeasuring 97,575 sq. meters of area from the area acquired by the Government of Goa.
- K. Thereafter, the Deputy Collector, Panaji, Goa, vide Orders dated 25/7/1996 and 28/1/1997, confirmed the partition of the holding admeasuring 97,575 sq. meters of area from the area acquired by the Government of Goa and accordingly allotted to a Survey No to the partitioned portion a new survey No. 130/1-A of Village Ella.
- L. The Said Larger Property was converted into non agriculture under Rule 7 of Goa Daman and Diu Land Revenue (Conversion use of land and non agricultural assessment) Rule 1969 vide Sanad bearing No.CNV/TIS/10/97, dated 1/7/1997 from the office of the Sub Divisional office and Deputy Collector, SubDivision, Panaji, Ilhas, Goa.
- M. Mr. Pascoal Trindade sub-divided the Said Larger Property into two phases i.e. Phase I and Phase II vide Development certificates issued by the Village Panchayat of Se-Old-Goa under reference Nos. VP/SOG/75/15/2000-2001 dated 2/5/2000 for Phase I for an area of 54297 sq. meters and VP/SOG/599/15/2002-2003 dated 16/10/2002 for Phase II for an area of 43,278 sq. meters respectively.
- N. Accordingly the said Mr. Pascoal Trindade has carried out the Sub-division of Plots, which has been duly approved by the Senior Town



Planning Department, Government of Goa Panjim, Ilhas, Goa vide letter No. TIS/959/ELL/02/403 dated 1/10/2002 and final NOC of Sub- Division has been granted by Village Panchayat of Se-Old- Goa, vide letter No VP/SOG/599/15/2002/2003 dated 16/10/2002.

- O. Deed of Sale dated 20/4/2006, registered in the Office of the Sub Registrar of Ilhas under registration No. 1142 at pages 1 to 58 Book No. I, Volume 1630 dated 25-4-2006, the said Mr. Pascoal Trindade and his wife Mrs. Albertina Trindade sold the Said Property admeasuring 43,278 square meters of the land to M/s. Gold Coast Villas Private Limited.
- P. Thereafter, M/s. Gold Coast Villas Private Limited became the owner in possession of the Said Property which has been referred to as Phase II admeasuring 43,278 square meters.
- Q. Thereafter, M/s. Gold Coast Villas Private Limited obtained approvals from the Office of the Town and Country Planning Department vide under Nos. Tis/4390/Ella/07/380 dated 19/03/08, for Plot bearing No. C-S-2- 815. Tis/4393/Ella/07/381 dated 19/03/08 for Plot bearing No. C-S-2-894, Tis/4391/Ella/08/407 dated 26/03/08, for Plot No. 133 and C-S-2 667 (amalgamated) and Tis/4392/Ella/08/408 dated 26/03/08, for Plot bearing No. 103 and C-S-2 544 (amalgamated) for construction of residential buildings (revised).
- R. Thereafter, the Village Panchayat of Se-Old Goa has issued revised construction licence bearing Nos. VP/SOG/173/File/2011-12 dated 16/05/2011, for plot No. CS2 815, under no. VP/SOG/174/2011-12 for Plot no. 133 CS2 667, under no. VP/SOG/175/File/2011-12 for



plot No CS2 894 dated 17/05/2011, and under no. VP/SOG/176/File/2011- 12 for plot No. 103 CS2 544 dated 17/05/2011 for construction of Residential Buildings (Revised) in the Said Plots.

S. Out of the area Said Property admeasuring 43,278 square meters more particularly described in the Schedule – II hereunder written, M/s. Gold Coast Villas Pvt. Ltd., sold all those plots of land bearing Plot No. 133 CS2 667 totally admeasuring area 1054 sq. mts., Plot No CS2 815 admeasuring an area of 815 sq. mts., Plot No CS2 894 10 admeasuring area 894 sq. mts., and Plot No 103 CS2 544 totally admeasuring an area of 1062 sq. mts. and collectively admeasuring an area of 3825 sq. meters and which plots form part of Phase II of the said property known as "BRAMAPUR" situated at Ella within the limits of Village Panchayat of Ella, Taluka and Registration Sub District of Ilhas, District North Goa and to M/s. D. S. Contractors, a Company incorporated under the Indian Companies Act, through their Authorised Director Shri. Swaran Singh vide Deed of Sale dated 30/11/2011 duly registered before the Sub Registrar of Ilhas at Panaji under Book-1 Document, Registration Number PNJ-BK1-03218-2011 CD Number PNJD12 on 01/12/2011.

