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**OPINION IN THE MATTER OF TITLE AND
MARKETABILITY OF THE IMMOVABLE PROPERTIES
SURVEYED UNDER SURVEY NO128/9 and 128/10 OF
THE ASSAGAO, BARDEZ GOA**

At the instance of Mr. John Alfred Nazareth, we proceeded to peruse and scrutinize the documents that were placed in our hands, in furtherance of opining on the title and marketability of all that immovable properties bearing survey no. 128/9 and 128/10 of the village of Assagao, Bardez, Goa and we have to opine as under:-

SCHEDULE OF THE PROPERTY bearing survey No. 128/9:-

All that immovable property known as 'ALTA' surveyed under survey no. 128/9 of the village of Assagao, Bardez, Goa admeasuring 1550 sq.mts., and bounded as follows:-

EAST - by survey no. 128/10

WEST - by survey no.128/8

NORTH - by survey no.132/1

SOUTH - by survey no.128/33

DOCUMENTS SCRUTINIZED

1. Description certificate bearing No.19524 at folio 150 of Book B-50
2. Index of Lands in Form III
3. Form No.9
4. Deed of sale with Discharge dated 10/2/1930
5. Form I & XIV (computerized) ✓
6. Form I & XIV (manual)
7. Deed of Relinquishment and Succession dated 18/4/1994
8. Records and Proceedings in Inventory proceedings No.193/97
9. Land Conversion Sanad dated 21/9/2021 ✓
10. Survey plan(new) ✓
11. Survey plan (old)
12. Land Zoning Information dated 6/1/2017
13. Corresponding Certificate dated 21/6/2021
14. Certificate dated 17/10/2020
15. Report dated 15/6/2021 issued by the Dy. Town

Planner, Town and Country Planning Department

**SCHEDULE OF THE PROPERTY bearing survey
No.128/10:-**

All that immovable property known as 'ALTA' also known as 'UNDOR' surveyed under survey no. 128/10 of the village of Assagao, Bardez, Goa admeasuring 200 sq.mts., and bounded as follows:-

EAST - by survey no. 128/11

WEST - by survey no.128/9

NORTH - by survey no.132/1

SOUTH - by survey no.128/33

DOCUMENTS SCRUTINIZED

1. Description certificate bearing No.19524 at folio 150 of Book B-50
2. Index of Lands in Form III
3. Form No.9
4. Deed of sale with Discharge dated 10/2/1930
5. Form I & XIV (computerized)

6. Form I & XIV (manual)
7. Deed of Relinquishment and Succession dated 18/4/1994
8. Records and Proceedings in Inventory proceedings No.193/97
9. Land Conversion Sanad dated 21/9/2021
10. Survey plan(new)
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14. Certificate dated 17/10/2020
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SEARCH IN THE FOLLOWING OFFICES:-

1. Land Survey Department
2. Department of Archives
3. Office of the Sub-Registrar of Bardez at Mapusa
4. Office of the Mamlatdar of Bardez at Mapusa
5. Office of the Collector of North Goa District Panaji
6. Office of the Deputy Collector and SDO Mapusa
7. Office of the Talathi of the Village of Assagao Goa

8. Office of the Village Panchayat of Assagao, Goa
9. Town & Country Planning Department
10. Revenue Department to rule out acquisition of property
12. Office of the Superintendent of Civil Judge Senior Division and Junior Division Mapusa to rule out any pending litigation
15. Office of the Superintendent of the District Court and Addl. District Courts, Panaji/Mapusa to rule out any pending litigation and/or appeal.
16. Registrar of the Bombay High Court, Panaji Bench, Goa to rule out any pending litigation

The scrutiny of the documents referred to hereinabove reveals that the said properties are jointly surveyed under old cadastral survey no.919 of the village of Assagao, Bardez, Goa.

Both the said properties were originally a single property and accordingly was surveyed under one survey no.919(old) and the same came to be surveyed under two new survey numbers during the new survey operations (viz) survey Nos. 128/9 and 128/10 of the village of Assagao, Bardez, Goa.

The said properties originally belonged to Maria Joaquina Dias. The said Maria Joaquina Dias was the absolute owner of both the said properties which was originally a single property as well as an adjoining property bearing survey no.

128/11 and which was described under a common description Number 19524 at folio 150 of Book B-50,

By virtue of a Deed of sale dated 10/2/1930, the said Maria Joaquina Dias in the status of a widow sold one half of the property described in the Land Registration office of Bardez at Mapusa under No.19524 at folio 150 of Book B-50, to Etelvina Vas e Nazareth, which now corresponds to the properties surveyed under survey no. 128/9 and 128/10 and the other half came to be sold to Franklin B. Pires which corresponds to the property now bearing survey no. 128/11.

The said Etelvina Vas e Nazareth was married to Josinho Nazareth who was also known as Antonio Jose Nazareth alias Antonio Jose Nazare.

A perusal of the Inventory proceedings bearing No. 193/97 initiated upon the death of Pedro Caetano Nazare and Antonieta Peregrina da Cruz e Nazareth, reveals that the said Etelvina Vas e Nazareth and the said Josinho Nazareth who was also known as Antonio Jose Nazareth alias Antonio Jose Nazare, expired leaving behind their only son Pedro Caetano Nazare married to Antonieta Peregrina da Cruz e Nazareth.

The said persons expired leaving behind the following as their sole and universal heirs:-

1. Mr. John Nazareth married to Margaret D'Cruz
2. Mrs. Maria Lourdes Nazare married to Quitino Santan D'Souza, who by virtue of a Deed of Relinquishment and succession dated 18/7/1994 renounced and relinquished in favour of the other co-heirs all their right, title, interest or share they had in the inheritance of their parents /parents in law and grandparents/grandparents in law.
3. Antonio Agnelo Nazare married to Sheila Marcellus Saldanha e Nazare.

A perusal of the said inventory proceedings reveals that the said properties which were listed at Item No.2 in the said proceedings came to be purchased in auction proceedings by Mr. John Nazareth married to Margaret D'Cruz and Antonio Agnelo Nazare married to Sheila Marcellus Saldanha e Nazare, in equal proportion, which fact has been confirmed by order dated 19/8/2000 passed thereon.

Pursuant to the said allotment the said Mr. John Nazareth alias Joao Alfredo Nazare and Antonio Agnelo Nazare have carried out mutation and have got their names incorporated in the Record of Rights/Form I & XIV in respect of the said properties under mutation entry No. 1067

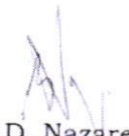
The office of the Addl. Collector, North Goa Mapusa has been pleased to issue Land Conversion Sanad bearing No. 4/105/CNV/AC-III//2021/201 dated 21/9/2021.

The office of the Town & Country planning Department vide Zoning Information dated 25/11/2020 has been pleased to inform that the as per the Regional Plan for Goa 2021, the properties falls under Settlement Zone.

The corresponding Certificate dated 21/6/2021 issued by the Supdt. Of Survey and Land records Panaji, Goa, confirms that the properties bearing Old Cadastral No. 919 corresponds to new survey no. 128/9(part) and 128/10 (part).

The title of Mr. Mr. John Nazareth married to Margaret D'Cruz and Antonio Agnelo Nazare married to Sheila Marcellus Saldanha e Nazare, to the properties bearing survey nos. 128/9 and 128/10 can therefore be opined to be clear and marketable, however subject to the production of the latest Nil Encumbrance Certificate.

Dated: 11/9/2021


(B.D. Nazareth)