T. M/s. D. S. Contractors, a Company incorporated under the Indian Companies Act, through their Authorised Director Shri. Swaran Singh being interested to sell and the Vendor No. 1 being interested to purchase immovable property identified as Plot No. '133 CS2 667' totally admeasuring an area of 1054 sq. mts. which is presently surveyed under Survey No. 130 Sub Division 1-A of Village Ella, which is a distinct sub divided Plot forming a part Said Property and the same



is presently surveyed under Survey No. 130 Sub Division 1-A of Village Ella forming a forming the part of the larger property known as "BHRAMAPUR" situated at Ella within the limits of Village Panchayat of Se – Old Goa, Taluka of Tiswadi, 11 Sub Registration District of Ilhas, District of North Goa, State of Goa and same shall hereinafter be referred to as the **"SAID PLOT"**.

U. The Said Plot was purchased by Shri. Nayeem Shaikh from M/S. D. S. Contractors Private Limited, a Private Limited Company having its Office at Dona Paula, Panaji, Goa vide Deed of Sale dated 18/March/2016, which is duly registered in the Office of the Sub Registrar of Ilhas/Tiswadi at Panaji, Goa under Book 1 Document having Registration No. PNJBK1-00652-2016 CD Number PNJ52 dated 21-3-2016 and therefore Shri. Nayeem Shaikh became the exclusive owners possession of the Said Plot.

V. Smt. Rukhasana Banoo Sheikh acquired the right in the Said Plot by virtue of marriage with her husband Nayeem Shaikh and therefore both of them became the owners in equal shares of the Said Plot.

W. The Nayeem Shaikh is now desirous is now interested to develop the Said Plot thereby constructing a multi-storied Building Complex and has obtained various permissions from required Government Authorities as per for carrying out construction activity in the Said Plot and the same are as under :

- (i) Technical Clearance Order issued by the Office of the Town Planner, Town and Country Planning Department, Panaji, Goa vide Order Reference No. TIS/9992/ELLA/TCP/2022/379 dated



11/March/2022 and TIS/9993/EI.LA/TCP/2022/382 dated 11/March/2022 ;

- (ii) Approval from Directorate of Health Services, Primary Health Centre, Corlim, Tiswadi, Goa under Reference No. DHS/2022/DHS0901/O0017/798 dated 7/June/2022 and DHS/2022/DHS0901/O0017/798 dated 7/June/2022, by the Health Officer, Primary Health Centre, Corlim, Goa.
- (iii) Approved Plan of the proposed Building to be constructed in the Said Plot No. "133" admeasuring an area of 387 sq. mts. bearing Survey No. 130 Sub Division 1-A of Village Ella having stamps and seals of all the concerned Authorities.
- (iv) Approved Plan of the proposed Building to be constructed in the Said Plot No. "133 CS2" admeasuring an area of 667 sq. mts. Survey No. 130 Sub Division 1-A of Village Ella having stamps and seals of all the concerned Authorities.
- (v) Construction License bearing No. VP/SOG/TIS/2022-2023/343 dated 28/5/2022 construction of Building Complex in Said Plot No. "133" admeasuring an area of 387 sq. mts. granted by the Village Panchayat of Se-Old Goa.
- (vi) Construction License bearing No. VP/SOG/TIS/2022-2023/344 dated 28/5/2022 construction of Building Complex in Said Plot No. "133 CS2" admeasuring an area of 667 sq. mts. granted by the Village Panchayat of Se-Old Goa.



IV. CONCLUSION :

I have verified the documents and conducted search of Title in immovable property having Plot No. '133 CS2 667" totally admeasuring an area of 1054 sq. mts. which is presently surveyed under Survey No. 130 Sub Division 1-A of Village Ella, which are sub divided Plot forming a part of the larger immovable forming the part of the larger property known as "BHRAMAPUR" admeasuring 43278 sq. mts. situated at Ella within the limits of Village Panchayat of Se – Old Goa, Taluka of Tiswadi, Sub Registration District of Ilhas, District of North Goa, State of Goa, which property is described as whole under No. 6148 at Folio 48 of Book B-16 (New) and 3/4th portion of the Third Division of the same independently described under No. 6152 at Folio 148(R) of Book B16 New and 1/4th of the same division being described under No. 6153 at Folio 149 of Book B-16 (New) and the same is not enrolled in the Taluka Revenue Office.

In case of sale of any Flat/s or any other Unit Premises to be constructed in the proposed Building Complex, the intending Purchasers/s of the flats or Units, should execute their documents with above referred Owners namely Shri. Nayeem Shaikh and his wife Smt. Rukhasana Banoo Sheikh, who are necessary parties required in their Agreement for Sale or Deed of Sale to be executed in favour of the intending Purchaser/s of the respective flat Premises.

Place : Panaji – Goa.

Dated : 21/2/2023.



Swapnil J. Nasnolkar
Advocate.

